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THE WHITE HOUSE
REMARKS OF THE PRESIDENT
AT THE
SIXTH CIRCUIT JUDICIAL CONFERENCE
THE GRAND HOTEL

9:31 A.M. EDT

Judge Engel, Governor Milliken, Justice Stewart, Senator Bob Griffin, Judge Phillips, distinguished Members of the Congress, my former colleagues in the House, Al Cederberg, Phil Ruppe and Guy VanderJagt, Bishop Dimmick, and an old and very dear friend of mine, Judge McAllister and his wonderful wife Dorothy, ladies and gentlemen:

Before I begin, I would like to ask a question of this very distinguished Judicial Conference.

Last Thursday, one of the tires on Air Force One blew out as we were landing in Cleveland and that night a newspaper reported the incident as follows: "Air Force One landed in Cleveland today with a flat tire." (Laughter) "And President Ford stepped out." (Laughter)

And now for the question: Can I sue? (Laughter)

It is a privilege to meet this morning with such a distinguished group of jurists and lawyers from Kentucky, Michigan, Ohio and Tennessee, and obviously I am honored to share the platform with my former law school classmate, Justice Potter Stewart.

It is wonderful to see you, Potter, and we look back, I am sure, from time to time, at those fine days in the Yale Law School.

And I am extremely pleased to see so many families here today, and families of people that I have known so long myself.

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I can't help but make an observation and comment about Judge Tom McAllister. I was delighted that Tom was finally accorded the recognition that he should get. The University of Michigan Law School finally gave him his degree (Laughter) after some 55 years of reticence.

And secondly, some of you may or may not know but just a few years ago Tom McAllister was permitted to receive the Legion of Honor from the French Government that he earned in World War I.

And, Tom, it is nice to see you. I can't see where you are sitting.

I think it was in 1936 that Tom ran for the House of Representatives from the district that I had the honor to represent, and he came so close -- I think less than 200 or 300 votes -- if he had ever won I probably wouldn't be here. (Laughter)

And then I am especially pleased to have been introduced by Judge Albert Engel. His father was a very distinguished Member of the House of Representatives when I first went to the Congress in 1949, and he decided after one -- my first term -- he decided to seek the Governorship of Michigan.

And he had had a long and very distinguished record on the Committee on Appropriations. And when he left to seek the Governorship, I was fortunate enough to get on the Committee of Appropriations at a relatively early stage in my Congressional career.

I was sorry that Albert didn't get to be Governor, but I was thankful that I was given the opportunity to succeed him on the Committee on Appropriations, and I can only say to you, Albert, your father was one of the outstanding Members of the House of Representatives during my career in the Congress.

Now, despite the importance of the Judiciary, I think we on the outside do recognize that many of the problems that you face and that you tackle go unnoticed and unreported. Too often we pay attention only when Federal court decisions are controversial, or the problems of court management become overwhelming.

You know better than even those of us who look at the statistics, that the case loads in Federal courts have expanded tremendously in the past decade.

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Those of you on the Federal bench know personally about the 25 percent increase in criminal cases, and the 55 percent increase in civil cases between 1964 and 1974. And I think, with mixed blessings, we recognize that the Sixth Circuit is one of the busiest and most productive and has one of the finest records, according to the statisticians in the country. And I compliment you and congratulate all of you, those on the Circuit Court as well as those in the district courts, for that very enviable record.

You have this impressive record of accomplishment in keeping up with the explosive development of cases in or under Federal jurisdiction, and by all of the experts that I have read you have handled these tremendous responsibilities extremely well.

But I think it is self-evident there is a very serious question how long the Federal Judiciary will be able to function smoothly without additional manpower.

And I can say with emphasis that this Administration strongly supports the recommendations for additional district circuit court judgeships.

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Your judicial conferences have said on more than one occasion, the need is there, and legislation has been introduced in both the House and the Senate to provide I think it is 51 or 53 additional Federal judges.

I can assure you personally that I will do all I can to convince the Congress that action is required. I think all of us in this room recognize that you may have to make some division between one group and another in order to get it approved, but I think the overriding interest is in the need for judges.

So, as far as we are concerned, we will work out with those that feel there should be some equal division -- and I understand it -- so that we can meet the needs of our Federal court system. I think we also have to recognize there is a need for an increase in Federal judicial salaries.

Let me assure you that in the most discreet way the Chief Justice, without violating any Constitutional limitations, has talked to me on several occasions -- (Laughter) -- has talked to a number of Members of the Congress and at his specific request, I got a group of the Democratic and Republican leaders to the White House along with people from the Executive Branch to again mention with emphasis the problems in the field of compensation for Federal judges.

So, you have a good advocate. We just have to find some way to get some action.

Let me say this: In my crime message, which was submitted to the Congress several weeks ago, I strongly supported, as I think it is absolutely essential, legislation to expand the jurisdiction of Federal magistrates.

You know better than I that the expansion of that responsibility can be very helpful in alleviating some of the case load problems in the Federal judicial system.

In addition, in this crime message, I did propose action on the scope and the process of Federal jurisdiction, including the range of diversity, jurisdiction, the advisability of three-judge courts, possible avenues of Federal-State cooperation and related proposals, all of which could be materially beneficial in reducing the case load.

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Accordingly, in this process, I have requested a comprehensive review of Administration efforts on judicial improvements and an examination of the full spectrum of problems facing the Judiciary.

Because the State courts are being equally, if not greater, taxed by special problems, I have recommended an extension of Law Enforcement Assistance Administration programs calling attention specifically to the financial and the technical assistance requirements of our State courts.

The Administration is also aware of the need to consider the judicial impact of any new legislation, and I can assure you that we will examine the potential for litigation arising from any of our proposals.

It has been my observation that too often Federal laws have been passed without adequate consideration of their impact on the effect on our Federal court system.

From its founding, the Nation has expected its courts to perform vitally important functions, and in recent years the Federal bench has wrestled with many of these controversial issues in our society.

In fact, we are turning too often to the Federal courts for solutions to conflicts that should have been tackled by other agencies of the Federal Government, or even the private sector.

We cannot expect the Judiciary to resolve and to balance all of our opposing views in our society. Neither can we rely on the courts as the sole protector of our individual liberties.

I think other agencies, or partners in the Federal Government, have an equal responsibility. We can't, in all honesty, put the full burden and total load on the judicial system.

The Judiciary is the Nation's standing army in defense of individual freedom, but all segments of our society -- Government, business, labor, education -- must work to see that the individual is not stifled.

In our first century, the Nation established a continentwide system, a very unique system of Government. That first century of our country's history provided our people with the opportunity to put together a Government that worked to protect the rights of individuals and created stability for this new and growing Nation.

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In our second century, we developed a very strong economic system. We moved from the East Coast to the West, and from the North to the South, and we developed this industrial complex under a free enterprise system that permitted our country to move ahead and become the strongest industrial nation in the history of the world.

So, in the first two centuries, we developed that wonderful form of Government that we have. Alongside with it in our second century we put together this industrial might that has given us so much.

We developed stability in freedom in the first one hundred years, and economic strength in the second.

In the third, the challenge is, as I see it, to advance individual independence. If we don't do something in this third century to protect the individual against mass education, mass Government, mass labor, where the rights of the individual are lost because of the totality of the effort, the individual, has to be given his unique opportunities to participate and not get lost in the crowd.

Daniel Boone moved West to find some elbow room. Elbow room for the individual is what our next century as a Nation must be about. We must give ourselves as individuals ample room to grow, to achieve and to be different if we want to be, and to define the basic quality of our personal existence.

You know out of the slogans and the myths of 200 years of American history the first words still ring very, very true. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

Those words are not just for political orations or even court decisions. They are the watchwords of what we must be about as a people in the coming years. Freedom for a nation begins and ends with the freedom of the individual.

With that commitment, our future will be as glorious as our past.

Thank you very much.

END (AT 9:48 A.M. EDT)