

FILED IN T. 2
UNITED STATES DISTRICT COURT
Western District of Washington

DEC 17 1971

CHARLES A. SCHAAF, Clerk
By _____, Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN THE MATTER OF THE) GENERAL ORDER
DIVISION OF COURT BUSINESS) No. 3-71

Pursuant to the provisions of Title 28, United States Code, Section 137, it is hereby agreed and ordered by the undersigned active judges of this court that the division of this court's business among said judges shall be as hereinafter stated:

1. As used herein:

A. Civil cases includes bankruptcy reviews and Chapter X, XI and XII bankruptcy proceedings, but excludes Title III NARA cases and habeas corpus petitions (including McNeil Island cases), and other similar cases described in paragraph 9.

B. Criminal cases includes appeals from magistrates and all proceedings under Rules 7, 20, and 40, F.R.Cr.P.

2. A. All civil cases filed in this district shall be assigned in the following percentages of the total number of cases filed:

Chief Judge William T. Beeks	22%
Judge William N. Goodwin	22%
Judge Walter T. McGovern	22%

1 Judge Morell E. Sharp 22%

2 Senior Judge William J. Lindberg 12%

3 B. All criminal cases filed in this district
4 shall be assigned in the following percentages of the total
5 number of cases filed:

6 Chief Judge William T. Beeks 25%

7 Judge William N. Goodwin 25%

8 Judge Walter T. McGovern 25%

9 Judge Morell E. Sharp 25%

10 C. As soon as possible after December 31, 1972
11 the case filings in the Eastern and Western Districts of
12 Washington, both civil and criminal, for fiscal 1972; the
13 activity of Judge Goodwin in both districts during fiscal
14 1972; any judicial assistance received by Judge Goodwin
15 during fiscal 1972; the McNeil Island "cases" received at
16 Tacoma during fiscal 1972, and any other pertinent matters,
17 shall be reviewed, and an equitable adjustment shall be
18 projected on Judge Goodwin's caseload in the Western
19 District for the calendar year 1973. Pending said
20 adjustment, however, Judge Goodwin shall receive one-third
21 case credit for each McNeil Island case received at Tacoma.

22 3. In assigning cases in said proportions all civil
23 and criminal cases filed at Tacoma, Washington shall be
24 assigned to Judge Goodwin. In the event the number of
25 civil and criminal cases filed at Tacoma exceeds Judge
26 Goodwin's proportion any excess shall be assigned to the
27 remaining judges in making up their proportions. In the
28 event the number of civil and criminal cases filed at
29 Tacoma is less than Judge Goodwin's proportion, a
30 sufficient number of Seattle cases shall be assigned to
31 Judge Goodwin to make up his proportion.

32 4. In making up the proportion of civil cases to be

1 assigned to Judge William T. Beeks, as set forth in
2 paragraph 2A, he shall be assigned all admiralty cases,
3 including seamen personal injury cases, both at Tacoma and
4 in Seattle.

5 5. All naturalization proceedings at Tacoma, including
6 contested petitions, and all McNeil Island cases, shall be
7 handled by Judge Goodwin. Judge Goodwin, however, is
8 entitled to utilize the services of the Magistrate to the
9 fullest possible extent in the handling of McNeil Island
10 cases.

11 6. Civil cases involving the anti-trust laws, patent
12 laws, and security fraud laws, shall not be assigned to
13 Judge Lindberg.

14 7. The Chief Judge shall be responsible for the call
15 and discharge of grand juries, the return of indictments,
16 and all other matters related to the functions of the grand
17 jury.

18 8. Judge William T. Beeks at Seattle and Judge
19 William N. Goodwin at Tacoma shall handle individual
20 petitions for admission to the bar of this Court, if
21 available. Otherwise to be heard by any other judge of
22 this court. Group admissions shall be handled as directed
23 by the Chief Judge.

24 9. Judge Morell E. Sharp shall handle all habeas
25 corpus petitions and other cases in which part of the
26 relief sought is release from prison or similar relief,
27 filed in this district, whether or not addressed to a
28 named judge, except cases involving McNeil Island prisoners;
29 and all naturalization proceedings at Seattle, including
30 contested petitions, it being understood that all matters
31 referred to in this paragraph are, and for many years have
32 been, the responsibility of the judge who is junior

1 in seniority.

2 10. Judge Walter T. McGovern shall be responsible for
3 the call and qualification of petit jurors; all claims for
4 wages and effects of deceased and deserting seamen; and
5 unassigned ex parte matters.

6 11. Proceedings under Section 2255, Title 28, United
7 States Code, shall be assigned to and handled by the judge
8 who imposed the sentence involved. Judge Morell E. Sharp
9 shall handle all such proceedings in connection with
10 sentences imposed by Senior Judge George H. Boldt.

11 12. If immediate action is necessary in any case or
12 proceeding assigned to a particular judge and that judge is
13 unavailable for any reason, any other judge may hear and
14 dispose of the matter requiring immediate attention, but
15 such action shall not constitute reassignment of the case or
16 proceeding.

17 13. A. When civil or criminal actions involving a
18 common question of law and fact (but not necessarily the
19 same parties) are assigned to different judges and it
20 appears to the Clerk or any judge of this court that there
21 may be good reason to assign all of said actions to one
22 judge, the Clerk shall notify the Chief Judge who shall
23 make the determination as to whom the subsequent actions
24 should be assigned.

25 B. Motions to consolidate civil or criminal
26 actions for trial, or otherwise, shall be heard by the
27 judge to whom the case bearing the earliest filing date
28 has been assigned, and in the event consolidation is
29 ordered, the consolidated cases shall be heard by said
30 judge.

31 14. Reassignment of cases necessitated by the
32 disqualification of a judge shall be made by the Chief

1 Judge, who shall select a comparable case from the caseload
2 of the assignee judge and transfer it to the caseload of the
3 disqualifying judge. In the event the Chief Judge
4 disqualifies himself he shall request another judge of the
5 court to perform the duties aforesaid.

6 15. The resolution of the Judicial Conference of the
7 United States dated October 29, 1971 places the ultimate
8 responsibility for the proper assignment and disposition of
9 protracted, difficult, or widely publicized cases with the
10 Chief Judge of each district. In order that the Chief
11 Judge may fairly distribute the caseload between all active
12 judges such cases are defined to include all three-judge
13 cases, anti-trust cases, patent cases, securities fraud
14 cases, class actions involving multiple defendants or causes
15 of action in the consumer protection field, the environ-
16 mental protection area, etc., complex Chapter X, XI, or XII
17 bankruptcies, and other complex cases falling within the
18 general definition. Any case of the type mentioned in this
19 paragraph shall not be assigned to Judge Lindberg without
20 his permission.

21 16. The Clerk shall refer any matter or proceeding
22 not provided for under this division of business order to
23 Chief Judge for assignment or disposition.

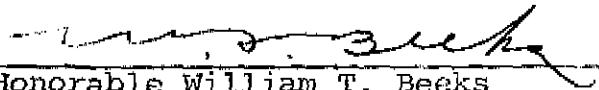
24 17. Notwithstanding the foregoing provisions, each
25 of the judges of this court shall have and perform any and
26 all of authority and duty otherwise by law conferred upon
27 him to hear, try and dispose of any and all of the cases,
28 matters and business of this court when he consents to do
29 so.

30 18. All conflicting orders concerning the division
31 of the court's business heretofore entered are vacated by
32 this order.

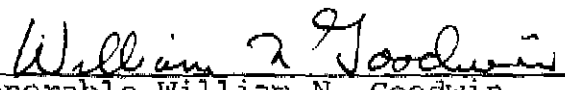
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

19. This order shall be effective as of January 1, 1972, and remain in force until rescinded.

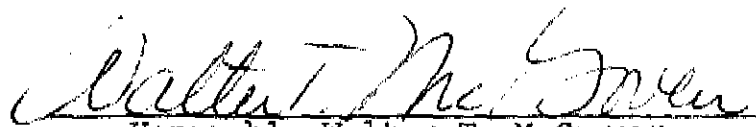
Dated this 17th day of December, 1971.



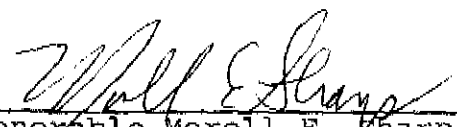
Honorable William T. Beeks
Chief United States District Judge



Honorable William N. Goodwin
United States District Judge



Honorable Walter T. McGovern
United States District Judge



Honorable Morell E. Sharp
United States District Judge