



# Department of Justice

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REMARKS

BY

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BEFORE THE

OPENING SESSION OF THE JUDICIAL CONFERENCE  
OF THE UNITED STATES

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Mr. Chief Justice and Members of the Judicial Conference:

It is a pleasure to be with you again this Spring.

One week ago today, President Bush addressed the three-day Crime Summit held here in Washington and attended by some 650 police, prosecutors, judges, correctional officials and representatives of community and victim groups from across the nation. One of the most important conclusions coming out of this session was that federal, state and local resources had to be more effectively coordinated within our system for the administration of justice if we are to meet the legitimate expectations of the American people to protect their first civil right -- the right to be free from fear, in their homes, on their streets and in their communities.

Thus, I was pleased to report to the Crime Summit that, at the federal level, we have matched our 50 percent increase in prosecutors and accompanying additional investigators by providing for 87 new judgeships in the Federal Judgeship Act of 1990, Title II of the Judicial Improvements Act of 1990.

The President and I, and the rest of the Administration, vigorously supported enactment of these new judgeships. Although we had some misgivings about other parts of the Judicial Improvements Act of 1990, there was no question that the President would sign this bill. And I hope and expect that this bill, with accompanying pay enhancements, will provide you and your colleagues with some much needed relief.

The Bush Administration has worked very hard to fill these and other judicial vacancies as quickly as possible. President Bush has appointed a total of 73 judges during the first two years of his term and some 44 additional nominations are in process at present.

As you can imagine, some judgeships are more difficult to fill than others, due to the fact that we solicit the advice of so many different people, including the Senators from the State in which the judgeship is vacant and prominent members of the bar. As most of you know, selection of a nominee is a painstaking process requiring detailed interviews and a complicated, in-depth background investigation. Needless to say, we review a large number of suggested candidates before we recommend a nominee to the President, who takes these nominations very seriously.

As I suggested a moment ago, we had some serious reservations about the legislation that ultimately led to the creation of these much-needed new judgeships. Earlier versions of the civil justice reform provisions in Title I of the bill, for example, would have mandated a number of very specific actions for the Judicial Branch to undertake. In the final analysis, and with the advice of the Judicial Conference's representatives, those provisions were substantially revised to allow considerably more flexibility and discretion. As revised, we believe that these provisions will not be a serious imposition when compared with the benefits of the additional judgeships.

In addition, Title III of the bill implemented some important recommendations of the Federal Courts Study Committee, chaired by Judge Joseph F. Weis, Jr., that will benefit the judiciary. I had the pleasure of testifying before the Weis Committee just over one year ago, and I believe its work has provided a basis for significant actions to improve the administration of justice. We do not agree with all of the provisions of Title III of the bill, and we may seek changes in the future, such as revised authority to remove cases from State court when the defendant is a federal official. But, again, we believe that, on the whole, the benefits of the bill overall clearly outweighed the problems.

We look forward to working together with you in implementing the Judicial Improvements Act of 1990. We are pleased that the United States Attorneys are members of the advisory committees in each judicial district to review the civil case management plans.

As many of you know, Solicitor General Ken Starr is chairing a working group for the Vice President's Council on Competitiveness to review and study possible improvements to the federal civil justice process, especially relating to the impact of litigation on the economy and would, I am sure, welcome your views on these matters as well.

Last week and this week, I am making my regular appearances before the House and Senate Appropriations Committees to brief them on the various new initiatives that the Department is undertaking. Since our work impacts on your work, I am pleased

to provide the Judicial Branch as well with a briefing on some of these initiatives and how they may affect the daily work of both of us.

A top priority is our continuing struggle with this Nation's drug problem. We are seeking a 15.8% increase over 1991 in our budget for prevention, enforcement and prosecution, including resources for the DEA, the FBI's drug trafficking efforts, the Organized Crime Drug Enforcement Task Forces, drug prosecutions by the United States Attorneys, the Criminal and Tax Divisions, and the costs of assuring the safety and security of the courts and prisoners in drug cases.

My colleagues in the National Association of Attorneys General, with whom I met yesterday, and the National District Attorneys Association obviously carry the heaviest burden for drug prosecutions before state courts. However, the fact that a long term of federal imprisonment will follow a federal trial is frequently the only serious incentive for individuals engaged in drug enterprises to provide us with the information that allows us to "climb the ladder" and ultimately prosecute the chiefs of major international drug organizations. I recognize that the increased criminal drug caseload has put a strain on the Federal Judicial System, but we must all persevere if we are to truly reduce the debilitating effects of drugs on this nation.

Similarly, white collar crime has the capacity to seriously undermine our system of values and must be attacked on many fronts ranging from savings and loan fraud to public corruption.

The U.S. Attorneys, the Criminal Division, and the Tax Division, together with the FBI, are vigorously pursuing what some call "crime in the suites" while the Civil Division tries to minimize the government's monetary losses.

In the 1990s, the Department has added significant resources to prosecuting white collar crime. We established the highly successful Dallas Bank Fraud Task Force in 1987 and have since replicated this model in 26 other areas of the country. There are high priority cases in Texas and California that will be pursued vigorously. As you know, the Department suggested last year that Congress should provide additional judicial resources in these areas because of the increased focus of prosecutorial resources.

I believe that we must view many environmental crimes in the same light: violence against our environment is frequently committed in the dead of night, like much violent crime, but it is initiated and fostered by business executives who have added qualities of stealth and disregard for their communities to their corporate resumes. We are seeking additional resources to further our pursuit of these criminals through environmental prosecutions which will be nationwide, not just limited to a few local areas.

Perhaps no proceeding brought me greater satisfaction last year than the indictment of the individual charged with the dreadful mail bomb murder of your former colleague, the late Judge Robert Vance. We are all deeply concerned about judicial security, and emergency measures were taken in the Eleventh

Circuit until we could apprehend and charge the man whom we believe committed this heinous crime. Because this case is pending in the courts, I will not say more, but rest assured that anyone who ever so threatens our judicial system will be prosecuted to the fullest extent that the law allows.

I have also been working with Judge William Browning to discuss other judicial security needs and approaches that can be taken to ensure that others in our justice system are not similarly threatened.

The executive and judicial branches must work together to meet the ongoing problems faced by America today. A large number of our fellow citizens, including members of your staff and mine, went to the Middle East in recent months to secure the rule of law in the Persian Gulf. As our soldiers, sailors, airmen and marines return to America, it is our job to ensure that the ongoing effort to secure that same rule of law in our communities be undertaken with the same vigor that our fighting men and women displayed in the Gulf deployment.

I pledge just such an effort by the Department of Justice. We thank you for your past efforts in our joint undertakings and look forward to our future endeavors together.