



§ 1983 White Plains Pilot
Town Hall Meeting
U.S. Courthouse, 300 Quarropas Street, White Plains
May 20, 2016, 12-1:30

In 2010, the Court asked a group of plaintiffs’ attorneys who routinely handle 42 U.S.C § 1983 police cases and the New York City Law Department to form a working group to address the increasing number of cases being filed and the lengthening time from complaint to disposition. The goal of the working group was to develop a pilot program to test whether the administration of justice in § 1983 litigation could be improved and whether the Court could reduce the time to disposition in the typical § 1983 cases brought against the NYPD and its officers. The resulting Plan for Certain § 1983 Cases Against the City of New York (“the Plan”) was part of a group of initiatives designed to promote the just, speedy and inexpensive resolution of civil cases in this District, as required by Rule 1 of the Federal Rules of Civil Procedure. The § 1983 Plan went through a rule-making process and, with some additional recommended changes, was codified as Local Civil Rule 83.10. It became effective on April 1, 2015. Statistical reports run from the CM/ECF database since the inception of the Plan have demonstrated a settlement rate between 64-74% of participating cases. Because the Plan assists litigants in early settlement of cases, the Court will soon implement a pilot Plan for all eligible cases filed in White Plains.

OVERVIEW OF THE § 1983 PLAN

The § 1983 Plan is intended to provide both a structure for Plan-appropriate cases, and flexibility for those cases which might require a different process. It seeks to provide the parties in these cases with the information they need to evaluate whether there should be an early settlement of the litigation and to provide them with a forum for those settlement discussions. Any cases that do not achieve an early settlement are placed in a position to complete any remaining discovery expeditiously.

The timetable for certain events is as follows. A defendant must file an answer within 80 days following service on the first defendant, assuming a § 160.50 release is served with the complaint. The parties exchange written discovery during the following four weeks (28 days). The plaintiff then must make a settlement demand within two weeks. The defendant responds to that demand two weeks later. The parties must engage in settlement negotiations thereafter, and if they have not filed a stipulation of dismissal within three months of the filing of the first answer, appear at a mediation session before a

Southern District mediator. The § 1983 Plan also offers an option for parties to request referral to a Magistrate Judge for settlement, or to request an order of removal from the § 1983 Plan.

TOWN HALL MEETING

On May 20, 2016, the Court will host a Town Hall meeting to answer questions and solicit comments and suggestions for the § 1983 Plan in White Plains. Judges, representatives from the New York City Law Department, and the Director of the Court's ADR Program will attend. **The meeting will be held in the Courthouse at 300 Quarropas Street, Jury Assembly Room, from 12-1:30.** Lunch will be served. If you plan to attend please RSVP to Rebecca_Price@nysd.uscourts.gov by Monday May 9. If you cannot attend, and wish to comment, please send comments to Rebecca_Price@nysd.uscourts.gov by May 20, 2016. Local Civil Rule 83.10 can be viewed by going to <http://nysd.uscourts.gov/mediation> under "Mediation Rules and Procedures".