

SUMMARY

Canon 5 Rule 4.4 (b)

Judge Coffin states that the bulk of his time is spent as a settlement judge, conducting over 100 settlement conferences a year. Canon 5 E precluding United States judges from serving as mediators in state court cases is troublesome to Judge Coffin. He notes that it is not uncommon for U.S. judges to preside over cases where jurisdiction is questionable and that in cases with diversity jurisdiction, it is usual for the matter to turn completely on an interpretation of state law. He questions the necessity and rationale for this proscription and requests at a minimum that the Commission clarify this rule.