

Mr. Pickering then presented a recommendation concerning Association opposition to the creation of a new Article I Social Security Court.⁶⁴ Mr. Pickering said although the Social Security system was the biggest adjudicatory system in the world and did have problems, the creation of a new Article I court was not appropriate at this time because: the work load was decreasing due to new processing being instituted; uniformity of decision would not occur because constitutional challenges would still be allowed; challenges to the legality of regulations would still be reviewed in the district court, and judicial review was too important to be put in the hands of a specialized court.

Robert M. Landis of Pennsylvania, Chairman of the Standing Committee on Federal Judicial Improvements, opposed the recommendation saying there was no urgency for this recommendation because the reforms just passed by the House had not yet been implemented, and until that was done and results could be studied, the Association should not approve this recommendation.

Richard H. Keatinge of California, Section of Administrative Law Delegate, supported the recommendation and said the problem was with the Social Security Administration and the policies it had followed and not with the appellate proceedings. The number of cases the Administration handled was declining and with the new procedures approved in the previous recommendation, Mr. Keatinge said it was hoped the problems and numbers of cases would continue to decline. Mr. Keatinge concluded his remarks by saying individual claimants in the social security areas should have the same rights that a corporate claimant had in the antitrust area.

Robert L. Chiesa, New Hampshire State Delegate, moved to defer the recommendation to allow time to determine if the new procedures approved would work or not in solving some of the problems in the Social Security Administration.

Marvin H. Morse of the District of Columbia, Conference of Administrative Law Judges Delegate, opposed the motion to defer and said an overwhelming majority of judges in the Social Security system opposed the concept of an Article I Court because passing the review responsibility from the Article 3 to the Article 1 judiciary missed the point and gave misleading signals. He reminded delegates that no case reached the administrative law judges until it had been turned down twice at the state social welfare system level.

Don M. Jackson of Arizona, Senior Lawyers Division Delegate, opposed the motion to defer and said the question was whether to have a Title I Court or to preserve the right to go the District Courts.

Mr. Pickering then urged delegates to defeat the motion to defer and approve the recommendation.

Without further debate and by voice vote, the House defeated the motion to defer and approved the following recommendation:

BE IT RESOLVED, That the ABA opposes the enactment of HR. 4647, H.R. 4419 and similar legislation to create an Article I Social Se-

⁶⁴The full report of the committee can be found at page 821.

curity Court to hear appeals from final decisions of the Social Security Administration.

Informational Report of the Board of Governors.⁶⁵ Secretary Neukom presented the Informational Report of the Board of Governors detailing the Board's actions since the last meeting of the House. He moved approval of the Board's recommendation to continue various Association entities and to discontinue others. The motions were approved by voice vote, and the following Special Committees and Commissions were continued:

- Advertising, Commission on
- American Newspaper Publishers Association, Cooperation with
- Amicus Curiae Briefs
- Delivery of Legal Services
- Energy Law Coordinating Committee on
- Evaluation of Judicial Performance
- Federal Judicial Compensation, Commission on
- Foreign and International Organizations, Cooperation with
- Housing and Urban Development Law
- Immigration Law, Coordinating Committee on
- Inter-American Affairs, Commission on
- Lawyers in Government
- Legal Problems of the Elderly, Commission on
- Legal Services and the Public, Consortium on
- Mentally Disabled, Commission on
- Prepaid Legal Services
- Public Understanding About the Law, Commission on
- Taxpayer Compliance, Commission on
- Youth Education for Citizenship

The following entities were discontinued:

- Special Committee on Automobile Insurance Legislation
- Special Committee on Implementation of the Model Rules of Professional Conduct
- Commission on Professionalism
- Special Committee on Dispute Resolution
- Special Committee on Election Law and Voter Participation
- Special Committee on Lawyer's Public Service Responsibility
- Consortium on Lawyer Competence
- Public Education Division Steering Committee
- Task Force on Minorities in the Legal Profession
- Special Committee on Medical Professional Liability
- House of Delegates' Special Committee on the Treasurer's Report

Section of Real Property, Probate, and Trust Law.⁶⁶ Malcolm A. Moore of Washington, Section Delegate, presented a recommendation concern-

⁶⁵The full informational report of the Board of Governors can be found at page 55.

⁶⁶The full report of the section can be found at page 684.