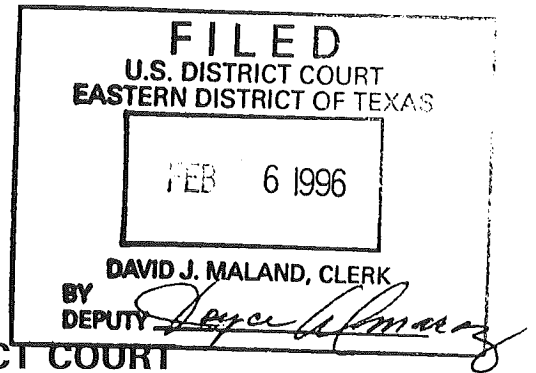


General Order No. 96- 3



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

ORDER ADOPTING AMENDMENTS TO LOCAL RULE 18(b)

It is hereby ORDERED that the following amendment to Local Rule 18(b) concerning the reassignment of actions after recusal or disqualification of a judge, having been approved by the judges of this Court, is adopted for immediate implementation. See 28 U.S.C. §2071(e). [Note: added language is marked with ~~redline text~~; deleted language is marked with ~~strikeout text~~].

RULE 18

* * * * *

(b) Multi-Judge Divisions

Upon the disqualification or recusal of a judge from participation in an action or proceeding pending in a division wherein the caseload is divided between two judges, the action or matter systematically shall be reassigned and transferred to the other judge sitting in that division . Where the caseload in the division is divided between more than two judges, the action or matter systematically shall be reassigned and transferred ~~randomly to the a judge in the division and who is senior in precedence over the remaining judges in that division. who is not disqualified.~~ ~~The Clerk shall randomly assign another case to the recusing/disqualified judge in place of the case he/she recused in or was disqualified in.~~ In instances where each judge in a two-judge or a multi-judge division recuses himself or is disqualified, the action or matter systematically shall be reassigned and transferred ~~in accordance with an order of the Chief Judge of the district to the any judge in active service, in another division, who is not disqualified. and who is senior in precedence over the remaining~~

~~judges in the district.~~

* * * * *

Signed this 2nd day of February, 1996.

FOR THE COURT:

Richard A. Schell

RICHARD A. SCHELL
Chief Judge