

**NEWS RELEASE****Caseload of Federal Courts Remains Steady Overall**

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March 11, 2008 — For fiscal year 2007, total case filings in the U.S. district courts remained stable, bankruptcy filings grew steadily throughout the year, and persons under post-conviction supervision increased 2 percent. In the same 12-month period ending September 30, 2007, appeals declined 12 percent. These and other statistics on the federal Judiciary for fiscal year 2007 were released today by the Administrative Office of the U.S. Courts and are available online at www.uscourts.gov.

U.S. Courts of Appeals

The U.S. Courts of Appeals consist of 12 regional courts and the U.S. Court of Appeals for the Federal Circuit. In 2007, filings in the regional courts of appeals fell 12 percent to 58,410. The overall reduction stemmed from a 21 percent decline to 10,382 in appeals of administrative agency decisions involving the Board of Immigration Appeals (BIA).

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As the courts of appeals cleared the backlog of cases of defendants sentenced prior to the Supreme Court decision in *United State v. Booker* and in *Blakely v. Washington*, filings in the affected categories of appeals approached their levels prior to the decisions. Thus, criminal appeals declined 14 percent to 13,167, civil appeals fell 5 percent to 30,241 as prisoner petitions decreased 8 percent to 15,472, and original proceedings dropped 31 percent to 3,775, largely due to a 38 percent reduction in filings of second or successive motions for permission to seek habeas corpus relief. The median time, however, from filing of a notice of appeal to final disposition grew to 12.2 months from 10.5 months in 2004, in part because of the longer time required to process appeals affected by *Booker*.

Sex crime appeals rose 11 percent to 560, consistent with increases in sex crime filings in the district courts. Bankruptcy appeals rose 3 percent in 2007, to 845.

U.S. District Courts

From 2006 to 2007, total filings of civil and criminal cases in the U.S. district courts held steady, dropping by only 481 cases to 325,920.

Civil Filings

Civil filings in the U.S. district courts fell slightly, dropping less than 1 percent (down 2,034 cases) to 257,507. After growing 29 percent in 2006, diversity of citizenship filings declined 10 percent, chiefly because of a decline in personal injury cases related to asbestos and diet drugs in the Eastern District of Pennsylvania.

Excluding these diversity filings, civil cases increased 3 percent during FY 2007 in response to rising federal question cases (i.e actions under the Constitution, laws, or

treaties of the U.S. in which the U.S. is not a party in the case). Filings with the U.S. as plaintiff or defendant increased 3 percent to 45,464 cases. The growth was mostly as a result of a 12 percent rise in defaulted student loan cases. Cases with the United States as defendant climbed 2 percent (up 863) as filings of statutory actions related to consumer credit soared 55 percent.

Civil rights filings declined 4 percent (down 1,209), Social Security filings dropped 6 percent (down 876), and prisoner petition filings fell 6 percent (down 736 cases.)

Criminal Filings

Criminal case filings in the U.S. district courts rose 2 percent to 68,413 in fiscal year 2007. Defendants in these cases increased 1 percent to 89,306. The median case disposition time for defendants declined from 7.1 months in 2006 to 7 months in 2007. The median time remained above the 6.2 months it was in 2004, a possible reflection on the additional work required to process criminal cases affected by the Supreme Court's Booker decision.

Significant movement in filings was in the following categories:

- Property offense cases grew 7 percent to 12,621, and defendants in such cases rose 6 percent to 16,277. This increase stemmed from fraud cases, which rose 13 percent to 8,101, and defendants climbed 10 percent to 10,804. The growth resulted mostly from misdemeanor filings addressing identification documents and information fraud in the District of Arizona.
- Immigration filings increased 2 percent to 16,722 cases and 17,948 defendants. The charge of improper reentry by an alien accounted for 74 percent of all immigration cases and 69 percent of immigration defendants. Seventy-one percent of all immigration cases were filed in the five southwestern border districts, with immigration filings jumping 29 percent in the Southern District of California and 21 percent in the District of Arizona.
- Sex offense filings jumped 31 percent to 2,460 cases, and defendants in such cases climbed 30 percent to 2,572. The surge in filing was primarily due to filings related to sexually explicit materials.
- Traffic offense filings for both cases and defendants climbed 22 percent to 4,427 and 4,429, respectively.
- Overall drug cases dropped 2 percent to 17,046 and defendants charged with drug crimes fell 2 percent to 29,885. The decline came as filings associated with non-marijuana drugs fell 5 percent. Marijuana cases increased 5 percent to 5,040.

U.S. Bankruptcy Courts

Filings in 2007 in the U.S. bankruptcy courts hit the lowest level since 1990, due to a drop in filings following the implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). However, 2007 filings rose steadily in each quarter of the fiscal year. A total of 218,909 petitions were filed during the 3-month period ending September 30, 2007, an increase of 28 percent above the number filed during the same period one year earlier and 4 percent more than the number filed in the third quarter of FY 2007.

Since BAPCPA, the percentage of debtors filing bankruptcy petitions under Chapter 13 has increased, rising 14 percent and accounting for 39 percent of all new petitions in 2007. But BAPCPA placed new constraints on debtors who file petitions under Chapter 7, and as a result these filings accounted for a smaller percentage of total filings in 2007 than in previous years. It also created new requirements for docketing, notices, and hearings under Chapter 7, increasing the amount of court effort required for processing these petitions.

Post-Conviction Supervision and Pretrial Services

The number of cases opened in the pretrial services system, including pretrial diversion cases, grew from 96,479 cases in 2006 to 97,905 cases in 2007, an increase of nearly 2 percent. Pretrial services officers (PSOs) prepare pretrial services reports that help ensure that judicial officers have sufficient information for deciding whether to release or detain defendants and for selecting the least restrictive release conditions. In 2007, PSOs prepared 93,856 pretrial services reports, an increase of 2 percent from 2006. Probation officers prepared 71,823 presentence reports in 2007. Nearly 94 percent of these reports were presentence guideline reports, which are comprehensive investigative reports prepared in felony or Class A misdemeanor cases for which the U.S. Sentencing Commission has promulgated advisory guidelines.

On September 30, 2007, the number of persons under post-conviction supervision was 116,221, an increase of 2 percent over the 114,002 persons under supervision on the same date in 2006. Persons released from correctional institutions who served terms of supervised release rose more than 4 percent from 85,729 in 2006 to 89,497 in 2007, and have climbed more than 18 percent over the past five years. Cases involving probation imposed by district and magistrate judges fell nearly 5 percent from 25,178 cases in 2006 to 23,974 cases in 2007. Total parole cases—which include both special and military parole, as well as mandatory release—dropped more than 10 percent from 2,876 cases in 2006 to 2,575 cases in 2007.

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Judicial Caseload Indicators
12-Month Periods Ending September 30, 1998, 2003, 2006, and 2007

Judicial Caseload	1998	2003	2006	2007	% Change Since 1998	% Change Since 2003	% Change Since 2006
U.S. Courts of Appeals ¹							
Cases Filed	53,805	60,847	66,618	58,410	8.6	-4.0	-12.3
Cases Terminated	52,002	56,396	67,582	62,846	20.9	11.4	-7.0
Cases Pending	41,666	44,690	56,178 ²	51,742	24.2	15.8	-7.9
U.S. District Courts							
Civil							
Cases Filed	256,787	252,962	259,541	257,507	0.3	1.8	-0.8
Cases Terminated	262,301	253,015	273,193	239,678	-8.6	-5.3	-12.3
Cases Pending	262,573	257,476	247,253 ²	265,082	1.0	3.0	7.2
Criminal (Includes Transfers)							
Cases Filed	57,691	70,642	66,860	68,413	18.6	-3.2	2.3
Defendants Filed	79,008	92,714	88,216	89,306	13.0	-3.7	1.2
Cases Terminated	51,428	65,628	67,499	67,851	31.9	3.4	0.5
Cases Pending	40,277	59,218	71,916 ²	72,478	79.9	22.4	0.8
U.S. Bankruptcy Courts							
Cases Filed	1,436,964	1,661,996	1,112,542	801,269	-44.2	-51.8	-28.0
Cases Terminated	1,377,206	1,568,087	1,619,142	864,588	-37.2	-44.9	-46.6
Cases Pending	1,384,179	1,710,428	1,361,335 ²	1,298,016	-6.2	-24.1	-4.7
Post-Conviction Supervision							
Persons Under Supervision	93,737	110,621	114,002	116,221	24.0	5.1	1.9
Pretrial Services							
Total Cases Activated	81,571	97,317	96,479	97,905	20.0	0.6	1.5
Pretrial Services Cases Activated	78,603	95,492	94,853	96,259	22.5	0.8	1.5
Pretrial Diversion Cases Activated	2,968	1,825	1,626	1,646	-44.5	-9.8	1.2
Total Released on Supervision	32,521	35,524	33,608	32,879	1.1	-7.4	-2.2
Pretrial Supervision	29,974	33,681	31,910	31,358	4.6	-6.9	-1.7
Diversion Supervision	2,547	1,843	1,698	1,521	-40.3	-17.5	-10.4

¹ Excludes the U.S. Court of Appeals for the Federal Circuit.

² Revised.