

FIRST SUPPLEMENT TO MARCH 2001 LONG RANGE PLAN
OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA
APRIL 17, 2007

In March 2001, the judges of the United States District Court for the Northern District of West Virginia adopted a Long Range Plan ("LRP") following a number of meetings at which time the views of various court agencies were considered. Also considered were the surveys of jurors, court personnel and attorneys.

Chief Judge Irene M. Keeley requested that the present LRP be updated and has appointed Judge Stamp to chair the Long Range Planning Committee for the purpose of updating the LRP. The members of the LRP Committee have been District Judges Keeley, Broadwater,¹ Bailey,² Maxwell and Stamp, Bankruptcy Judge Flatley, and Magistrate Judges Seibert, Kaul and Joel.

The LRP Committee asked the heads of the various district groups for suggestions as to the contents of an updated LRP. The United States Marshal, the Chief of the United States Probation Office, the Clerk of the United States Bankruptcy Court for the Northern District of West Virginia, the Federal Public Defender, the Clerk of the United States District Court for the Northern District of West Virginia and the United States Attorney each

¹Judge W. Craig Broadwater died on December 18, 2006.

²Judge John Preston Bailey was appointed United States District Judge for the Northern District of West Virginia on March 19, 2007.

submitted suggestions as to matters that might be included in a supplement to the LRP.

The Long Range Planning Committee then met and reviewed the above-mentioned suggestions by district group heads. The Committee also reviewed the present 2001 LRP to consider further revision to that plan. The Clerk of Court, Wally Edgell, Ph.D., served as the reporter to the LRP Committee.

The LRP Committee sets forth below the following supplemental recommendations under the headings followed in the 2001 LRP which are: (1) public and court education, (2) automation, (3) judicial resources and functions, and (4) facilities and security.

I. Public and Court Education

Generally, the Committee felt that this Court's present programs dealing with public and court education should be continued as they have proved to be extremely successful. These programs include, but are not limited to: (1) retreats for court personnel, (2) the Fed Facts program adopted by the United States Probation Office, (3) Law Day programs, and (4) the Judicial Scholars Program. The Clerk and Chief Deputy Clerk are directed to coordinate public and court education programs and are to continue to survey areas in which the Court can provide better communications from the group heads (United States Marshals Service, United States Probation Office, Federal Public Defender and United States Attorney) as to public and court education. The

Court shall continue the practice of periodic retreats for court personnel for training purposes.

In light of the recent implementation of Case Management/Electronic Case Filing ("CM/ECF"), the Court shall continue to regularly monitor that program, including the use of surveys of court personnel, lawyers and the public.

The Federal Public Defender shall be encouraged to present periodic continuing legal education seminars for its Criminal Justice Act panel attorneys and, possibly, for other members of the state bar.

II. Automation

(1) The Automation Committee of the United States District Court, chaired by Judge Broadwater, plays a key role in the development of policy regarding technology in this district. This district's technology staff shall meet regularly and at least on an annual basis. Representatives from this district are encouraged to attend meetings coordinated by the United States Court of Appeals for the Fourth Circuit and other court-related technology groups.

(2) There shall be implementation of an Information Technology ("IT") security handbook which would include policies and checklists for IT staff to follow.

(3) The Court shall continue its policy of periodic training for court staff in the area of computer security.

(4) The Court shall continue to monitor the policies of the Administrative Office of the United States Courts ("AO") as they relate to technology in smaller courts.

(5) The Court shall continue to seek improvement through the AO as to funding for maintenance and cyclical replacement of courtroom technology.

(6) Efforts shall be made to include the United States Marshals Service in the Court's Automation Working Group.

(7) The Court shall consider the further implementation of videoconferencing capabilities, including conducting criminal hearings through video appearances to which the defendant has consented and as permitted by law or by a policy of the Judicial Conference of the United States.

III. Judicial Resources and Functions

(1) The work of the Court's Uniformity Committee shall continue with periodic recommendations to the judges regarding the establishment of uniformity in court rules and procedures.

(2) The Court shall implement a program of periodic juror questionnaires to assess the opinions of jurors as to their jury service.

(3) The Court shall consider improvement in the cooperation and communication between the Court and the United States Attorney's Office with respect to grand jury proceedings and practices.

(4) The Court shall continue its policy of adopting standing orders but these orders should be better publicized for attorneys and, whenever possible, should be implemented by local rules.

(5) The Court shall continue to evaluate the use of magistrate judges and the appropriate matters to be conducted by magistrate judges through orders of reference. The Court shall continue to communicate with attorneys regarding trials before a magistrate judge to be conducted with consent of the parties.

(6) The Court shall continue to promote the use of student interns in various court groups and shall seek to determine to what extent such interns may receive compensation during their period of service.

(7) The Court shall periodically review its local rules and standing orders.

(8) The Court shall continue to actively seek a conversion of the part-time magistrate judge position at the Martinsburg point of holding court to a full-time position through the Judicial Conference of the United States.

(9) The Court shall continue to promote improved methods of providing security for jurors and visitors to the Court.

(10) The Court shall continue to monitor the activities of mediators during alternative dispute resolution sessions in court-annexed mediation and also in private mediation, as well. The judges shall consider the implementation of local rules, standing

orders or language in scheduling orders relating to the role of the mediator in alternative dispute resolution.

(11) The Court shall implement formal training for personnel in the area of human relations.

(12) The Court shall periodically assess the need for additional or different types of personnel at each point of holding court.

(13) As noted in Recommendation 5.2 of the 2001 LRP, the Court shall periodically review demographic statistics in the Northern District of West Virginia to determine what, if any, realignment should be made in the counties served by the four points of holding court.

(14) With the construction of several additional federal correctional institutions in this district, there have been increased incidents of crimes allegedly committed by inmates within those institutions, particularly in USP Hazelton. Accordingly, this Court, with the assistance of federal agencies serving this Court within the district, should investigate and determine the proper course of action to implement the Court's judicial functions when criminal proceedings are instituted as a result of such alleged crimes by inmates within those institutions.

IV. Facilities and Security

(1) The Court Security Committee shall consider possible revisions to the Court's Long Range Security Plan.

(2) The Court, through a facilities committee or similar group, shall periodically address this Court's construction and maintenance projects over the next five to ten years.

(3) The Court shall actively seek to secure appropriate space and facilities for the Clarksburg point of holding court, including the possible construction of a new courthouse to serve the area now served by the Clarksburg point of holding court.

(4) The Court shall continue to attempt to bring the district into compliance with the United States Court's Design Guide for Security. Improvement of security features and procedures relating to grand jury rooms throughout the district shall be considered, including the enhancement of privacy within the grand jury room.

Adopted as of the 17th day of April, 2007

United States District Court for the
Northern District of West Virginia

Irene M. Keeley, Chief District Judge
John Preston Bailey, District Judge
Robert E. Maxwell, District Judge
Frederick P. Stamp, Jr., District Judge
Patrick M. Flatley, Bankruptcy Judge
James E. Seibert, Magistrate Judge
John S. Kaul, Magistrate Judge
David J. Joel, Magistrate Judge
Wally Edgell, Ph.D., Clerk of Court (Reporter)