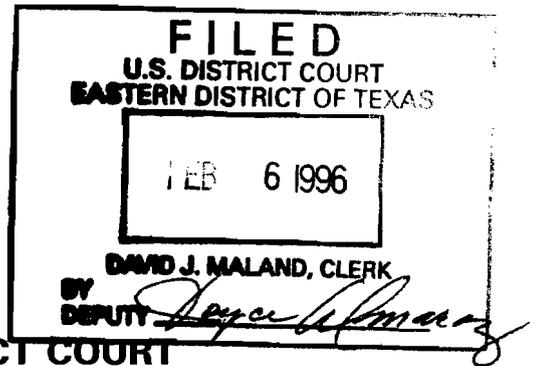


General Order No. 96- 3



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

ORDER ADOPTING AMENDMENTS TO LOCAL RULE 18(b)

It is hereby ORDERED that the following amendment to Local Rule 18(b) concerning the reassignment of actions after recusal or disqualification of a judge, having been approved by the judges of this Court, is adopted for immediate implementation. See 28 U.S.C. §2071(e). [Note: added language is marked with redline text; deleted language is marked with ~~strikeout text~~].

RULE 18

* * * * *

(b) Multi-Judge Divisions

Upon the disqualification or recusal of a judge from participation in an action or proceeding pending in a division wherein the caseload is divided between two judges, the action or matter systematically shall be reassigned and transferred to the other judge sitting in that division . Where the caseload in the division is divided between more than two judges, the action or matter systematically shall be reassigned and transferred randomly to the a judge in the division ~~and who is senior in precedence over the remaining judges in that division.~~ who is not disqualified. ~~The Clerk shall randomly assign another case to the recusing/disqualified judge in place of the case he/she recused in or was disqualified in.~~ In instances where each judge in a two-judge or a multi-judge division recuses himself or is disqualified, the action or matter systematically shall be reassigned and transferred in accordance with an order of the Chief Judge of the district ~~to the any judge in active service, in another division, who is not disqualified.~~ ~~and who is senior in precedence over the remaining~~

~~judges in the district.~~

* * * * *

Signed this 2nd day of February, 1996.

FOR THE COURT:

Richard A. Schell

RICHARD A. SCHELL
Chief Judge