

The 2010 Conference
May 10-11, 2010
Duke University Law School

At the request of the Standing Committee on Rules of Practice and Procedure, the Advisory Committee on Civil Rules is sponsoring a conference at Duke University School of Law on May 10 and 11, 2010 to explore the current costs of civil litigation, particularly discovery, and to discuss possible solutions. The Conference will rely on new empirical research done by the Federal Judicial Center to assess the degree of satisfaction with the performance of the present system and the suggestions of lawyers as to how the system can be improved. This research will be supplemented by additional empirical data. A major portion of the Conference will be devoted to an assessment and discussion of the empirical research.

The Conference will draw on insights and perspectives from lawyers, judges and academics concerning improvements that could be made in the federal civil litigation process to effectuate the purposes of the Civil Rules – "to secure the just, speedy, and inexpensive determination of every action and proceeding." In addition to considering the results of the empirical research, panels of experts will consider the range of issues in the federal civil litigation process that could be used more efficiently to accomplish the purposes of the Rules, including the discovery process (particularly E-Discovery), pleadings, and dispositive motions. Other topics to be considered include judicial management and the tools available to judges to expedite the process, the process of settlement, and the experience of the states.

While the Conference will explore these issues, an important part of the Conference will be to encourage follow up on the subjects explored at the Conference. It is hoped that the papers and discussion at the Conference will frame an agenda for possible amendments to the Federal Rules of Civil Procedure and that they will be a basis for judicial education through the Federal Judicial Center and for further action by the Bar.

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