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JOSEPH McELROY, JR., Clerk Chief
By Robert Crawford Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

MISCELLANEOUS ORDER NO. 22

The Congress of the United States has authorized the creation of three new district judgeships in the Northern District of Texas and it is contemplated that the President of the United States will enact this legislation into law and that three additional judges will be appointed in the near future to serve as members of this court. So that an orderly transition from six to nine judges may be made and to facilitate such transition, the following order is entered by the present judges of the United States District Court for the Northern District of Texas for the assignment of cases to be filed in the future and for the division of cases pending on the docket.

With respect to all cases filed on and after January 1, 1979, such cases shall be assigned in the following manner, including both civil and criminal cases:

1. Judge William M. Taylor shall be assigned 18% of all cases filed in the Dallas Division.
2. Judge Robert M. Hill shall be assigned 18% of all cases filed in the Dallas Division.
3. Judge Robert W. Porter shall be assigned 18% of all cases filed in the Dallas Division.
4. Judge Patrick E. Higginbotham shall be assigned 18% of all cases filed in the Dallas Division.
5. One of the new judges to be appointed shall have his or her official station in the Dallas Division and will be assigned 18% of all cases filed in the Dallas Division.
6. Judge Halbert O. Woodward shall be assigned the entire civil and criminal docket in the Lubbock, San Angelo, and Abilene Divisions.
7. Judge Eldon B. Mahon shall be assigned 50% of the Fort Worth Division together with all of the Wichita Falls Division docket.

8. One of the new judges to be appointed shall have his or her official station in the Fort Worth Division and shall be assigned one-half of the Fort Worth docket and 4% of the Dallas docket.

9. One of the new judges to be appointed shall have his or her official station in the Amarillo Division and shall be assigned the entire Amarillo Division docket and 6% of the Dallas Division docket.

The Clerk is directed to devise a system for a random draw of all cases filed commencing January 1, 1979 in accordance with the above percentages and assignments. Such random draw shall include both civil and criminal cases, but in the event the name of a judge who does not have his official station in the Dallas Division is drawn with respect to a criminal case, such judge's name shall be replaced in the draw and another judge's name drawn. No judge, not assigned to the Dallas Division, will be assigned a criminal case in the Dallas Division by the system of random draw but will take his or her percentages of the total draw of the Dallas Division from civil cases alone.

With respect to criminal cases in the Dallas Division, it is here provided that the judge, either active or senior active, who is chiefly responsible for arraignment of criminal defendants, shall assign at least one out of every six criminal cases to the senior active judge so long as that senior active judge is willing to accept the responsibility for trying that portion of the criminal docket in the Dallas Division.

It is further ordered that the above system for the assignment of cases and for a random draw will commence with all cases filed on and after January 1, 1979 and assigned in the above manner even though one or more of the new judges have not taken the oath of office at such time. In the event that any of such cases are assigned to a person who has not taken the oath of office requires any early or emergency action, it will be assigned to an active judge in that division, but the card drawn for the person who is not yet a judge will be replaced in the random draw.

Such random draw shall be established in any division where two or more judges are assigned to a part of the docket and in accordance with the above percentages.

With respect to the civil and criminal cases pending on the dockets of the various divisions of the Northern District of Texas, same shall be reassigned in the following manner

as soon as one of the new persons qualifies by taking the oath of office. Such assignment from one judge to another shall be accomplished by a purely random draw as follows:

Judge Taylor will assign 300 cases to the new judge assigned to the Dallas Division.

Judge Mahon will assign one-half of all pending civil and criminal cases on the Fort Worth docket to the new judge assigned to the Fort Worth Division.

Judge Higginbotham and Judge Porter will each assign 75 civil cases to the new judge to be stationed in Amarillo, Texas and 25 cases each, both civil and criminal, to the new judge to be assigned to the Dallas Division.

Judge Hill will assign all cases pending on the Wichita Falls Division docket to Judge Mahon and will further assign 50 cases out of his Dallas docket to the new judge to be assigned in the Fort Worth Division.

Judge Woodward will assign the entire Amarillo docket to the new judge to be stationed in Amarillo, Texas and will take over and receive the entire Abilene docket, both civil and criminal.

Any cases not assigned in accordance with the above directive will be retained by the judge to whom they are presently assigned, including all cases that have been assigned to senior active judges.

In the event any of the named judges presently serving should not continue in office when the above assignments and transfers of cases are effective, then the successor to that judge will be assigned and will have transferred to him or her the cases in the above proportions and numbers.

This order will become effective as above set forth.


CHIEF UNITED STATES DISTRICT JUDGE


UNITED STATES DISTRICT JUDGE


UNITED STATES DISTRICT JUDGE

John B. Mahon
UNITED STATES DISTRICT JUDGE

[Signature]
UNITED STATES DISTRICT JUDGE

Pat J. [Signature]
UNITED STATES DISTRICT JUDGE