

UNITED STATES COURT OF APPEALS  
FIFTH JUDICIAL CIRCUIT  
300 Fannin Street, Suite 5226  
Shreveport, Louisiana 71101-3074

29 October 1998

Chambers of  
HENRY A. POLITZ  
Chief Judge

(318) 676-3472

Justice Byron R. White  
Chairman, Structural Alternatives Commission  
One First Street, NE  
Washington, DC 20543

Dear Justice White:

Thank you for the invitation to comment on the tentative draft of the report of the Commission on Structural Alternatives for the Federal Courts of Appeals. My colleagues and I recognize that the size and complexity of the task and the tight time strictures placed an enormous burden and responsibility on the Commission and we are most impressed by the results of your efforts.

Albeit limited by the necessarily rigid time constraints, we now have had an opportunity to review and discuss the draft report. We express no view on the provisions relating to the Ninth Circuit. We are, however, keenly interested in the proposal for the use of two-judge panels in certain cases and, of course, subject to careful restrictions and conditions. My colleagues are very concerned and voiced considerable reservations about the proposal for mandatory divisions for circuits with 18 or more active judges. In due course we would hope to express those reservations, and perhaps suggest constructive alternatives, as relates to that which we know best, i.e., our circuit and its particular present and projected problems and workload. Obviously there are manifold difficulties involved in such significant structural changes and we approach same with considerable caution.

We look forward to a further opportunity to address these matters at the appropriate time.

With warmest regards.

Sincerely,

*Henry A. Politz*