

From: Jay P
Sent: Tuesday, July 21, 2026 11:31 AM
To: RulesCommittee Secretary
Subject: RE: Request for Review: Continuous Case Progress and No Idle Case Time Standards

Rules Committee Staff,

Thank you for clarifying the Committee's jurisdiction and inviting a rule-specific submission. Please treat this response as a written suggestion for referral to the Advisory Committee on Civil Rules. I am narrowing the initial proposal to procedural amendments addressing documented case ownership, unexplained administrative inactivity, deadline visibility, and escalation when a required next action is not taken.

PROPOSED AMENDMENTS TO THE FEDERAL RULES OF CIVIL PROCEDURE

I. Rule 16 — Pretrial Conferences; Scheduling; Management

Proposed addition to Rule 16(b):

“Case-Progress Information. A scheduling order must identify, for each material stage of the action: (A) the next procedural action reasonably required; (B) the party, judicial officer, clerk, or other authorized participant responsible for that action; and (C) the applicable date, deadline, or event that will trigger further review. The court may modify this information for good cause.”

Proposed addition to Rule 16(f):

“Administrative Inactivity. If a required procedural action is not completed by the applicable date and no extension, stay, or other lawful basis for delay has been entered, the court must review the matter within a reasonable time and enter an order that: (A) identifies the reason for the inactivity; (B) assigns responsibility for the next action; and © establishes a new date or event for review. This subdivision does not require the court to decide a disputed matter before the record is sufficient or alter any party's rights to notice, response, discovery, hearing, or appellate review.”

II. Rule 40 — Scheduling Cases for Trial

Proposed amendment:

“Each court must provide by rule or order for scheduling cases for trial and for periodic review of civil actions that have no scheduled next event or unresolved deadline. Priority may be given when delay creates a substantial risk of unlawful detention, loss of housing, child-safety harm, denial of necessary medical access, destruction or loss of evidence, or other imminent or irreversible injury.”

III. Committee Note — Proposed Purpose and Limits

“The amendments are intended to reduce administrative delay that occurs when no participant is clearly responsible for the next procedural action. They do not establish outcome deadlines,

require premature adjudication, restrict lawful judicial discretion, or alter substantive rights. A continuance, stay, extension, or period of deliberation supported by law and reflected in the record is not administrative inactivity under these provisions.

The amendments are technology-neutral. They do not require a particular case-management platform. Courts may comply through existing docketing systems, scheduling orders, local procedures, or other reliable methods. The amendments are also not intended to permit automated systems or artificial intelligence to make final decisions affecting liberty, legal status, or substantive rights without the review and authority otherwise required by law.”

IV. Basis for the Suggestion

Federal Rule of Civil Procedure 1 directs that the Rules be administered to secure the just, speedy, and inexpensive determination of every action and proceeding. The proposed language operationalizes that directive without imposing a fixed timetable for judicial decisions. It distinguishes necessary process from preventable administrative inactivity by requiring only that an inactive matter have a documented reason, an identified next action, and a future review point.

The proposal addresses four recurring procedural failures:

1. A matter has no clearly identified next action.
2. Responsibility for that action is unclear or shifts without documentation.
3. A deadline passes without a recorded extension, stay, or review.
4. Delay continues after a matter is procedurally ready for the next step.

V. Requested Committee Action

Please:

1. Docket this submission as a rule-change suggestion.
2. Refer it to the Advisory Committee on Civil Rules.
3. Provide the assigned suggestion or agenda number when available.
4. Advise whether the Committee prefers separate follow-on submissions for the Appellate and Criminal Rules.
5. Advise whether empirical examples, model local-rule language, constitutional analysis, or implementation criteria would assist the Advisory Committee’s initial review.

For accuracy in future correspondence, my title is Ms. Jay Price.

Respectfully,

Jay Price
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