

# Magistrate Judges in the Federal Courts

## *A Special Issue*

When Federal Bar Association (FBA) National President Judge Gustavo Gelpí asked me several months ago to lead the effort to create this special issue of *The Federal Lawyer* concerning Magistrate Judges, I readily agreed. Little did I know, at that time, that at Judge Gelpí's suggestion, and with substantial help from Judge Sidney Schenkier, president of the Federal Magistrate Judges Association, we would produce an issue of the magazine that serves as a primer on U.S. Magistrate Judges: how Magistrate Judges are selected; their history; their important and changing

role in the federal courts; the national increase in consent cases; and the expertise among the Magistrate Judge ranks to do many important judicial tasks—to resolve cases efficiently and fairly and settle complex litigation, among many others. It has been my honor to be involved in this very worthwhile effort, and I am humbled at the outpouring of Magistrate Judge authors from around the country who volunteered to write about what they do on a daily basis in furtherance of the cause of justice. Thank you, Judge Gelpí and Judge Schenkier.

*TFL* Editor in Chief Becky Thorson (so ably assisted by Sarah Perlman at FBA headquarters) also deserves our thanks for supporting this special issue.

I also want to thank my good friend and fellow Magistrate Judge, the Hon. Michelle Burns from the District of Arizona, who contributed significantly to this effort. My relationship with Judge Burns goes back many years and includes our service together on the FBA

Board of Directors. In the past few months, we spent many evenings chatting by phone—me in the Eastern time zone and Judge Burns in the Western time zone—brainstorming about Magistrate Judge topics that *TFL* readers would want to read about and working to find judges who would author such pieces.

Finally, a thank you as well to the authors themselves and to the Magistrate Judge Task Force (Magistrate Judge Camille Vélez-Rivé, Elizabeth Favret, and Katharine Gardner, among others) who worked so hard on this issue. Peter McCabe's article on the history of U.S. Magistrate Judges is scholarly and insightful. The three mediation articles—by Judges Arthur J. Boylan, Morton Denlow, and James R. Knepp—give real insight into the hard work that Magistrate Judges undertake each day to settle complex cases in our district courts. Judge Lisa Margaret Smith's article, *Top 10 Things You Probably Didn't Know About Magistrate Judges*, and attorney Michael Bolton's article, about the wisdom of consenting to Magistrate Judges, are enlightening. We are also fortunate to have Judge Michael R. Merz, a nationally recognized expert on *habeas corpus* law, explain how Magistrate Judges handle these most challenging cases. Judge Boyd N. Boland sets forth the history of the *Federal Courts Law Review*; Judge Marian Payson discusses the significant strides made to ensure that the selection of Magistrate Judges is diverse; and a number of Magistrate Judges are profiled in this issue. Our other articles and sidebars give a fuller understanding of the civil and criminal role of Magistrate Judges and tips for practicing before them.

I am incredibly fortunate to be a U.S. Magistrate Judge. I care deeply about justice, resolving disputes fairly and equitably under the law, and treating all persons with dignity. It makes me proud to serve with fellow Magistrate Judges, across the nation and in our federal courts, who share these same goals and who care, with equal passion, about the important work we do every day.

The Federal Bar Association is to be congratulated for undertaking this important effort in the hope that it will lead to a better understanding of our system of justice. ☺

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*Editor's Note: The FBA Editorial Board wishes to thank Judge Newman for his leadership and hard work in preparing this special issue.*

