

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENERAL ORDER 10-04

March 2, 2010

Amends General Order 08-06 adopted June 3, 2008

In order to update and formalize policies regarding court reporter support available to senior judges, the court has approved the attached District Guidelines Regarding Senior Status in the District of Massachusetts, as amended through March 2, 2010.

So Ordered.

Mark L. Wolf

Mark L. Wolf
Chief Judge

Rya W. Zobel

Rya W. Zobel
United States District Judge

Douglas P. Woodlock

Douglas P. Woodlock
United States District Judge

Richard G. Stearns

Richard G. Stearns
United States District Judge

Nancy Gertner

Nancy Gertner
United States District Judge

George A. O'Toole

George A. O'Toole
United States District Judge

Edward F. Harrington

Edward F. Harrington
Senior United States District Judge

Joseph L. Tauro

Joseph L. Tauro
United States District Judge

William G. Young

William G. Young
United States District Judge

Nathaniel M. Gorton

Nathaniel M. Gorton
United States District Judge

Patti B. Saris

Patti B. Saris
United States District Judge

Michael A Ponsor

Michael A Ponsor
United States District Judge

F. Dennis Saylor IV

F. Dennis Saylor IV
United States District Judge

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DISTRICT GUIDELINES REGARDING SENIOR STATUS
IN THE DISTRICT OF MASSACHUSETTS

[As amended through March 2, 2010]

I. Policy and Practice Relating to Senior Status

1.1 It is the policy of the Court to invite and encourage -- and thereby to benefit from -- the fullest feasible participation of senior judges in the life and work of the Court, both formally and informally. This policy has been adopted and is currently implemented in recognition of the important contributions senior judges have made, and will make, in performing judicial duties and in serving as advisers and counselors to other judges of the Court and their supporting staff. The Court seeks to support those contributions through these guidelines.

II. Courthouse Facilities

2.1 In accordance with Rule XII of Rules Governing the Internal Administration of the Court, every senior judge is entitled to suitable chambers, courtroom facilities and a dedicated parking space within the courthouse where the duty station was last established for that judge while that judge functioned in regular active service. Non-resident chambers, courtroom facilities and a dedicated parking space will be provided to senior judges for whom Boston was not the last duty station, to the degree such

facilities are available in the Boston courthouse. Suitable chambers space shall include space in those chambers for such staff as that senior judge is provided in accordance with these guidelines.

III. Staff

3.1 A senior judge who is willing, able and intends to accept during a forthcoming year assignments for Substantial Judicial Work as defined in paragraph 4.1(a) is entitled to a secretary, a law clerk and services of a courtroom deputy clerk who shall also be responsible for that judge's case management and docket.

3.2 A senior judge who is willing, able and intends to accept during a forthcoming year assignments for Qualifying Added Judicial Work as defined in paragraph 4.1(b) is entitled to an additional law clerk and to a designated courtroom deputy clerk, who shall have the case management and docket support provided for an active district judge.

3.3 A senior judge performing some, but less than Substantial Judicial Work as defined in paragraph 4.1(a) is entitled to such secretarial assistance as he or she may reasonably require, law clerk assistance as necessary and session staff as appropriate.

3.4 It shall be the policy of the Court to request and advocate certification by the Judicial Council for the First Circuit that a full-time court reporter be provided for each senior judge who draws cases on substantially the same basis as an active judge.

3.5 The Chief Judge, or by the Chief Judge's delegation, the

Liaison Judge for Senior Judges, shall have responsibility during an extended period of absence or unavailability of a senior judge to reassign staff of that senior judge temporarily for the benefit of the Court's business.

IV. Categories of Judicial Work

4.1 Subject to guidelines established by the Judicial Conference of the United States and by the Judicial Council for the First Circuit:

(a) A senior judge is engaged in "Substantial Judicial Work" when that judge on a continuing basis accepts an annual caseload equivalent to 25% of the expected annual workload of an active district judge in the First Circuit, or 75 cases, whichever is less.

(b) A senior judge is engaged in "Qualifying Added Judicial Work" when that judge on a continuing basis accepts an annual caseload equivalent to 60% of the expected annual workload of an active district judge in the First Circuit, or 175 cases, whichever is less.

4.2 A senior judge may limit the category of cases assigned to him or her or may select a special category of cases for assignment. For example, a senior judge may elect not to be assigned criminal cases or may elect to be assigned only patent cases. In evaluating the scope of work to determine or to make recommendations as to whether a senior judge is performing Substantial Judicial Work, or Qualifying Added Judicial Work, the

Chief Judge (or the judge or judges of this Court to whom the Chief Judge delegates responsibility) shall apply the guidelines established by the Judicial Conference and by the Judicial Council for the First Circuit.

V. Assignments

5.1 Senior judges may be assigned judicial work by the Chief Justice, the Chief Circuit Judge, the Judicial Council for the Circuit or the Chief District Judge, pursuant to 28 U.S.C. § 294.

5.2 The provisions generally applicable to assignment of cases within the District of Massachusetts apply to senior judges as well as judges not in senior status and are administered in accordance with the Rules Governing the Internal Administration of the Court.

Adopted September 9, 1992
Amended June 3, 2008
Amended March 2, 2010