

To: Joan E. Countryman
From: George A. Vannah
Subject: ABA Uniform Citation
Date: March 12, 1997

MEMORANDUM

Office of the Clerk

As we have discussed on at least two occasions, the last being in conjunction with the Bankruptcy Clerks' Advisory Group conference call on March 12, 1997, it seems to me ill-advised for the judiciary to agree or commit to the use of the proposed citation system as captioned above. I know that you are thoroughly familiar with my view and that of other clerks, but for the record, the problem resides in the requirement of the system that all judicial opinions include in their citation, an "opinion number" to be assigned serially to each opinion as it is signed (released, docketed?).

The burden imposed by this requirement would involve substantial resource allocation, either in work-hours or computer time and programming. For example, in a large court with a number of judges staffing chambers at several divisional offices, where the judges were to sign opinions on a fairly frequent basis, a process to assign discrete opinion numbers for each would require a person or persons to coordinate the assignment (probably impossible to do accurately and timely, certainly very difficult), or a computer program to automatically check the data base and assign such numbers. In either case, it is not clear at all, that the benefit to the court customer is sufficient to justify the burden imposed on the courts' limited resources. The committee should reject the "opinion number" element in the citation system.

cc: Glen Palman