

UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

CHAMBERS OF  
JOHN W. SEDWICK  
JUDGE

222 WEST 7TH AVE., BOX 32  
ANCHORAGE, AK 99513-7591

May 7, 1998

Commission on Structural Alternatives  
for the Federal Courts of Appeals  
Thurgood Marshall Building  
One Columbus Circle, N.E.  
Washington, D.C. 20544

Dear Commissioners,

Many people more qualified to do so than am I have addressed the merits of dividing the Ninth Circuit Court of Appeals into two smaller circuits. As a district judge sitting within the Ninth Circuit, I am concerned that the impact of what has become an incessant debate is being overlooked.

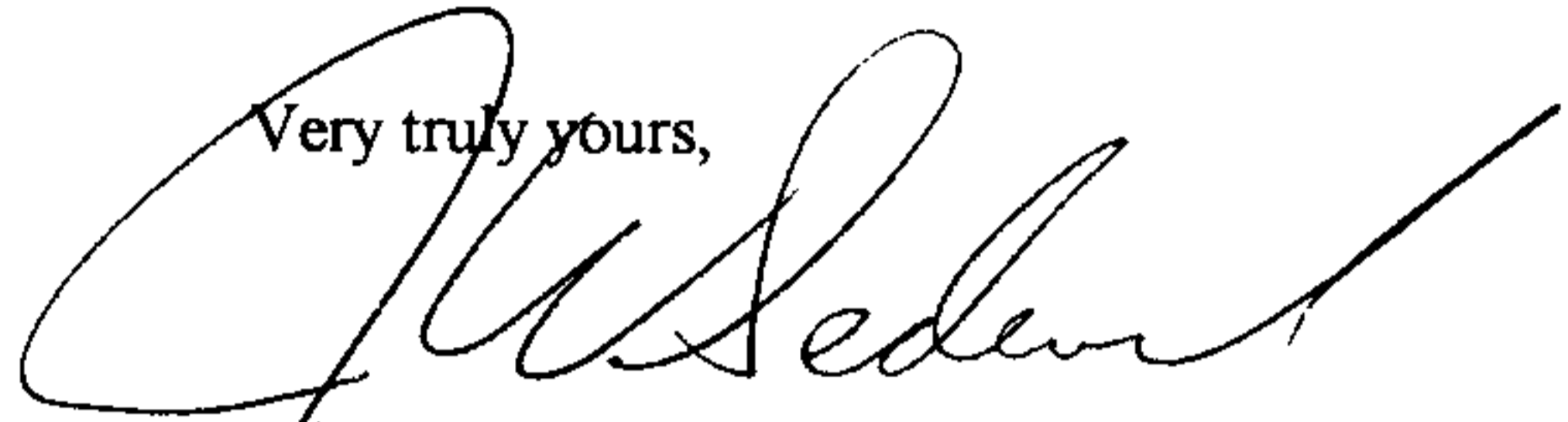
Courts serve society by providing a place where citizens' conflicts are resolved according to the law and principles of equity. This service is delivered through a judicial structure necessarily founded upon the public's perception that courts are detached, neutral arbiters. When courts themselves become the focus of conflict, their ability to serve society is diminished. Every year for the last several years, the topic of splitting the Ninth Circuit has been debated in political circles and bar associations, and increasingly in the public media. Every time criticisms are hurled at the Ninth Circuit by those advocating change only to be rebutted by those who support the existing court structure, the foundation upon which that structure rests is weakened.

While there is much to be said for maintaining the existing structure for several more years, the fact is that the largest circuit court cannot continue to grow forever. The persistent

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debate's insidious destruction of public confidence in the Ninth Circuit Court of Appeals should be stopped. Perhaps ending the erosion of public confidence counsels splitting the circuit sooner rather than later.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Sedwick", written in a cursive style.

John W. Sedwick  
United States District Judge

JWS:gmm

cc: Chief Judge Proctor Hug, Ninth Circuit Court of Appeals  
Chief Judge James K. Singleton, District of Alaska  
Judge H. Russel Holland, District of Alaska  
Senior Judge James A. von der Heydt, District of Alaska  
Senior Judge James M. Fitzgerald, District of Alaska