
PROPOSAL: Amends §31.7 of the Bylaws to dissolve the Standing Committee on the American Judicial System.

Amends §31.7 of the Bylaws to delete the paragraph headed American Judicial System.

**American Judicial System.** The Standing Committee on the American Judicial System shall consist of twenty-one members as described in paragraph (a) and shall be composed of the Subcommittee on State Courts and the Subcommittee on Federal Courts, as described in paragraphs (c)-(d).

(a) The Standing Committee on the American Judicial System shall have twenty-one members appointed by the President. The members shall consist of a chair of the Standing Committee, who shall not be a currently serving judge, plus ten members designated as appointees to the Subcommittee on State Courts and ten members designated as appointees to the Subcommittee on Federal Courts. A majority of the members of each Subcommittee shall be non-judges. Annually, one non-judge member of each Subcommittee shall be designated by the President to serve as chair of that Subcommittee. The two chairs of the Subcommittees shall serve as vice-chairs of the Standing Committee. The chair of the Standing Committee and the two Subcommittee chairs shall comprise the executive committee of the Standing Committee.

(b) The Standing Committee on the American Judicial System shall:

1. coordinate activities within the Association and act as a clearinghouse for the Association’s activities relating to preservation and improvement of the judicial system, judicial independence and the preservation of fair and impartial courts, preservation of the American jury system, and methods of judicial selection and retention, including support of and coordination with the Task Force on Preservation of the Justice System and the Commission on the American Jury Project;

2. assist courts, administrative judiciaries, and bar associations to prepare for and respond to attacks on judicial independence, the ability of the courts to remain fair and impartial, and any other threats to the fair, impartial and efficient administration of justice;
(3) support efforts to increase public understanding of the importance of fair and impartial courts, the role of the judicial branch, and other matters related to the fair and efficient administration of justice within American judicial systems;

(4) make recommendations to improve and enhance the American judicial system, support and protect fair and impartial courts, and ensure adequate funding of the American judicial system; and

(5) maintain liaison with other persons and organizations concerned with judicial reform, with the judiciary, and with other appropriate government officials and court-related entities.

(c) The Subcommittee on State Courts shall:

(1) carry out the mission of the Standing Committee with regard to state, local, and other non-federal American judicial systems;

(2) support efforts to increase public understanding of judicial selection and retention methods and to increase informed citizen participation in states where judges are subject to election of any kind;

(3) make recommendations regarding appropriate compensation for state and local judges, creation and filling of needed judgeships, and adequate funding of state and local judicial systems; and

(4) work with state and local courts and bar associations and maintain liaison with other persons and organizations concerned with judicial reform related to state courts and judicial selection, with the Conference of Chief Justices, the National Center for State Courts, and with other appropriate government officials and court-related entities.

(d) The Subcommittee on Federal Courts shall:

(1) carry out the mission of the Standing Committee with regard to the federal judicial system;

(2) study, monitor, and make recommendations regarding

(i) the appropriate compensation for federal judges;

(ii) the adequacy of the number of federal judgeships, including authorization of additional judgeships and filling judicial vacancies, and

(iii) the adequacy of the funding of the federal judicial system;
work and maintain liaison with the federal judiciary and other appropriate
government officials and court-related entities to support and improve the
fair and effective administration of justice in the federal judicial system; and

work with the ABA Governmental Affairs Office and maintain liaison with the
Administrative Office of the United States Courts, the Judicial Conference
of the United States, the Federal Judicial Center, and other persons and
organizations concerned with judicial reform related to the federal judicial
system.

Ex-Officio Members. The chair of the Standing Committee may designate the chair
of any other ABA entity as an ex-officio member of the Standing Committee if the
jurisdiction of the other entity closely aligns with that of the Standing Committee
and if participation by the chair of the other entity as an ex-officio member will
advance the mission of the Standing Committee.

Honorary Co-Chairs. Two Honorary Co-Chairs of the Standing Committee shall be
invited by the executive committee of the Standing Committee to serve one-year
renewable terms. One shall be a recently retired state Supreme Court Justice or
Judge of a state’s highest court of appeals. One shall be a retired federal court
judge. The Honorary Co-Chairs shall have such duties as determined by the Chair.
The Standing Committee on the American Judicial System ("SCAJS") was created by the ABA House of Delegates at the 2014 Annual Meeting to continue and expand upon the work of its predecessor entities, the Standing Committee on Federal Judicial Improvements and the Standing Committee on Judicial Independence. SCAJS focuses on protecting fair and impartial courts, improving the administration of justice, ensuring adequate court funding, and defending against unfair attacks on the judicial branch. It supports efforts to increase public understanding about the role of the judiciary and the importance of fair courts within the American democracy. Since its creation, SCAJS has elevated its profile, obtained significant grants, and engaged in outreach to state and federal judges around the country. SCAJS seeks to have a meaningful impact and ensure access to courts that are fair, efficient, and accountable, and is committed to carrying out its mission, providing greater coordination of efforts, and enhancing the ability of the ABA to be a national voice on behalf of the American judicial system.

In 2018, the Board of Governors voted to reduce the funding of the SCAJS to $8600 per year. The Committee lost all staff support, although the Judicial Division staff provided administrative assistance. The Committee met by conference call and in person at donated space at the Midyear Meeting in Las Vegas. SCAJS leaders presented a proposal to the Section of Litigation, asking that the Committee become part of the Section. The Section voted in favor of the proposal and the SCAJS seeks to dissolve its status as a standing committee and become an entity of the Section of Litigation.

The ABA President-Elect Judy Perry-Martinez and Alan Kopit, Chair, Standing Committee on the American Judicial System understand and agree with the decision to sunset the Committee.

Respectfully submitted,

Alan Kopit
Chair, Standing Committee on the American Judicial System