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September 2, 2005

The Honorable Bill Frist
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Harry Reid
Minority Leader
United States Senate
Washington, DC 20510

Dear Mr. Majority Leader and Mr. Minority Leader:

We urge you to pass emergency legislation as soon as possible that will permit federal district courts in areas devastated by Hurricane Katrina to temporarily relocate to another location and resume business as soon as possible.

One of the many devastating effects of Hurricane Katrina has been the complete disruption of the ability of the federal district courts in New Orleans to conduct judicial business. Extensive hurricane damage in parts of Alabama and Mississippi also may have made it impossible for other federal courts to operate. Judicial business has come to a complete halt in these areas because affected district courts are prohibited from temporarily resuming operations outside of the geographical area in which they are authorized to sit. Further, the hurricane damage is so extensive, it is impossible to predict how long the disruption may continue.

The implications for the judicial system are both immediate and long-term. Without a safe place to hold court, there is no way for prosecutors to comply with the Speedy Trial Act, which specifies time limits in which criminal cases must be heard. Moreover, any delays in handling the heavy criminal dockets in these areas will further delay the hearing of civil cases, including those that arise as a result of the hurricane. Court delays may impede the timely resumption of commercial activities and unnecessarily add to the anguish of many hurricane victims.

Page 2
September 2, 2005

The solution is straightforward and requires no additional appropriation. We urge you to make as one of the first items of business when Congress reconvenes September 6 the passage of legislation to authorize any federal district court whose operation has been paralyzed by the hurricane to resume business in a convenient and safe neighboring judicial district.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans".

Robert D. Evans

CC. Members of the Committee on the Judiciary