

Analysis of the Number of Federal Judicial Officers justices, judges, and magistrates and the number of those disciplined or removed

Status of Article III Judgeship Positions							
1.	Article III judges	2005	2006	2007	2008	2009	2010
2.	Authorized judgeships in the U.S. Courts of Appeals	179	179	179	178	179	179
3.	Vacancies	13	14	16	12	-20	-21
4.	Senior Judges	89	88	91	91	93	95
5.	Authorized judgeships in the U.S. District Courts	678	678	678	678	678	678
6.	Vacancies	36	33	31	27	-75	-88
7.	Senior Judges	300	311	310	324	347	356
8.	Authorized Bankruptcy judgeships	352	352	352	352	352	352
9.	Vacancies	37	15	13	14	-20	-14
10.	Recalled judges	32	25	27	24	22	29
11.	Magistrates as of Sep 09	551	553	552	559	567	571
12.		2,095*	2,124*	2,131*	2,153*	2,123*	2,137*
13.	Justices of the Supreme Court	9	9	9	9	9	9
14.	TOTAL	2,104	2,133	2,140	2,162	2,132	2,146

Source: Annual Report of the Director: Judicial Business of the U.S. Courts, published by the Administrative Office of the U.S. Courts; <http://www.uscourts.gov/Statistics/JudicialBusiness.aspx>

2010

<http://www.uscourts.gov/Statistics/JudicialBusiness/JudicialBusiness2010.aspx> >39-41, Tables 11-13

2009

<http://www.uscourts.gov/Statistics/JudicialBusiness/JudicialBusiness.aspx?doc=/uscourts/Statistics/JudicialBusiness/2009/JudicialBusinesspdfversion.pdf> >34-37, Tables 12-14

2008

Tables of the Administrative Office of the U.S. Courts with numbers of judges at <http://www.uscourts.gov/judbus2008/JudicialBusinesspdfversion.pdf> >38-40

2007

<http://www.uscourts.gov/judicialfactsfigures/2007/Table101.pdf>

* This is the number of judicial officers subject to the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§351-364, http://Judicial-Discipline-Reform.org/docs/28usc351_Conduct_complaints.pdf. While under §351(d), the nine Supreme Court justices are not subject to that Act, they too are subject to impeachment and removal as “civil Officers of the United States” under Article II, Sec-

tion 4 of the U.S. Constitution, http://Judicial-Discipline-Reform.org/docs/US_Constitution.pdf.

In practice, however, no justice, judge, or magistrate is subject either to the Act or to impeachment. This follows from the fact that in the more than 221 years since the creation of the Federal Judiciary in 1789 under Article III, and despite the thousands and thousands of judges that have served, the number of them removed from the bench is only 8!, according to the Federal Judicial Center; http://www.fjc.gov/history/home.nsf/page/judges_impeachments.html and http://Judicial-Discipline-Reform.org/statistics&tables/impeached_removed_judges.pdf. To put this in perspective, “1 in every 31 adults were [sic] under correctional supervision at yearend 2008”. Probation and Parole in the U.S., 2008, Lauren E. Glaze and Thomas P. Bonczar, Bureau of Justice Statistics, DoJ, BJS Bulletin, dec9, NCJ 228230, at 3; http://Judicial-Discipline-Reform.org/docs/statistics&tables/correctioneers/correctional_population_1in31.pdf

Since the adoption of the 1980 Act, this extraordinary attribute of de facto irremovability is due to the systematic dismissal under §352(b)(1) by chief circuit judges of complaints under §351 and the denial by the circuits’ judicial councils of petitions for review under §352(c) of such dismissals. Some judicial councils have denied 100% of such petitions in the more than 14 years since October 1, 1996, the first year for which statistics are available online; http://Judicial-Discipline-Reform.org/statistics&tables/judicial_misconduct_complaints.pdf. This means that judges have in practice abrogated in self-interest an Act of Congress that granted every person the right to file a complaint to effectively protect themselves from their misconduct. Thereby judges have committed an egregious denial of protection under law. In addition to harming complainants and others through their misconduct, they impair the integrity of the administration of justice and the impartiality inherent in the office of judgeship to apply the rule of law.

This follows from the report on complaints that the Administrative Office of the U.S. Courts compiles and submits to Congress annually under 28 U.S.C. §604(h)(2); http://Judicial-Discipline-Reform.org/docs/28usc601-613_Adm_Off.pdf, which is based on the particular statistics that it receives from the circuit courts. It tallies misconduct under categories such as:

abuse of power acceptance of bribe corruption; prejudice personal, religious, ethnic or racial bias	conflict of interest (including refusal to recuse) effort to obtain favor for friend or relative failure to give reason for decision improper financial income failure to meet financial disclosure requirements mental or physical disability
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These are grave charges that entail even criminal liability. Yet, judges dismiss them without any investigation or administration of private or public discipline. Either by implicit or explicit agreement among themselves for reciprocal immunization from complaints, or through willful blindness or knowing indifference, judges judging judges hold that ‘judges can do no wrong’. Thereby they furnish themselves with the most insidious motive for misconduct: risklessness. It lures them into not only engaging in misconduct and not desisting from it, but also into branching out into forms of misconduct ever more profitable materially or morally to them that require ever more blatant and coordinated execution regardless of the ever graver injuries inflicted upon others. Instead of abiding by the injunction to “avoid even the appearance of impropriety”, http://Judicial-Discipline-Reform.org/docs/Code_Conduct_Judges_09.pdf >Canon 2, they turn misconduct into their modus operandi. They have abused their power so as to endow themselves with a privileged status that no other person has under government, not of men, but of laws: Judges Above the Law administering to themselves Unequal Protection From the Law.

Table 1.1**Total Judicial Officers. Courts of Appeals, District Courts, and Bankruptcy Courts**

Fiscal Year	Courts of Appeals			District Courts							Bankruptcy Courts		
				District Court Judges			Magistrate Judges						
	Authorized Positions						Recalled Judges						
				Full-Time	Part-Time	Clerk/ Magistrate Judge							
Authorized Judgeships	Active Judges	Senior Judges ¹	Authorized Judgeships ²	Active Judges	Senior Judges ³	Full-Time	Part-Time	Clerk/ Magistrate Judge	Recalled Judges	Authorized Judgeships	Active Judges	Recalled Judges	
1990	168	158	63	575	541	201	329	146	8	5	291	289	13
1995	179	168	81	649	603	255	416	78	3	16	326	315	23
2000	179	156	86	655	612	274	466	60	3	23	325	307	30
2003	179	162*	91	680	651	287*	491	49	3	40	324	309	35
2004	179	166	102	679	663*	294*	500	45	3	32	324	313	35
2005	179	166*	106*	678	642	300*	503	45	3	34	352	315	32
2006	179	165	103	678	645	311	505	45	3	36	352	337	25
2007	179	163	107	678	647	310	505	46	0	36	352	339	27
Percent Change - 2007 over 1990													
	6.5%	3.2%	69.8%	17.9%	19.6%	54.2%	53.5%	-68.5%	**	620.0%	21.0%	17.3%	107.7%

¹ Sitting senior judges who participated in appeals dispositions.² Positions in the Districts of Virgin Islands, Guam, and Northern Mariana Islands are included.³ Senior judges with staff.

* Revised.

**Percentage is not computed when the total is less than 10.

Source: Text narrative and tables, *Annual Report of the Director: Judicial Business of the United States Courts*.

Table 12
Status of Article III Judgeship Positions
*Fiscal Years 2004 Through 2008*¹

Year	U.S. Courts of Appeals ²			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ³	Authorized Judgeships ⁴	Vacancies	Senior Judges ⁵
2004	179	13	89	679	16	294
2005	179	13	89	678	36	300
2006	179	14	88	678	33	311
2007	179	16	91	678	31	310
2008	178	12	91	678	27	324

¹ Data are as of September 30.

² Positions in the Court of Appeals for the Federal Circuit are included.

³ Senior judges who participated in appeals dispositions and authorized for staff. Data for 2004 - 2007 have been revised.

⁴ Positions in the Districts of Virgin Islands, Guam, and Northern Mariana Islands are included.

⁵ Senior judges authorized for staff.

Status of Article III Judgeships

On September 30, 2008, a total of 12 vacancies existed among the 178 judgeships authorized for the U.S. courts of appeals. Seven of these vacancies had been unfilled for more than 18 months. One year earlier, 16 of the

179 authorized judgeships had been vacant, 9 of them for more than 18 months. The total number of authorized judgeships in the U.S. courts of appeals was reduced by one pursuant to the Court Security Improvement Act of 2007, which eliminated a judgeship in the Court of Appeals for the D.C. Circuit. The total will return to 179 in January 2009 when a new

judgeship is added in the Court of Appeals for the Ninth Circuit. Table 12 provides information on the status of judgeships since 2004.

On September 30, 2008, a total of 27 vacancies existed among the 678 positions authorized in the district courts, a decline of 4 compared to the 31 vacancies reported at the end of the previous fiscal year. Thirteen of the vacancies had existed for more than 18 months, seven more than the number of vacancies of that duration for 2007.

As of September 30, 2008, a total of 13 judicial emergencies had been identified in the U.S. courts of appeals and U.S. district courts, 5 below the number identified on September 30, 2007. For the courts of appeals, which had 7 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 6 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600, or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 91 senior circuit judges participating in appeals decisions were serving the Judiciary on September 30, 2008, matching the number serving on the same date in 2007. The U.S. district courts reported 324 senior judges with staff, 14 more than had been serving at the end of the previous fiscal year. The number of senior district

Table 13
Status of Bankruptcy
Judgeship Positions

Fiscal Years 2004 Through 2008 ¹

Year	Authorized Judgeships	Vacancies	Recalled Judges
2004	324	11	35
2005	352	37	32
2006	352	15	25
2007	352	13	27
2008	352	14	24

¹ Data are as of September 30.

judges with staff has risen 10 percent over the past five years, increasing from 294 to 324.

Status of Bankruptcy Judgeship Positions

On September 30, 2008, a total of 352 bankruptcy judgeships were authorized and funded. Of that number, 338 bankruptcy judgeships were filled, and 14 were vacant. In addition to these positions, 24 recalled bankruptcy judges were providing service to the Judiciary on September 30, 2008. Table 12

summarizes the status of bankruptcy judgeship positions through September 30, 2008.

Appointments of Magistrate Judges

During fiscal year 2008, a total of 100 full-time magistrate judges were appointed, including 78 by reappointment. Of the 22 new appointments, 3 were for new positions. During the same period, 16 individuals were appointed to part-time magistrate judge positions, 13 of them by reappointment.

The average age of new appointees to full-time magistrate judge positions was 52 years; the average age of new appointees to part-time magistrate judge positions was 49 years. New full-time appointees had been members of the bar for an average of 24 years at the time of appointment; new part-time magistrate judges averaged 23 years of bar membership. Of the new full-time magistrate judges, seven had been in private practice, one had been a U.S. attorney, six had been assistant U.S. attorneys, two had been state court judges, two had been assistant federal public defenders, one had been a part-time U.S. magistrate judge, one had been a chief deputy city solicitor, one had been counsel to a state attorney general, and one had been a corporate general counsel.

Through September 2008, the Judicial Conference had authorized 514 full-time magistrate judge positions, 43 part-time positions, and 2 combination clerk of court/magistrate judge positions. During the fiscal year, 37 retired magistrate judges were recalled to service under Title 28 U.S.C. §636(h). Table 14 provides a summary of the number of magistrate judge positions authorized by the Judicial Conference since 2004.

U.S. Court of International Trade

The geographic jurisdiction of the U.S. Court of International Trade extends throughout the United States. The majority of the cases this court hears address the classification and valuation of imported merchandise, customs duties, and alleged unfair import practices by trading partners.

In 2008, this court reported 477 cases filed, a decrease of 7 percent from 2007 (down

Table 14
U.S. Magistrate Judge Positions Authorized
by the Judicial Conference
2004 Through 2008

Year	Period	Total	Full Time	Part Time	Combination
2004	March	546	495	48	3
	September	548	500	45	3
2005	March	548	500	45	3
	September	551	503	45	3
2006	March	551	503	45	3
	September	553	505	45	3
2007	March	553	505	45	3
	September	552	507	43	2
2008	March	552	507	43	2
	June	554	508	44	2
	September	559	514	43	2

34 cases). Of this total, 257 were filed under 28 U.S.C. §1581(a) and involved 1,428 denied protests covering 8,970 entries of merchandise. This section applies to civil actions filed against the United States which contest the denial of a protest under the Tariff Act of 1930.

Case terminations dropped 25 percent from 592 in 2007 to 472 in 2008. Pending cases rose less than 1 percent to 2,111 on September 30, 2008. Appendix Table G-1 provides a summary of cases filed, terminated and pending during 2007 and 2008.

U.S. Court of Federal Claims

The U.S. Court of Federal Claims has nationwide jurisdiction over a variety of monetary claims against the federal government, including those involving tax refunds, federal taking of private property for public use, pay and dismissal of federal civilian employees, pay and dismissal of military personnel, land claims brought by Native Americans and/or their tribe(s), contract disputes, bid protests, patents and copyright, congressional reference, and the National Vaccine Injury Compensation Act.

Filings in the court decreased 14 percent from 1,098 to 945 during 2008. Contract case filings declined by 101 cases. Filings involving land claims brought by Native Americans, which had grown in 2007, dropped by 34 cases this year.

Case terminations increased from 1,054 to 1,165. As terminations exceeded filings, pending cases fell from 7,815 to 7,517.

Judgments for plaintiffs/petitioners exceeded \$1 billion, of which more than \$31 million was interest. Many of these judgments were based on settlements between the parties. Judgments for the United States on counterclaims or offsets totaled over \$163,000. Under its nonmonetary jurisdiction, the court disposed of 92 contract cases seeking injunctive or declaratory relief.

Pursuant to 28 U.S.C. §791(c), each January the clerk of the court transmits to Congress a report of the business of the court, which notes the names of the claimants, the nature of the claims, and dispositions for all judgments rendered the previous year. Appendix Tables G-2A and G-2B provide summary data on the case filings in the Court of Federal Claims for the year ending September 30, 2008. ■

(57 percent). Complaints can be concluded in whole or in part for more than one reason and by more than one action.

Fifty percent of actions by chief judges on complaints were dismissals made on the grounds that allegations were not covered under 28 U.S.C. §§ 351-364 because they were directly related to the merits of decisions or of procedural rulings. Other reasons cited for dismissing complaints include the following: the allegations were frivolous (37 percent); the allegations were not in conformance with the Judicial Conduct and Disability Act (9 percent); and the allegations lacked factual foundation (2 percent). For the remaining complaints, chief judges found that appropriate action already had been taken (2 percent) or that no action was necessary because of intervening events (1 percent).

Judicial councils considered 86 petitions for review of chief judges' dismissals of complaints. One complaint led to disciplinary action (public censure) and a referral by the Fifth Circuit to the Judicial Conference of the United States (this complaint was concluded before the Judicial Conference took any action).

No special investigating committees to address these complaints were appointed during 2009.

Activity on Complaints Filed on or After May 11, 2008

A total of 1,543 complaints were filed in fiscal year 2009. The most prevalent allegations were in the categories of erroneous decision, other misconduct, personal bias against the litigant or attorney, and delayed decision. More than one-half of all complaints filed originated in the Third, Fifth, Sixth, and Ninth Circuits.

Of the complaints filed in 2009 or pending from prior years, 1,130 complaints were terminated as final—655 by chief judges, 466 by judicial councils, and 9 by withdrawal—leaving 911 pending at the end of the year.

Chief judges considered and dismissed 1,163 complaints in whole or in part and concluded 11 others in whole or in part. The most frequently reported reasons for dismissal included the following: the complaint was directly related to the merits of decisions or procedural rulings (88 percent); the allegations lacked sufficient evidence (44 percent); and the allegations were frivolous (24 percent). The percentages do not total 100 percent because multiple reasons can be recorded for each dismissal. Of the 11 complaints that were concluded in whole or in part, 6 were terminated because a voluntary corrective action was taken, 4 because of intervening events, and 1 because of an informal resolution made before the complaint was filed.

All but one of the actions by judicial councils on complaints were denials of petitions for review of chief judges' dispositions. In the remaining action, a judicial council reviewed a special investigating committee's report on a complaint, then ordered that the complaint be concluded in part by dismissal and in part by corrective action.

During 2009, six special investigating committees to address complaints filed on or after May 11, 2008, were appointed—four in the Third Circuit and two in the Tenth Circuit.

Status of Article III Judgeships

On September 30, 2009, a total of 20 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Nine of these vacancies had been unfilled for more than 18 months. One year earlier, 12 of the 178 authorized judgeships had been vacant, 7 of them for more than 18 months (the total number of authorized judgeships temporarily had been reduced in 2008 by the Court Security Improvement Act of 2007).

On September 30, 2009, a total of 75 vacancies existed among the 678 positions authorized in the district courts,

Table 12
Status of Article III Judgeship Positions
On September 30, 2005 - 2009

Year	U.S. Courts of Appeals ¹			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ²	Authorized Judgeships ³	Vacancies	Senior Judges ⁴
2005	179	13	89	678	36	300
2006	179	14	88	678	33	311
2007	179	16	91	678	31	310
2008	178 ⁵	12	91	678	27	324
2009	179	20	93	678	75	347

¹ Positions in the Court of Appeals for the Federal Circuit are included.

² Senior judges who participated in appeals dispositions and authorized for staff. Data for 2005 - 2008 have been revised.

³ Positions in the Districts of Virgin Islands, Guam, and Northern Mariana Islands are included.

⁴ Senior judges authorized for staff.

⁵ In 2008, the total number of authorized judgeships temporarily was reduced by one by the Court Security Improvement Act of 2007.

a sharp increase of 48 compared to the 27 vacancies reported at the end of 2008. Fourteen of the vacancies had existed for more than 18 months, one more than in 2008.

As of September 30, 2009, a total of 29 judicial emergencies had been identified in the U.S. courts of appeals and U.S. district courts, 16 more than on September 30, 2008. For the

courts of appeals, which had 15 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts,

which had six judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600, or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 93 senior circuit judges participating in appeals decisions were serving the Judiciary on September 30, 2009, 2 more than in 2008. The U.S. district courts reported 347 senior judges with staff, 23 more than had been serving at the end of 2008. The number of senior district judges with staff has risen 16 percent over the past five years, increasing from 300 to 347.

Table 12 provides information on the status of judgeship positions since 2005.

Status of Bankruptcy Judgeship Positions

As of September 30, 2009, a total of 352 bankruptcy judgeships were authorized and funded. Of that number, 332 were filled, and 20 were vacant (compared to 14 vacancies one year ago). In addition to judges in authorized positions, 22 recalled bankruptcy judges were providing service to the Judiciary as of September 30, 2009. Table 13 summarizes the status of bankruptcy judgeship positions through September 30, 2009.

Appointments of Magistrate Judges

During fiscal year 2009, a total of 82 full-time magistrate judges were appointed, including 55 by reappointment. Of the 27 new appointments, 6 were for new positions. During this period, 19 individuals were appointed to part-time magistrate judge positions, 12 of them by reappointment.

Table 13
Status of Bankruptcy
Judgeship Positions
On September 30, 2005 - 2009

Year	Authorized Judgeships	Vacancies	Recalled Judges
2005	352	37	32
2006	352	15	25
2007	352	13	27
2008	352	14	24
2009	352	20	22

The average age of new appointees to full-time magistrate judge positions was 49 years; the average age of new appointees to part-time magistrate judge positions was 53 years. New full-time appointees had been members of the bar for an average of 21 years at the time of appointment; new part-time magistrate judges averaged 22 years of bar membership. Of the new full-time magistrate judges, 10 had been in private practice, 1 had been a U.S. attorney, 6 had been assistant U.S. attorneys, 4 had been state court judges, 1 had been an administrative law judge, 2 had been community defenders, 1 had been a Department of Justice trial attorney, 1 had been a public utility executive, and 1 had been a law clerk.

Table 14
U.S. Magistrate Judge Positions Authorized
by the Judicial Conference
2005 - 2009

Year	Period	Total	Full Time	Part Time	Combination
2005	March	548	500	45	3
	September	551	503	45	3
2006	March	551	503	45	3
	September	553	505	45	3
2007	March	553	505	45	3
	September	552	507	43	2
2008	March	552	507	43	2
	June	554	508	44	2
	September	559	514	43	2
2009	January ¹	561	517	42	2
	March	560	517	42	1
	June ¹	562	519	42	1
	September	567	523	41	3

¹ The Executive Committee of the Judicial Conference of the United States authorized these positions on an expedited basis.

Through September 2009, the Judicial Conference had authorized 523 full-time magistrate judge positions, 41 part-time positions, and 3 combination clerk of court/magistrate judge positions. During the fiscal year, 43 retired magistrate judges were recalled to service under Title 28 U.S.C. § 636(h). Table 14 provides a summary of the number of magistrate judge positions authorized by the Judicial Conference since 2005.

U.S. Court of International Trade

In 2009, the U.S. Court of International Trade reported 519 cases filed, an increase of 9 percent from 2008 (up 42 cases). Of total cases filed in 2009, 261 were filed under 28 U.S.C. § 1581(a) and involved 1,594 denied protests covering 8,274 entries of merchandise. This section applies to civil actions against the United

States that contest the denial of a protest under the Tariff Act of 1930.

Case terminations dropped 11 percent from 472 in 2008 to 418 in 2009. Pending cases rose 5 percent to 2,212.

The geographic jurisdiction of the court extends throughout the United States. The majority of the cases the court hears address the classification and valuation of imported merchandise, customs duties, and alleged unfair import practices by trading partners.

Appendix Table G-1 provides a summary of cases filed, terminated, and pending during 2008 and 2009.

U.S. Court of Federal Claims

Filings in the U.S. Court of Federal Claims decreased 5 percent from 945 in 2008 to 895 in 2009. Tax case filings declined by 28 cases, filings involving declaratory contracts declined by 24 cases, and civilian pay case filings declined by 19 cases. The largest increase was in cases involving property taken, which increased 74 percent (up 25 cases to 59).

Case terminations dropped slightly from 1,165 to 1,162. As terminations exceeded filings, pending cases fell from 7,515 to 7,250.

Judgments for plaintiffs/petitioners exceeded \$315 million. Of these judgments, 105 were based on settlements between the parties. Judgments for the United States on counterclaims or offsets totaled nearly \$1.65 million. Under its nonmonetary jurisdiction, the court disposed of 60 contract cases seeking injunctive or declaratory relief.

The court has nationwide jurisdiction over a variety of monetary claims against the federal government, including those involving tax refunds, federal taking of private property for public use, pay and dismissal of federal civilian employees, pay and dismissal of military personnel, land claims brought

by Native Americans and/or their tribe(s), contract disputes, bid protests, patents and copyright, congressional reference, and the National Vaccine Injury Compensation Act. Pursuant to 28 U.S.C. § 791(c), each January the clerk of the court transmits to Congress a report of the business of the court, which notes the names of the claimants, the nature of the claims, and dispositions for all judgments rendered the previous year.

Appendix Tables G-2A and G-2B provide summary data on the case filings in the Court of Federal Claims for the year ending September 30, 2009.

**Judicial Business
of the United States Courts**

2010 Annual Report of the Director
James C. Duff, Director

This report was produced by the Statistics Division
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and 12 by withdrawal. Because the number of complaints commenced exceeded the number terminated, pending complaints increased 34 percent to 1,143.

Chief judges dismissed 1,277 complaints in whole or in part. The most frequently reported reasons for dismissal were the following: the complaint was directly related to the merits of decisions or procedural rulings (83 percent); the allegations lacked sufficient evidence (52 percent); and the allegations were frivolous (28 percent). (The percentages do not total 100 percent because multiple reasons can be recorded for each dismissal.) Chief judges concluded 15 complaints in whole or in part, 14 of them because of intervening events, and 1 of them because voluntary corrective action had been taken.

With regard to concluding actions by judicial councils on complaints, in all but one of these concluding actions, judicial councils denied petitions for review of dismissals by chief judges. The remaining complaint was concluded after a report by a special investigative committee in the Eleventh Circuit led to the dismissal of the complaint.

During 2010, two special investigative committees to address complaints filed on or after May 11, 2008, were appointed—one in the Tenth Circuit and one in the Eleventh Circuit.

On May 11, 2008, the process whereby courts report complaint-related activity was changed to make the information more detailed and comprehensive. To achieve this, the system for collecting

the requisite data was enhanced as recommended by the Judicial Conduct and Disability Act Study Committee in "Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice" (known as the Breyer Report), 239 F.R.D. 116 (Sept. 2006), and as warranted by the Judicial Conference's *Rules for Judicial-Conduct and*

Judicial-Disability Proceedings. In accordance with the Breyer Report, the mechanism for capturing special investigative committee appointments has been strengthened, and the statistical tables are now based on a uniform methodology for reporting different types of judicial council actions. The tables now include expanded categories for

Table 11
Status of Article III Judgeship Positions
On September 30, 2006 - 2010

Year	U.S. Courts of Appeals			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²
2006	179	14	88	678	33	311
2007	179	16	91	678	31	310
2008	178 ³	12	91	678	27	324
2009	179	20	93	678	75	347
2010	179	21	95	678	88	356

¹ Senior judges who participated in appeals dispositions and authorized for staff.

² Senior judges authorized for staff.

³ In 2008, the total number of authorized judgeships temporarily was reduced by one by the Court Security Improvement Act of 2007.

allegations in and actions on complaints. The tables also now reflect that a complaint against more than one judge is counted once for each judge named (before May 11, 2008, a complaint against more than one judge was counted only as a single complaint).

Eleven complaints that were filed prior to May 11, 2008, were still pending as of September 30, 2009. Of these 11 complaints, 10 were concluded—9 by dismissal and 1 because appropriate action already had been taken.

Tables 10 and S-22 present information on complaints filed after May 11, 2008.

Status of Article III Judgeships

A total of 21 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals on September 30, 2010. Five of these vacancies had been unfilled for more than 18 months. One year earlier, 20 of the 179 authorized judgeships had been vacant, 9 of them for more than 18 months.

A total of 88 vacancies existed among the 678 positions authorized in the district courts, an increase of 13 compared to the 75 vacancies reported at the end of 2009. Thirty-three of the vacancies had existed for more than 18 months, more than double the number of vacancies of that duration in 2009.

A total of 50 judicial emergencies were identified in the U.S. courts of appeals and U.S. district courts on September 30, 2010, 21 more than the total one year earlier. For the courts of appeals, which had 11

judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 39 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600, or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 95 senior circuit judges participating in appeals decisions were serving the Judiciary at the end of the fiscal year, 2 more than in 2009. The U.S. district courts reported 356 senior judges with staff, 9 more than had been serving one year earlier. In the past five years, the number of senior circuit judges with staff has increased 8 percent (up by 7 judges), and the number of senior district judges with staff has risen 14 percent (up by 45 judges).

Table 11 provides information on the status of judgeship positions since 2006.

Status of Bankruptcy Judgeship Positions

As of September 30, 2010, a total of 352 bankruptcy judgeships were authorized and funded. Of

that number, 338 were filled, and 14 were vacant (compared to 20 vacancies on the same date last year). In addition to judges in authorized positions, 29 recalled bankruptcy judges were providing service to the Judiciary as of September 30, 2010. Table 12 summarizes the status of bankruptcy judgeship positions through September 30, 2010.

Appointments of Magistrate Judges

This year, 88 appointments of full-time magistrate judges were made, including 41 reappointments. Of the 47 new appointments, 10 were for new positions. Six individuals were appointed to part-time magistrate judge positions, four of them by reappointment. In addition, 57 retired magis-

Table 12
Status of Bankruptcy Judgeship Positions
On September 30, 2006 - 2010

Year	Authorized Judgeships	Vacancies	Recalled Judges
2006	352	15	25
2007	352	13	27
2008	352	14	24
2009	352	20	22
2010	352	14	29

trate judges were recalled to service under Title 28 U.S.C. § 636(h). Of those judges, 10 served on a recall basis in more than one district.

The average age of new appointees to full-time magistrate judge positions was 50 years. The average age of new appointees to part-time magistrate judge positions was 45 years. New full-time appointees had been members of the bar for an average of 22 years at the time of appointment; new part-time magistrate judges averaged 15 years of bar membership. Of the new full-time magistrate judges, 17 had been in private practice, 2 had been U.S. attorneys, 10 had been assistant U.S. attorneys, 5 had been law clerks, 4 had been state court judges, 2 had been general counsel, and the remainder had been an assistant general counsel, a state disciplinary counsel, a deputy county counsel, an assistant federal public defender, a law professor, a full-time U.S. magistrate judge in a different district, and a part-time U.S. magistrate judge.

As of September 30, 2010, the Judicial Conference had authorized 527 full-time magistrate judge positions, 41 part-time positions, and 3 combination clerk/magistrate judge positions. Table 13 provides a summary of the numbers of magistrate judge positions authorized by the Judicial Conference since 2006.

U.S. Court of International Trade

The U.S. Court of International Trade reported a decrease of 87 cases from 2009. Of the 432 new cases filed this year, 227 were actions under 28

Table 13
U.S. Magistrate Judge Positions Authorized
by the Judicial Conference
2006 - 2010

Year	Period	Total	Full Time	Part Time	Combination
2006	March	551	503	45	3
	September	553	505	45	3
2007	March	553	505	45	3
	September	552	507	43	2
2008	March	552	507	43	2
	June	554	508	44	2
	September	559	514	43	2
2009	January ¹	561	517	42	2
	March	560	517	42	1
	June ¹	562	519	42	1
	September	567	523	41	3
2010	March	567	523	41	3
	September	571	527	41	3

¹ The Executive Committee of the Judicial Conference of the United States authorized these positions on an expedited basis.

Judicial Business of the United States Courts

2011 Annual Report of the Director
Honorable Thomas F. Hogan, Director

This report was produced by The Statistics Division
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Table 11
Status of Article III Judgeship Positions
On September 30, 2007 - 2011

Year	U.S. Courts of Appeals			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²
2007	179	16	91	678	31	310
2008	178 ³	12	91	678	27	324
2009	179	20	93	678	75	347
2010	179	21	95	678	88	356
2011	179	17	84	677 ⁴	67	341

¹ Senior judges who participated in appeals dispositions and authorized for staff.

² Senior judges authorized for staff.

³ In 2008, the total number of authorized judgeships temporarily was reduced by one by the Court Security Improvement Act of 2007.

⁴ In 2011, the total number of U.S. District Courts authorized judgeships decreased by one position when a temporary judgeship in the Northern District of Ohio lapsed after a judge there was elevated to the Court of Appeals for the Federal Circuit.

tion in 2011—801 by circuit chief judges, 647 by judicial councils, and 6 by withdrawal. Of the 801 complaints terminated by circuit chief judges, 777 were terminated by dismissal. Of the 647 complaints terminated by judicial councils, 644 culminated in denials of petitions for review of circuit chief judges' dismissals. Because the number of complaints terminated surpassed the number commenced, pending complaints decreased 5 percent to 912.

Circuit chief judges dismissed 1,540 complaints in whole or in part (these complaints included some whose termination remained subject to review). The most frequently reported reasons for dismissal were the following: the complaint was directly related to the merits of decisions or procedural rulings (86 percent); the allegations lacked sufficient evidence (61 percent); and the allegations were frivolous (27 percent). (The percentages total more than 100 percent because multiple reasons can be recorded for each dismissal.)

Circuit chief judges concluded 24 complaints in whole or in part—21 because of intervening events, and 3 because voluntary corrective action had been taken.

On May 11, 2008, the process for courts to report the complaint-related activity presented in these statistical tables was changed to make both the information reported and the tables more detailed and comprehensive. Since then, the tables have reflected a uniform methodology for reporting different types of judicial council actions, including expanded categories for allegations in and actions on complaints. They also reflect that a complaint against more than one judge is counted once for each judge named (before May 11, 2008, a complaint against more than one judge was counted as a single complaint). One complaint that had been filed before May 11, 2008, and was the last pending complaint submitted under the previous process was terminated in 2011 by dismissal.

Tables 10 and S-22 present information on complaints filed after May 11, 2008.

Status of Article III Judgeships

On September 30, 2011, a total of 17 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Five of the vacancies had

been unfilled for more than 18 months. One year earlier, the appeals courts had 21 vacancies, 5 of them for more than 18 months.

At the end of this year, 67 vacancies existed among the 677 judgeships authorized in the district courts, 21 fewer than the 88 vacancies reported at the end of 2010. Twenty-one of this year's vacancies had existed for more than 18 months, down from the 33 vacancies in 2010. The number of authorized judgeships decreased by one position this year when a temporary judgeship in the Northern District of Ohio lapsed after a judge was elevated to the Court of Appeals for the Federal Circuit.

A total of 30 judicial emergencies were identified in the U.S. courts of appeals and U.S. district courts at the end of this year, 20 fewer than one year earlier. For the courts of appeals, which had 7 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 23 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600, or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 84 senior circuit judges with staff were serving the Judiciary by participating in appeals decisions at the end of the fiscal year, 11 fewer than in 2010 and 7 fewer than in 2007. The U.S. district courts reported 341 senior judges with staff, 15 fewer than in 2010, but 31 more than in 2007.

Table 11 provides information on the status of judgeship positions since 2007.

Status of Bankruptcy Judgeships

On September 30, 2011, a total of 351 bankruptcy judgeships were authorized and funded. The total one year earlier had been 352, but under the terms of the authorizing legislation, a bankruptcy judgeship in the District of New Hampshire was eliminated in October 2010 upon the retirement of a bankruptcy judge in that district. Of the remaining 351 judgeships, 334 were filled and 17 were vacant (compared to 14 vacant positions among 352 judgeships on the

Table 12
Status of Bankruptcy
Judgeship Positions
On September 30, 2007 - 2011

Year	Authorized Judgeships	Vacancies	Recalled Judges
2007	352	13	27
2008	352	14	24
2009	352	20	22
2010	352	14	29
2011	351	17	37

same date in 2010). In addition to judges in authorized positions, 37 retired bankruptcy judges who had been recalled by the circuits were providing service to the Judiciary at the end of 2011.

Table 12 summarizes the status of bankruptcy judgeship positions through September 30, 2011.

Appointments of Magistrate Judges

This year, 98 appointments of full-time magistrate judges were made, 39 of them new appointments and 59 reappointments. Of the 39 new appointments, 4 were for newly created positions. Eight individuals were appointed to part-time magistrate judge positions, all by reappointment. In addition, 65 retired magistrate judges were recalled to service under 28 U.S.C. § 636(h), with 5 of them serving on a recall basis in more than one district.

The average age of new appointees to full-time magistrate judge positions was 49 years. New appointees had on average 22 years of bar membership. At the time of their appointments, 15 had been in private practice, 8 had been assistant U.S. attorneys, 6 had been state court judges, 3 had been law clerks, 2 had been assistant federal public defenders, and 1 each had been general counsel for a county school district, associate regional counsel for the U.S. Environmental Protection Agency, an associate federal defender, a law professor, and a full-time U.S. magistrate judge in a different district.

For 2011, the Judicial Conference had authorized 531 full-time magistrate judge positions, 40

Table 13
U.S. Magistrate Judge Positions Authorized
by the Judicial Conference
2007 - 2011

Year	Period	Total	Full Time	Part Time	Combination
2007	March	553	505	45	3
	September	552	507	43	2
2008	March	552	507	43	2
	June	554	508	44	2
	September	559	514	43	2
2009	January ¹	561	517	42	2
	March	560	517	42	1
	June ¹	562	519	42	1
	September	567	523	41	3
2010	March	567	523	41	3
	September	571	527	41	3
2011	March	571	528	40	3
	September	574	531	40	3

¹ The Executive Committee of the Judicial Conference of the United States authorized these positions on an expedited basis.

part-time positions, and 3 combination clerk/magistrate judge positions. Table 13 provides a summary of the numbers of magistrate judge positions authorized by the Judicial Conference since 2007.

U.S. Court of International Trade

The jurisdiction of the U.S. Court of International Trade extends throughout the United States. The majority of the cases it hears address the classification and valuation of imported merchandise, customs duties, and alleged unfair import practices by trading partners.

This year, the court reported 480 case filings, an increase of 11 percent (up 48 cases) from 2010. Of these, 245 were actions involving 1,325 denied protests covering 4,688 entries of merchandise under 28 U.S.C. § 1581(a), which addresses civil actions against the United States that contest the denial of a protest under the Tariff Act of 1930.

Case terminations rose 36 percent to 577 in 2011. Pending cases decreased 4 percent to 2,123.

Appendix Table G-1 provides a summary of cases filed, terminated, and pending during 2010 and 2011.

U.S. Court of Federal Claims

The U.S. Court of Federal Claims has nationwide jurisdiction over a variety of monetary claims against the federal government, including those involving tax refunds, federal taking of private property for public use, pay and dismissal of federal civilian employees, pay and dismissal of military personnel, land claims brought by Native Americans and/or their tribe(s), contract disputes, bid protests, patents and copyright, congressional reference, and the National Vaccine Injury Compensation Act. Under 28 U.S.C. § 791(c), each January the clerk of the court transmits to Congress a report on the business of the



STATUS OF ARTICLE III JUDGESHIPS

On September 30, 2013, a total of 17 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Seven of these vacancies had been unfilled for more than 18 months. The appeals courts also had 17 vacancies one year earlier, 8 of which had existed for more than 18 months.

On September 30, 2013, a total of 75 vacancies existed among the 677 positions authorized in the district courts, 9 more than reported at the end of 2012. Nineteen of the vacancies on September 30, 2013, had existed for more than 18 months, up from 17 vacancies one year earlier. The majority of the vacancies arose when judges took senior status.

On September 30, 2013, a total of 37 judicial emergencies were identified in the U.S. courts of appeals and U.S. district courts, 3 more than one year earlier. For the courts of appeals, which had 8 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 29 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600 or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

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- U.S. District Courts
- U.S. Magistrate Judges
- Judicial Panel on Multidistrict Litigation
- U.S. Bankruptcy Courts
- Criminal Justice Act
- Post-Conviction Supervision
- Pretrial Services
- Complaints Against Judges
- Status of Article III Judgeships
- Status of Bankruptcy Judgeships
- Appointments of Magistrate Judges
- U.S. Court of International Trade
- U.S. Court of Federal Claims

REPORT ARCHIVE

Table 11
Status of Article III Judgeship Positions
September 30, 2009 - 2013

Year	U.S. Courts of Appeals			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²
2009	179	20	93	678	75	347
2010	179	21	95	678	88	356
2011	179	17	84	677 ³	67	341
2012	179	17	86	677	66	354
2013	179	17	89	677	75	346

¹ Senior judges who participated in appeals dispositions and authorized for staff.
² Senior judges authorized for staff.
³ In 2011, the total number of U.S. District Courts authorized judgeships decreased by one position when a temporary judgeship in the Northern District of Ohio lapsed after a judge there was elevated to the Court of Appeals for the Federal Circuit.

In addition to active judges, 89 senior circuit judges with staff were serving the Judiciary by participating in

appeals decisions at the end of the fiscal year, 3 more than in 2012, but 4 fewer than in 2009. The U.S. district courts reported 346 senior judges with staff, 8 fewer than had been serving one year earlier and 1 fewer than in 2009.

For information on the status of judgeship positions since 2009, see [Table 11](#) above.

<< [Previous: Complaints Against Judges](#) [Next: Status of Bankruptcy Judgeships](#) >>



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[Home](#) > [Statistics](#) > [Judicial Business Of The U.S. Courts](#) > [Judicial Business 2013](#) > Status of Bankruptcy Judgeships

STATUS OF BANKRUPTCY JUDGESHIPS

As of September 30, 2013, a total of 350 bankruptcy judgeships were authorized and funded, the same as one year earlier. Of these judgeships, 330 were filled and 20 were vacant (compared to 16 vacant positions on the same date in 2012). In addition to judges in authorized positions, 47 retired bankruptcy judges who had been recalled by various circuits were providing service to the Judiciary at the end of fiscal year 2013.

[Table 12](#) summarizes the status of bankruptcy judgeship positions as of September 30, 2013.



JUDICIAL BUSINESS 2013

[Judicial Caseload Indicators](#)
[U.S. Courts of Appeals](#)
[U.S. District Courts](#)
[U.S. Magistrate Judges](#)
[Judicial Panel on Multidistrict Litigation](#)
[U.S. Bankruptcy Courts](#)
[Criminal Justice Act](#)
[Post-Conviction Supervision](#)
[Pretrial Services](#)
[Complaints Against Judges](#)
[Status of Article III Judgeships](#)
[Status of Bankruptcy Judgeships](#)
[Appointments of Magistrate Judges](#)
[U.S. Court of International Trade](#)
[U.S. Court of Federal Claims](#)

► [REPORT ARCHIVE](#)

Table 12
Status of Bankruptcy
Judgeship Positions
September 30, 2009 - 2013

Year	Authorized Judgeships	Vacancies	Recalled Judges
2009	352	20	22
2010	352	14	29
2011	351 ¹	17	37
2012	350 ²	16	38
2013	350	20	47

¹ In 2010, one temporary bankruptcy judgeship in the District of New Hampshire lapsed by operation of statute.

² In 2011, one temporary bankruptcy judgeship in the Southern District of New York lapsed.

<< [Previous: Status of Article III Judgeships](#)

[Next: Appointments of Magistrate Judges](#) >>



[Home](#) > [Statistics](#) > [Judicial Business Of The U.S. Courts](#) > [Judicial Business 2013](#) > Appointments of Magistrate Judges

APPOINTMENTS OF MAGISTRATE JUDGES

This year, 67 appointments of full-time magistrate judges were made, 36 of them new appointments and 31 reappointments. Of the 36 new appointments, one was for a newly created position. Sixteen individuals were appointed to part-time magistrate judge positions, 13 of them by reappointment. In addition, 56 retired magistrate judges were recalled to service under 28 U.S.C. § 636(h), with 2 of them serving on a recall basis in more than one district.

The average age of new appointees to full-time magistrate judge positions was 49 years. The average age of new appointees to part-time magistrate judge positions was 45 years. New full-time appointees had on average 22 years of bar membership; new part-time magistrate judges had on average 19 years of bar membership. Of the new full-time magistrate judges, at the time of their appointments, 13 had been in private practice, 12 had been assistant U.S. attorneys, 6 had been assistant federal public defenders, and one each had been a part-time U.S. magistrate judge, state court judge, law clerk, county public defender, and deputy chief of staff in the state legislature.

For 2013, the Judicial Conference authorized 531 full-time magistrate judge positions, 40 part-time magistrate judge positions, and 3 combination clerk/magistrate judge positions.

For data on magistrate judge positions authorized by the Judicial Conference since 2009, see [Table 13](#).



JUDICIAL BUSINESS 2013

[Judicial Caseload Indicators](#)
[U.S. Courts of Appeals](#)
[U.S. District Courts](#)
[U.S. Magistrate Judges](#)
[Judicial Panel on Multidistrict Litigation](#)
[U.S. Bankruptcy Courts](#)
[Criminal Justice Act](#)
[Post-Conviction Supervision](#)
[Pretrial Services](#)
[Complaints Against Judges](#)
[Status of Article III Judgeships](#)
[Status of Bankruptcy Judgeships](#)
[Appointments of Magistrate Judges](#)
[U.S. Court of International Trade](#)
[U.S. Court of Federal Claims](#)

[▶ REPORT ARCHIVE](#)

Table 13
U.S. Magistrate Judge Positions Authorized
2009 - 2013

Positions Authorized					
Year	Total ¹	Full Time	Part Time	Combination ²	Recall
2009	567	523	41	2	49
2010	571	527	41	3	67
2011	574	531	40	3	70
2012	573	531	39	3	67
2013	574	531	40	3	58

¹ Total does not include recalled magistrate judges.

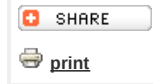
² According to 28 U.S.C. § 631(c), with the approval of the Judicial Conference, a clerk or deputy clerk of a court may be appointed as a part-time magistrate judge.

[<< Previous: Status of Bankruptcy Judgeships](#)[Next: U.S. Court of International Trade >>](#)

[Home](#) > [Statistics](#) > [Judicial Business of the U.S. Courts](#) > [Judicial Business 2014](#) > Status of Article III Judgeships

STATUS OF ARTICLE III JUDGESHIPS

On September 30, 2014, a total of 10 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Two of these vacancies had been unfilled for more than 18 months. One year earlier, the appeals courts had 17 vacancies, 7 of them for more than 18 months.



On September 30, 2014, a total of 50 vacancies existed among the 677 positions authorized in the U.S. district courts, 24 fewer than reported at the end of 2013. Thirteen of the vacancies had existed for more than 18 months, down from the 19 vacancies one year earlier. The majority of the vacancies arose when judges took senior status.

Nineteen judicial emergencies were identified in the courts of appeals and district courts on September 30, 2014—18 fewer than one year earlier. For the courts of appeals, which had 3 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 16 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600 or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 89 senior circuit judges with staff participating in appeals decisions were serving the Judiciary at the end of the fiscal year, the same as in 2013. The U.S. district courts reported 386 senior judges with staff, 40 more than had been serving one year earlier.

For information on the status of judgeship positions since 2010, see [Table 11](#).

JUDICIAL BUSINESS 2014

[Judicial Caseload Indicators](#)
[U.S. Courts of Appeals](#)
[U.S. District Courts](#)
[U.S. Magistrate Judges](#)
[Judicial Panel on Multidistrict Litigation](#)
[U.S. Bankruptcy Courts](#)
[Criminal Justice Act](#)
[Post-Conviction Supervision](#)
[Pretrial Services](#)
[Complaints Against Judges](#)
[Status of Article III Judgeships](#)
[Status of Bankruptcy Judgeships](#)
[Appointments of Magistrate Judges](#)
[U.S. Court of International Trade](#)
[U.S. Court of Federal Claims](#)

► [REPORT ARCHIVE](#)

Table 11
Status of Article III Judgeship Positions
September 30, 2010 - 2014

Year	U.S. Courts of Appeals			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²
2010	179	21	95	678	88	356
2011	179	17	84	677 ³	67	341
2012	179	17	86	677	66	354
2013	179	17	89	677	75	346
2014	179	10	89	677	50	386

¹ Senior judges who participated in appeals dispositions and authorized for staff.

²

Senior judges authorized for staff.

³ In 2011, the total number of authorized judgeships in the U.S. district courts decreased by one position when a temporary judgeship in the Northern District of Ohio lapsed after a judge there was elevated to the Court of Appeals for the Federal Circuit.



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[Home](#) > [Statistics](#) > [Judicial Business of the U.S. Courts](#) > [Judicial Business 2014](#) > Status of Bankruptcy Judgeships

STATUS OF BANKRUPTCY JUDGESHIPS

As of September 30, 2014, a total of 349 bankruptcy judgeships were authorized and funded. Of the 349 judgeships, 19 were vacant (compared to 20 vacant positions on the same date in 2013). In addition to judges in authorized positions, 41 retired bankruptcy judges who had been recalled by various circuits were providing service to the Judiciary.

For information on the status of bankruptcy judgeships since 2010, see [Table 12](#).



Table 12
Status of Bankruptcy
Judgeship Positions
September 30, 2009 - 2014

Year	Authorized Judgeships	Vacancies	Recalled Judges
2009	352	20	22
2010	352	14	29
2011	351 ¹	17	37
2012	350 ²	16	38
2013	350	20	47
2014	349 ³	19	41

¹ In 2010, one temporary bankruptcy judgeship in the District of New Hampshire lapsed by operation of statute.

² In 2011, one temporary bankruptcy judgeship in the Southern District of New York lapsed.

³ In 2014, one temporary bankruptcy judgeship in the Northern District of Alabama lapsed.

JUDICIAL BUSINESS 2014

[Judicial Caseload Indicators](#)
[U.S. Courts of Appeals](#)
[U.S. District Courts](#)
[U.S. Magistrate Judges](#)
[Judicial Panel on Multidistrict Litigation](#)
[U.S. Bankruptcy Courts](#)
[Criminal Justice Act](#)
[Post-Conviction Supervision](#)
[Pretrial Services](#)
[Complaints Against Judges](#)
[Status of Article III Judgeships](#)
[Status of Bankruptcy Judgeships](#)
[Appointments of Magistrate Judges](#)
[U.S. Court of International Trade](#)
[U.S. Court of Federal Claims](#)

► [REPORT ARCHIVE](#)



[Home](#) > [Statistics](#) > [Judicial Business of the U.S. Courts](#) > [Judicial Business 2014](#) > Appointments of Magistrate Judges

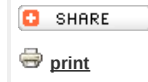
APPOINTMENTS OF MAGISTRATE JUDGES

This year, 67 appointments of full-time magistrate judges were made, 31 of them new appointments and 36 reappointments. Eight individuals were appointed to part-time magistrate judge positions, four of them by reappointment. In addition, 70 retired magistrate judges were recalled to service under 28 U.S.C. § 636(h), with 2 of the judges serving on a recall basis in more than 1 district for a total of 73 positions.

The average age of new appointees to full-time magistrate judge positions was 50 years. The average age of new appointees to part-time magistrate judge positions was 61 years. New full-time appointees on average had 23 years of bar membership; new part-time magistrate judges on average had 34 years of bar membership. Of the new full-time magistrate judges, at the time of their appointments, 10 had been in private practice, 9 had been assistant U.S. attorneys, 3 had been assistant general counsels, 2 had been general counsels, 2 had been assistant federal public defenders, 2 had been state court judges, and 1 each had been a U.S. attorney, a federal public defender, and a law clerk.

For 2014, the Judicial Conference authorized 534 full-time magistrate judge positions, 36 part-time positions, and 3 combination clerk/magistrate judge positions.

For data on magistrate judge positions, see [Table 13](#).



JUDICIAL BUSINESS 2014

[Judicial Caseload Indicators](#)
[U.S. Courts of Appeals](#)
[U.S. District Courts](#)
[U.S. Magistrate Judges](#)
[Judicial Panel on Multidistrict Litigation](#)
[U.S. Bankruptcy Courts](#)
[Criminal Justice Act](#)
[Post-Conviction Supervision](#)
[Pretrial Services](#)
[Complaints Against Judges](#)
[Status of Article III Judgeships](#)
[Status of Bankruptcy Judgeships](#)
[Appointments of Magistrate Judges](#)
[U.S. Court of International Trade](#)
[U.S. Court of Federal Claims](#)

► [REPORT ARCHIVE](#)

Table 13
U.S. Magistrate Judge Positions Authorized
2010 - 2014

Year	Positions Authorized				
	Total ¹	Full Time	Part Time	Combination ²	Recall
2010	571	527	41	3	67
2011	574	531	40	3	70
2012	573	531	39	3	67
2013	574	531	40	3	58
2014	573	534	36	3	73

¹ Total does not include recalled magistrate judges.

² According to 28 U.S.C. § 631(c), with the approval of the Judicial Conference, a clerk or deputy clerk of a court may be appointed as a part-time magistrate judge.





Status of Article III Judgeships - Judicial Business 2015

On September 30, 2015, a total of 9 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Six of these vacancies had been unfilled for more than 18 months. One year earlier, the appeals courts had 10 vacancies, 2 of them for more than 18 months.

On September 30, 2015, a total of 58 vacancies existed among the 677 positions authorized in the U.S. district courts, 8 more than reported at the end of 2014. Thirteen of the vacancies had existed for more than 18 months, the same number as one year earlier. The majority of the vacancies arose when judges took senior status.

Thirty-one judicial emergencies were identified in the courts of appeals and district courts on September 30, 2015—12 more than one year earlier. For the courts of appeals, which had 5 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 26 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600 or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 84 senior circuit judges with staff participating in appeals decisions were serving the Judiciary at the end of the fiscal year, 5 fewer than in 2014. The U.S. district courts reported 396 senior judges with staff, 10 more than had been serving one year earlier.

For information on the status of judgeship positions since 2011, see [Table 11](#).

TABLE 11
STATUS OF ARTICLE III JUDGESHIP POSITIONS
SEPTEMBER 30, 2011 - 2015

U.S. Courts of Appeals			U.S. District Courts		
Authorized		Senior	Authorized		Senior

Year	Judgeships	Vacancies	Judges ¹	Judgeships	Vacancies	Judges ²
2011	179	17	84	677 ³	67	341
2012	179	17	86	677	66	354
2013	179	17	89	677	75	346
2014	179	10	89	677	50	386
2015	179	9	84	677	58	396

¹ Senior judges who participated in appeals dispositions and were authorized for staff.
² Senior judges authorized for staff.
³ In 2011, the total number of authorized judgeships in the U.S. district courts decreased by one position when a temporary judgeship in the Northern District of Ohio lapsed after a judge there was elevated to the Court of Appeals for the Federal Circuit.

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Judicial Business 2015

Judicial Business 2015

Judicial Caseload Indicators

Judicial Business 2015 Tables

U.S. Courts of Appeals

U.S. District Courts

U.S. Magistrate Judges

Judicial Panel on Multidistrict Litigation

Table 1.1

Total Judicial Officers—U.S. Courts of Appeals, District Courts, and Bankruptcy Courts

Fiscal Year	Courts of Appeals			District Courts							Bankruptcy Courts		
				District Court Judges			Magistrate Judges						
	Authorized Judgeships	Active Judges	Senior Judges ¹	Authorized Judgeships ²	Active Judges	Senior Judges ³	Authorized Positions			Recalled Judges	Authorized Judgeships	Active Judges	Recalled Judges
							Full Time	Part Time	Clerk/ Magistrate Judge				
1990 ⁴	168	158	63	575	541	201	329	146	8	4	291	289	13
1995	179	168	81	649	603	255	416	78	3	16	326	315	23
2000	179	156	86	655	612	274	466	60	3	23	325	307	30
2005	179	166	106	678	642	300	503	45	3	34	324	315	32
2011	179	162	84	677	610	341	531	40	3	61	351	334	37
2012	179	162	86	677	611	354	531	39	3	67	350	334	38
2013	179	162	89	677	602	346	531	39	3	58	350	330	47
2014	179	169	89	677	627	386	534	36	3	73	349	330	41
2015	179	170	84	677	619	396	536	34	3	68	349	330	44

Percent Change 2015 over 1990⁵

6.5	7.0	33.3	17.7	14.4	97.0	62.9	-76.7	-	-	19.9	14.2	238.5
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Note: This table includes data for the U.S. Court of Appeals for the Federal Circuit.

¹ Sitting senior judges who participated in appeals dispositions.² Positions in the Districts of the Virgin Islands, Guam, and Northern Mariana Islands are included.³ Senior judges with staff.⁴ Twelve-month period ending June 30.⁵ Percent change not computed when the total for the previous period is less than 10.Source: Text narrative and tables, *Annual Report of the Director: Judicial Business of the United States Courts*.



Status of Article III Judgeships - Judicial Business 2016

On September 30, 2016, a total of 12 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Six of these vacancies had been unfilled for more than 18 months. One year earlier, the appeals courts had 9 vacancies, 6 of them for more than 18 months.

On September 30, 2016, a total of 77 vacancies existed among the 677 positions authorized in the U.S. district courts, 19 more than reported at the end of 2015. Thirty of the vacancies had existed for more than 18 months, 17 more than one year earlier. The majority of the vacancies arose when judges took senior status.

Thirty-five judicial emergencies were identified in the courts of appeals and district courts on September 30, 2016—four more than one year earlier. For the courts of appeals, which had 5 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, which had 30 judicial emergencies, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600 or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge.

In addition to active judges, 85 senior circuit judges with staff participating in appeals decisions were serving the Judiciary at the end of the fiscal year, 1 more than in 2015. The U.S. district courts reported 399 senior judges with staff, 3 more than had been serving one year earlier.

For information on the status of judgeship positions since 2012, see [Table 11](#).

TABLE 11
STATUS OF ARTICLE III JUDGESHIP POSITIONS
SEPTEMBER 30, 2012 - 2016

U.S. Courts of Appeals		U.S. District Courts	
Authorized	Senior	Authorized	Senior

Year	Judgeships	Vacancies	Judges ¹	Judgeships	Vacancies	Judges ²
2012	179	17	86	677	66	354
2013	179	17	89	677	75	346
2014	179	10	89	677	50	386
2015	179	9	84	677	58	396
2016	179	12	85	677	77	399

¹ Senior judges who participated in appeals dispositions and were authorized for staff.

² Senior judges authorized for staff.

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Judicial Business 2016

Judicial Business 2016

Judicial Caseload Indicators

Judicial Business 2016 Tables

U.S. Courts of Appeals

U.S. District Courts

U.S. Magistrate Judges

Judicial Panel on Multidistrict Litigation

U.S. Bankruptcy Courts

Status of Article III Judgeships - Judicial Business 2017

On September 30, 2017, a total of 20 vacancies existed among the 179 judgeships authorized for the U.S. courts of appeals. Six of these vacancies had been unfilled for more than 18 months. One year earlier, the courts of appeals had 12 vacancies, 6 of them for more than 18 months.

On September 30, 2017, a total of 120 vacancies existed among the 677 positions authorized in the U.S. district courts, 43 more than reported at the end of 2016. Sixty of the vacancies had existed for more than 18 months, 30 more than one year earlier. The majority of the vacancies arose when judges took senior status.

Sixty judicial emergencies were identified in the courts of appeals and district courts on September 30, 2017—25 more than one year earlier. For the courts of appeals, which had 11 judicial emergencies, a judicial emergency is defined as any vacancy where adjusted filings (i.e., filings excluding reinstated cases and weighting pro se appeals as one-third of a case) per panel are in excess of 700, or any vacancy in existence more than 18 months where adjusted filings are between 500 to 700 per panel. For the district courts, a judicial emergency is defined as a vacancy of any duration where weighted filings per judgeship are in excess of 600, or any vacancy longer than 18 months in a district court with weighted filings between 430 and 600 per judgeship, or any vacancy in a district court with more than one authorized judgeship and only one active judge. Forty-nine district courts had judicial emergencies at the end of the fiscal year.

In addition to active judges, 88 senior circuit judges with staff were serving the appellate courts at the end of the fiscal year, 3 more than in 2016. The U.S. district courts reported 400 senior judges with staff, 1 more than had been serving one year earlier.

For information on the status of judgeship positions since 2013, see [Table 11](#).

TABLE 11
STATUS OF ARTICLE III JUDGESHIP POSITIONS
SEPTEMBER 30, 2013 - 2017

Year	U.S. Courts of Appeals			U.S. District Courts		
	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²

	U.S. Courts of Appeals			U.S. District Courts		
Year	Authorized Judgeships	Vacancies	Senior Judges ¹	Authorized Judgeships	Vacancies	Senior Judges ²
2013	179	17	89	677	75	346
2014	179	10	89	677	50	386
2015	179	9	84	677	58	396
2016	179	12	85	677	77	399
2017	179	20	88	677	120	400
¹ Senior judges who participated in appeals dispositions and were authorized for staff. ² Senior judges authorized for staff.						

Status of Bankruptcy Judgeships - Judicial Business 2017

As of September 30, 2017, a total of 349 bankruptcy judgeships were authorized and funded, the same number as one year earlier. Of these judgeships, 327 were filled and 22 were vacant (compared to 332 filled positions and 17 vacant positions on the same date in 2016). In addition to judges in authorized positions, 26 retired bankruptcy judges who had been recalled by various circuit councils were providing service to the Judiciary at the end of 2017.

For information on the status of bankruptcy judgeships since 2013, see [Table 12](#).

TABLE 12
STATUS OF BANKRUPTCY JUDGESHIP POSITIONS
SEPTEMBER 30, 2013 - 2017

Year	Authorized Judgeships	Vacancies	Recalled Judges
2013	350	20	47
2014	349 ¹	19	41
2015	349	19	44
2016	349	17	33
2017	349	22	26
¹ In 2014, one temporary bankruptcy judgeship in the Northern District of Alabama lapsed.			

Status of Magistrate Judge Positions and Appointments - Judicial Business 2017

During this fiscal year, 72 appointments of full-time magistrate judges were made, including 28 new appointments and 44 reappointments. Eleven individuals were re-appointed to part-time magistrate judge positions, all of them by reappointment. In addition, 75 retired magistrate judges were recalled to service under 28 U.S.C. § 636(h).

The following information is provided pursuant to the reporting requirement of 28 U.S.C. § 604(d)(3). The average age of new appointees to full-time magistrate judge positions was 48 years. New full-time appointees had been members of the bar for an average of 22 years at the time of their appointments. Of the new full-time magistrate judges, at the time of their appointments, 10 had been in private practice, 5 had been assistant United States attorneys, 3 had been state court judges, 2 had been deputy general counsels, 2 had been law clerks, 2 had been professors, 1 had been a part-time United States magistrate judge, 1 an assistant federal public defender, 1 a state assistant attorney general, and 1 a director of a nonprofit organization. No new part-time magistrate judges were appointed this year.

Through September 2017, the Judicial Conference has authorized 541 full-time magistrate judge positions, 32 part-time positions, and 3 combination clerk/magistrate judge positions.

For data on magistrate judge positions, see [Table 13](#).

TABLE 13
U.S. MAGISTRATE JUDGE POSITIONS AUTHORIZED
2013 - 2017

Year	Total ¹	Full Time	Part Time	Combination ²	Recalled Judges
2013	574	531	40	3	58
2014	573	534	36	3	73
2015	573	536	34	3	68
2016	573	537	33	3	70
2017	576	541	32	3	75

¹ Total does not include recalled magistrate judges.

² According to 28 U.S.C. § 631(c), with the approval of the Judicial Conference, a clerk or deputy clerk of a court may be appointed as a part-time magistrate judge.

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