

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK
Alexander Pirnie Federal Building and U.S. Courthouse
10 Broad Street, Utica, New York 13501

TO: Court Users

FROM: Hon. Stephen D. Gerling
Chief U. S. Bankruptcy Judge

Diann M. Freeman
Chief Deputy Clerk

DATE: April 14, 2004

RE: Performance Appraisal Liaison for the Court

In an effort to ensure that the Court is responsive to its users, the Bankruptcy Court for the Northern District of New York, Utica/Syracuse/Binghamton Division, is initiating a Performance Appraisal process and is inviting comment from all court users, including attorneys who practice here, professionals involved in bankruptcy cases and the general public. It is believed that the process would be more comfortable, and ultimately more effective, if the feedback is given to a well respected intermediary who has the trust of the participants, rather than to the Clerk or Judge. In the case of evaluating the performance of a particular judge, it seems that the best way to provide both meaningful, constructive input for us, and solicit thoughtful, honest comments from participants is to have an individual who has no direct contact with the Court, serve as that intermediary.

In light of these considerations, we have asked Professor Samuel J. M. Donnelly to be the intermediary for the Bankruptcy Court in Utica/Syracuse/Binghamton. We are pleased to report that Professor Donnelly has accepted our invitation to serve as the intermediary (a/k/a “performance appraisal liaison”) for the Court. For those who are not familiar with him, Professor Donnelly has taught Bankruptcy and Creditors’ Rights at the Syracuse University College of Law for many years and has served on panels named by the Second Circuit to recommend candidates for Bankruptcy Judge. He understands well the need to hold in confidence the names of the parties he speaks with, filtering the information as necessary so that he can relay it to us in a manner that does not imply by circumstance the parties’ identities.

The goal of this process is to solicit and convey information that will help us, Chambers staff and the Clerk’s Office better serve practitioners and the public. We are seeking your opinions and observations about the entire Bankruptcy Court experience, including but not limited to, judicial demeanor, the courtroom environment, treatment of attorneys, professionals and parties, efficiency of motion calendars and trials, professionalism of court staff, responsiveness of the Clerk’s Office and Chambers’ staff to inquiries and assistance, and the overall tone of the Court.

Your candid participation and offering of constructive comments are essential to the success of this process. Professor Donnelly needs and invites contact from practitioners, professionals involved in the bankruptcy process and the general public, by phone, in person or by e-mail. He will meet with us at the conclusion of the Performance Appraisal to convey suggestions and observations based upon the input given to him. Also, from time to time, he may like to take it upon himself to initiate conversations with practitioners. Should you be contacted, please feel free to chat with him or not. Information that Professor Donnelly transmits to us will not be made public in any way. Professor Donnelly's telephone number and e-mail address are:

Professor Samuel J. M. Donnelly
Comments on Bankruptcy Court
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Please include on facsimiles, e-mails and on the envelopes for letters sent the following statement or indication of subject: **COMMENTS ON BANKRUPTCY COURT**

Please note: There is a sixty (60) day time frame - from **April 26, 2004 to June 28, 2004** for giving Professor Donnelly your comments.

On behalf of ourselves, Chambers staff and the entire Clerk's Office staff, we would like to thank you for any future input and feedback that you provide. This will help us as we strive to provide quality services to all court users.