January 12, 1984

Honorable Roger J. Miner
United States District Court
Northern District of New York
Albany, New York 12201

Dear Roger:

I was glad to receive your thoughtful letter expressing your support for the Kindness-Kastenmeier proposal for resolving the current crisis in bankruptcy adjudication and to have your perspective on the operation of the interim rule. It may be that this is the route Congress will ultimately decide to take.

Your insight and suggestions are always welcome by me, as you know. I have personally favored the approach taken by H.R. 3, which authorizes the appointment of 227 Article III bankruptcy judges -- the equivalent of the 220 full-time and 21 part-time judges now serving -- and which does not require new courtrooms, staff and so forth, or make any jurisdictional or structural changes. Essentially, it does little more than provide lifetime rather than fourteen-year terms for the judges appointed to the bankruptcy court established by the reform act of 1978. It is in no way inconsistent with providing the substantial increase in district and appellate court judgeships recommended to Congress by the Judicial Conference, which I agree with you are justified by the caseload statistics. I would hope that those judgeships could be part of an Article III resolution of the bankruptcy courts matter.

Billy joins me in wishing a happy new year for Jackie and yourself. With warm personal regards, I am

Sincerely,

[Signature]

HAMILTON FISH, JR.
Member of Congress

HF:ckh