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REMARKS

BY

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before the

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District of Columbia

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Judge Edgerton, Members of the Judicial Circuit Conference, Honored Guests:

I am most appreciative of your invitation to speak briefly at the opening of this Judicial Conference. It affords an opportunity to express my personal thanks, and that of the Department of Justice, for the many invaluable contributions which this and other judicial conferences have made to the more prompt and effective administration of justice. It also permits me to mention a recent development in this area in which most of you here will soon be asked to participate.

Delay in justice, resulting in actual hardship to many litigants, has become a matter of national concern. It exists in both State and Federal courts, for the most part in metropolitan areas. We in the Department of Justice are, of course, primarily concerned with delays in Federal courts since they affect litigation to which the Government is a party. However, in searching for the solution, it soon became apparent that the problem must be attacked on all fronts if the optimum currency in litigation, with the resulting improvement in justice, is to be achieved. Only in this way can nationwide habits and practices be developed that will do away with the law's delay.

Last month a conference on court congestion and delay was held at the Department of Justice to which there was invited the presidents of the bar associations of all the states and larger cities, and the heads of other bar, judicial and research organizations. Ninety leaders of judicial, legal and research organizations from every part of the country gathered to pool their knowledge and resources on this serious problem. For two days the subject was discussed in open forum and a definitive program was adopted whereby the Conference, operating on a continuing basis, can prosecute a nationwide, all-out attack on delay litigation. The Conference will conduct its continuing work through an Executive Committee to be selected by the Attorney General. The whole conference will reconvene on future occasions to further its work.

The Conference is unique in that it assembles together for the first time a large segment of the bench and bar which has never before joined forces in a coordinated program aimed at eliminating delay which has become a blight on our profession. This problem is, of course, receiving the attention of many organizations throughout the country. Regrettably, however, and even recognizing the substantial improvements made in some areas, delay is still prevalent. What has been lacking has been an active cooperative partnership with bar associations and individual members of the bar.

I was particularly pleased that this Conference, to be known as the "U. S. Attorney General's Conference on Court Congestion and Delay," and which unites these groups, will be permanent. It thereby provides an effective, continuing weapon to combat this shortcoming in our profession.

During the ensuing year, the Conference will receive, correlate and report on the need for adequate and uniform judicial statistics; the possibility of rotating judges to congested areas; the extent to which discovery procedures and pretrial conferences can be employed to shorten trial time; whether maximum efficiency in calendar procedures is being employed; the extent to which the judge must exercise control over the progress of litigation; and last, but perhaps most important, the professional responsibility of the bar to assist in accomplishing these objectives.

I stress this final point because the Conference, in recognition of the importance it attached to cooperative action, unanimously adopted a resolution stating in part that "a cooperative, hard-working joint venture, participated in by all members of our profession in a resolute manner, and carried forward on a day-to-day basis, can materially reduce congestion in our courts in the very near future, with substantial improvement in the administration of justice."

That unnecessary delays in the administration of justice will be eliminated is assured because, I am confident, that the bar will wholeheartedly endorse the resolution and assume its responsibilities thereunder.