

News from Senator

BOB DOLE



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FOR IMMEDIATE RELEASE:
TUESDAY, MARCH 1, 1983

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DOLE BILL WOULD CREATE EXPERIMENTAL NATIONAL COURT OF APPEALS

WASHINGTON -- Senator Bob Dole (R.-Kan.) today introduced legislation to establish a temporary national court of appeals, to help alleviate the Supreme Court's rapidly increasing caseload. A few weeks ago, Chief Justice Warren Burger called on Congress to establish such a court.

Dole is Chairman of the Judiciary Subcommittee on Courts, which will have jurisdiction over the bill. The bill is cosponsored by Senator Howell Heflin (D.-Ala.) the ranking minority member of the subcommittee, as well as by Senator Strom Thurmond (R.-S. Car.) the Chairman of the Judiciary Committee.

The proposed court, named the Intercircuit Tribunal, would serve primarily as a "safety valve" for the Supreme Court's overflow, exercising jurisdiction over any case referred to it by the Supreme Court. It would exist for an experimental five-year period, and be comprised of 26 circuit court judges, two selected from each of the 13 federal circuits. Five-member, rotating panels, formed by lottery from within the Tribunal, would hear and decide cases.

"The Supreme Court's docket is bursting at the seams," said Dole. "The Court has lost the capacity to decide all cases where nationwide uniformity is needed, leaving thousands of litigants drifting in a sea of conflicting decisions of questions of federal law."

"The Intercircuit Tribunal would restore that capacity while at the same time provide a useful experiment to help us determine whether such a court should be established on a permanent basis," said Dole.