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We write as Bar Association leaders to raise the concerns of so many of New York's lawyers should another sequester be imposed on our federal courts. The functioning of our courts was seriously undermined by sequester in 2013 and they have still not fully recovered. We cannot afford a repetition of the 2013 underfunding which resulted in extensive case delays, reduced security and inadequate personnel to carry out necessary day-to-day operations.

As you know, the sequester is again a serious possibility for Fiscal Year (FY) 2016, commencing October 1, 2015.

The Budget Control Act of 2011 imposed severe automatic cuts on almost all federal operations when Congress did not enact a budget within spending caps established by the Act. On March 1, 2013 the sequester was imposed, and we entered into a period of severe underfunding. The federal government operated on that basis for the remainder of 2013. On Dec. 26, 2013, a budget agreement was finally reached for relief through Sept. 30, 2015. Thus, we again face the sequester if Congress fails to enact the required appropriation bills.

As we have noted, the 2013 sequester caused extreme hardship for the federal courts. In fact, the plight of the courts was recognized by Congress, as the December 2013 agreement provided a funding anomaly of \$25 million in additional money for the court system above the FY 2013 sequester level.

The impact of the underfunding of the courts in 2013 was described by Judge Julia Gibbons, chair of the budget committee of the U.S. Judicial Conference, in testimony she presented to Congress in March 2014. "Our fears were realized," she said regarding the impact of the nearly- \$350 million in cuts to the courts.

In March 2015, Judge Gibbons appeared before Congressional Committees and said that FY 2015 appropriations approved earlier by Congress for the Judiciary build on the funding for FY 2014 and "will enable the courts to recover from the harmful effects of 2013 sequestration cuts." She testified that, "It will allow us to backfill some vacancies..., and will provide sufficient funding to meet operational costs, juror expenses, and court security requirements for FY 2015."

In New York, the 2013 disruption in the federal courts was, and would be again, devastating. As it now stands, all four of New York's district courts are categorized as "congested courts", meaning that they exceed the average caseload numbers for the entire federal system. Therefore the cuts disproportionately impact New York.

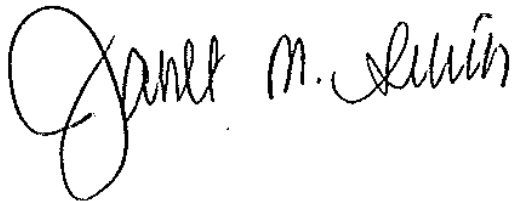
New York's individuals and business would suffer dramatically from re-implementation of the sequester. Inadequate court funding also tarnishes New York's status as the gold standard for businesses engaged in international transactions by diminishing the efficiency and predictability of our judiciary. Additional costs for litigants due to funding-related delays and inefficiencies serve as significant disincentives for the international community to choose New York as its forum for dispute resolution. Loss of this status will cause severe loss of valuable commercial activity and tax revenue.

Our courts are one of the pillars of our society, serving all who need their assistance to resolve matters, small and large, for individuals and business. We request that New York's Congressional Delegation take all necessary steps to avoid another crisis-by-sequester in our court system and prevent re-implementation of disastrous budget cuts for the federal courts in FY 2016.

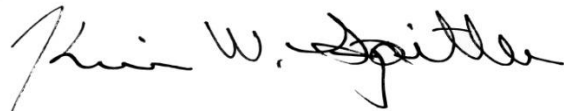
Respectfully,



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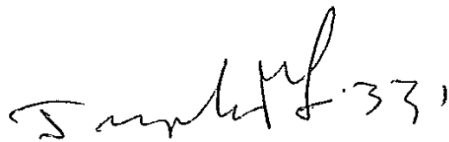
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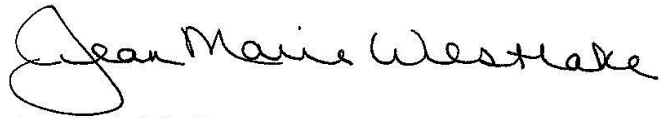
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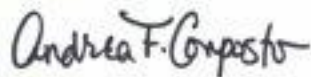
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