

GOVERNMENTAL AFFAIRS
OFFICE

AMERICAN BAR ASSOCIATION

Governmental Affairs Office

740 Fifteenth Street, NW
Washington, DC 20005-1022
(202) 662-1760
FAX: (202) 662-1762

DIRECTOR

Robert D. Evans

(202) 662-1765

rdevans@staff.abanet.org

SENIOR LEGISLATIVE COUNSEL

Denise A. Cardman

(202) 662-1761

cardmand@staff.abanet.org

Kevin J. Driscoll

(202) 662-1766

driscollk@staff.abanet.org

Lillian B. Gaskin

(202) 662-1768

gaskinl@staff.abanet.org

LEGISLATIVE COUNSEL

R. Larson Frisby

(202) 662-1098

frisbyr@staff.abanet.org

Kristi Gaines

(202) 662-1763

gainesk@staff.abanet.org

Kenneth J. Goldsmith

(202) 662-1789

goldsmithk@staff.abanet.org

Ellen McBarnette

(202) 662-1767

mcbarnee@staff.abanet.org

E. Bruce Nicholson

(202) 662-1769

nicholsonb@staff.abanet.org

DIRECTOR GRASSROOTS

OPERATIONS/LEGISLATIVE COUNSEL

Julie M. Strandlie

(202) 662-1764

strandlj@staff.abanet.org

INTELLECTUAL PROPERTY

LAW CONSULTANT

Hayden Gregory

(202) 662-1772

gregoryh@staff.abanet.org

STATE LEGISLATIVE COUNSEL

Rita C. Aguilar

(202) 662-1780

aguilarr@staff.abanet.org

EXECUTIVE ASSISTANT

Julie Pasatiempo

(202) 662-1776

jpasatiempo@staff.abanet.org

STAFF DIRECTOR FOR

INFORMATION SERVICES

Sharon Greene

(202) 662-1014

greenes@staff.abanet.org

EDITOR WASHINGTON LETTER

Rhonda J. McMillion

(202) 662-1017

mcmillionr@staff.abanet.org

September 2, 2005

The Honorable J. Dennis Hastert
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Nancy J. Pelosi
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear Mr. Speaker and Ms. 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.

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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". The signature is written in dark ink and is positioned to the left of the typed name.

Robert D. Evans

CC. Members of the Committee on the Judiciary