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April 14, 2004

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Senator Dianne Feinstein
United States Senate
Washington, D.C. 20510-0504

Re: Division of 9th Circuit Court of Appeals

Dear Senator Feinstein:

Thank you for your letter of April 8, 2004, concerning the bills proposing division of the 9th Circuit into two or three separate circuits. The Appellate Practice Section of the Oregon State Bar studied the issue of splitting the 9th Circuit in 1996 and recommended that our Bar oppose such a division.

In March of 1996, the Board of Governors approved the section's recommendation, with a majority voting to oppose the split (eight in favor of the section recommendation, four in opposition, one abstaining, and one absent).

Though this matter is of concern to the Oregon State Bar, given the abbreviated timeframe of two weeks, we would be unable to review this matter again prior to the deadline.

Thank you for inviting our comment.

Sincerely,

William G. Carter
President Oregon State Bar

WGC/rtw