

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS



127 U.S. COURTHOUSE
100 N.E. MONROE
PEORIA, ILLINOIS 61602

(309) 671-7821
FAX: (309) 671-7876
Judge_McDade@ilcd.uscourts.gov

CHAMBERS OF
JOE BILLY McDADE
U. S. District Judge

September 21, 2009

Honorable Frank H. Easterbrook
Chief United States Court of Appeals Judge
United States Court of Appeals
for the Seventh Circuit
219 South Dearborn Street
Chicago, IL 60604

Dear Chief Judge Easterbrook:

In connection with the disposition of a school integration case captioned *Johnson et al. v. Board of Education of Champaign Unit School District #4.*, No. 00-1349, a hearing was held on September 15, 2009 to determine whether the settlement reached by the parties was fair, reasonable and adequate. In connection with the hearing, the local television station asked if it could video record the hearing. Because of the considerable interest in the case by the Champaign community over the past seven years during the existence of the Consent Decree I wanted the widest possible dissemination of the hearing. At the time, I was generally aware our Local Rule 83.7 which prohibited the use of electronic recording devices in our courtrooms and neglected to review the Rule to make sure there were no exceptions. Therefore, I allowed the television station and all other media to record the court hearing. At the time, I erroneously thought that I had the authority to waive the Rule because of the great public interest. I was wrong; two days later at our annual judge's retreat, my colleagues brought my violation of Rule 83.7 to my attention, and it was clear to me that what I did did not constitute an exception and I readily acknowledged the violation and the serious ramifications of my ill-advised action along the lines of opening the door for the type of inquiry by the media brought to your attention. I apologized to my colleagues and volunteered to publicly state that I had violated a clear policy of the Court and that my actions in my way reflected any disagreement with the policy prohibiting the use of electronic devices including cameras in the courtroom. I assured my colleagues that my violation of the policy was not intentional, but negligent, and that in the future I would be more careful to insure that I strictly comply with our Local Rule 83.7. Just as I gave my assurance to my colleagues in the Central District of Illinois, I assure you, Chief

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Judge Easterbrook, that I deeply regret my violation of the policy prohibiting the taking of photographs, making of audio or video recordings, or electronic broadcasting of judicial proceedings as established by the Judicial Conference of the United States, Federal Rules of Civil Procedure, and our Local Rule 83.7.

I understand the ramifications of my ill-advised and improper action in allowing the use of cameras and electronic devices to broadcast the September 15th hearing. My action in no way reflect any disagreement on my part with the policy of the Judicial Conference or our Local Rule 83.7. I was in clear violation of these policies and will do anything necessary to make amends. I have already apologized to my colleagues here in the Central District and assured them that in the future I will strictly comply with our Local Rule regardless of any other considerations. I would be happy to do anything you ask to publicly confess my violation of the policy and my intent to never deviate from the policy in the future. In that regard, you are authorized to release this letter to the public or whomever you choose.

Sincerely,



Joe Billy McDade
United States District Judge

JBM/rlk