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Office of the White House Press Secretary
(Mackinac Island, Michigan)

THE WHITE HOUSE

EXCERPTS FROM REMARKS
BY THE PRESIDENT AT THE
SIXTH CIRCUIT JUDICIAL CONFERENCE

GRAND HOTEL
MACKINAC ISLAND, MICHIGAN

Before I begin, I would like to ask a question of this 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 -- and President Ford stepped out" ... And now for the question: Can I sue?

It is a privilege to meet this morning with such a distinguished group of jurists and lawyers from Kentucky, Michigan, Ohio and Tennessee. I am honored to share the platform with my former law school classmate, Justice Potter Stewart, an alumnus of the Sixth Circuit Court of Appeals. And I am pleased to see the families of so many of you here today. This is probably one of the few times you get to see your spouses for such an extended period.

For the past few days, this Conference has made its annual review of the current problems of the Federal Judiciary, especially this Circuit. Your concern about the administration of criminal and civil justice reaches far beyond your courtrooms, because your work is vital to the stability of this Nation.

Despite the importance of the judiciary, its problems often go unnoticed and unreported. Too often, we pay attention only when Federal court decisions are controversial or the problems of court management become overwhelming.

The caseloads in Federal courts have expanded tremendously in the past decade. 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.

The Sixth Circuit is one of the busiest and most productive in the country. At the Appellate and District Court levels, this Circuit has an impressive record of accomplishment in keeping up with the recent explosion of Federal litigation.

(MORE)

You are handling tremendous responsibilities well, but there is a serious question as to how long the Federal Judiciary will be able to function smoothly without additional manpower. This Administration supports the recommendations for additional District and Circuit Court judgeships, with Judicial Conference studies show are needed. Legislation to create these judgeships needs swift bi-partisan action. The number of Federal Judges and adequate salaries are important issues. But other problems also need attention. In my crime message, I strongly supported legislation to expand the jurisdiction of United States magistrates.

Action on the scope and 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 could help to reduce caseloads. Accordingly, 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 taxed by special problems, I have recommended an extension of the Law Enforcement Assistance Administration programs calling attention to financial and technical assistance requirements of state court systems. The administration also is aware of the need to consider the judicial impact of any new legislation, and we will examine the potential for litigation arising from our proposals. Too often, Federal laws have been passed without adequate consideration of their effect on Federal courts.

From its founding, the Nation has expected its courts to perform important functions, and, in recent years, the Federal bench has wrestled with many issues in our society. In fact, in my view, we are turning too often to our Federal courts for solutions to conflicts that should have been tackled by other agencies of government or the private sector. We as a people cannot expect the Judicial Branch to resolve and balance all of our opposing views. Neither can we rely on Federal courts as the sole protectors of our individual liberties. 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 continent-wide a unique system of government; in the second century, a strong economic society; and in the third, the challenge is to advance individual independence. Daniel Boone moved west to find "elbow room" -- and "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, to be different -- and to define the quality of our personal existence.

Out of the slogans, myths and memories of 200 years of American history, the first words still ring 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 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 more glorious than our past.