

**Task Force for Civil Justice Reform
Steering Committee Minutes
April 23, 2010**

1. Attendance.

Justice Hecht began the meeting at 10:30 a.m. All members of the steering committee were present, except for Sharon Greer and Professor John Whiston. Supreme Court Staff attorney Dave Lindgren attended the meeting, as did observer Jim Carney from the Iowa State Bar Association.

2. Follow-up on Task Force Membership Nominations.

The committee first reviewed a spreadsheet compilation of all the steering committee's nominations to serve on the full Task Force. Justice Hecht stressed the need to balance this committee based on a number of factors, including geography, gender, race, lawyer vs. non-lawyer, trial counsel vs. in-house counsel, defense oriented attorneys vs. plaintiff oriented attorneys, management vs. labor, etc. Striking the right balance of these factors will be critical to reaching a set of informed recommendations. The committee members then spoke about each of their nominations individually, giving a brief sketch of their background and commenting on why each might be a good candidate for the Task Force.

The committee agreed that a full Task Force membership of approximately 84 (14 steering committee members plus 70 additional members) would be appropriate. Based on the many nominations and the information received about them during this meeting, Justice Hecht and staff will prepare a rough draft of the Task Force membership and distribute it to the steering committee for its review and comment in the near future. After receiving approval of the steering committee, this list will be submitted to the supreme court for an order officially appointing the members of the Task Force.

Actions

- ✓ **The committee agreed to a full Task Force membership of 84 persons, divided to balance the many relevant demographic factors.**
- ✓ **Justice Hecht and staff will prepare a rough draft of the membership and distribute it to the steering committee.**

3. Review Proposed Topics for Task Force Study.

Prior to this meeting, several steering committee members submitted to Justice Hecht their preferences for proposed topics of study. Justice Hecht compiled these lists and ranked the topics in order of frequency mentioned. The responses showed the following preferences for areas to study:

- Discovery Reform
- Case Management
- Specialty Courts
- Alternative Dispute Resolution
- Court Funding and Jury Concerns

After a discussion of the subject, the committee decided to focus on the following topics as the primary areas of study:

- Discovery/Pleadings Reform
- Litigation Management/Administration (one case-one judge, venue rules, jurisdictional limits, etc.)
- Pretrial/Trial Reforms
- Specialty Courts and Rules
- Court Annexed ADR – Summary Trials

Actions

- ✓ **The committee agreed to study five broad topics as part of this process, each of which will be assigned to a different subcommittee to study.**

4. Determine Assignments to Sub-committees.

The steering committee discussed expectations for five subcommittees, which will be tasked with studying and making recommendations on the broad areas of study noted above. The tentative plan is to assign steering committee members as chairs of the subcommittees. Task force members will each be assigned to at least one subcommittee. Each steering committee member expressed subcommittee preferences. Justice Hecht will compare these preference lists and make subcommittee co-chair assignments.

Actions

- ✓ **Justice Hecht and staff will review the subcommittee preferences of steering committee members and make assignments.**

5. Timeline for Process.

Justice Hecht presented to the committee the following proposed timeline for the project:

- 6/1/10 Supreme Court order appointing Task Force members.
- 6/15/10 Task Force sub-committees organized.
- 10/22/10 Task Force Meeting in Des Moines. Guest presenters on reform topics. Sub-committees report progress and receive feedback.
- 3/4/11 Task Force Meeting in Des Moines. Sub-committees present specific reform proposals and again receive feedback.
- 5/6/11 Final sub-committee reports due.
- 6/1/11 Draft of Task Force final report circulated to the Task Force.
- 6/30/11 Final Report submitted to the Supreme Court

Discussion of the timeline generated a consensus that the first full task force meeting should be moved up to late-summer or early-fall. It is hoped that this first meeting will include guest speakers on relevant subjects to kickoff the process and motivate task force members. Justice Hecht and staff will reconfigure the timeline and distribute a new version to the committee in the near future.

Actions

- ✓ **The committee agreed that an earlier full Task Force meeting should be held in late-summer or early-fall, and should include a number of guest speakers.**
- ✓ **Within the next week or two, Justice Hecht will distribute to the steering committee a revised timeline.**

6. Task Force Budget and Finances.

The Task Force will have at its disposal a little over \$13,000 that remained from the 2006 Commission on Planning for the 21st Century. The steering committee agreed these funds are inadequate for the scope of this project, and discussed whether we could expect Task Force members to pay for their own participation. An agreement was expressed that it was not reasonable to expect this, and that more funds would have to be raised to allow the process to move forward. Norbert Kaut agreed to chair a committee tasked with fundraising.

The committee also reviewed a proposed budget for both a one day conference and a two day conference with up to six out-of-state guest speakers at each. A one-day conference with up to six speakers could cost between \$23,500 and \$26,590, while a two-day conference would cost between \$28,062 and \$31,942.

Actions

- ✓ **The committee agreed that it should pursue further fundraising.**
- ✓ **Norbert Kaut agreed to chair the fundraising committee.**

7. Next Meeting.

The next meeting will be held telephonically. The committee expressed a desire to do such a meeting over the noon hour. Justice Hecht and staff will circulate a date for this meeting.