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Federal Judicial Caseload: Recent Trends



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Introduction

Between January 1, 1997, and December 31, 2001, filings in the appellate courts grew 9 percent while filings remained relatively stable in the district courts, declining 1 percent.¹ During this period, bankruptcy filings were highly volatile. After declining 8.5 percent and 5 percent in 1999 and 2000, respectively, bankruptcy filings increased 19 percent in 2001. Meanwhile, the number of cases opened in U.S. Pretrial Services jumped 20 percent and the number of persons under supervision of the U.S. probation system grew 15 percent.

Several events have influenced caseload filings during this time:

- ! Enactment of the Prison Litigation Reform Act and Antiterrorism and Effective Death Penalty Act of 1996 affected filings in both the U.S. district courts and U.S. courts of appeals.
- ! Spikes in filings in both U.S. courts of appeals and U.S. district courts were linked to U.S. Supreme Court decision *Apprendi vs New Jersey*.
- ! Law enforcement initiatives resulted in significant jumps cases in both U.S. district courts and courts of appeals in cases related to immigration and firearms.
- ! Progress of Bankruptcy Reform Act legislation boosted filings of bankruptcy petitions.

The caseload trends have been reflected in the workload of federal judges:

- ! from 1997 to 2001, the number of appeals filed per three judge panel rose 9 percent.
- ! over the same period, due to declines in authorized judgeships, bankruptcy filings per authorized bankruptcy judgeship rose 7 percent; and
- ! the total number of weighted civil and criminal filings per authorized district judgeship² declined 4 percent from 508 to 490, partly due to the addition of judgeships in 1999 and 2000. Criminal weighted filings (which are usually far more complex than civil cases and require more time to resolve) rose 16 percent, while civil weighted filings fell 12 percent.

¹ Although the report focuses on the five year period from January 1, 1997 to December 31, 2001, when the trend is longer than five years, the longer time frame is used in the analysis and noted. For some of the statistics on multidistrict litigation and U. S. magistrate judges, data are reported for 12-month periods ending September 30th because the data are not available for the December time periods.

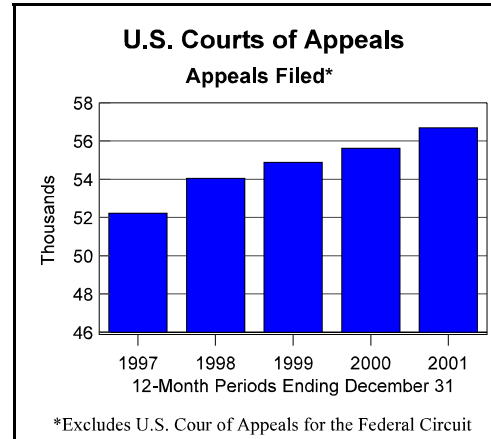
² Civil and Criminal weighted caseload filings per authorized district judgeship are based on weights that account for differences in the time judges need to resolve various types of civil and criminal actions.

Due to increased workload and expiration of three temporary judgeships, nineteen new district court Article III judgeships have been authorized by Congress since 1990—nine were created in December 1999 and ten were created in December 2000. Due to the expiration of a temporary judgeship in both 2000 and 2001, the number of authorized bankruptcy judgeships has decreased by two since 1993.

The following report, *Federal Judicial Caseload: Recent Trends* was produced by the Statistics Division of the Administrative Office of the U.S. Courts. It offers an analysis of the constantly changing composition of the federal courts' caseload. Copies of this report also can be found on the Judiciary's Internet web site at www.uscourts.gov.

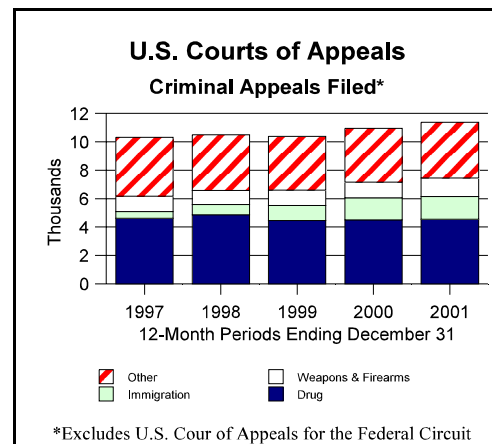
U.S. Courts of Appeals

! Appellate filings, excluding the Federal Circuit, rose 9 percent between 1997 and 2001. A 557 percent surge in original proceedings (up 4,687 cases), a 10 percent increase in criminal appeals (up 1,058 appeals), and a 17 percent rise in prisoner petition appeals (up 931 cases) offset declines in other types of appeals since 1997.



Reporting procedures related to the Prison Litigation and Reform Act (PLRA) and the Antiterrorism and Effective Death Penalty Act (AEDPA) and the increased work resulting from the statutory requirement that courts of appeals consider requests to file successive habeas petitions in district courts³ led to the inclusion of additional types of original proceedings, not previously reported on the general docket. After the initial surge related to the addition of these cases, filings of original proceedings continued to climb due to prisoners filing requests for second or successive habeas corpus petitions. Excluding original proceedings, appellate filings remained stable, falling less than one-half of one percent (down 219 appeals).

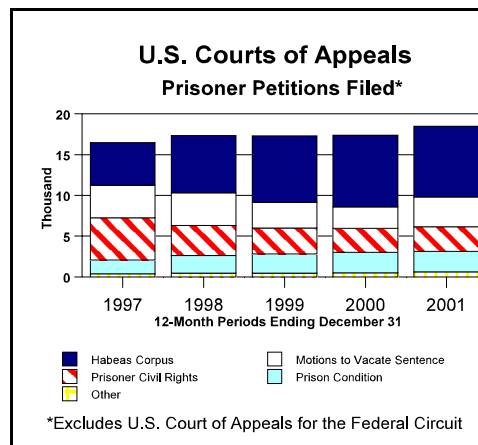
! Criminal appeals have increased 10 percent over the last five years, mainly due to a 235 percent increase in appeals related to immigration laws (up 1,120 appeals) and a 21 percent rise (up 229 appeals) in appeals related to firearms. Appeals related to drug offenses declined 2 percent (down 70 appeals), while criminal cases disposed in the U.S. district courts jumped 19 percent over the last five years. The reduction in appeals of these cases may be due to a 24 percent increase in guilty pleas (up 12,366 defendants) and a 27 percent reduction in jury trials (down 983 defendants) since 1997. Defendants who plead guilty have little to appeal other than the voluntary nature of their pleas and the sentences imposed.



³ The PLRA, enacted in April 1996, sought to reduce the filing of frivolous petitions, in part, by requiring filing fees to be paid in all cases; including cases filed *in forma pauperis*. The AEDPA, also enacted in April 1996, was intended to expedite or reduce habeas corpus petitions. Time limits for filing petitions were established, as was the requirement to consolidate all issues into one petition. Before filing second or successive habeas petitions in the U.S. district courts, prisoners must obtain permission from the court of appeals. The AEDPA also limits the scope of federal court review of state prisoners by requiring them to exhaust all state remedies first.

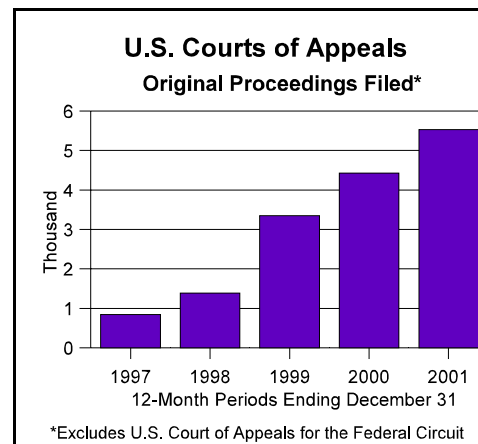
! Rising almost every year since 1997, prisoner petition appeals increased 12 percent (up 1,979 appeals) to 18,457. Increases in habeas corpus petitions and prison condition appeals (up 66 percent and 53 percent, respectively) more than offset declines in prisoner civil rights appeals and motions to vacate sentence (down 42 percent and 9 percent, respectively). These declines reflect both the trends in filings in the district courts and the impact of PLRA and AEDPA mandates aimed at reducing these types of appeals.

Habeas corpus appeals increased each year from 1997 to 2000, followed by a 2 percent in 2001. Between 1997 and 2001, these appeals grew 66 percent (up 3,435 appeals). Habeas corpus prisoner petitions (predominantly filed by state prisoners) address the legality of imprisonment. Despite the AEDPA requirements for state prisoners to exhaust all state remedies first and to obtain certificates of appealability before filing federal habeas corpus petitions in U.S. district courts, the number of such appeals continued to increase.



! Beginning on October 1, 1998, filings of pro se mandamus petitions for which filing fees are paid in installments (a result of the PLRA) and motions requesting authorization to file second or successive habeas corpus prisoner petitions (an AEDPA requirement), which previously had not been counted as cases, were reported as part of the appellate court caseload. As a result, original proceedings jumped 64 percent (up 540 cases) from 1997 to 1998, and then surged 143 percent (up 1,969 cases) in 1999 (the first full year with the new categories of original proceedings).

Original proceedings filings climbed 32 percent (up 1,080 cases) in 2000 and 25 percent (up 1,098 cases) in 2001, due to increases in motions requesting authority to file second or successive habeas corpus prisoner petitions. These increases were largely linked to Supreme Court decision *Apprendi vs New Jersey*.⁴ These

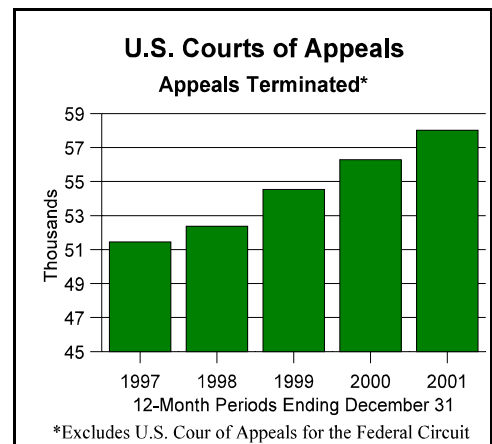


⁴ In *Apprendi v. New Jersey*, 530 U.S. 466 (2000), the U.S. Supreme Court held that any finding of fact providing grounds for an enhanced sentence greater than the statutory maximum must be made by a jury and proven

motions have comprised a greater proportion of all original proceedings filed, comprising 73 percent by 2001. Since these motions are filed by prisoners, the proportion of original proceedings filed pro se comprised 80 percent of all original proceedings in 2001, up from 53 percent in 1997.

! Distribution of appeals filings has shifted in the last five years. Criminal appeals and bankruptcy appeals remained stable, consistently comprising 20 percent and 2 percent, respectively, of the appellate caseload. Prisoner petitions have risen slightly from 32 percent in 1997 to 33 percent in 2001, while civil appeals (excluding prisoner petitions) have dropped from being 37 to 30 percent of the caseload over the same period. Original proceedings jumped from 2 to 10 percent of all appeals, while administrative agency appeals declined from 8 to 5 percent of the total.

! Since 1997, appeals terminated in the 12 regional courts have steadily increased, rising 13 percent (up 6,561 appeals). The Eleventh, Ninth and Fifth Circuits reported the greatest increases in terminations, rising 1,838 cases (up 29 percent), 1,568 cases (up 18 percent) and 1,541 cases (up 21 percent), respectively.



Judgeships

! Although no additional judgeships have been authorized since 1990, the number of appeals pending has grown just 1 percent since 1997.

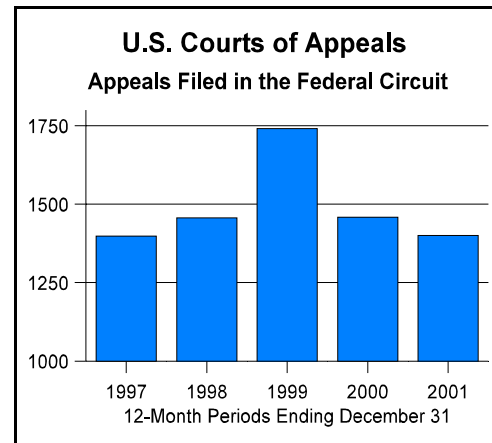
! The courts of appeals have handled increasing caseloads with fewer active judges. As of January 1, 2002, there were 30 vacancies at the appellate level (of which 20 were judicial emergencies); in 1997, 23 vacancies existed, of which 9 were judicial emergencies.⁵ In addition to active judges, there were 88 senior circuit judges participating in appeals dispositions at the end of 2001, compared to 79 senior circuit judges at the end of 1997. The percentage of oral hearings and submissions on briefs in which senior circuit judges participated remained stable at 16 percent.

beyond a reasonable doubt. In 2001, a one-year deadline for filing petitions pursuant to *Apprendi* resulted in motions seeking such petitions in the U.S. district courts and U.S. courts of appeals.

⁵ A judicial emergency at the appellate level is any vacancy where adjusted filings 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.

Federal Circuit

! Appellate filings in the U.S. Court of Appeals for the Federal Circuit increased by only one appeal in 2001, over the number reported in 1997. Contrary to this apparent stability, filings fluctuated significantly in the past 5 years. Filings rose 4 percent in 1998, then climbed 20 percent in 1999, but fell 16 percent in 2000, and declined another 4 percent in 2001. Since 1997, 33 percent of all cases filed arose from the Merit Systems Protection Board, 29 percent came from the district courts, and 17 percent originated in the U.S. Court of Federal Claims. Terminations have increased 3 percent since 1997, while the pending caseload has grown 13 percent.

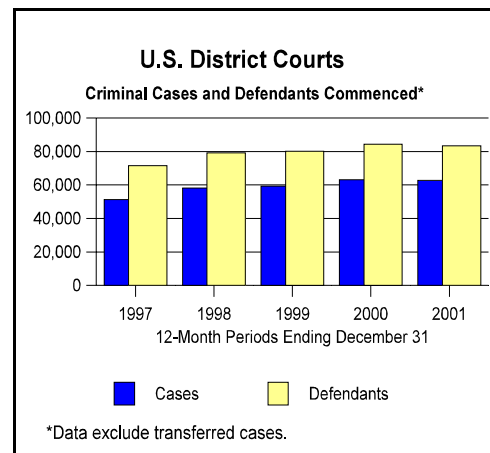


U.S. District Courts

Criminal Caseload

! Criminal cases filed increased each year between 1997 and 2000, then stabilized in 2001, declining 1 percent since 2000 to 62,691 cases. Filings increased 23 percent from 1997 to 2000. Increases in drug, immigration, and firearms law prosecutions are largely responsible for these increases.⁶

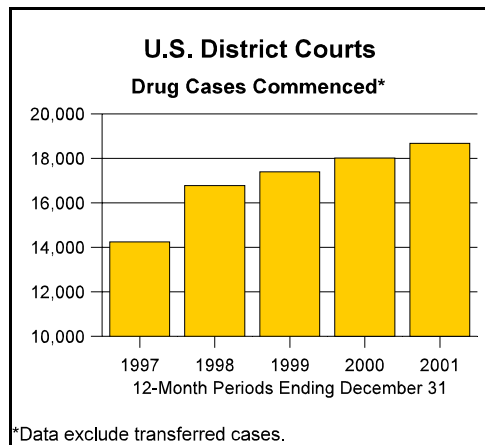
! The number of criminal defendants filed increased each year from 1997 to 2000 with a total growth of 18 percent (up 12,727 defendants), before declining 1 percent (down 864 defendants) in 2001. Defendants of drug-related offenses comprised 42 percent of the increase in defendants between 1997 and 2001, while immigration defendants and firearms defendants comprised 34 percent and 24 percent, respectively. During that time period, firearms defendants soared 68 percent (up 2,828 defendants), immigration



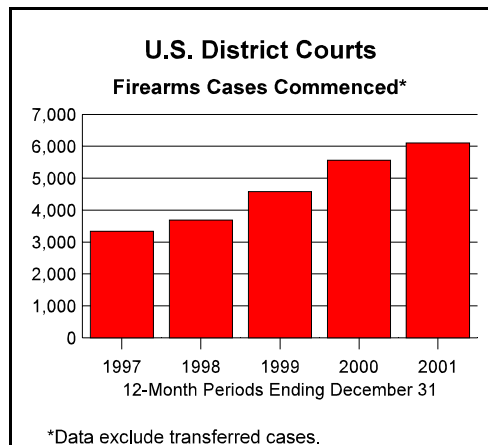
⁶ The criminal cases in this report include all felony and class A misdemeanor cases, and only those petty offenses that were assigned to Article III judges. Petty offenses handled by magistrate judges are not included in the body of this report. From 1997 to 1999 for the 12-month periods ending September 30th, the number of misdemeanor petty offense defendants disposed by U.S. magistrate judges rose 31 percent to 98,328, then declined 23 percent over the next 2 years to 75,380. This represents an overall increase between 1997 and 2001 of less than one-half percent.

defendants jumped 50 percent (up 3,971 defendants), and drug defendants increased 19 percent (up 5,011 defendants). The complexity of drug cases places an additional burden on the federal courts. In 2001, the number of defendants per drug case averaged 1.70, compared to 1.18 for non-drug criminal cases. Because drug cases usually involve multiple defendants, they often require nearly twice the amount of work for judges and more judicial resources than non-drug cases.⁷

! Drug case filings, which comprise approximately 30 percent of total criminal filings, increased 31 percent between 1997 and 2001. Filings of drug cases have increased for 7 consecutive years – up 65 percent from 1994 to 2001. Drug case filings rose in 62 districts between 1997 and 2001 because of anti-drug efforts across the United States—especially along the southwestern border by the Drug Enforcement Agency (DEA). The DEA participates in the Southwest Border Initiative, an interagency effort for controlling drugs and violence in this part of the United States. The DEA considers the southwestern border the point of entry for approximately 70 percent of all illicit drugs smuggled into the nation. In 2001, the Western District of Texas led the nation in drug filings with 2,315 drug cases and 3,377 drug defendants; the Southern District of California was second with 1,724 drug cases and 2,069 drug defendants.

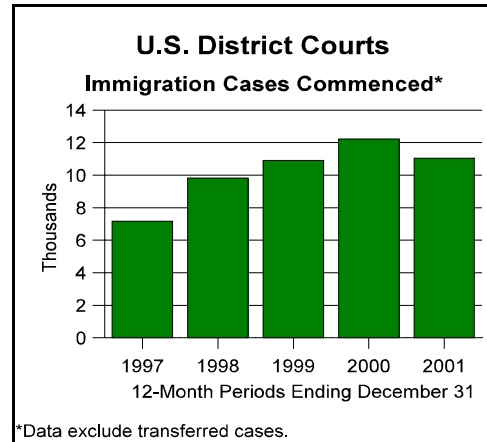


! Firearms cases surged 83 percent since 1997, jumping 10 percent from 2000 to 2001 alone. Firearms cases began growing in many districts as U.S. attorneys in cities with the highest violent crime rates began implementing special federal programs patterned after Project Exile in Virginia and Operation Ceasefire in Massachusetts. In these programs, federal, state and local law enforcement agencies seek to prosecute felons possessing firearms under federal laws, which often carry more severe penalties than do state laws.



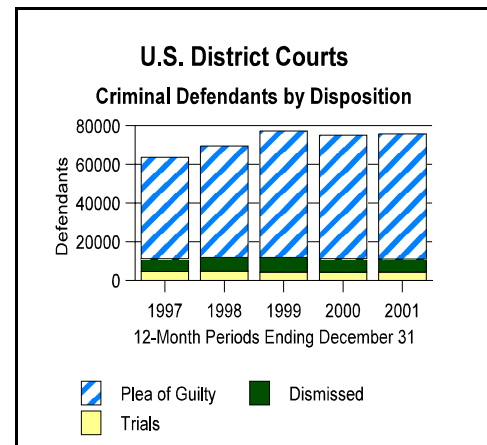
⁷ Based on the Federal Judicial Center's 1987-1993 District Court Time Study, marijuana or controlled substance cases are given weights of 1.63 in estimates of weighted filings. Weighted filings account for differences in the time required for judges to resolve various types of civil and criminal actions.

! Immigration filings rose for 9 consecutive years, growing over 430 percent between 1992 and 2000, before declining 10 percent in 2001 to 11,045.⁸ Since 1993, the Immigration and Naturalization Service (INS) has more than doubled the number of Border Patrol agents to a point where they now exceed 9,500. The vast majority are stationed along the 2,000-mile, southwestern border of the United States where they are engaged in programs such as Operation Gatekeeper, Operation Safeguard, and Operation Rio Grande. INS also participates actively in the Southwest Border Initiative.



These efforts have resulted in phenomenal growth in case filings in some of the districts along the southwestern border. Since 1997, immigration case filings have increased 166 percent (up 1,074 cases) in the District of Arizona, 163 percent (up 402 cases) in the District of New Mexico, 157 percent (up 1,178 cases) in the Southern District of Texas, and 57 percent (up 480 cases) in the Western District of Texas, whereas filings decreased 20 percent (down 384 cases) in the Southern District of California.

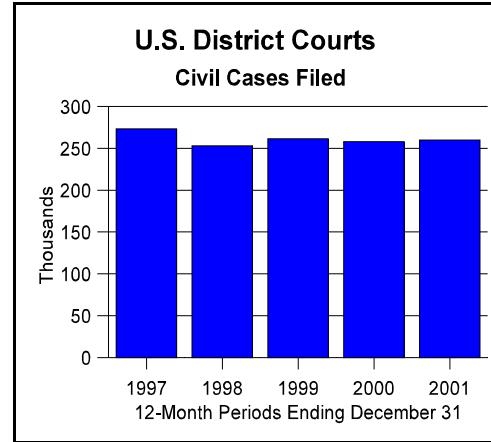
! The number of criminal defendants disposed of rose 19 percent since 1997. In 2001, of cases disposed, 85 percent of the defendants pled guilty; 9 percent had their charges dismissed; 4 percent had their charges resolved through a jury trial; and 2 percent had their charges resolved through a bench trial. In 1997, 82 percent of the defendants pled guilty; 10 percent had their charges dismissed; 6 percent had their charges resolved through a jury trial, and 2 percent had their charges resolved through a bench trial.



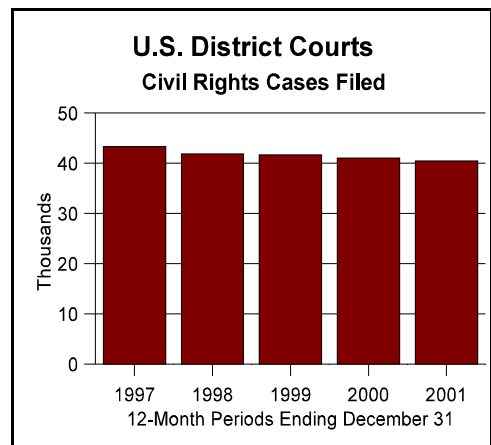
⁸ In addition, U.S. magistrate judges disposed of misdemeanor petty offense immigration defendants. In the 12-month period ending September 30, 2001, U.S. magistrate judges disposed of 16,398 misdemeanor petty offense immigration defendants, 47 percent higher than in 1997.

Civil Caseload

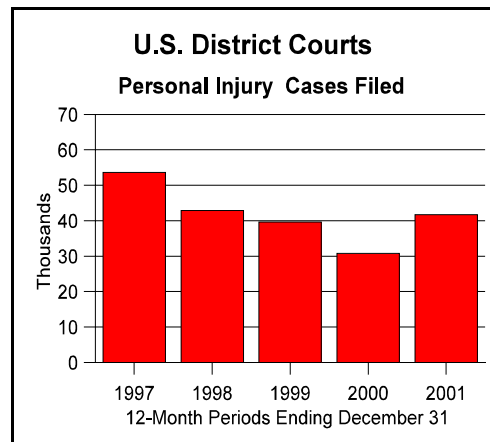
! Civil case filings declined 5 percent, from 273,212 cases in 1997 to 259,927 cases in 2001. Many major categories of civil filings declined—personal injury cases dropped 22 percent (down 11,978 cases), prisoner petitions fell 8 percent (down 5,087 cases), civil rights cases declined 7 percent (down 2,867 cases), and contracts cases were 4 percent lower (down 1,901 cases).



! Civil rights cases have declined 7 percent since 1997. Following the Civil Rights Act of 1991 and the Americans with Disabilities Act of 1990, civil rights filings increased each year from 1992 to 1997, until filings peaked at 43,352 in 1997. Since 1997, filings have decreased each year to 40,485 in 2001. According to the Administrative Office’s Analytical Services Office, “Historically, major pieces of new civil rights legislation have created significant increases in filings but frequently these increases stabilize and may even decline as Supreme Court decisions and legislative actions offset the impact of the original legislation.”⁹



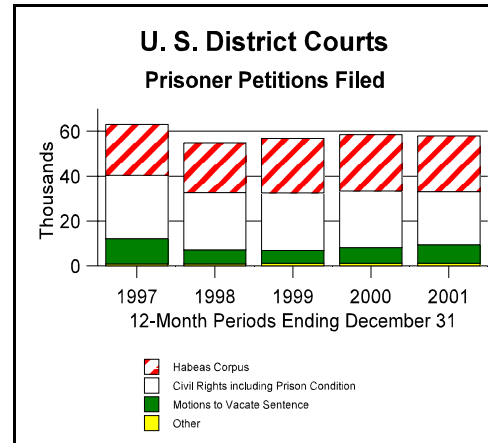
! Personal injury filings dropped 43 percent from 1997 to 2000, before soaring 36 percent in 2001, for an overall decline of 22 percent over the last five years. This decline was primarily due to decreases in personal injury/product liability filings related to breast implants or oil refinery explosions. However, most of the breast implant cases were moved from state court to federal court following the bankruptcy of the Dow Corning Corporation. Many of these cases were filed twice (i.e., once when they were removed from state courts to federal



⁹ Addendum to the “Report to the Subcommittee on Judicial Statistics on Increases in Civil Rights Filings” prepared by the Analytical Services Office of the Administrative Office of the U.S. Courts in February 1998.

courts, and again when they were transferred to the Northern District of Alabama as part of Multidistrict Litigation Docket Number 926). This influx of cases in 1997 resulted in an artificially high number of filings for that year. Subsequently, they returned to more normal levels. The surge in filings in 2001 was due to astronomical increases in personal injury/product liability asbestos cases (from 6,189 to 16,331), primarily filed in the Eastern District of Virginia and Northern District of Ohio.

! Although prisoner petitions have decreased 8 percent in the last five years, prisoner petitions had grown 52 percent from 1991 to 1996. Beginning in 1997, filings of civil rights prisoner petitions were markedly reduced by the 1996 Prison Litigation Reform Act (PLRA). Overall, civil rights prisoner petitions (including prison conditions) have dropped 38 percent since 1996. Also, prisoners filing motions to vacate sentence have decreased 16 percent during this same period, likely attributable to the enactment of the Antiterrorism and Effective Death Penalty Act (AEDPA).¹⁰



Both habeas corpus petitions and motions to vacate sentence reached peak levels in 1997 before stabilizing over the past four years. Motions to vacate sentence spiked in 2001, partly in response to U.S. Supreme Court decision *Apprendi vs New Jersey*,¹¹ as prisoners sought to reduce their sentences. Despite the additional filing requirements for state prisoners imposed by the AEDPA, habeas corpus petitions (predominantly filed by state prisoners) have risen 50 percent (up 8,283 petitions) since 1996. As a result, prisoners appear to have shifted from using 28 U.S.C. 2254 (specifically addressed in the AEDPA) to using 28 U.S.C. 2241 to challenge their imprisonment. Many of these petitions have been dismissed as frivolous or unfounded.

! Despite a large number of recovery of student loan cases filed during 1999 and 2000, contract actions have declined 4 percent (down 1,901 cases) since 1997. In 1999, as the U.S. Department of Education (DOE) streamlined its delinquent loan processing system, filings of student loan recovery cases surged 71 percent over the previous year and remained at approximately the same level in 2000. In 2001, however, filings of

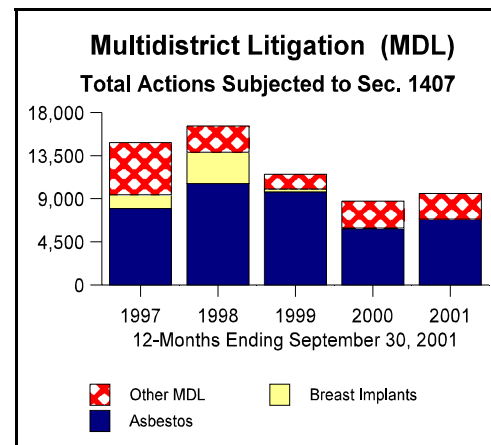
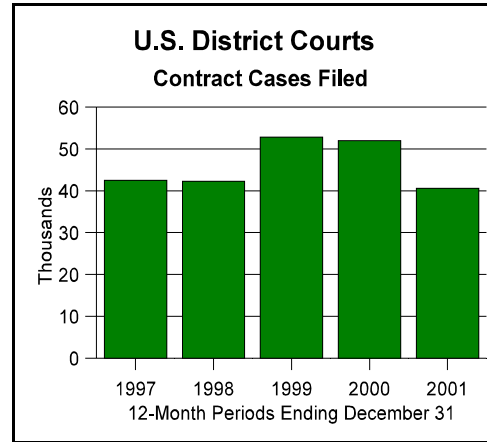
¹⁰ See footnote 3.

¹¹ See footnote 4.

these cases dropped 55 percent (down 12,325 cases) to a level below that reported in 1997, as DOE implemented new administrative measures that caused fewer student loan cases to be filed in the federal courts.

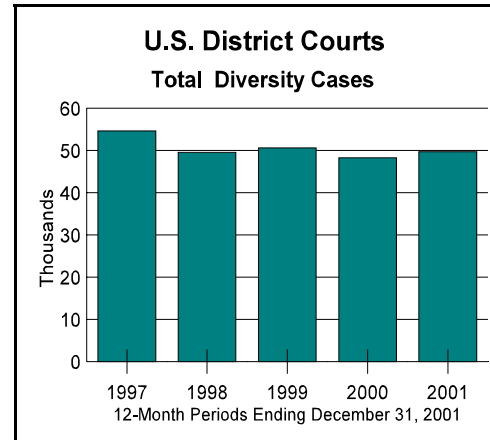
!

The number of new multidistrict litigation cases (MDL) filed remained essentially the same, falling by one case to 53 in 2001. The Judicial Panel on Multidistrict Litigation (JPML) centralized 8,970 civil actions pursuant to 28 U.S.C. §1407 in 2001. The JPML collects and reports data as “civil actions.” In nearly all instances, the number of “civil actions” correspond to the number of civil case filings. From the creation of the Panel in 1968 to September 30, 2001, there have been 924 MDL litigations centralized with 170,691 civil actions centralized for pretrial proceedings; 78 percent of these actions have been terminated. While the median number of actions in active MDL litigations is 17, litigations involving asbestos, breast implants, and Bridgestone/Firestone Tires far exceed the median and have accounted for 76 percent of the actions centralized by the Panel.



- ▶ In July 1991, an order was issued transferring asbestos cases to the Eastern District of Pennsylvania (PA-E). As of December 31, 2001, 102,881 cases had been filed in or transferred to PA-E. In addition to closing 70,962 of those cases, the presiding judge has closed over 71 percent of the 10,717,135 claims encompassed in the 102,881 cases gathered in the transferee district, assisted with settlements with respect to unfiled claims, and facilitated settlements of claims in several state court jurisdictions at the request of state court judges.
- ▶ From June 25, 1992 to December 31, 2001, 27,427 silicone gel breast implant cases were filed in or transferred to the Northern District of Alabama. As of December 31, 2001, all but 8 cases had been terminated. On July 24, 2002, the silicone gel breast implant litigation was closed as the remaining cases were remanded to state court.
- ▶ From October 24, 2000 to December 31, 2001, 545 Bridgestone/Firestone Tires cases had been filed in or transferred to the Southern District of Indiana. As of December 31, 2001, 422 remained pending.

! Diversity filings oscillated up and down between 1997 and 2001, with an overall decline of 9 percent from 1997 to 2001.¹² Filings rose 3 percent in 2001 due to an influx of asbestos cases filed in OH-N (a court official has indicated that periodically this district expects to receive large blocks of these cases). Section 205 of the Federal Courts Improvements Act of 1996, P.L. 104-317, amended 28 U.S.C. § 1332 by increasing the amount in controversy requirement for diversity-jurisdiction cases from \$50,000 to \$75,000. It appears that the overall decline in diversity cases is partly a result of this change in the jurisdiction amount which took effect on January 17, 1997.¹³



Judgeships

! The number of vacancies in the U.S. district courts increased 10 percent, from 60 vacant district judgeships on January 1, 1998 to 66 on January 2, 2002. Although there has been no omnibus judgeship bill since 1990, nineteen new judgeships positions were created in 1999 and 2000.¹⁴ Of these positions, 9 remained unfilled as of December 31, 2001. Additionally, three temporary judgeships created in the 1990 judgeship bill were lost in 1996 and 1997. Of the vacancies existing on January 2, 2002, 17 were designated judicial emergencies.¹⁵ In addition to active judges, 276 senior district judges were providing service to the judiciary on December 31, 2001. In 2001, senior judges were responsible for 16.0 percent of the civil cases closed and criminal defendants terminated, compared to 16.2 percent in 1997 and 15.6 percent in 2000.

¹² A diversity of citizenship case is an action in which the amount in controversy exceeds \$75,000 and which involves citizens or corporations of different states; citizens or corporations of a state and citizens or subjects of a foreign country; citizens or corporations of different states where citizens or subjects of a foreign country are additional parties; or a foreign state, as defined in Title 28 U.S.C. Section 1603(a), as plaintiff and citizens of a state or different states.

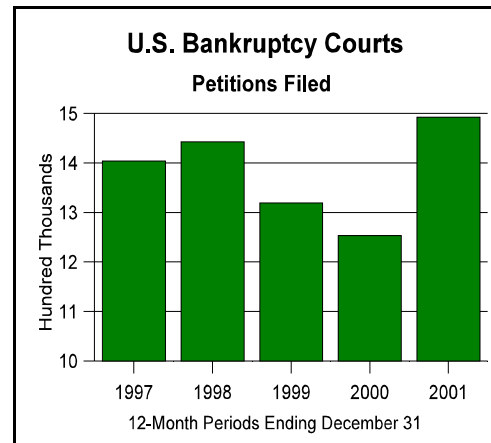
¹³ Golmant, J., Bak, T., & O'Connor, K. (2000, Summer). Recent Trends in Diversity Filings. *Judges Journal*, 39(3).

¹⁴ Public Law Number 106-113, enacted on November 29, 1999, authorized nine new judgeships in the U.S. district courts. Public Law Number 106-553, enacted on December 21, 2000, authorized 10 additional judgeships in the U.S. district courts.

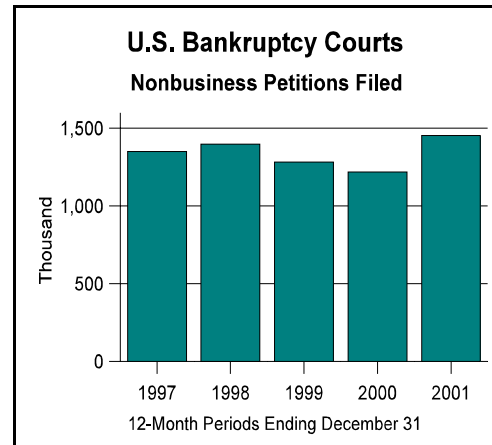
¹⁵ Prior to December 2001, a judicial emergency in a district court was defined as any vacancy in a district court where weighted filings are in excess of 600 per judgeship; or any vacancy in existence more than 18 months where weighted filings are between 430 to 600 per judgeship. Beginning in December 2001, the definition of a judicial emergency changed to be any vacancy in a district court where weighted filings are in excess of 600 per judgeship, or any vacancy in existence more than 18 months where weighted filings are between 430 and 600 per judgeship, or any court with more than one authorized judgeship and only one active judge.

U.S. Bankruptcy Courts

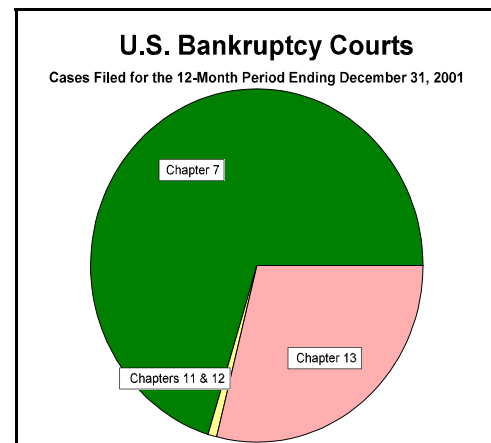
! Bankruptcy filings rose 6 percent (up 87,984 cases) over the number of cases filed in 1997 to a new record level of 1,492,129. Bankruptcy filings grew four consecutive years from 1995 to 1998, then fell during 1999 and 2000 before rising again in 2001. The rise in bankruptcy filings is most likely linked to the impending new bankruptcy legislation which would make filing bankruptcy more difficult, and to record levels of debt as a percentage of personal income. This debt is, in turn, an outgrowth of the greater availability of consumer credit.



! Although most bankruptcy cases filed in the United States are nonbusiness cases, the proportion of nonbusiness petitions filed has increased steadily over the past 20 years. In 1982, 82 percent of the bankruptcies filed were nonbusiness. By 1997, 96 percent were nonbusiness cases, and by 2001, nonbusiness cases accounted for 97 percent of all filings. Overall, nonbusiness cases rose 8 percent (up 101,912 cases) between 1997 and 2001. In contrast, business cases fell 34 percent from 1997 to 2000, with a 13 percent rise from 2000 to 2001, for an overall decline of 26 percent (down 13,928 cases) from 1997 to 2001.

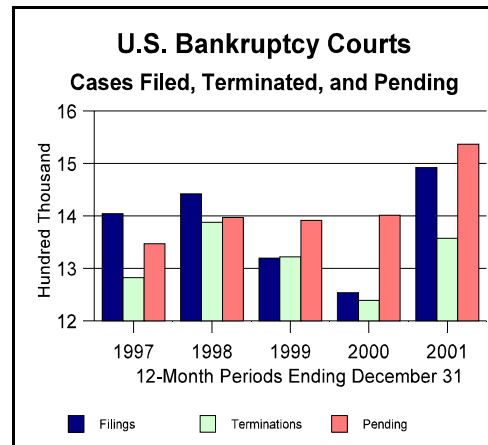


! Chapter 7 liquidation cases, filed primarily by individual debtors, have grown 7 percent and accounted for 70 percent of all bankruptcies filed since 1997. Chapter 13 cases, which involve debtor repayment plans, have increased 6 percent and constituted 29 percent of all cases filed since 1997. Chapter 11 cases increased 6 percent since 1997. Although they accounted for only 1 percent of total filings, chapter 11 reorganization cases are the most labor-intensive cases for bankruptcy judges and staff to process. Chapter 11 cases often involve numerous attorneys, creditors, and other professionals, as



well as large sums of money. As a result, the workload impact of the chapter 11 cases is much greater than the numbers would indicate. Chapter 12 cases, designed to meet the needs of financially distressed family farmers, fell 60 percent since 1997. Much of this decline may be tied to the expiration of chapter 12 on July 1, 2000, and its subsequent re-enactment and extension through May 2001 by P.L. 107-8; through September 2001 by P.L. 107-17; through June 1, 2002 by P.L. 107-170; and to the end of 2002 by P.L. 107-171.

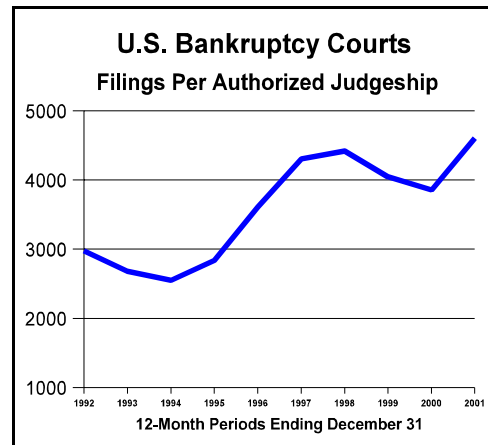
! Although terminations of bankruptcy cases increased 6 percent since 1997, the number of bankruptcy petitions filed far exceeded the number closed. This resulted in a 14 percent growth in the pending caseload to a record-breaking total of 1,536,429 as of December 31, 2001.



! Filings of adversary proceedings increased 14 percent in 2001 over 2000; however, filings were 6 percent less than the number filed in 1997 due to two years of decline from 1999 to 2000. This decline followed an unusual increase of adversary proceedings in 1998 arising from a single bankruptcy case in the Northern District of New York, where more than 12,000 associated actions were filed.

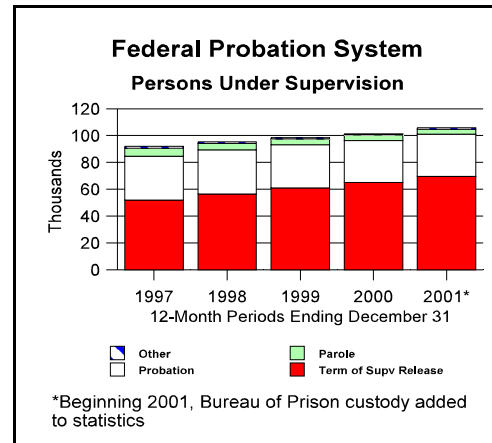
Judgeships

! Bankruptcy petitions filed in the last decade have soared, but additional bankruptcy judgeships were last authorized in 1992, and 2 temporary judgeships have expired since then. As a result, cases filed per judgeship increased from 2,980 in 1992 to 4,605 in 2001—a 55 percent increase. Despite the long period without additional judicial assistance, cases terminated per authorized judgeship have soared 46 percent from 1992 to 2001, terminating 2,872 cases per judgeship in 1992, 3,933 in 1997 and 4,189 in 2001. Since 1997, cases terminated per authorized judgeship rose 6 percent.



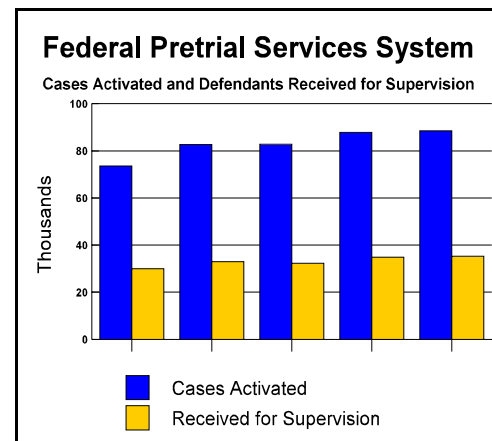
Federal Probation and Pretrial System

! On December 31, 2001, 105,751 persons were under the supervision of the U.S. probation system, a 15 percent increase over the number reported on December 31, 1997. This growth resulted primarily from a 34 percent jump in the number of persons serving terms of supervised release from prison. The number of persons serving terms of supervised release grew 34 percent, from 51,927 on December 31, 1997 to 69,501 on December 31, 2001. A term of supervised release is a period during which a person who has completed the full prison sentence mandated by federal sentencing guidelines is under supervision in the community by federal probation officers.



Persons serving terms of supervised release are under the statutory authority of district judges rather than the U.S. Parole Commission¹⁶, and the increase in persons serving terms of supervised release has a direct impact on the workload of district court judges. While the total number of cases closed has increased 7 percent, the total number of cases closed by revocation of probation has increased 19 percent (up 1,418) over the last five years. For each of these revocations, there is at least one court hearing.

! Since 1997, the total number of cases opened in U.S. Pretrial Services jumped 20 percent (up 14,931 cases). This growth was consistent with the growth in criminal filings in the district courts. During this period, the total released on supervision increased 18 percent (up 5,267 persons). The number of interviews increased 15 percent (up 7,964 defendants) and the number of pretrial services reports prepared annually jumped 22 percent (up 15,506 reports).



¹⁶ The Sentencing Reform Act of 1984 abolished parole eligibility for federal offenders - except military offenders -- who commit offenses on or after November 1, 1987. It also provided for the abolition of the U.S. Parole Commission on November 1, 1992. However, the Judicial Improvements Act of 1990 and the Parole Commission Phaseout Act of 1996 extended the Commission in five-year increments through November 1, 2002. In 1997, the Commission was mandated to make parole and parole revocation decisions for District of Columbia offenders.



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Federal Judicial Caseload Statistics

March 31, 2001

Statistics Division
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Judicial Caseload Indicators
12-month Periods Ending March 31, 1997, 2000, and 2001

Judicial Workload	1997	2000	2001	% Change Since 1997	% Change Since 2000
U.S. Courts of Appeals¹					
Cases Filed	51,963	55,320	56,067	7.9	1.4
Cases Terminated	51,522	55,678	56,210	9.1	1.0
Cases Pending	38,955	40,910 ²	40,797	4.7	-0.3
U.S. District Courts					
Criminal (Includes Transfers)					
Cases Filed	48,418	61,242	63,473	31.1	3.6
Defendants Filed	67,960	82,105	84,658	24.6	3.1
Cases Terminated	45,974	57,188	58,790	27.9	2.8
Cases Pending	33,932	44,646 ²	49,329	45.4	10.5
Civil					
Cases Filed	261,736	262,548	254,523	-2.8	-3.1
Cases Terminated	246,027	265,030	249,570	1.4	-5.8
Cases Pending	248,494	243,422 ²	248,375	-0.0	2.0
U.S. Bankruptcy Courts					
Cases Filed	1,247,065	1,301,205	1,307,857	4.9	0.5
Cases Terminated	1,095,618	1,289,283	1,235,955	12.8	-4.1
Cases Pending	1,264,953	1,382,978 ²	1,454,880	15.0	5.2
Federal Probation System					
Persons Under Supervision	90,727	99,209	102,377	12.8	3.2
Presentence Reports	50,784	62,242	63,215	24.5	1.6
Pretrial Services					
Total Pretrial Cases Activated	65,496	82,221	85,625	30.7	4.1
Total Released on Supervisio	26,001 ²	31,110	32,563	25.2	4.7

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

²Revised

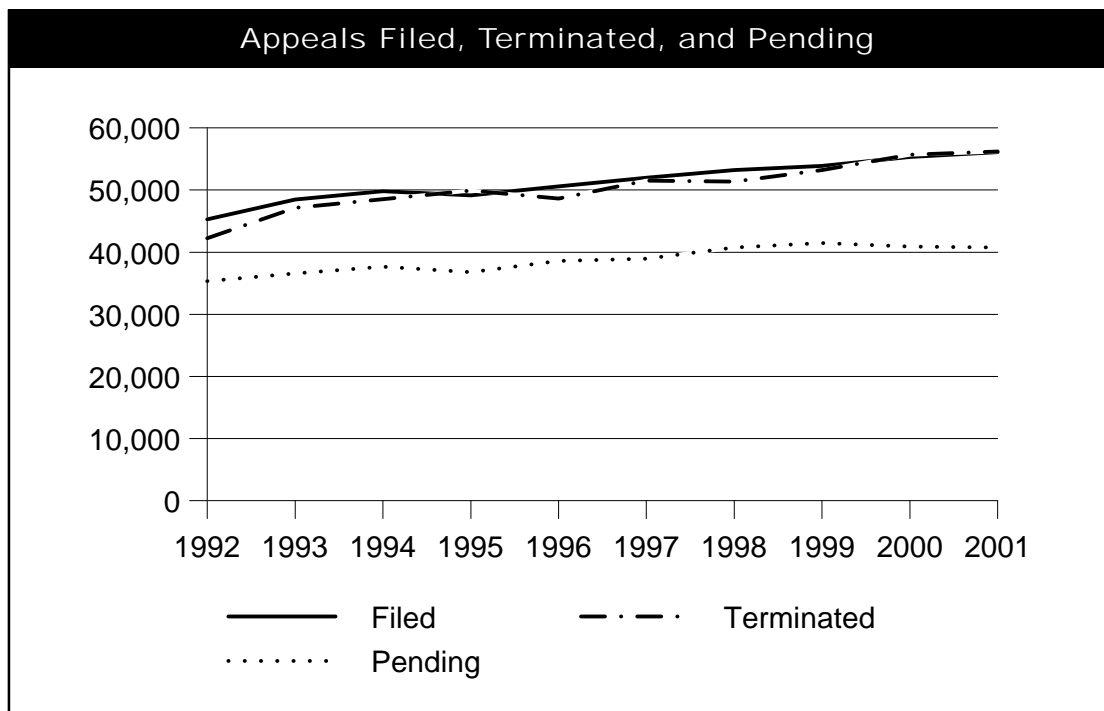
Judicial Business

The purpose of this report is to provide statistical information on the caseload of the federal judiciary for the 12-month period ending March 31, 2001. This report, which is prepared pursuant to 28 U.S.C. 604(a)(2), presents data on the work of the appellate, district, and bankruptcy courts as well as the probation and pretrial services system.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals rose 1 percent to 56,067 in 2001.

- Appeals terminated grew 1 percent, causing the number of appeals terminated per three-judge panel to increase from 1,000 to 1,010.
- Appeals pending remained relatively stable, falling less than 1 percent to 40,767.
- Appeals filings have increased 8 percent since 1997.
- Since 1992, while the number of authorized judgeships has remained unchanged, appeals filings have grown 24 percent, and appeals terminated have jumped 33 percent.



Criminal appeals increased 5 percent, primarily because immigration appeals soared 58 percent (up 632 appeals), and weapons and firearms appeals climbed 12 percent (up 128 appeals).

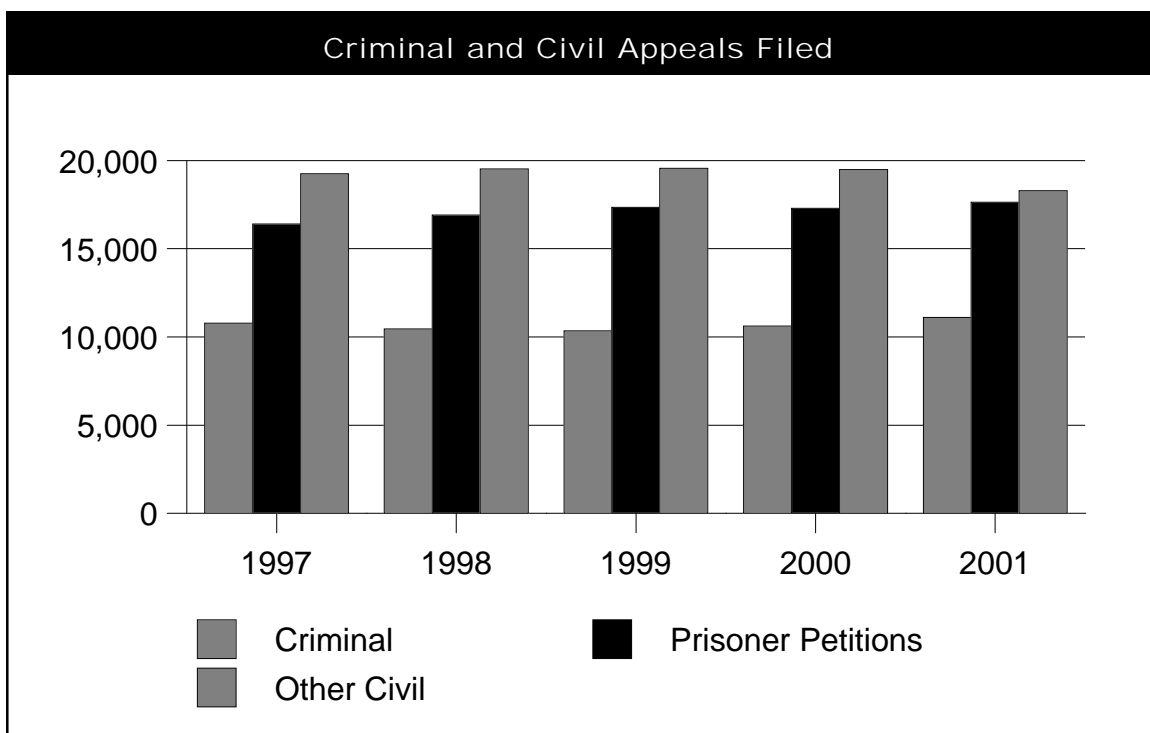
- The growth in immigration appeals, which arose mainly from the Fifth and Ninth circuits, followed an increase in filings of immigration cases in recent years in district courts along the southwestern border of the United States.
- Although criminal appeals declined slightly between 1997 and 1999, these appeals have increased during the past two years so that the 2001 total was 6 percent above that for 1997.

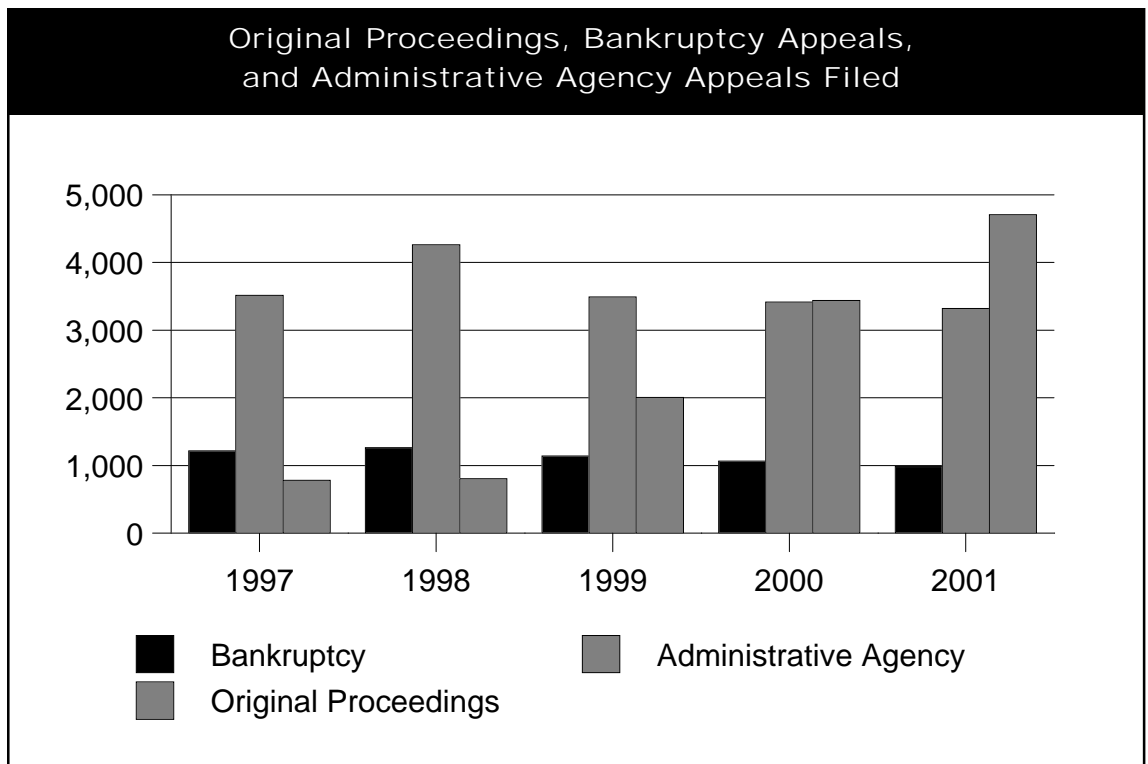
The number of original proceedings filed grew 37 percent (up 1,269).

- The increase in original proceedings stemmed mainly from a 66 percent jump in petitions by prisoners requesting authority to file second or successive habeas corpus petitions. Overall, motions for second or successive habeas corpus petitions by prisoners constituted 67 percent of original proceedings.
- On June 26, 2000, the U.S. Supreme Court decided in *Apprendi v. New Jersey*, 530 U.S. 466, that any fact that could increase a penalty beyond the statutory maximum must be submitted to the jury and proved beyond a reasonable doubt. This decision implicates sentences for convictions in drug cases, for the maximum penalties in those cases vary depending on the types and amounts of drugs involved. Following the decision, many prisoners sought to file second or successive habeas corpus petitions with the goal of reducing their sentences.

Filings of civil appeals fell 2 percent.

- Although the number of prisoner petitions filed rose 2 percent, a 6 percent decrease in civil rights appeals and reductions in numerous other types of civil appeals produced an overall decline in civil appeals.
- Since 1997, civil appeals have remained relatively stable, growing less than 1 percent.





The overall rise in prisoner petitions was due mainly to a 6 percent rise (up 466 appeals) in habeas corpus prisoner petitions and an 8 percent rise (up 179 appeals) in prison condition prisoner petitions.

- Title I of the Antiterrorism and Effective Death Penalty Act, which imposed additional requirements and time limits for filing habeas corpus petitions, had different impacts on federal and state prisoner petitions. Motions to vacate sentence (which are habeas corpus petitions filed by federal prisoners) have fallen 5 percent since 2000 and 17 percent since 1997, whereas habeas corpus petitions (which are filed predominantly by state prisoners) have increased 6 percent since 2000 and 84 percent since 1997.
- Appeals involving prisoner petitions have grown 8 percent since 1997.
- Largely in response to the Prison Litigation Reform Act, which was intended to reduce the filing of frivolous petitions, civil rights prisoner petitions have dropped 7 percent since 2000 and 61 percent since 1997.

Declining for the third consecutive year, appeals of administrative agency decisions fell 3 percent to 3,320.

- This year's decrease resulted from relatively small declines in several categories, most notably appeals of decisions by the Internal Revenue Service (down 145 cases), the Federal Communications Commission (down 65 cases), and the Environmental Protection Agency (down 29 cases).
- The largest increases occurred in appeals of decisions by the Benefits Review Board (up 38 cases), the Occupational Safety and Health Administration (up 33 cases), and the Bonneville Power Administration (up 25 cases).

- Appeals of administrative agency decisions have declined 6 percent since 1997.

Filings of bankruptcy appeals fell 8 percent.

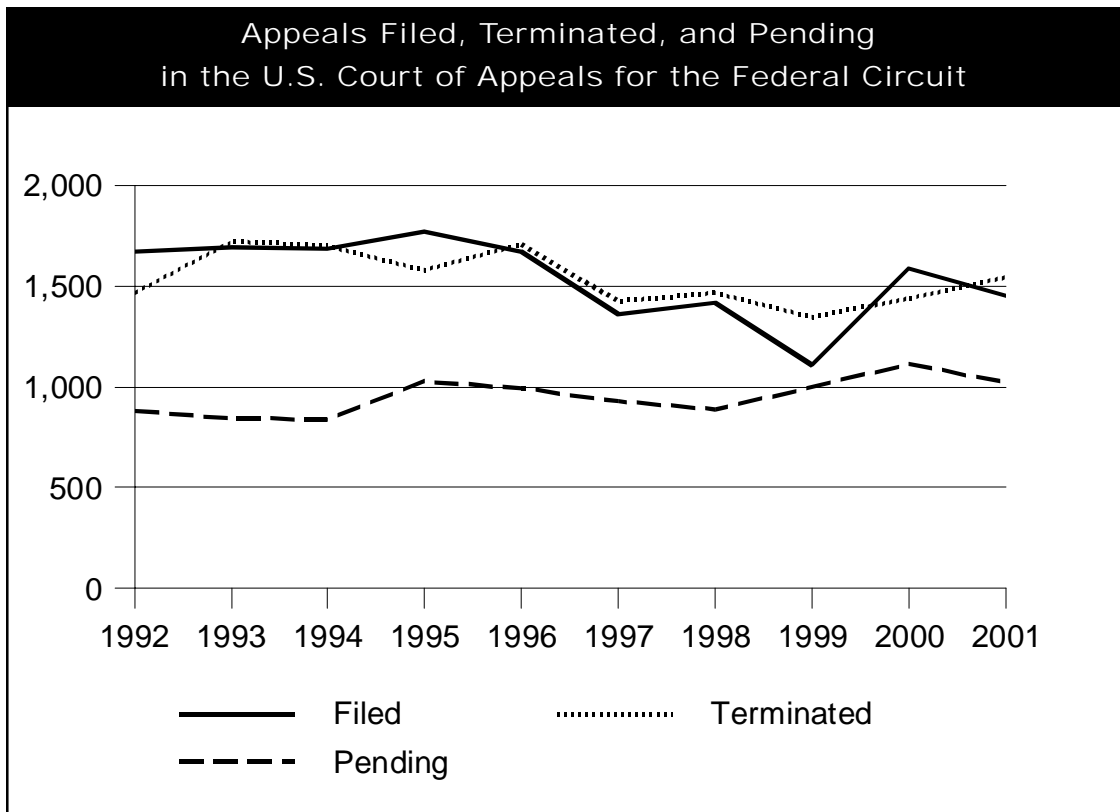
- Except for a slight increase in 1998, bankruptcy appeals filings have dropped steadily in the past five years, declining 37 percent.

Detailed data for the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

Following a 43 percent jump in filings in the U.S. Court of Appeals for the Federal Circuit in 2000, filings decreased 9 percent in 2001 to 1,454 appeals.

- This year's decline resulted primarily from decreases in appeals of decisions by the Merit Systems Protection Board (down 122 appeals) and the Court of Appeals for Veterans' Claims (down 65 appeals).
- Last year's increase in filings was due to increases in appeals of decisions by these same two organizations.
- Filings in this court, which historically fluctuate from year to year, have experienced an overall downward trend since they peaked in 1995.
- Since 1992, filings have declined 13 percent.



Terminations of appeals rose 7 percent in 2001 to 1,551, which caused the number of cases terminated per three-judge panel to grow from 361 to 388.

- Since 1992, appeals terminations have fluctuated from year to year. They grew to 1,726 in 1993, declined 21 percent from 1996 to 1999, then increased 15 percent from 1999 to 2001.

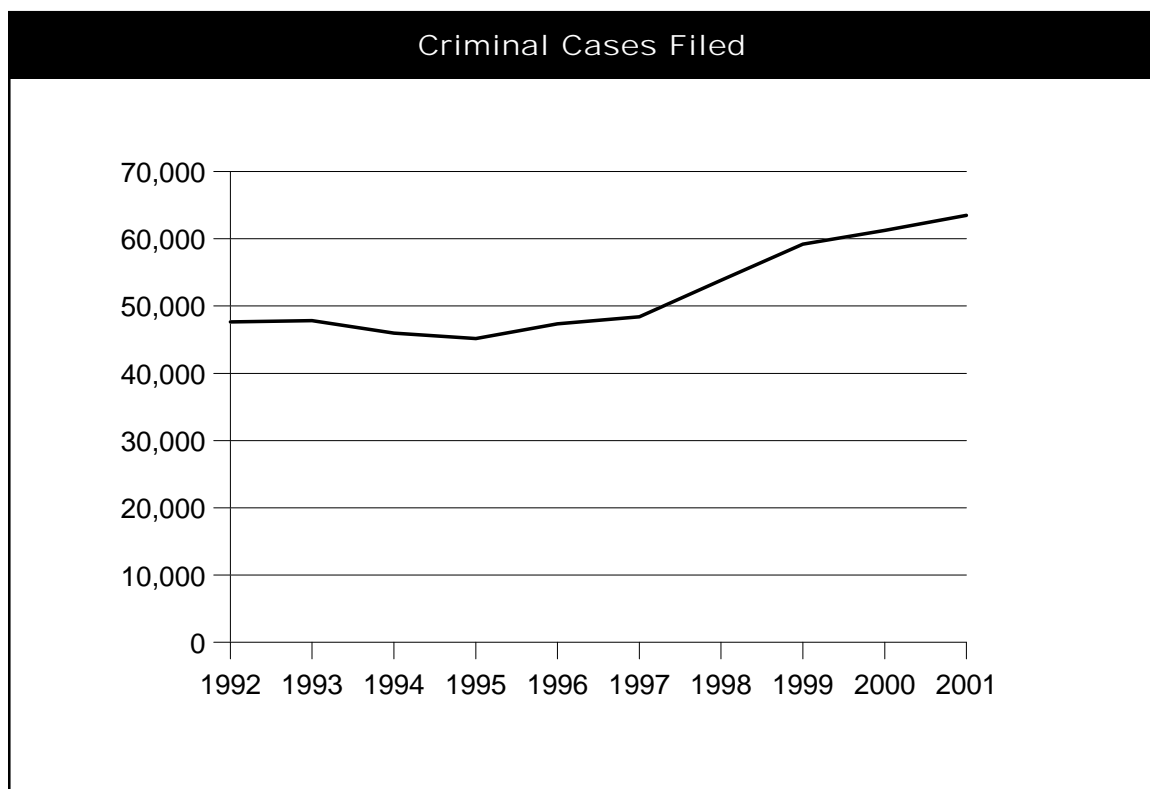
The number of appeals pending on March 31, 2001, dropped 8 percent to 1,025.

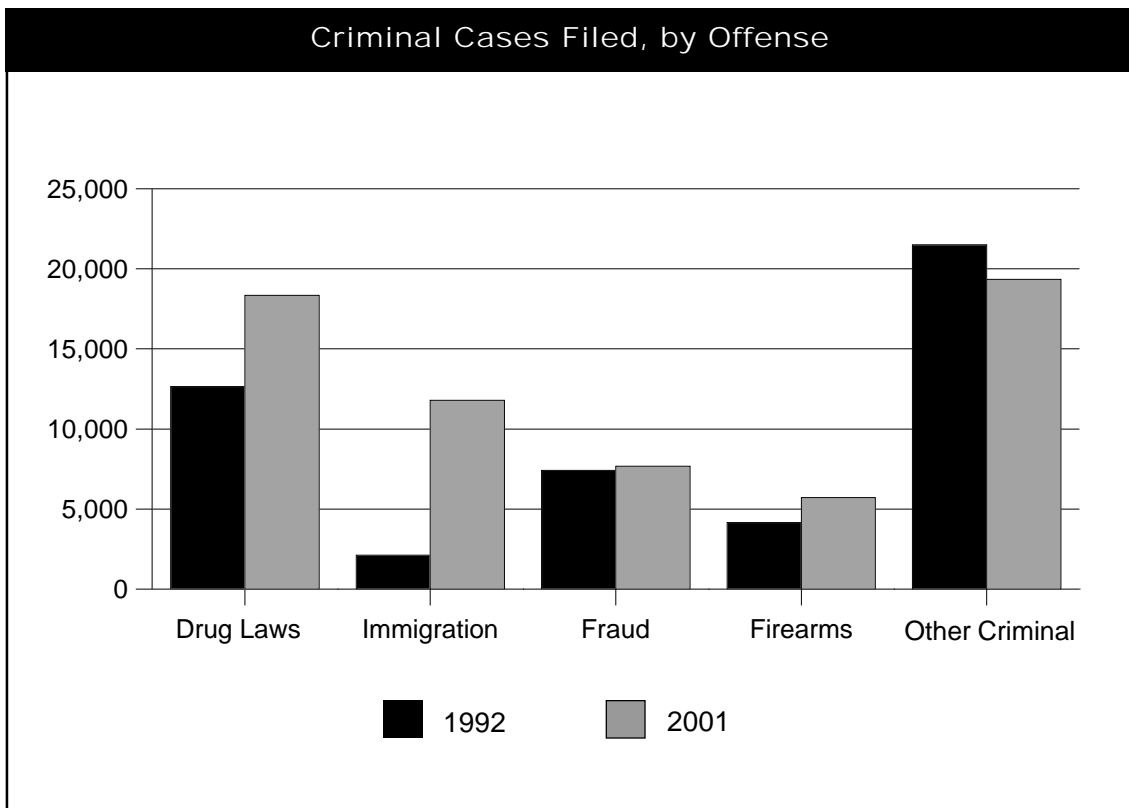
Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

The number of cases filed in the U.S. district courts in 2001 equaled 317,996 (this figure does not include petty offense cases assigned to magistrate judges).

- The total number of filings was less than 2 percent below that for 2000, but 3 percent greater than that for 1999.
- In 2001, the reduction in case filings combined with the addition of 10 new authorized judgeships in the district courts caused filings per authorized judgeship to fall from 494 to 478.
- Case terminations decreased 4 percent to 308,360.
- Because filings outpaced terminations, the pending caseload rose 3 percent to 297,704.





Criminal Filings

Criminal case filings (including transfers) rose for the sixth consecutive year, climbing 4 percent to 63,473—the highest level since the repeal of the Prohibition Amendment in 1933. The number of criminal defendants filed grew 3 percent to 84,658.

- Although more criminal cases were filed in 2001, case filings per authorized judgeship remained at the 2000 level of 95 because of the additional judgeships authorized.
- This year, the federal courts received 33 percent more cases and 26 percent more defendants than in 1992, and received 31 percent more cases and 25 percent more defendants than in 1997. This growth, much of which occurred in the last five years, was due primarily to increases in drug and immigration filings.

Most of this year's overall increase resulted from growth in filings involving drugs and firearms. Drug filings rose because of anti-drug efforts across the United States, especially along the southwestern border, by the Drug Enforcement Administration.

- Drug case filings rose 6 percent to 18,336, and drug defendants increased 4 percent to 31,638.
- Filings of drug cases have climbed 45 percent and of drug defendants have grown 27 percent since 1992. Drug cases have risen 45 percent and drug defendants have increased 29 percent since 1997.
- Firearms case filings surged 17 percent to 5,714, and firearms defendants jumped 17 percent to 6,597.

- Firearms case filings have grown 37 percent and firearms defendants have risen 36 percent since 1992. Filings of such cases and defendants have increased 90 percent and 75 percent, respectively, since 1997.

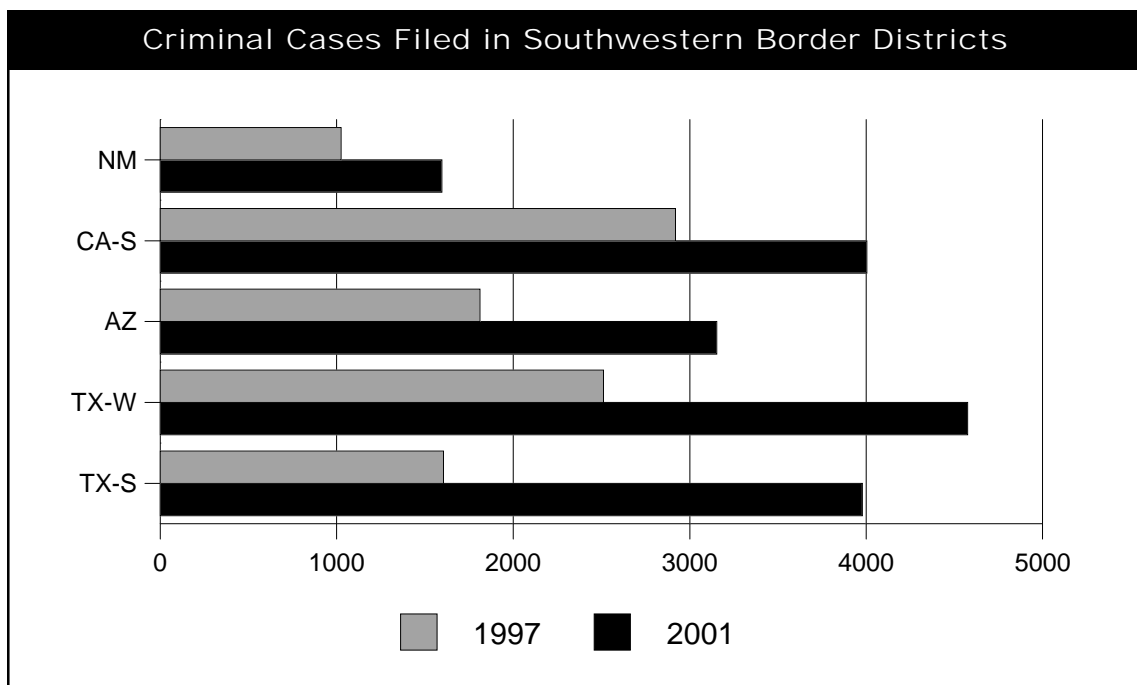
Notable increases also occurred in filings of immigration, fraud, and national defense cases.

- Immigration filings rose 2 percent in 2001 to 11,798 cases as the U.S. Department of Justice (DOJ) continued to prosecute violations of immigration laws.
- Since 1992, immigration case filings have surged 457 percent, and defendants in such cases have soared 381 percent. Since 1997, filings of these cases have risen 96 percent, and immigration defendants have increased 91 percent.
- Fraud filings grew 2 percent in 2001 to 7,677, primarily due to higher numbers of fraud cases related to nationality laws and credit card fraud.
- Filings of national defense cases soared 725 percent this year to 586 cases. These consisted mainly of petty offense cases filed in response to protests at the military facility in Vieques, Puerto Rico, which resulted mostly in trespassing charges.
- The five federal courts along the southwestern border—the Districts of Arizona and New Mexico, the Southern District of California, and the Southern and Western Districts of Texas—have experienced explosive growth in their caseloads during the past 10 years. This is primarily because of DOJ's strategy to reduce crime along the southwestern U.S. border by focusing on illegal immigration, alien smuggling, and drug trafficking.

Some of the increase in cases in 2001 was offset by declines in filings related to larceny, embezzlement, forgery, counterfeiting, and traffic.

The number of criminal defendants terminated in 2001 went up 2 percent to 77,866. With filings outnumbering terminations, the number of pending defendants rose 11 percent to 71,175.

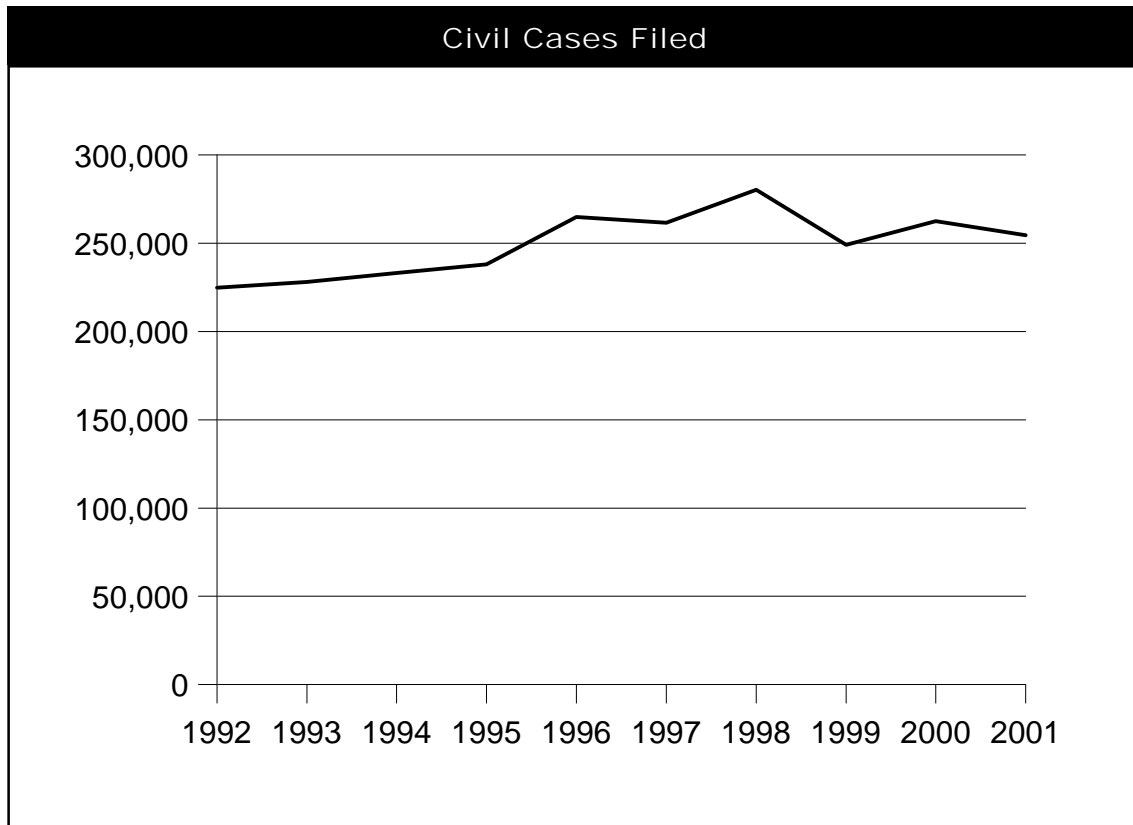
The D series of the appendix tables contains more detailed data on the criminal caseload by district.



Civil Filings

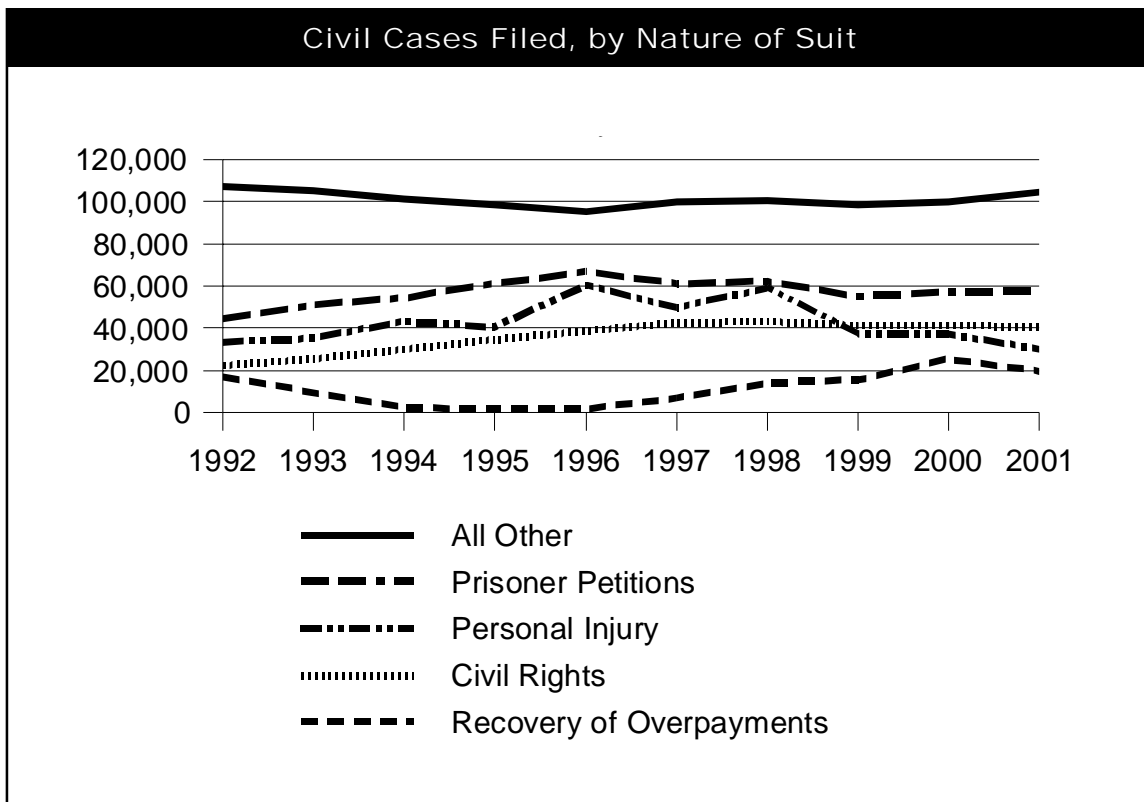
Civil filings fell 3 percent to 254,523.

- This decline resulted primarily from a 4 percent drop in federal question jurisdiction cases (i.e., actions under the Constitution, laws, or treaties of the United States).
- The number of civil filings per authorized judgeship fell from 401 to 383, mainly because of the increased number of authorized judgeships.
- Although civil filings peaked in 1998, they have declined 3 percent in the past five years, mostly due to decreases in personal injury cases and prisoner petitions.
- Since 1992, civil filings have risen 13 percent. This growth stemmed largely from increases in filings of prisoner petitions, an influx of personal injury/product liability breast implant cases, and intensified debt collection measures implemented by the Department of Education to recover defaulted student loans.



The decrease this year in federal question jurisdiction filings (down 5,299) arose mainly from a 36 percent drop in total personal injury cases.

- Personal injury/product liability filings fell 31 percent, largely due to decreases in asbestos and marine personal injury cases.
- Since 1997, total personal/injury product liability cases have declined 20 percent, mostly because of decreases in breast implant cases over the past three years.



Total filings with the United States as plaintiff or defendant declined less than 1 percent to 68,565.

- Civil filings with the United States as plaintiff decreased 17 percent to 28,690.
- Cases involving recoveries of overpayments and enforcement of judgments related to defaulted student loans dropped 24 percent. This marked the first time that student loan filings have fallen since 1995, the year the Department of Education initiated intensified efforts that caused large increases in filings of these cases.

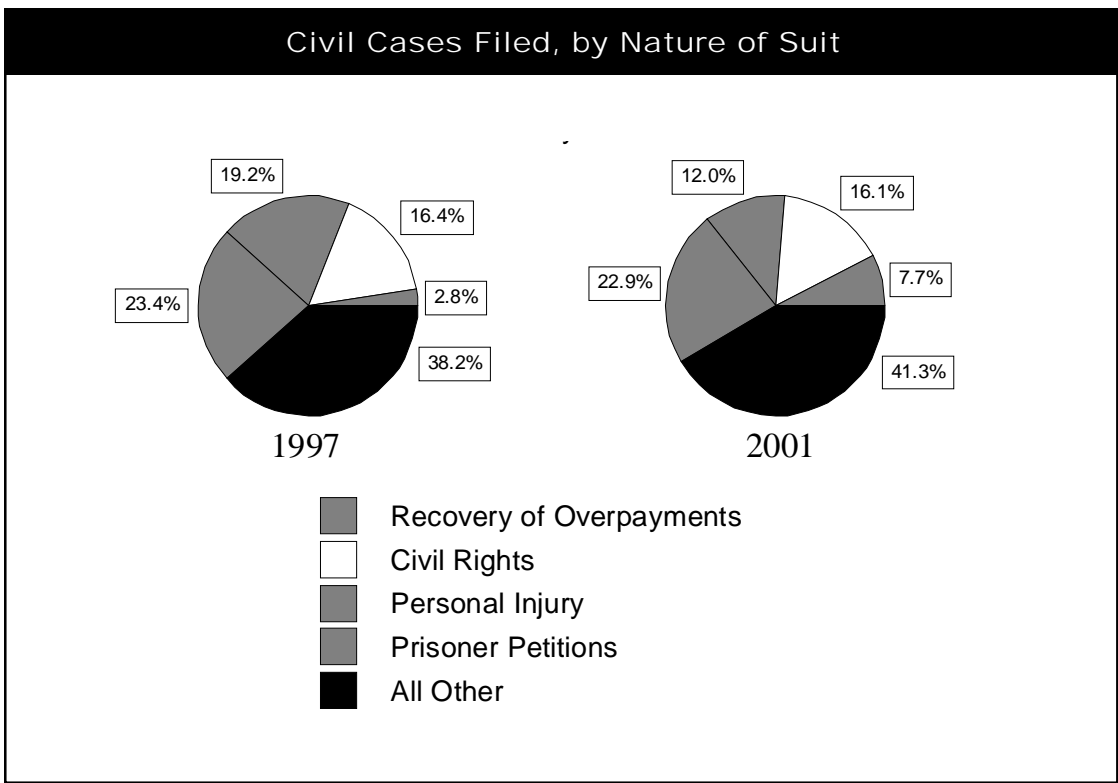
Filings with the United States as defendant increased 16 percent to 39,875.

- Social security filings rose 35 percent as the numbers of disability insurance and supplemental security income cases each jumped by more than 2,100 cases. This increase occurred mostly because the Social Security Administration devoted additional resources to process cases filed as early as 1997.
- U.S. prisoner petitions grew 11 percent, mainly due to a 27 percent jump in motions to vacate sentence.
- Since 1992, U.S. prisoner petitions have doubled from 6,635 to 12,767.

Diversity of citizenship filings fell 4 percent to 48,135 cases, mostly due to a 16 percent decrease in personal injury/product liability cases related to asbestos and breast implants.

Civil case terminations decreased 6 percent (down 15,460 terminations) to 249,570.

- The bulk of these terminations involved breast implant, marine personal injury, and asbestos cases.



- Large decreases in breast implant case terminations occurred in both the Northern District of Alabama and the Eastern District of Michigan.
- The declines in marine personal injury and asbestos case terminations stemmed chiefly from terminations in the Southern District of New York and the Northern District of Ohio.

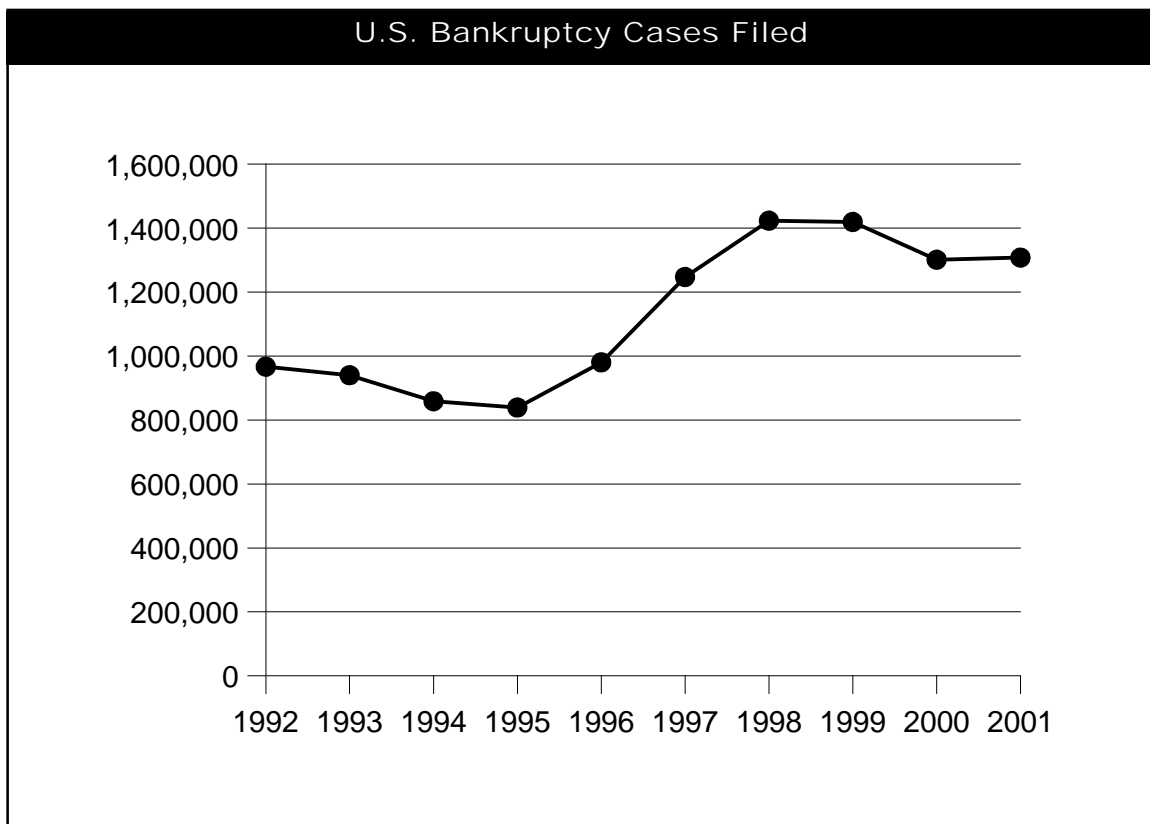
The national civil pending caseload increased 2 percent to 248,375. Detailed data on civil cases appear in the C series of the appendix tables.

U.S. Bankruptcy Courts

Following two years of decline, bankruptcy filings rose 0.5 percent to 1,307,857. From January 1 through March 31, 2001, the number of filings was 17.5 percent higher than the total for the same period in 2000.

- This rise in the first quarter of 2001 may have occurred because many persons filed petitions in advance of the anticipated passage of a new bankruptcy bill that would impose stricter limits on discharging consumer debt.
- The overall growth resulted from a 1 percent increase in personal bankruptcies, which offset a 6 percent decline in business bankruptcies.
- This year, 64 of 94 districts experienced increases, with 16 districts reporting increases in filings greater than 10 percent.
- Terminations of bankruptcy cases fell 4 percent, and cases pending rose 5 percent.

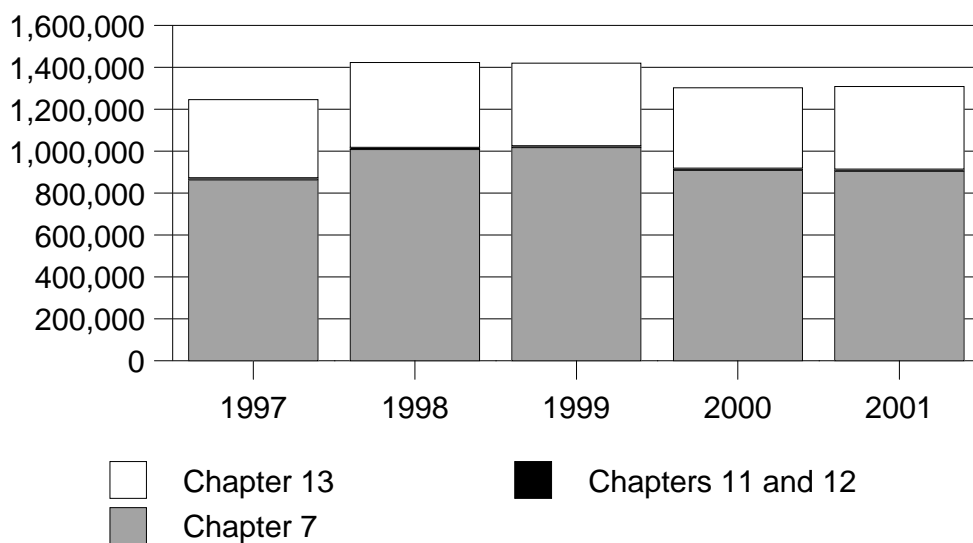
- No new bankruptcy judgeships have been approved since 1992. This, combined with the loss of two temporary judgeships and the subsequent increase in filings, caused filings per authorized judgeship to grow from 3,825 in 1997 to 4,037 in 2001.
- Filings of bankruptcy petitions have fluctuated over the past 10 years. They decreased 13 percent from 1992 to 1995, then surged 70 percent surge from 1995 to 1998. After reaching a peak of 1,423,128 in 1998, filings declined 9 percent by 2000, then rose 0.5 percent in 2001.
- Despite these fluctuations, filings of bankruptcy petitions this year were 5 percent higher than in 1997 and 35 percent greater than in 1992.



Increases occurred in petitions filed under chapter 13, which grew 3 percent (up 11,465 petitions), and under chapter 11, which grew 1 percent (up 68 petitions).

- The rise in chapter 13 filings may have included petitions by individuals who otherwise would have filed under chapter 12.
- Filings fell 0.5 percent under chapter 7 (down 4,405) and 66 percent under chapter 12 (down 491).
- The decrease in chapter 12 filings stemmed mostly from the expiration of the provisions for chapter 12 on July 1, 2000. Subsequently, Public Law 107-8 extended the deadline for filing chapter 12 petitions to June 1, 2001, and Public Law 107-17 extended the deadline further to October 1, 2001.

Bankruptcy Cases Filed, by Chapter



Nonbusiness filings, which accounted for 97 percent of all petitions, grew 1 percent (up 8,769 petitions).

- The rise in nonbusiness filings resulted from a 3 percent increase in nonbusiness chapter 13 petitions (up 11,815 petitions).
- Other nonbusiness filings remained relatively stable, dropping 0.3 percent under chapter 7 (down 3,043 petitions) and falling 0.4 percent under chapter 11 (down 3 petitions).

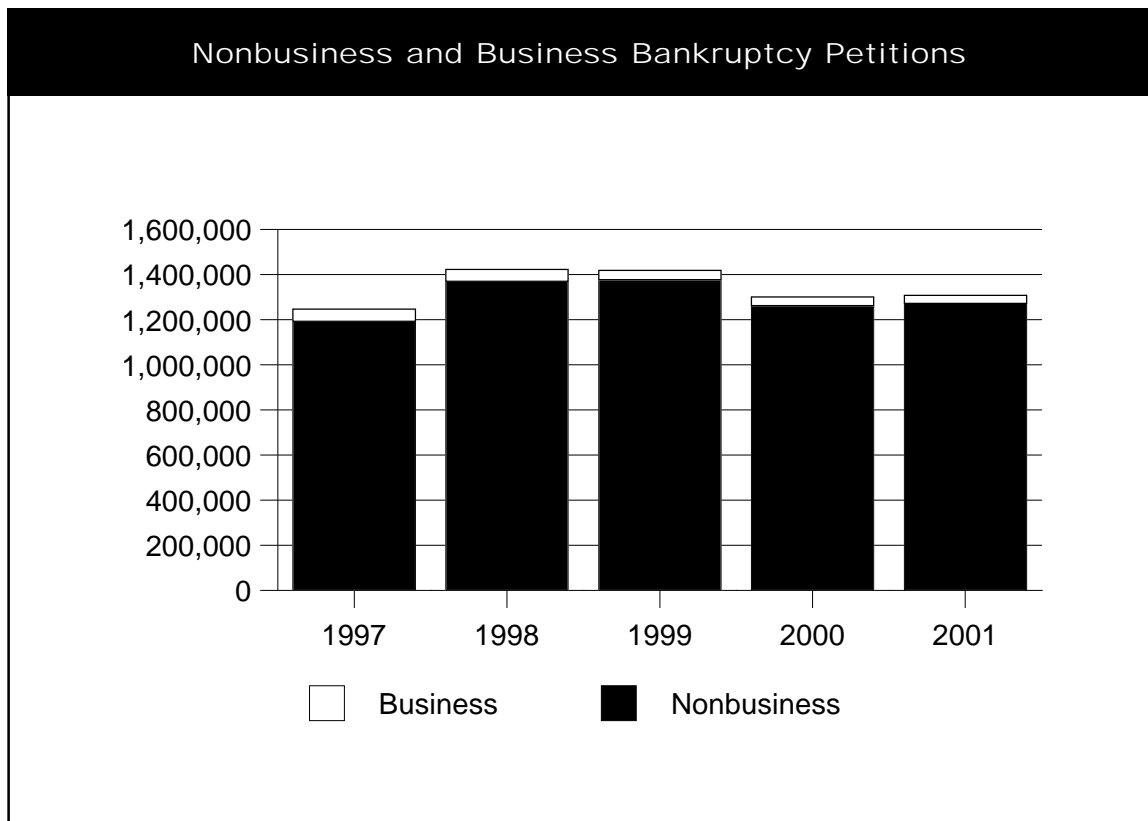
Business bankruptcy filings declined 6 percent.

- This reduction occurred as a result of drops in filings under all chapters except chapter 11.
- Business filings under chapter 11 rose 1 percent.

For the third consecutive year, filings of adversary proceedings declined, falling 3 percent to 61,789—the lowest level since the year ending March 31, 1991.

- Terminations of adversary proceedings dropped 2 percent.
- Pending adversary proceedings fell 10 percent to 69,754 as of March 31, 2001.

Detailed data on the number of filings, terminations, and pending bankruptcy and adversary proceeding cases, by district, appear in Appendix Tables F, F-2 and F-8.



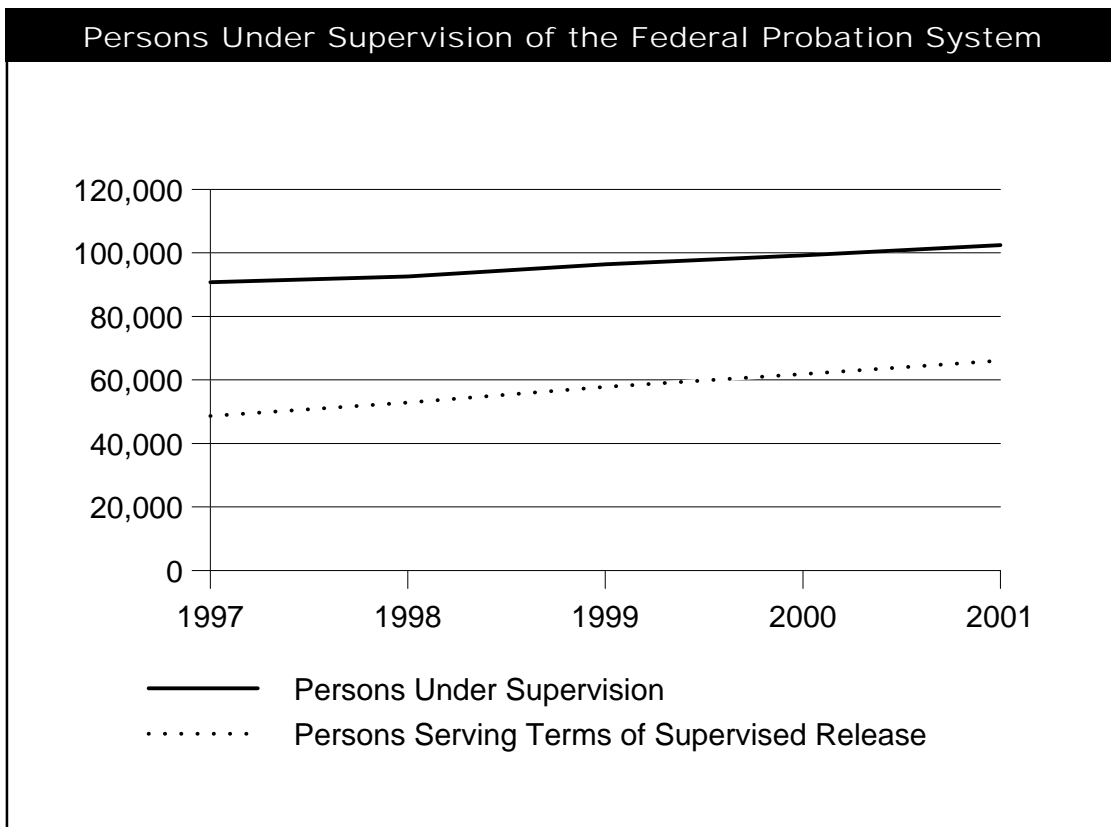
Federal Probation System

As of March 31, 2001, the number of persons under supervision totaled 102,377, a 3 percent increase over the total reported as of March 31, 2000.

- This growth in the number of persons under supervision resulted from the difference between total persons received for supervision, 49,322, and total persons removed from supervision, 45,997.
- The number of persons received for supervision increased 3 percent, and the number of persons removed from supervision rose 2 percent.
- The number of persons under supervision in 2001 was 13 percent higher than in 1997, and 20 percent higher than in 1992.
- The rise in the number of persons under supervision stemmed from the growth in persons convicted and sentenced, although the effect of this increase over the last 10 years was tempered by the rise in the number of legal and illegal aliens who were convicted and sentenced, then subsequently deported rather than placed on active supervision.

Persons serving terms of supervised release after completing prison terms totaled 66,009, up 7 percent from 61,889 on March 31, 2000.

- Overall, persons serving terms of supervised release continued to account for an increasing proportion of persons under supervision, constituting 64 percent of all persons under supervision in 2001, a rise of 2 percentage points over last year.



- The number of persons serving terms of supervised release, which was 36 percent higher than in 1997, has more than quadrupled since 1992. This reflects the substantial impact on the probation population of provisions of the Sentencing Reform Act of 1984, which abolished parole, established sentencing guidelines, and provided that released prisoners usually serve a term of supervised release.
- As defendants sentenced under the guidelines have constituted more of the prison population, the number of persons leaving prison on terms of supervised release has continued to grow.

The number of persons under probation imposed by district judges declined 2 percent, the number on probation imposed by magistrate judges decreased 3 percent, the number on parole fell 7 percent, and the number on mandatory release dropped 13 percent.

In addition to their supervision duties, probation officers spend considerable time writing various reports. The most significant and labor-intensive report that probation officers prepare is the presentence report, a comprehensive document presented to a judge who will be sentencing a convicted defendant. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines; the lengths of these reports vary, but they commonly run from 20 to 30 pages.

- In 2001, probation officers completed 63,215 presentence reports, a 2 percent increase over the total written last year.

Detailed probation data appear in the E series of the appendix tables.

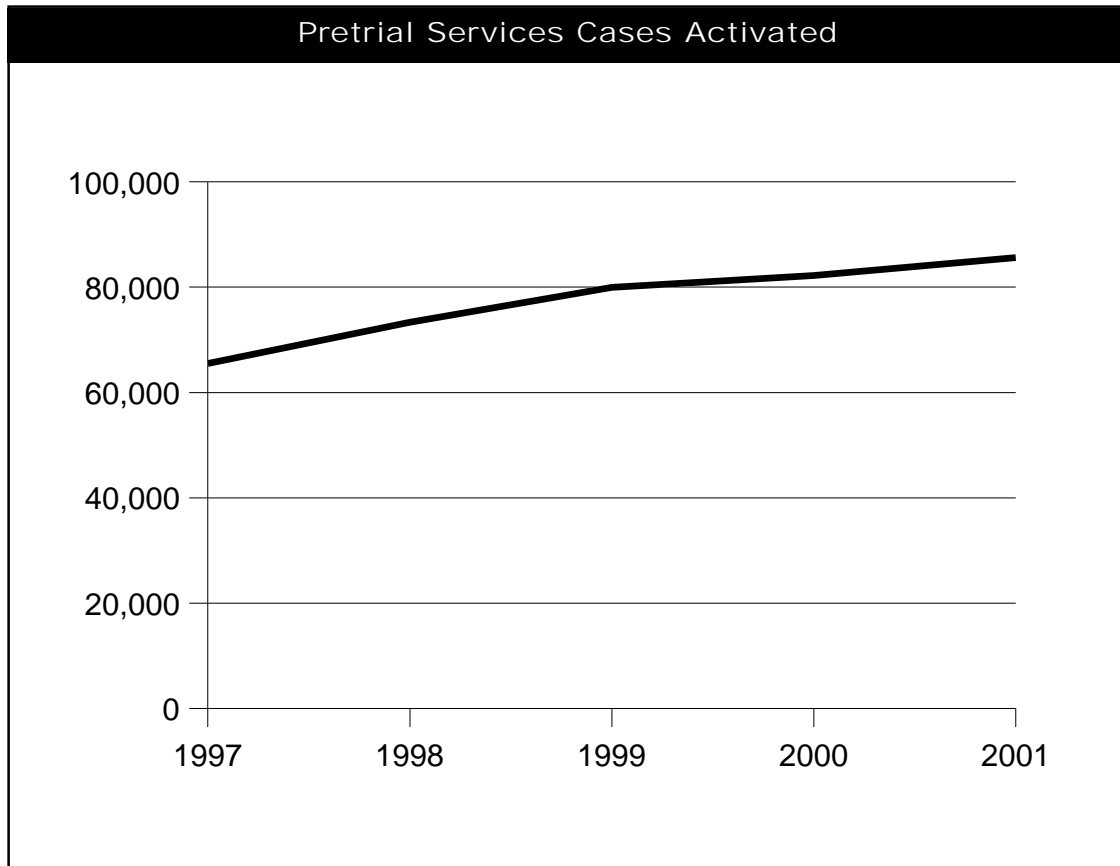
Pretrial Services

A total of 85,625 pretrial services cases were activated in the year ending March 31, 2001, a 4 percent increase over last year.

- This growth was consistent with the 3 percent growth in criminal defendants in the district courts.
- During the same period, cases terminated rose 4 percent to 79,031. In addition, 1,839 pretrial diversion cases were activated.
- The number of pretrial services cases activated in 2001 was 31 percent greater than the number of cases activated in 1997, and was 51 percent greater than the number of cases activated in 1992, as increasing numbers of criminal defendants were placed under the responsibility of the pretrial services system.

Due to the increase in cases activated, pretrial services officers interviewed 2 percent more defendants (up 1,249) and prepared 4 percent more pretrial services reports (up 3,419) than last year.

- Pretrial services reports provide information that the courts use to determine whether to release or detain defendants and to establish appropriate conditions for released defendants. The number of pretrial services reports prepared in 2001 was 31 percent greater than in 1997, and 50 percent greater than in 1992.



The number of defendants released this year increased 4 percent to 38,074.

- Of those released, 32,563 defendants (86 percent) were placed under the supervision of pretrial services officers, a rise of 5 percent (up 1,453) over the number of defendants received for supervision last year. For persons under supervision, the pretrial services officers monitored compliance with the release conditions set by the courts, provided necessary support services, and informed the courts and U.S. attorneys of all apparent violations of release conditions.

More detailed pretrial statistics appear in the H series of the appendix tables.

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March 31, 2002

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U.S. Courts of Appeals

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- [Table B-5](#) Appeals Terminated on the Merits, by Circuit
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- [Table B-8](#) U.S. Court of Appeals for the Federal Circuit-Appeals Filed, Terminated, and Pending

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Federal Judicial Caseload Statistics

March 31, 2002

Office of Human Resources and Statistics
Statistics Division
Administrative Office of the United States Courts
Thurgood Marshall Federal Judiciary Building
Washington, D.C. 20544
Telephone: (202) 502-1441
E-Mail: SD_Information@ao.uscourts.gov

Judicial Caseload Indicators
12-Month Periods Ending March 31, 1993, 1998, 2001, and 2002

Judicial Workload	1993	1998	2001	2002	% Change Since 1993	% Change Since 1998	% Change Since 2001
U.S. Courts of Appeals¹							
Cases Filed	48,474	53,230	56,067	56,534	16.6	6.2	0.8
Cases Terminated	47,131	51,371	56,210	57,607	22.2	12.1	2.5
Cases Pending	36,552	40,766	40,609 ²	39,536	8.2	-3.0	-2.6
U.S. District Courts							
Civil							
Cases Filed	228,162	280,293	254,523	265,091	16.2	-5.4	4.2
Cases Terminated	228,468	251,873	249,570	248,886	8.9	-1.2	-0.3
Cases Pending	213,490	273,780	249,116 ²	265,321	24.3	-3.1	6.5
Criminal (Includes Transfers)							
Cases Filed	47,850	53,811	63,473	63,515	32.7	18.0	0.1
Defendants Filed	67,867	74,491	84,658	84,389	24.3	13.3	-0.3
Cases Terminated	43,698	48,717	58,790	58,844	34.7	20.8	0.1
Cases Pending	36,145	37,710	48,042 ²	52,713	45.8	39.8	9.7
U.S. Bankruptcy Courts							
Cases Filed	939,935	1,423,128	1,307,857	1,504,806	60.1	5.7	15.1
Cases Terminated	962,333	1,338,503	1,235,955	1,395,967	45.1	4.3	12.9
Cases Pending	1,191,947	1,346,072	1,450,325 ²	1,559,164	30.8	15.8	7.5
Federal Probation System							
Persons Under Supervision	85,697	92,550	102,377	106,760	24.6	15.4	4.3
Pretrial Services							
Total Cases Activated	61,644	76,020	87,464	87,249	41.5	14.8	-0.2
Pretrial Services Cases Activated	59,068	73,340	85,625	85,324	44.5	16.3	-0.4
Pretrial Diversion Cases Activated	2,576	2,680	1,839	1,925	-25.3	-28.2	4.7
Total Released on Supervision	29,671	30,840	34,582	34,565	16.5	12.1	-0.0
Pretrial Supervision	27,258	28,408	32,563	32,459	19.1	14.3	-0.3
Diversion Supervision	2,413	2,432	2,019	2,106	-12.7	-13.4	4.3

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

²Revised.

Judicial Business

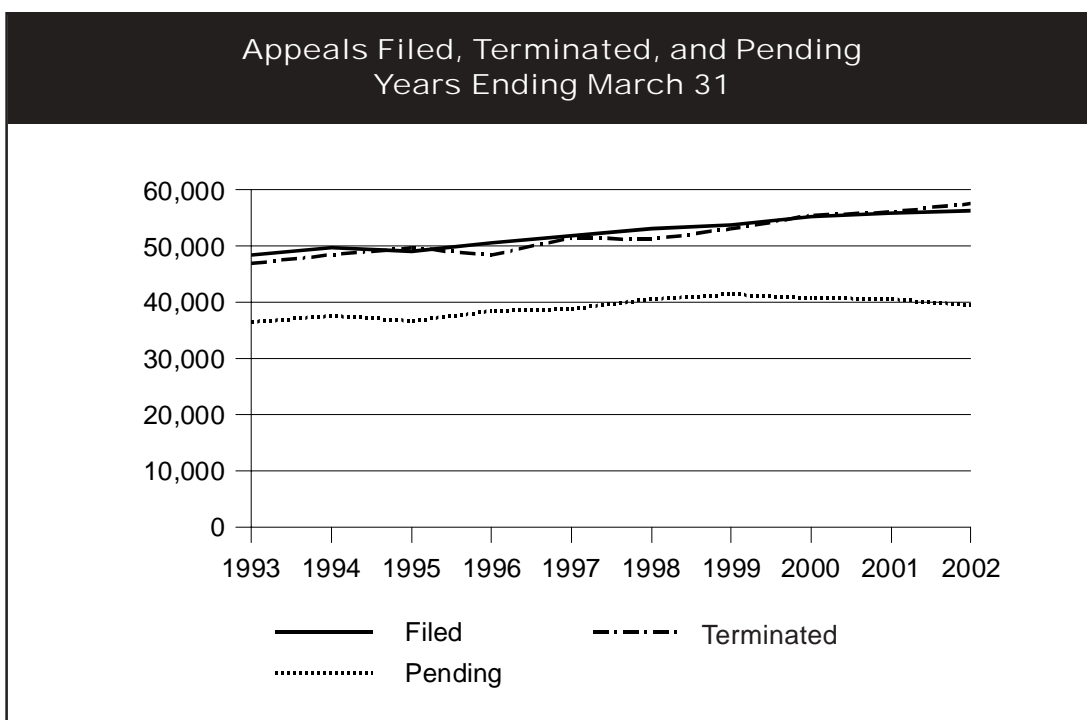
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2002. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and on the work of the probation and pretrial services system.

Bankruptcy filings exceeded 1.5 million to reach a new annual record, climbing 15 percent above the previous year's total and 60 percent above the number received 10 years earlier. Civil filings in the U.S. district courts also grew, increasing 4 percent. Filings in the U.S. courts of appeals rose 1 percent. Criminal filings in the U.S. district courts remained essentially stable, as did the workload of the probation and pretrial services system.

U.S. Courts of Appeals

Rising for the seventh consecutive year, filings in the 12 regional courts of appeals grew 1 percent in 2002 to 56,534.

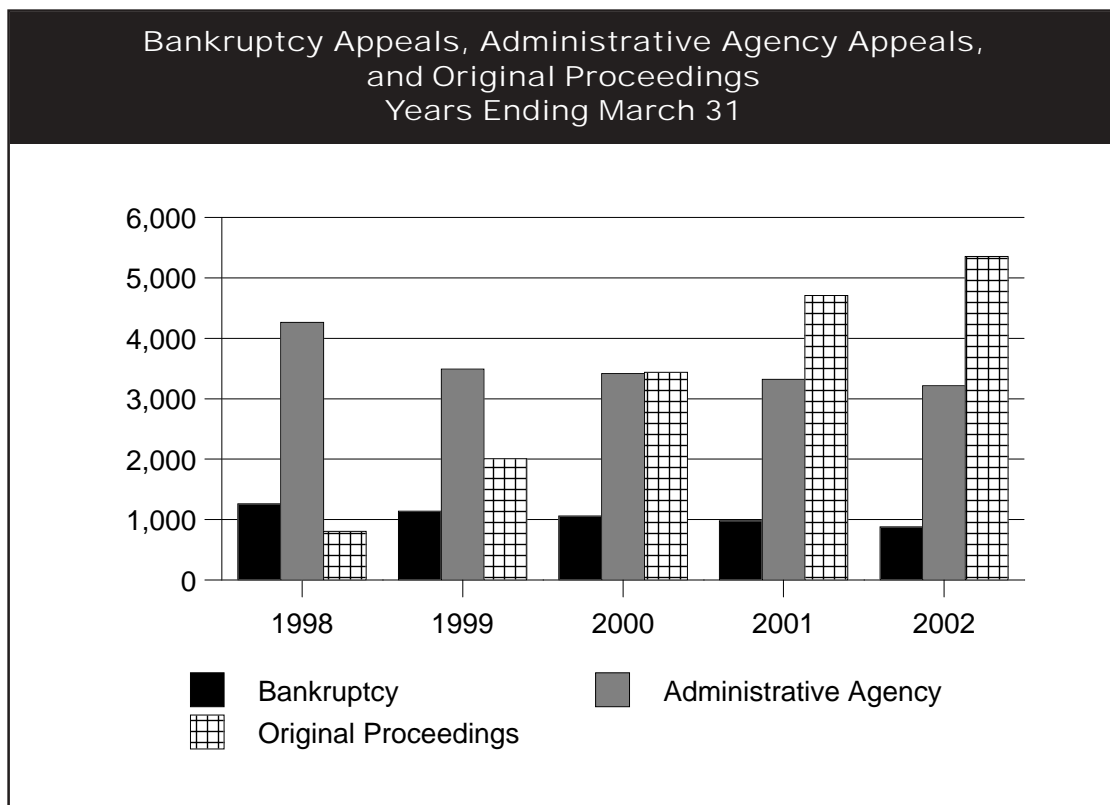
- The overall increase in filings resulted from growth in original proceedings (up 14 percent) and criminal appeals (up 2 percent).
- Terminations of appeals rose 3 percent, causing appeals terminated per three-judge panel to increase from 1,010 to 1,035. Since 1998, the number of appeals terminated has climbed 12 percent.
- The number of appeals terminated outpaced the number of filings, thereby causing pending appeals to decline 3 percent to 39,536.

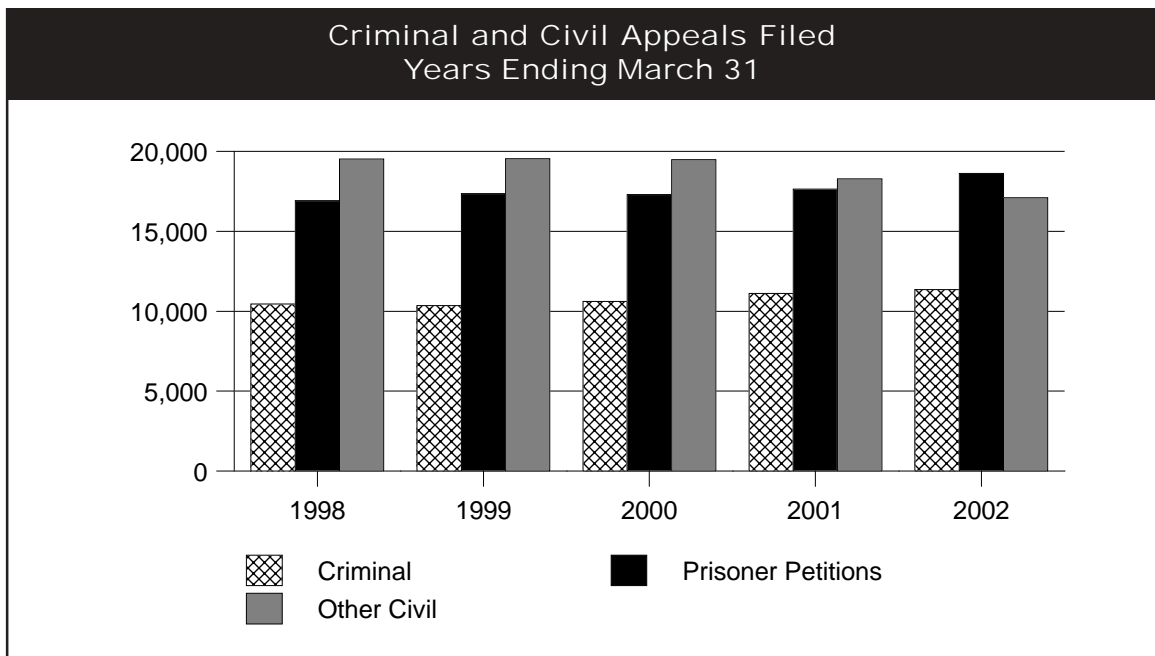


- Increases in annual filings over the last seven years have been modest, but have led to an overall rise of 12 percent since 1996. Since 1998, appeals filings have grown 6 percent.
- Authorized judgeships in the courts of appeals were last increased in 1990. However, since 1993, appeals filings per panel have risen 17 percent, appeals terminated per panel have risen 22 percent, and appeals pending per panel have risen 8 percent.

Original proceedings filings climbed 14 percent (up 646 appeals) to 5,353, marking the seventh consecutive year of increases.

- The Prison Litigation Reform Act enacted in April 1996 required prisoners filing mandamus petitions in civil actions to pay filing fees either in full at the time of filing or in installments (previously, prisoners could have their filing fees waived if they filed *in forma pauperis*). Due to the significant court work required to process mandamus petitions for which fees are not paid in full at filing, the Judicial Conference directed that these types of cases be reported as original proceedings beginning in October 1998. As a result of this directive, filings of original proceedings have soared 567 percent since 1998. During this period, the total number of mandamus petitions reported on both the general docket and miscellaneous record has declined 2 percent (down 35 cases), and the number for which fees were not paid in full at filing has fallen 22 percent (down 197 cases), but the number of mandamus petitions for which fees were paid in full at filing has increased 28 percent. (Data for cases reported on the general docket appear in the appellate tables in this publication, but data for cases on the miscellaneous record do not.)
- A 22 percent jump in petitions by prisoners requesting authority to file second or successive habeas corpus petitions was the primary cause of the increase in original proceedings.





- Motions requesting second or successive habeas corpus petitions by prisoners accounted for an increasing percentage of all original proceedings filed, constituting 42 percent of all original proceedings in 1999, 67 percent in 2001, and 72 percent in 2002.

Criminal appeals rose 2 percent, largely because firearms appeals climbed 12 percent (up 142 appeals), and appeals related to national defense laws grew 286 percent (up 120 appeals).

- The greatest increases in firearms appeals were reported by the Third, Fourth, Fifth, and Eleventh Circuits. This growth stemmed from initiatives in cities with the highest violent crime rates to prosecute felons possessing firearms illegally under federal laws, which often carry more severe penalties than state laws.
- The increase in national defense law filings was linked to a one-time influx of such filings in the First Circuit. These defense law appeals arose from arrests of individuals protesting the U.S. Navy's bombing practices on the Puerto Rican island of Vieques.
- Since 1998, criminal appeals filings have increased 9 percent.
- Although immigration appeals declined 8 percent from 2001 to 2002, they soared 200 percent overall in the last five years. This year's decline is consistent with a drop in immigration cases in the U.S. district courts, which may be linked to increased security at the nation's borders.

Filings of civil appeals declined 1 percent.

- Although prisoner petition filings increased 6 percent, this did not entirely offset a 7 percent decrease in civil rights appeals and reductions in other types of civil appeals.
- Since 1998, prisoner petition filings have grown 10 percent, but other civil appeals filings have dropped 12 percent.

Prisoner petitions rose 6 percent, primarily due to a 30 percent jump (up 849 appeals) in motions to vacate sentence and a 4 percent rise (up 129 appeals) in prisoner civil rights petitions.

- One year after the Supreme Court issued its ruling in *Apprendi v. New Jersey*, 530 U.S. 466 (2000), motions to vacate sentence grew 30 percent. Petitioners faced a one-year limitation period under 28 U.S.C. §§ 2254 and 2255 for filing post-conviction motions based on the *Apprendi* decision.
- Following five years of decline, prisoner civil rights appeals filings rose 4 percent (up 129 appeals). Civil rights prisoner petitions have dropped 36 percent since 1998, mainly in response to the Prison Litigation Reform Act, which was intended to reduce the filing of frivolous petitions.
- Prison condition petitions decreased 2 percent (down 37 appeals) in 2002, after increasing for four years. Prison condition petitions, which previously had been included in the civil rights prisoner petitions category, began to be reported separately in 1997. Since 1998, prison condition petitions have grown 40 percent, and civil rights prisoner petitions have declined.
- Overall, prisoner petition appeals filings have grown 10 percent since 1998.

Appeals of administrative agency decisions dropped 3 percent to 3,212—falling for the fourth consecutive year.

- This year's decrease resulted from relatively small reductions in several categories, most notably appeals of decisions by the Environmental Protection Agency (down 48 cases), the Internal Revenue Service (down 43 cases), and the Federal Communications Commission (down 38 cases).
- The largest increases occurred in appeals of decisions by the Federal Energy Regulatory Commission (up 119 cases) and the National Labor Relations Board (up 47 cases).
- Since 1998, appeals of administrative agency decisions have dropped 25 percent (down 1,052 appeals).

Filings of bankruptcy appeals decreased 11 percent (down 104 appeals).

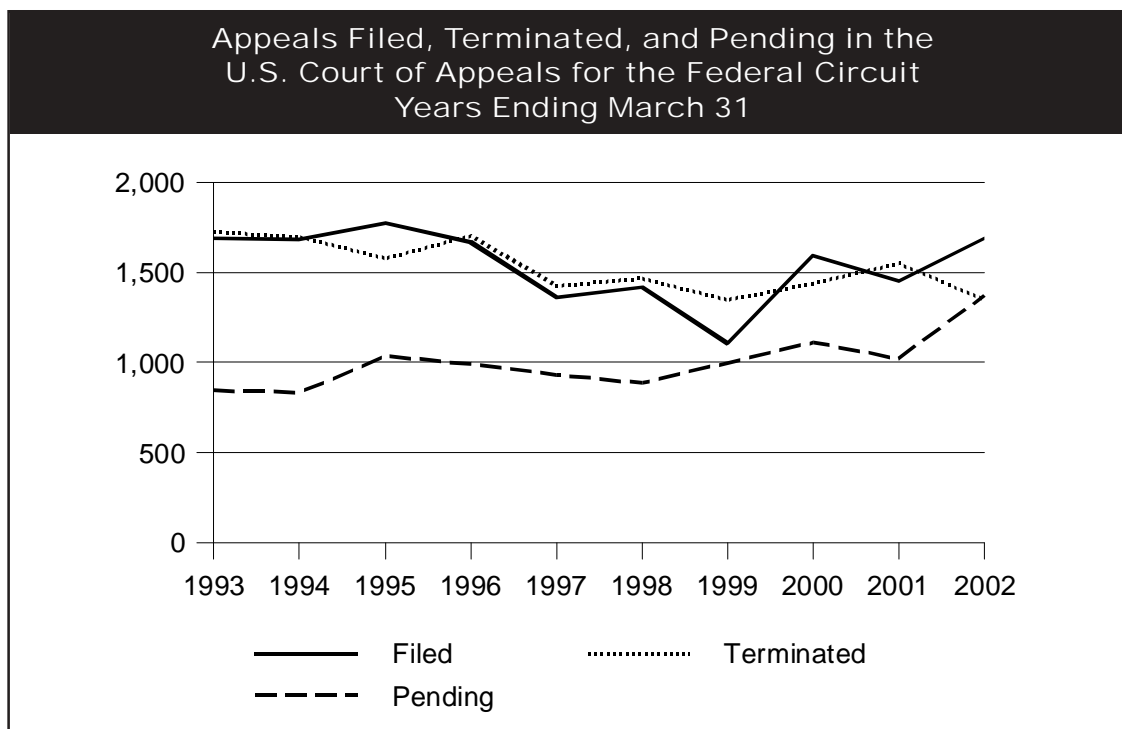
- Bankruptcy appeals filings declined for the fourth consecutive year and have dropped 30 percent (down 385 appeals) since 1998.

Detailed data for the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

In 2002, filings in the U.S. Court of Appeals for the Federal Circuit grew 17 percent to 1,695, following a 9 percent decline in 2001.

- This year's rise stemmed mainly from increases in appeals of decisions by the U.S. Court of Appeals for Veterans Claims (CAVC) (up 206 appeals) and the U.S. Court of International Trade (CIT) (up 84 appeals).
- The increase in CAVC appeals consisted of cases involving applications for attorneys' fees under the Equal Access to Justice Act (EAJA). These cases addressed the issue of whether remand orders conferred prevailing party status entitling applicants to EAJA fee awards.
- The growth in CIT appeals occurred because of filings claiming that interest should be paid on refunds of payments of the Harbor Maintenance Tax. The Supreme Court declared this tax unconstitutional in 1998.



- Federal Circuit filings peaked in 1995, then declined between 1995 and 1999. Since 1999, filings have grown and returned to the same level as in 1993.

Because terminations of appeals fell 13 percent in 2002 to 1,349, the number of cases terminated per three-judge panel dropped from 388 to 337.

- Appeals terminations have fluctuated from year to year since 1993, with an overall decline of 22 percent between 1993 and 2002. Terminations reached an all-time high of 1,726 in 1993.

The number of appeals pending on March 31, 2002, climbed 34 percent to 1,370. This increase in pending appeals occurred primarily because approximately 300 CAVC cases were stayed pending decisions in other cases.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

A total of 328,606 cases were filed in the U.S. district courts in 2002 (this number does not include petty offense cases assigned to magistrate judges).

- This total was 3 percent higher than that for 2001, but 2 percent below that for 1998.
- Civil cases constituted 81 percent of filings in the U.S. district courts (265,091 cases), and criminal cases accounted for the other 19 percent (63,515 cases).
- Filings per authorized judgeship rose from 478 in 2001 to 494 in 2002.
- Case terminations remained relatively stable, falling less than 1 percent to 307,730.
- The pending caseload grew 7 percent to 318,034 as filings exceeded terminations.

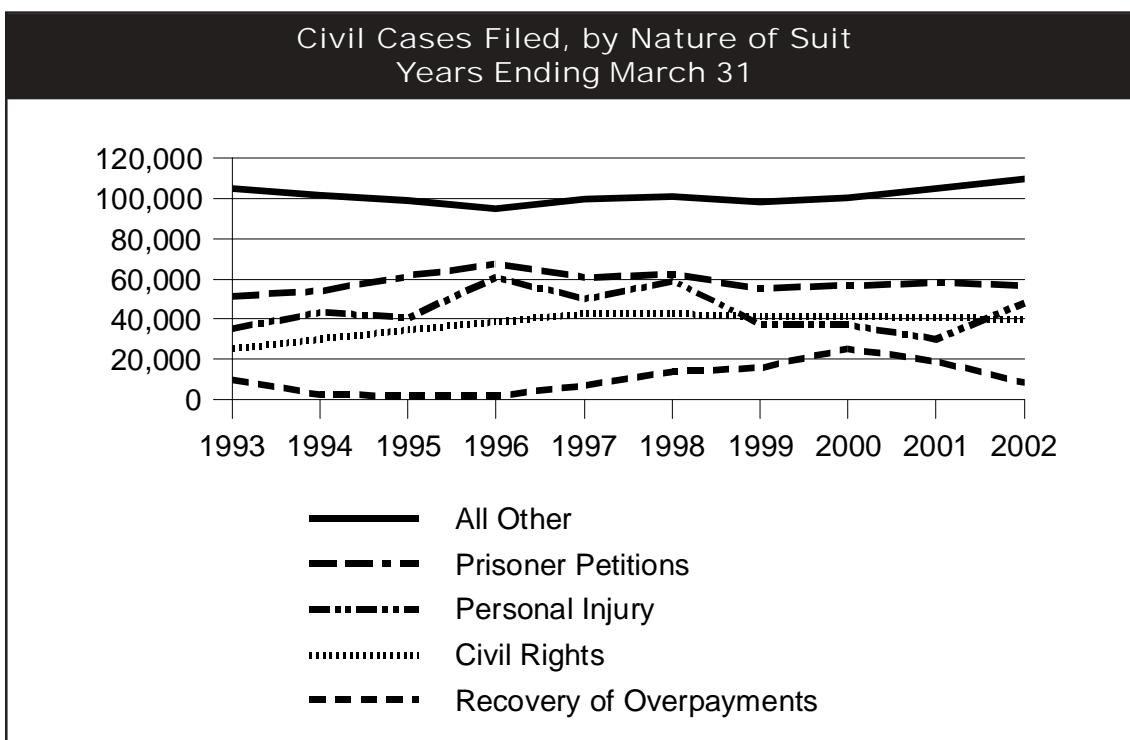
Civil Filings

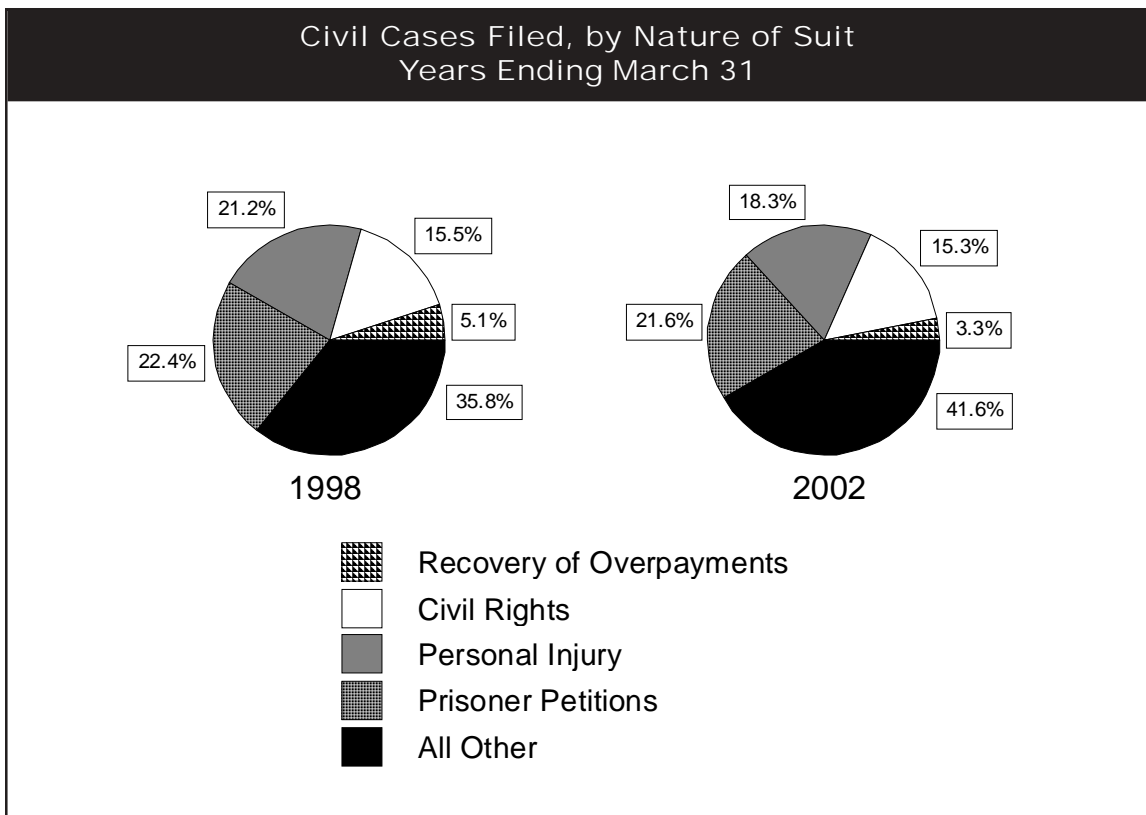
Civil filings in the U.S. district courts increased 4 percent to 265,091.

- This overall growth arose from a 12 percent rise in private cases, which, in turn, stemmed from a 13 percent climb in federal question jurisdiction cases (i.e., actions under the Constitution, laws, or treaties of the United States).
- Civil filings per authorized judgeship grew from 383 in 2001 to 399 in 2002 as the number of civil filings rose by 10,568 compared to last year.
- Despite this year's increase in civil filings, civil cases decreased over the past five years as the civil caseload declined gradually after the filing of a large number of personal injury/product liability breast implant cases in 1998.
- From 1993 to 2002, civil filings climbed by nearly 37,000 cases (up 16 percent), in part because of increases in personal injury/product liability filings involving asbestos during the past year. However, for most of the 10-year period, the national civil docket was dominated by large influxes of personal injury/product liability cases involving breast implants and asbestos, recovery of defaulted student loan cases, and prisoner petitions.

In 2002, private cases addressing personal injury/product liability soared nearly 150 percent as asbestos cases skyrocketed in the Eastern District of Virginia, the Northern District of Ohio, and the Southern District of New York.

- These three courts accounted for nearly 15,000 of the 22,056 private asbestos cases filed this year. The Eastern District of Virginia reported more than 5,000 filings of federal question and diversity of citizenship asbestos cases; the Northern District of Ohio saw such filings rise by nearly 4,900; and such filings in the Southern District of New York rose by nearly 1,600.





- Since the late 1980s, asbestos cases generally have been filed in large blocks. This year, the Eastern District of Virginia received many new state asbestos removal cases related to shipyard activity in the vicinity of Norfolk, Virginia. Both the Northern District of Ohio and Southern District of New York reported many asbestos cases involving a variety of industries.

Total filings with the United States as plaintiff or defendant decreased substantially, falling 16 percent to 57,646.

- Cases with the United States as plaintiff declined 38 percent in 2002 to 17,884 as recovery of defaulted student loan filings fell 57 percent (down nearly 11,000 cases), with 86 districts reporting reductions. In 2001, the Department of Education implemented new administrative measures that caused fewer student loan cases to be filed in federal courts.
- Cases with the United States as defendant remained relatively stable with a reduction of less than 1 percent (down 113 cases). An 8 percent increase in federal prisoner petitions (consisting mostly of motions seeking to vacate sentence and obtain habeas corpus relief) was offset by a 5 percent decrease in Social Security cases (which mostly addressed disability insurance and supplemental security income).

Diversity of citizenship filings rose 7 percent as cases related to personal injury/product liability jumped 21 percent.

Civil case terminations dropped by 684 cases to 248,886, a reduction of less than 1 percent. The number of pending civil cases grew 7 percent (up 16,205 cases) to 265,321.

- Sixty-two percent of pending civil cases were reported by the Northern District of Ohio and the Eastern District of Virginia, whose pending caseloads both more than doubled and consisted mainly of asbestos cases. These cases eventually will be transferred to the Eastern

District of Pennsylvania for final disposition under Multidistrict Litigation Docket Number 875. Excluding pending asbestos cases, the national pending civil caseload increased 1 percent this year.

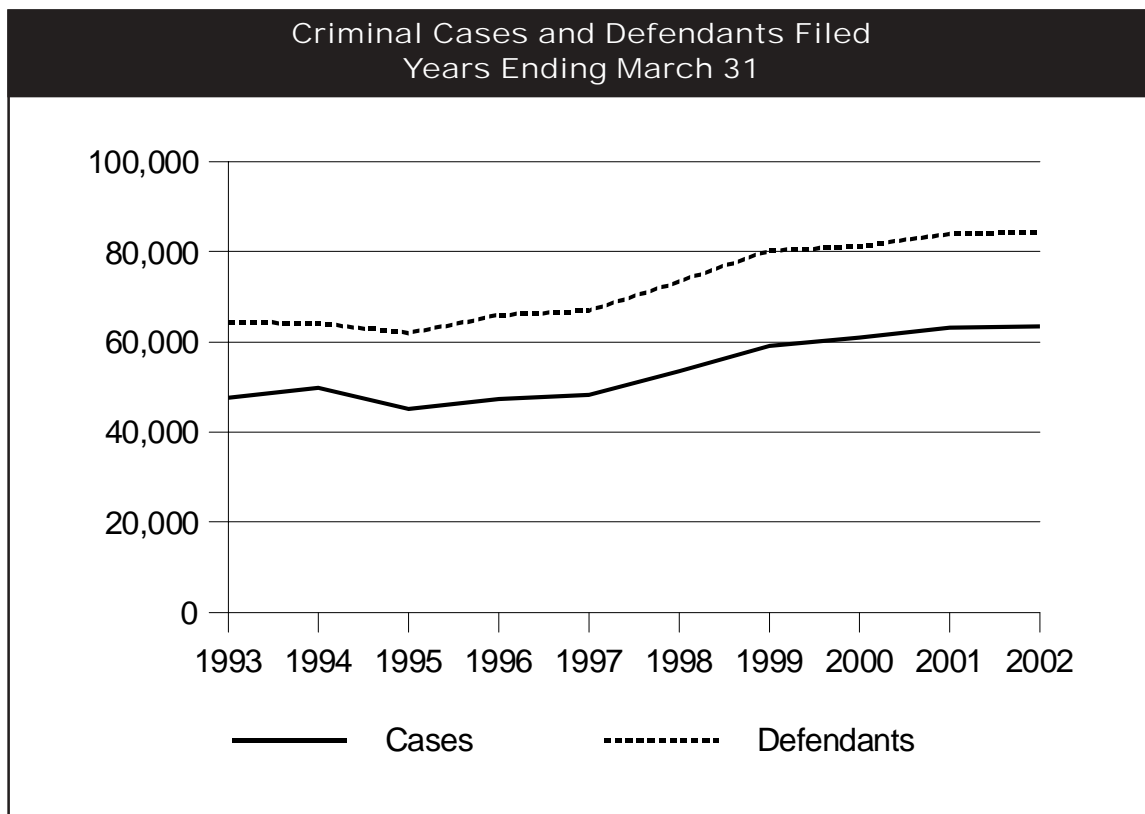
Detailed data on civil cases appear in the C series of the appendix tables.

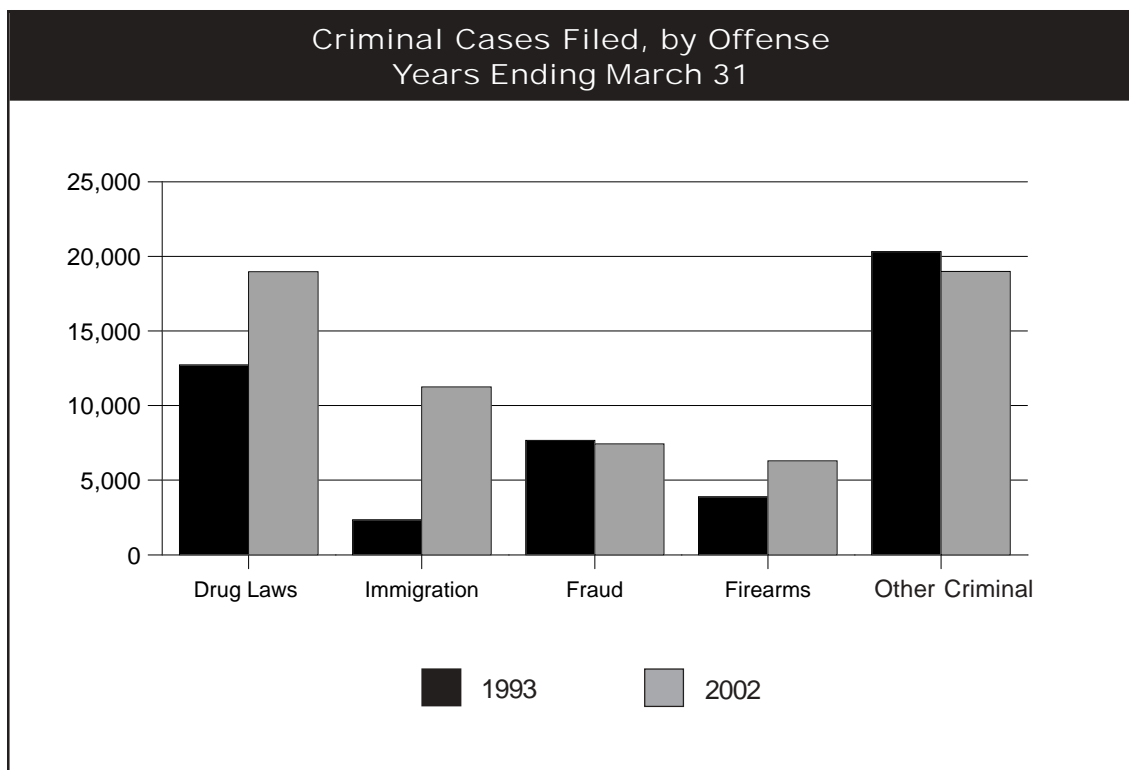
Criminal Filings

Criminal case filings (including transfers) stayed relatively stable, rising by 42 cases to 63,515. The number of defendants decreased less than 1 percent to 84,389. However, felony cases—which generally require more time to adjudicate than do misdemeanor cases—grew 2 percent to 52,196, and felony defendants grew 1 percent to 72,823.

- Case filings per authorized judgeship remained essentially stable.
- The district courts received 33 percent more criminal cases and 24 percent more defendants than in 1993, and received 18 percent more cases and 13 percent more defendants than in 1998.
- Criminal case filings have increased for seven consecutive years, initially because of growth in immigration and drug filings, then more recently because of rising drug and firearms filings.

Much speculation has occurred about the impacts of the terrorist attacks of September 11, 2001, on the workload of the federal courts. However, the number of national and local variables that may affect this workload at any given time makes it difficult to conclude definitively that any changes can be traced directly to events associated with September 11.





This year, firearms cases underwent the largest numeric increase in filings, followed by drug cases.

- Firearms case filings climbed 10 percent to 6,303, and firearms defendants increased 9 percent to 7,205.
- The rise in firearms filings occurred because of growth in cases involving unlawful firearms possession in districts across the country as federal prosecutors set up prosecution partnerships among federal, state, and local law enforcement agencies pursuant to the President's Project Safe Neighborhoods.
- Since 1993, firearms case filings have soared 62 percent, and firearms defendants have grown 58 percent. Filings of such cases and defendants have surged 83 percent and 68 percent, respectively, since 1998.

Drug case filings rose 3 percent to 18,971, and drug defendants increased 2 percent to 32,148.

- Drug filings grew in response to the President's 2002 National Drug Control Strategy, which, in part, focuses anti-drug efforts on breaking the link between terrorism and drug trafficking organizations and supports the Drug Enforcement Administration's (DEA) ongoing anti-drug efforts across the United States, particularly along the southwestern border.
- Since 1993, drug cases have increased 49 percent, and drug defendants have risen 30 percent. Filings of such cases and defendants have grown 27 percent and 17 percent, respectively, since 1998.

Notable increases also occurred in filings of cases involving forgery and counterfeiting and sex offenses.

- Forgery and counterfeiting filings rose 8 percent to 1,235, primarily due to an increase in the number of securities-related cases.

- Sex offense cases jumped 21 percent to 1,146 as filings focusing on violations of laws dealing with sexually explicit materials increased.

Immigration case filings fell 5 percent to 11,247, decreasing for the first time since 1992.

- This reduction may have resulted from a perception by potential illegal immigrants that federal surveillance activities along the U.S. borders had increased as part of the anti-terrorism efforts.
- Growth in filings in the Southern District of Texas and in the District of New Mexico was offset by declines in the Southern District of California, the Western District of Texas, and the District of Arizona.
- Since 1993, immigration case filings have soared 379 percent, and defendants in such cases have risen 336 percent. Since 1998, filings of these cases have surged 46 percent, and immigration defendants have increased 42 percent.

Declines also occurred in fraud and national defense filings.

- Overall fraud cases fell 3 percent, primarily as a result of drops in filings of bank and income tax fraud cases.
- Filings of national defense cases dropped 32 percent due to a decrease in petty offense trespassing cases. The previous year, such filings had risen due to arrests of protesters at the military facility in Vieques, Puerto Rico.

The number of criminal defendants terminated in 2002 went up by 122 to 77,988. Because filings exceeded terminations, the number of pending defendants rose 9 percent to 75,003.

The D series of the appendix tables contains more detailed data on the criminal caseload by district.

U.S. Bankruptcy Courts

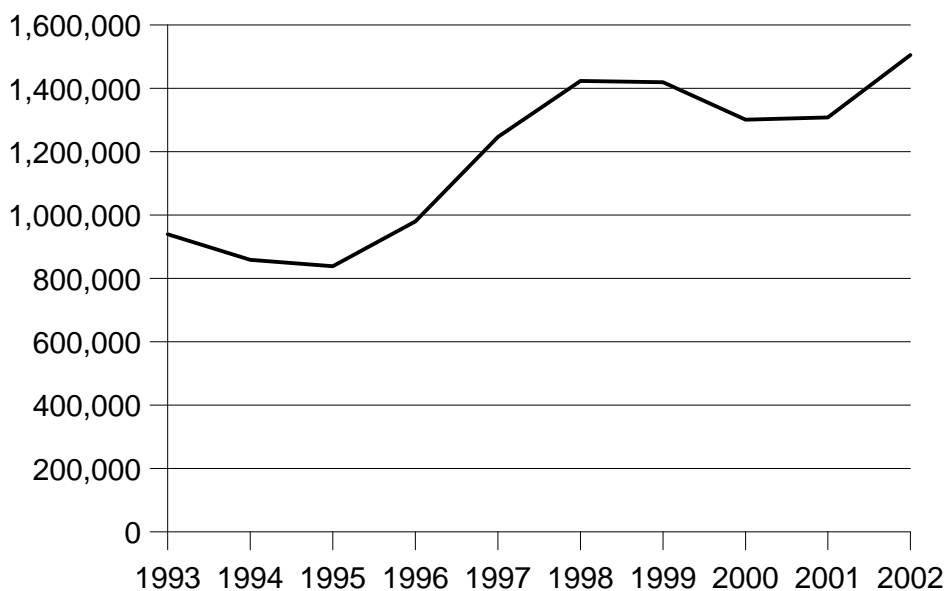
Continuing the growth that began the previous year, bankruptcy filings climbed 15 percent in 2002 to an all-time high of 1,504,806.

- Increases occurred under all major chapters of the bankruptcy code and in both business and personal bankruptcies.
- All but two districts received more filings, and 23 districts reported growth of 20 percent or more.
- Terminations of bankruptcy cases increased 13 percent. Because filings outnumbered terminations, the number of pending cases rose 8 percent.
- Filings have soared 60 percent since 1993. However, the last increase in authorized bankruptcy judgeships occurred in 1992, and two temporary judgeships have lapsed since then. As a result, filings per authorized judgeship grew from 2,883 in 1993 to 4,644 in 2002.
- Bankruptcy petition filings in 2002 were 6 percent higher than in 1998.

Several reasons appear to explain this year's jump in filings.

- Many persons likely filed petitions before Congress could pass a pending bankruptcy bill that would impose stricter limits on consumer debt dischargeability (at the time this publication went to press, no such comprehensive bankruptcy bill had been enacted).

Bankruptcy Cases Filed
Years Ending March 31



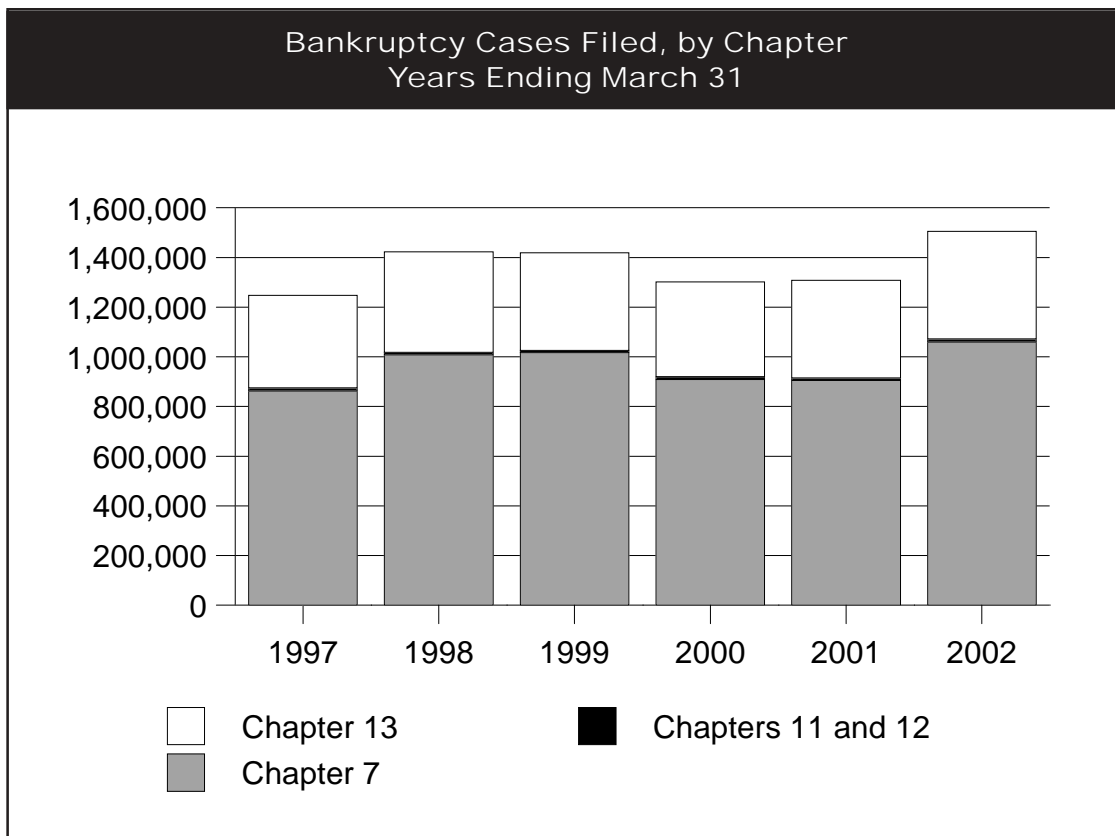
- Consumer debt levels remained high. The high level of consumer debt relative to personal income probably has been responsible for the consistently large number of bankruptcy petitions filed over the last decade.
- The national economy underwent a slowdown.

Filings of bankruptcy petitions grew under all chapters.

- Filings increased 17 percent under chapter 7, increased 13 percent under chapter 11, increased 10 percent under chapter 13, and increased 57 percent (up 141 cases) under chapter 12.
- The rise in chapter 12 filings stemmed mostly from two extensions of the provisions for chapter 12 following its expiration on July 1, 2000. Public Law 107-8 extended the deadline for filing chapter 12 petitions to June 1, 2001, and Public Law 107-17 extended the deadline further to October 1, 2001. (On May 7, 2002, the President signed Public Law 107-170, which retroactively extended the deadline for filing under chapter 12 through June 1, 2002; thereafter, the enactment of Public Law 107-171 allowed applicants to file under chapter 12 through the end of 2002.)

Nonbusiness filings, which accounted for 97 percent of all petitions, climbed 15 percent (up 193,096 petitions).

- The rise in nonbusiness filings resulted from increases under all chapters.
- Nonbusiness filings rose 17 percent under chapter 7, rose 20 percent under chapter 11, and rose 10 percent under chapter 13.



Business bankruptcy filings grew 11 percent (up 3,853 petitions), with increases under all chapters except chapter 13.

- Business filings rose 12 percent (up 2,559 petitions) under chapter 7 and increased 13 percent (up 1,195 petitions) under chapter 11.
- Business filings under chapter 13 remained relatively stable, dropping 1 percent (down 54 petitions).

Following three years of decline, adversary proceedings grew 13 percent to 69,566.

- Terminations of adversary proceedings dropped 9 percent.
- Pending adversary proceedings grew 14 percent to 75,646 as of March 31, 2002.

Detailed data on the number of filings, terminations, and pending bankruptcy and adversary proceeding cases, by district, appear in Appendix Tables F, F-2 and F-8.

Federal Probation System

The number of persons under supervision totaled 106,760 as of March 31, 2002, a 4 percent increase over the total reported as of March 31, 2001.

- During the 12-month period, 52,320 persons were received for supervision by probation officers, a rise of 6 percent.
- The number of persons removed from supervision also rose 6 percent and totaled 48,777.

- The number of persons under supervision has grown steadily in the past 10 years. The total for 2002 was 15 percent higher than that for 1998 and 25 percent higher than that for 1993.

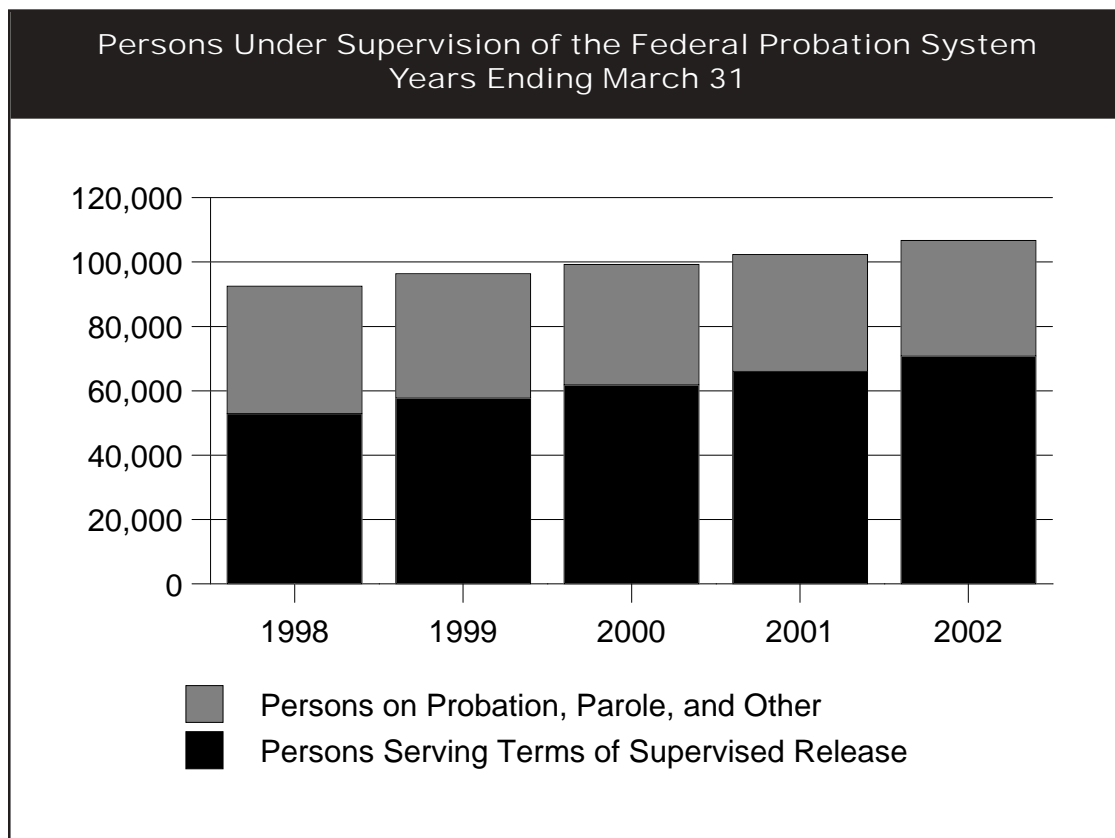
Of all offenders under supervision on March 31, 2002, two-thirds (66 percent) were serving terms of supervised release after imprisonment, approximately 30 percent were under supervision following imposition of a sentence of probation, and 4 percent were on parole.

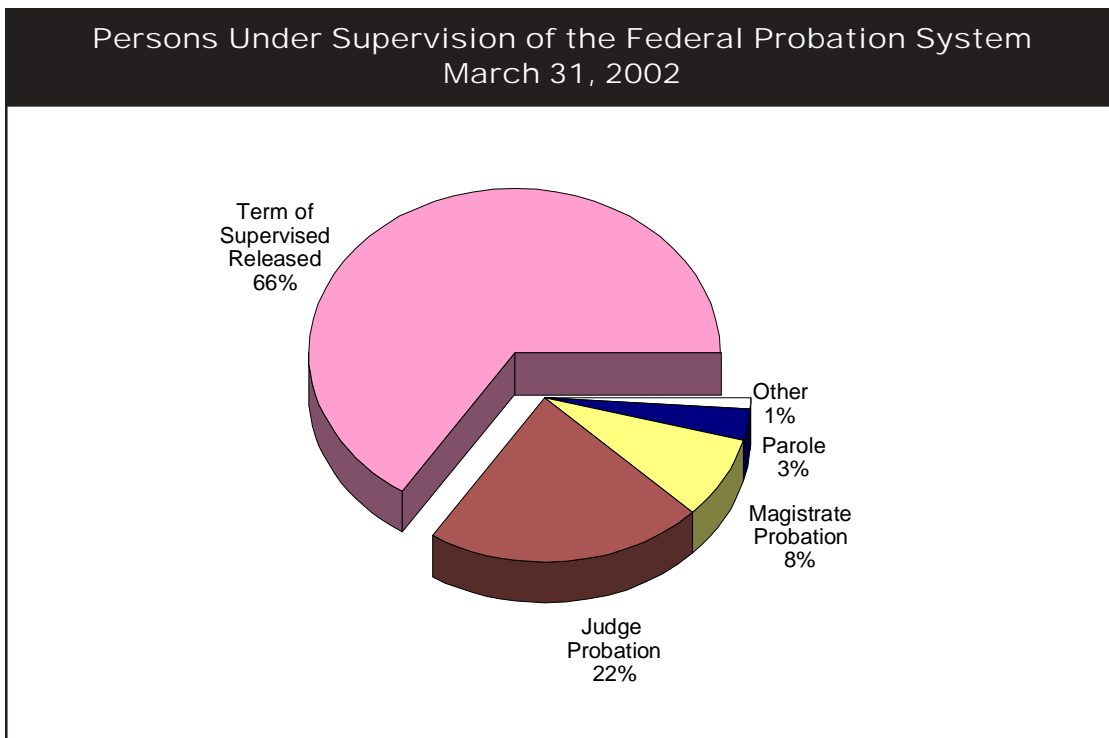
The proportion of persons serving terms of supervised release rose 2 percentage points over last year.

- This increase reflects the continuing impact of provisions of the Sentencing Reform Act of 1984, which abolished parole, established sentencing guidelines, and created terms of supervised release that could be imposed to follow imprisonment.
- The number of persons serving terms of supervised release grew 7 percent to 70,877, up from 66,009 on March 31, 2001.
- The number of persons serving terms of supervised release was 34 percent higher than the number for 1998 and more than three times greater than the total for 1993.

Overall, the total number of persons on probation remained relatively stable, dropping less than two-tenths of 1 percent in 2002.

- Of the persons under supervision following sentences of probation, most were on probation imposed by district judges, and the remainder were on probation imposed by magistrate judges.
- The total number of persons under probation imposed by district judges rose less than 1 percent to 23,299.
- For probation imposed by magistrate judges, the number decreased 2 percent to 8,049.





The number of persons on parole, special parole, and military parole on March 31, 2002, fell 11 percent to 3,541.

- Parole accounted for approximately 3 percent of all persons under supervision in 2002; in contrast, parole accounted for 6 percent of persons under supervision in 1998 and 18 percent of those under supervision in 1993.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, including presentence reports, which are presented to judges who will be sentencing convicted defendants.

- The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. The lengths of these reports vary, but they commonly run from 20 to 30 pages.
- In 2002, probation officers completed 63,063 presentence reports, essentially the same number as were written last year.

Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

The number of pretrial services cases activated during the year ending March 31, 2002, declined less than one-half of 1 percent to 85,324.

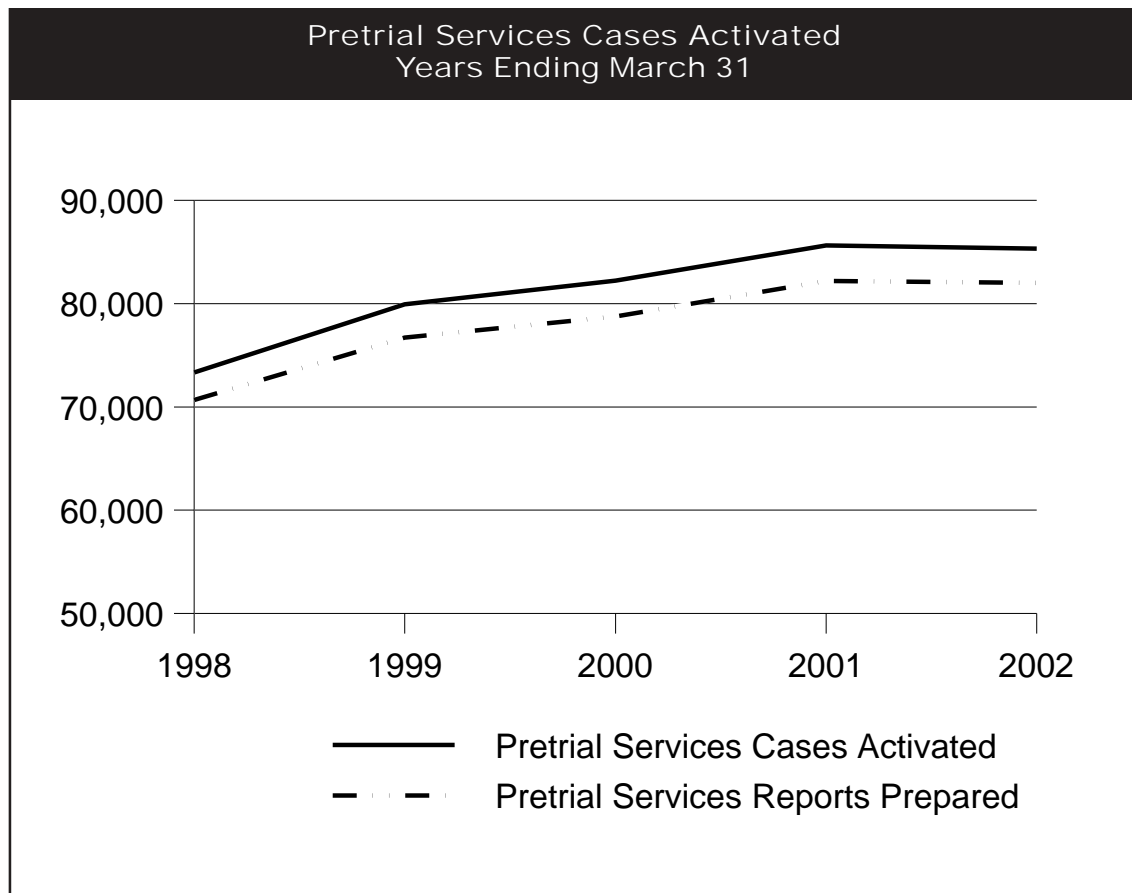
- The relative stability in pretrial services activations was consistent with the trend in the total number of criminal defendants filed in the district courts, which also decreased by less than 1 percent during the year.

- In 2002, a total of 1,925 pretrial diversion cases were activated, 5 percent more than last year.
- The number of pretrial services cases closed grew 1 percent to 79,831.
- Despite the small decline this year, pretrial services activity has increased over the past decade. The number of pretrial services cases activated in 2002 was 16 percent greater than the number activated in 1998, and 44 percent greater than the number activated in 1993.

Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants pending trial. The reports also provide information used to establish appropriate conditions for released defendants.

- Consistent with the number of cases activated, pretrial services officers interviewed 1 percent fewer defendants (down 610) and prepared less than one-half of 1 percent fewer pretrial services reports (down 187) than last year.
- Although the rate of increase in investigations and reports leveled off this year, the number of pretrial services reports prepared in 2002 was 16 percent greater than the total for 1998 and 50 percent greater than that for 1993.

The number of pretrial services defendants released this year declined 2 percent to 37,375. Among the release conditions that may be imposed is pretrial services supervision. About 87 percent of the defendants released (32,459 defendants) were placed under the supervision of pretrial services officers, 1 percent more than the percent of defendants released who were placed on supervision in 2001.



- The number received for supervision declined slightly, dropping less than one-half of 1 percent (down 104) from the number of defendants received for supervision last year.
- For persons under supervision, pretrial services officers monitored compliance with the release conditions set by the courts, provided necessary support services, and informed the courts and U.S. attorneys of all apparent violations of release conditions.

More detailed pretrial services statistics appear in the H series of the appendix tables.



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Federal Judicial Caseload Statistic

March 31, 2003

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Federal Judicial Caseload Statistics

March 31, 2003

Office of Judges Programs
Statistics Division
Administrative Office of the United States Courts
Thurgood Marshall Federal Judiciary Building
Washington, D.C. 20544
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Judicial Caseload Indicators
12-Month Periods Ending March 31, 1994, 1999, 2002, and 2003

Judicial Workload	1994	1999	2002	2003	% Change Since 1994	% Change Since 1999	% Change Since 2002
U.S. Courts of Appeals ¹							
Cases Filed	49,784	53,895	56,534	60,661	21.8	12.6	7.3
Cases Terminated	48,541	53,222	57,607	56,284	16.0	5.8	-2.3
Cases Pending	37,639	41,435	39,242 ²	43,619	15.9	5.3	11.2
U.S. District Courts							
Criminal (Includes Transfers)							
Cases Filed	45,986	59,191	63,515	70,353	53.0	18.9	10.8
Defendants Filed	64,136	80,325	84,389	92,352	44.0	15.0	9.4
Cases Terminated	45,618	54,701	58,844	64,134	40.6	17.2	9.0
Cases Pending	29,812	40,851	52,044 ²	58,263	95.4	42.6	11.9
Civil							
Cases Filed	233,132	249,245	265,091	256,858	10.2	3.1	-3.1
Cases Terminated	227,198	270,874	248,886	267,580	17.8	-1.2	7.5
Cases Pending	216,712	247,873	266,998 ²	256,276	18.3	3.4	-4.0
U.S. Bankruptcy Courts							
Cases Filed	858,482	1,419,199	1,504,806	1,611,268	87.7	13.5	7.1
Cases Terminated	921,540	1,385,503	1,395,967	1,508,798	63.7	8.9	8.1
Cases Pending	1,123,406	1,374,911	1,559,915 ²	1,662,385	48.0	20.9	6.6
Federal Probation System							
Persons Under Supervision	88,398	96,401	106,760	109,889	24.3	14.0	2.9
Pretrial Services							
Total Cases Activated	58,994	82,163	87,249	96,135	63.0	17.0	10.2
Pretrial Services Cases Activated	56,657	79,942	85,324	94,325	66.5	18.0	10.5
Pretrial Diversion Cases Activated	2,337	2,221 ²	1,925	1,810	-22.6	-18.5	-6.0
Total Released on Supervision	30,802	32,748	34,565	35,547	15.4	8.5	2.8
Pretrial Supervision	28,270	30,323 ²	32,459	33,636	19.0	10.9	3.6
Diversion Supervision	2,532	2,425 ²	2,106	1,911	-24.5	-21.2	-9.3

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

²Revised.

Judicial Business

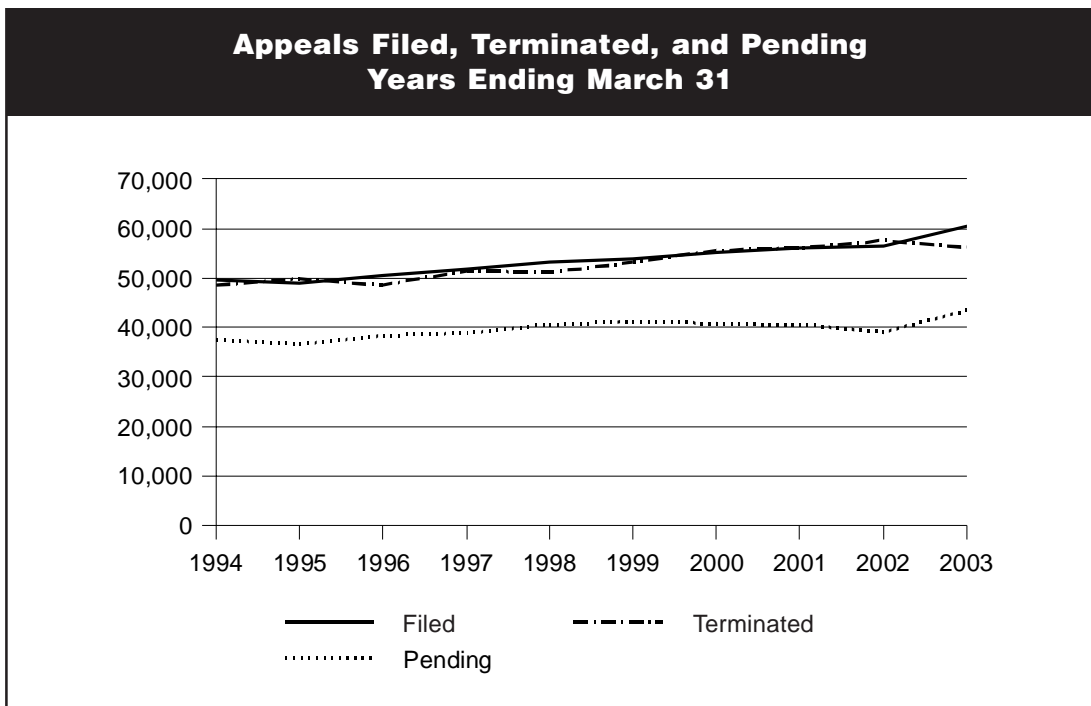
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2003. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and on the work of the probation and pretrial services system.

Bankruptcy filings exceeded 1.6 million to achieve a new record, growing 7 percent above the previous year's number and 88 percent above the total reported 10 years ago. The U.S. courts of appeals also saw filings increase 7 percent. In the U.S. district courts, an 11 percent rise in criminal case filings nearly offset a 3 percent reduction in civil filings. Three percent more persons were under the supervision of the federal probation system on March 31, 2003, compared to one year earlier, and the number of pretrial services cases activated climbed 11 percent.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals increased 7 percent in 2003 to 60,661, following seven years of growth between 1 and 3 percent per year.

- The overall rise in filings resulted from a 199 percent surge in appeals of administrative agency decisions and a 2 percent increase in criminal appeals.
- Filings of original proceedings dropped 32 percent, civil appeals fell 2 percent, and bankruptcy appeals decreased by five appeals.
- A 2 percent reduction in terminations of appeals caused the number of appeals terminated per three-judge panel to decline from 1,035 to 1,011. Appeals terminations have increased 6 percent since 1999 and 16 percent since 1994.

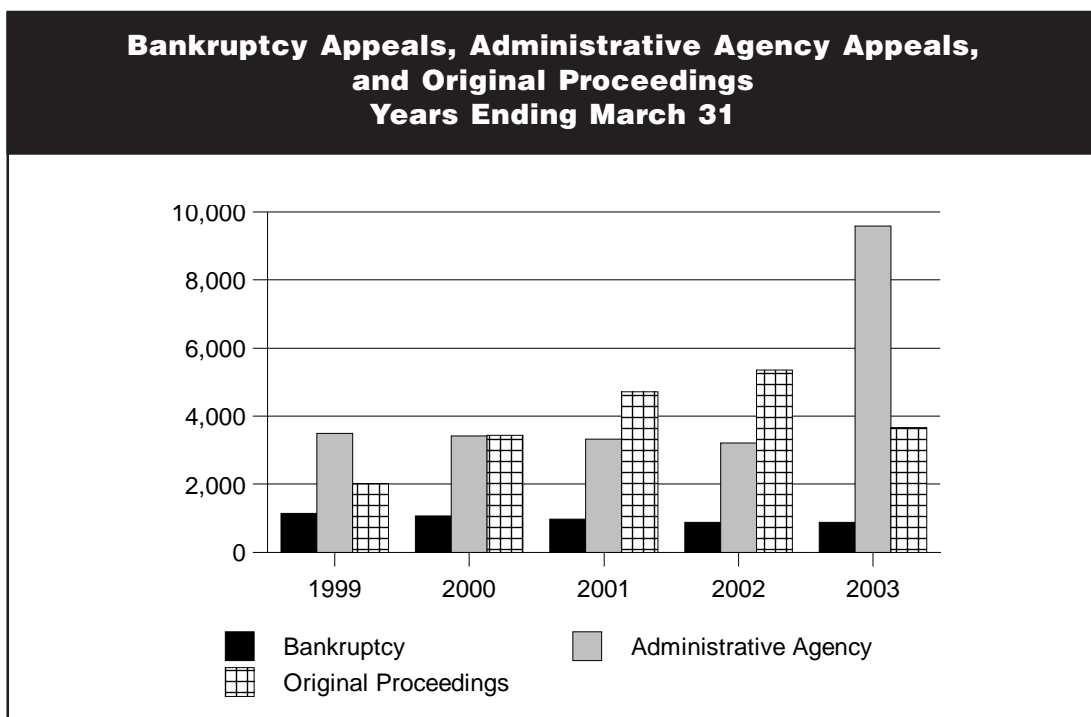


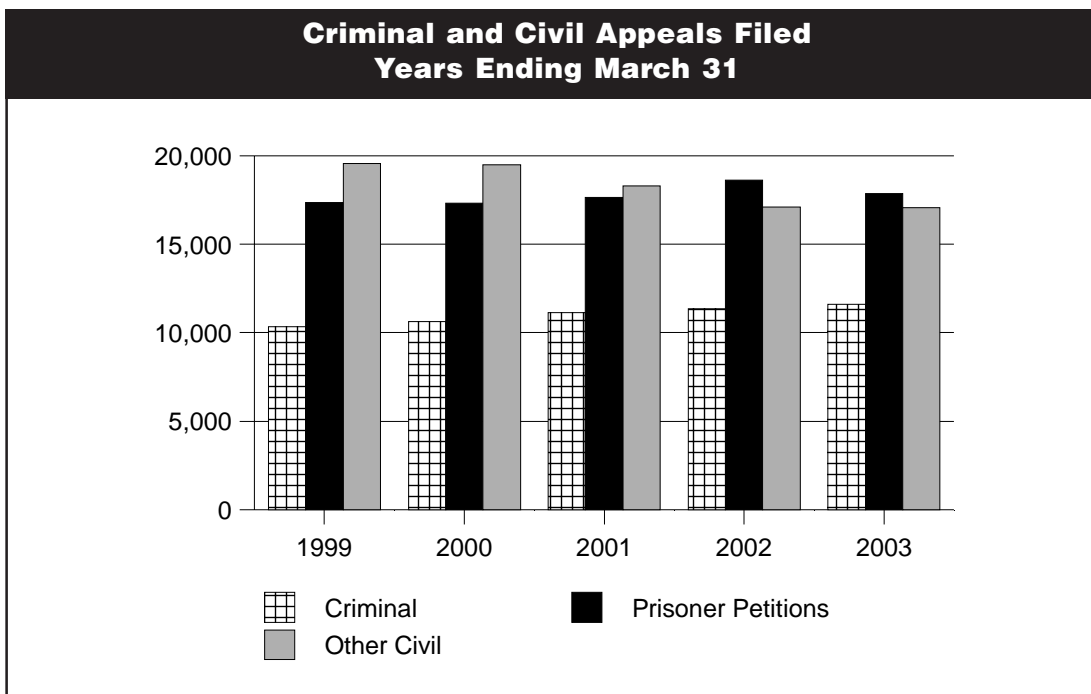
- The surge in filings combined with the drop in terminations caused pending appeals to grow 11 percent to 43,619. This total was 16 percent greater than that for 1994.
- Appeals filings have climbed 13 percent since 1999 and 22 percent since 1994.
- Despite the steady increase in filings, no additional judgeships have been authorized for the courts of appeals since 1990. Since that year, appeals filings per panel have risen 38 percent.

The 199 percent rise in administrative agency appeals (up 6,377 appeals) occurred mainly because appeals of decisions of the Board of Immigration Appeals (BIA) climbed 379 percent (up 6,682 appeals). Excluding appeals of BIA decisions, filings of administrative agency appeals declined 21 percent (down 305 appeals), with the largest reductions involving decisions of the National Labor Relations Board (down 187 appeals) and the Federal Energy Regulatory Commission (down 94 appeals).

- In February 2002, Attorney General Ashcroft ordered the BIA to clear its backlog of cases as part of the Department of Justice’s effort to prevent terrorist attacks and enforce the nation’s laws. As a direct result, immigration administrative agency appeals soared during this reporting period. The greatest numerical increases in these filings were rises of 3,614 appeals in the Ninth Circuit (up 374 percent) and 1,317 appeals in the Second Circuit (up 655 percent).
- The jump in BIA case closures caused appeals of administrative agency decisions to grow 175 percent (up 6,100 appeals) over the number reported for 1999 and 160 percent (up 5,898 appeals) over that for 1994. Cases involving immigration accounted for approximately half of all administrative agency appeals filed between 1999 and 2002, but constituted nearly 90 percent of those filed in 2003.

Criminal appeals filings rose 2 percent, largely because appeals involving drugs grew 4 percent (up 166 appeals), firearms appeals climbed 12 percent (up 153 appeals), and appeals related to immigration laws increased 6 percent (up 101 appeals).





- The most notable growth in drug-related appeals was reported by the First Circuit, where filings rose 36 percent (up 99 appeals), and the Eighth Circuit, where filings rose 27 percent (up 74 appeals).
- The greatest increases in firearms appeals were reported by the First, Eighth, and Ninth Circuits.
- The rise in immigration appeals occurred primarily because filings in the Fifth Circuit jumped 28 percent (up 183 appeals). Nine of the 12 courts of appeals reported declines in criminal immigration appeals. Immigration appeals have climbed 105 percent since 1999 and have soared 605 percent since 1994.
- Total criminal appeals filings were 19 percent above the 1999 total, but only 1 percent above the 1994 total.

Filings of civil appeals declined 2 percent.

- Civil rights appeals not related to employment rose 2 percent (up 94 appeals), but widespread declines in other categories drove the overall reduction in total civil filings.
- Prisoner petition filings fell 4 percent, due mainly to a 16 percent drop in motions to vacate sentence (down 580 appeals), a 4 percent decline in prison condition petitions (down 124 appeals), and a 1 percent decrease in habeas corpus prisoner petitions (down 102 appeals). The only category of prisoner petitions that had an increase in filings was that of petitions related to prisoner civil rights, which rose 2 percent (up 71 appeals).
- Habeas corpus prisoner petitions have grown 17 percent since 1999 and have surged 115 percent since 1994. The number of motions to vacate sentence was 19 percent below the number for 1999, but 75 percent greater than that for 1994. Prisoner civil rights petitions (including prison condition petitions) were 4 percent below the 1999 level and 17 percent below the 1994 level.

- Overall, prisoner petition appeals filings have grown 3 percent since 1999 and have risen 39 percent since 1994.
- Filings of other civil appeals have fallen 13 percent since 1999 and have declined 14 percent since 1994.

Prisoners' motions requesting permission to file second or successive habeas corpus petitions dropped 45 percent (down 1,725 appeals) in 2003, which drove the overall decline in original proceedings.

- Despite this year's decrease, the number of original proceedings filed in 2003 was 83 percent greater (up 1,658 appeals) than the total reported five years earlier. Prisoners seeking permission to file second or successive habeas corpus prisoner petitions (up 1,277 appeals) were the main cause of this growth.

Filings of bankruptcy appeals remained relatively stable, dropping by only five appeals.

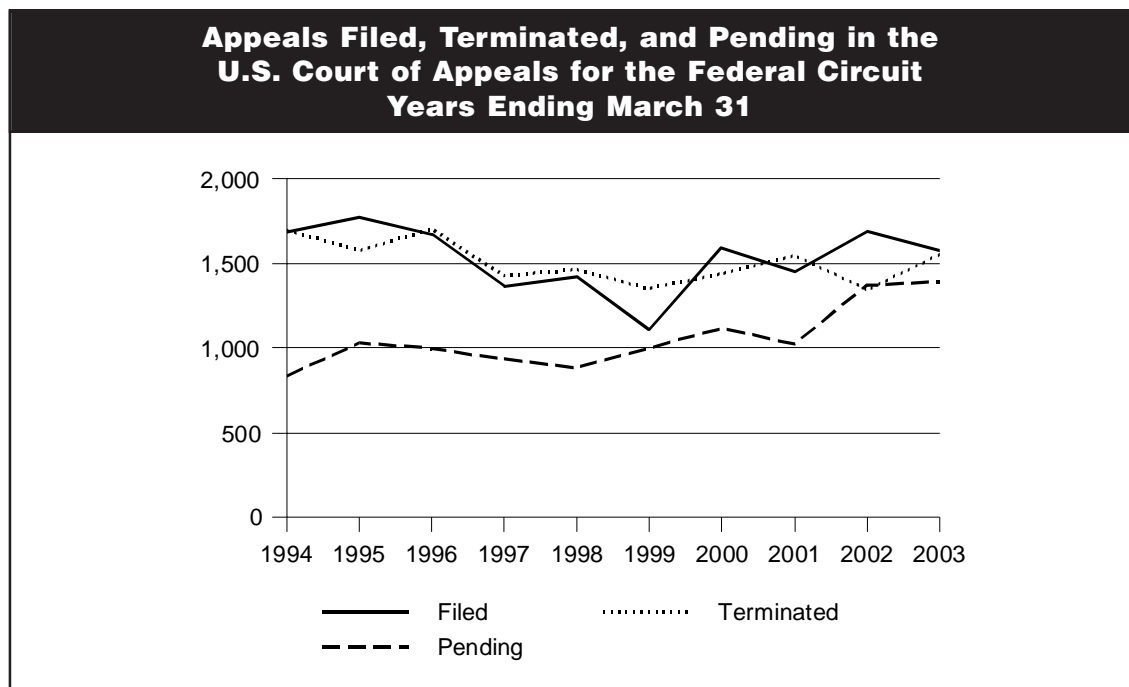
- Bankruptcy appeals filings declined for the fifth consecutive year, but have dropped only 1 percent (down 267 appeals) since 1999.

Detailed data for the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

Filings in the U.S. Court of Appeals for the Federal Circuit fell 7 percent to 1,579, following a 17 percent increase in 2002.

- The number of filings in 2002 had been abnormally high as a result of growth in appeals of decisions by the U.S. Court of Appeals for Veterans Claims (CAVC) and the U.S. Court of International Trade (CIT). The rise in CAVC appeals stemmed from cases addressing the issue of whether remand orders conferred prevailing party status on plaintiffs seeking attorneys' fees under the Equal Access to Justice Act. CIT appeals increased when parties who had made Harbor Maintenance Tax payments before the Supreme Court declared this tax unconstitutional sought interest on the amounts to be refunded to them.



- In 2003, increases in appeals of decisions of the Merit Systems Protection Board (up 90 appeals) and the U.S. district courts (up 81 appeals) were offset by declines in appeals in other categories.
- After peaking in 1995, filings in the Federal Circuit declined between 1995 and 1999, then jumped in 2000. Filings fluctuated between 2000 and 2003, but in 2003 returned to approximately the same level reported in 2000.

Terminations of appeals in 2003 increased 15 percent to 1,557, which made the number of cases terminated per three-judge panel rise from 337 to 389.

- Since 1994, appeals terminations have fluctuated from year to year. The number of terminations in 2003 was 8 percent below the total for 1994.

The number of appeals pending on March 31, 2003, was 1,391, a rise of 2 percent over the number pending one year earlier.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

Filings in the U.S. district courts remained relatively stable in 2003, declining less than one-half of 1 percent to 327,211 (this number does not include petty offense cases assigned to magistrate judges).

- The number of cases filed was 6 percent greater than the total for 1999 and 17 percent greater than that for 1994.
- In 2003, civil cases constituted 78.5 percent of total filings in the U.S. district courts (256,858), and criminal cases accounted for 21.5 percent (70,353).
- Filings per authorized judgeship fell from 494 to 492.
- Case terminations climbed 8 percent to 331,714.
- As terminations slightly outnumbered filings, the pending caseload remained essentially stable, shrinking 1 percent to 314,539.

Criminal Filings

Criminal case filings (including transfers) jumped 11 percent in 2003 to 70,353. The number of defendants rose 9 percent to 92,352.

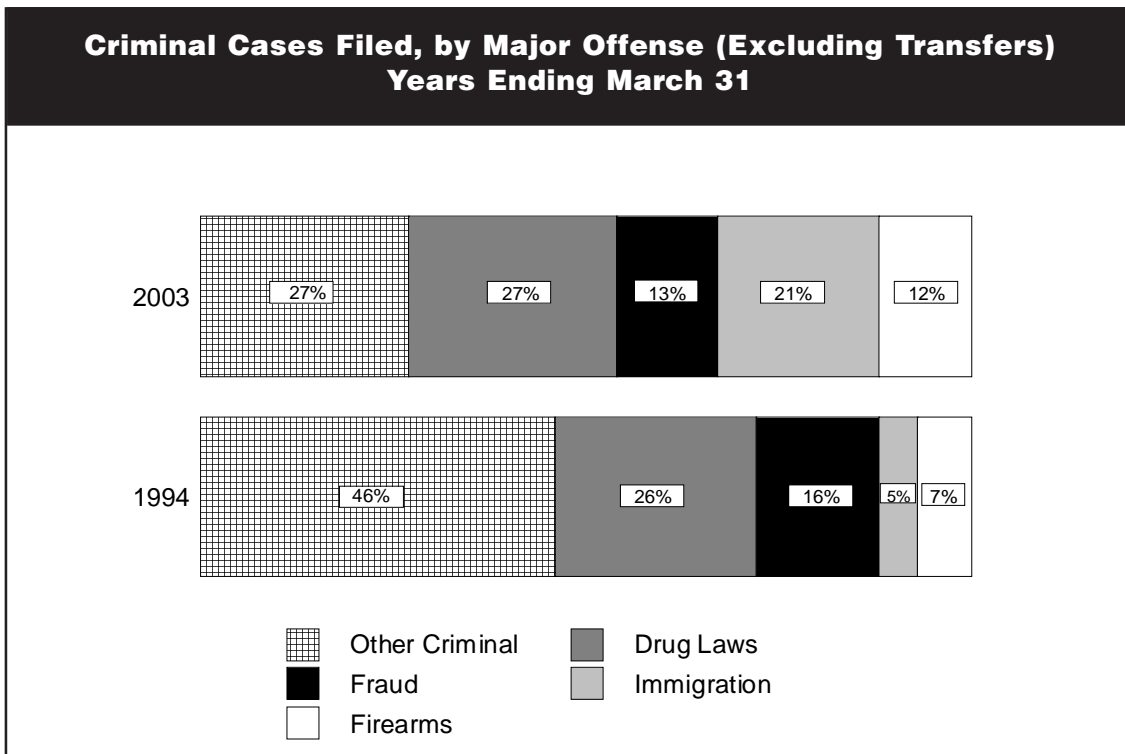
- Case filings per authorized judgeship rose from 96 to 106.
- In 2003, the district courts received 53 percent more criminal cases and 44 percent more defendants than in 1994, and received 19 percent more cases and 15 percent more defendants than in 1999.
- Criminal case filings have increased every year since 1995 because of growth in immigration, drug, and firearms filings.

Immigration cases had the largest numeric rise in filings in 2003, followed by firearms and fraud cases.

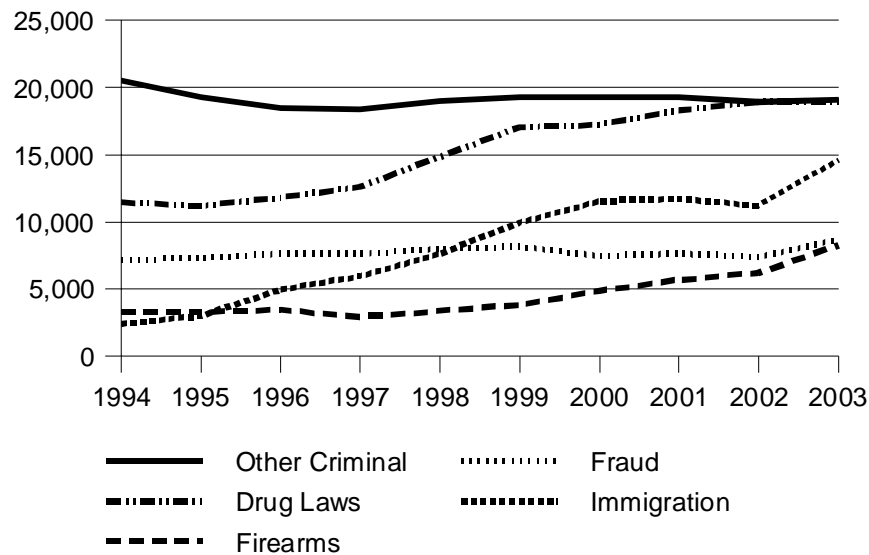
- Immigration case filings, which declined in 2002 for the first time since 1992, climbed 30 percent in 2003 to 14,600, and immigration defendants increased 31 percent to 15,705.
- Since 1994, immigration case filings have soared 489 percent, while defendants in such cases have risen 449 percent. Since 1999, filings of these cases have grown 46 percent, and immigration defendants have increased 44 percent.
- In 2003, firearms cases grew 32 percent to 8,325, and defendants in such cases rose 30 percent to 9,402.
- Since 1994, firearms case filings have jumped 148 percent, and firearms defendants have increased 133 percent. Since 1999, filings of such cases and defendants have surged 114 percent and 101 percent, respectively. The growth in these cases stemmed primarily from special programs for prosecuting cases involving unlawful firearms possession under federal laws, which may carry higher penalties than do state laws for similar crimes.
- Fraud case filings, which in recent years had been relatively stable, climbed 18 percent in 2003 to 8,761, and fraud defendants rose 15 percent to 11,812. The growth in fraud cases in 2003 primarily arose because cases involving Social Security fraud soared 114 percent to 1,254, and cases related to false claims and statements jumped 27 percent to 1,840.

Drug filings remained essentially stable, with 40 fewer cases and 19 more defendants than in 2002, even though filings of such cases increased in two-thirds of all district courts. The federal courts received 32,167 defendants in 18,931 drug cases in 2003.

- Although two-thirds of district courts experienced growth, the national total fell because of significant declines in drug filings in the Southern District of California, Southern District of Florida, Southern District of Texas, Eastern District of New York, and Western District of Texas. The reasons for these reductions include the prosecution of drug crimes at state and



Criminal Cases Filed, by Major Offense (Excluding Transfers) Years Ending March 31



local levels under cooperative partnerships led by U.S. attorneys, the shifting of resources to focus on immigration and immigration-related fraud cases, and tougher security measures at the nation's borders that may be deterring drug traffickers (or causing them to use less detectable ways of moving drugs into the country). The largest decline occurred in the Southern District of California, where drug cases dropped 43 percent to 939.

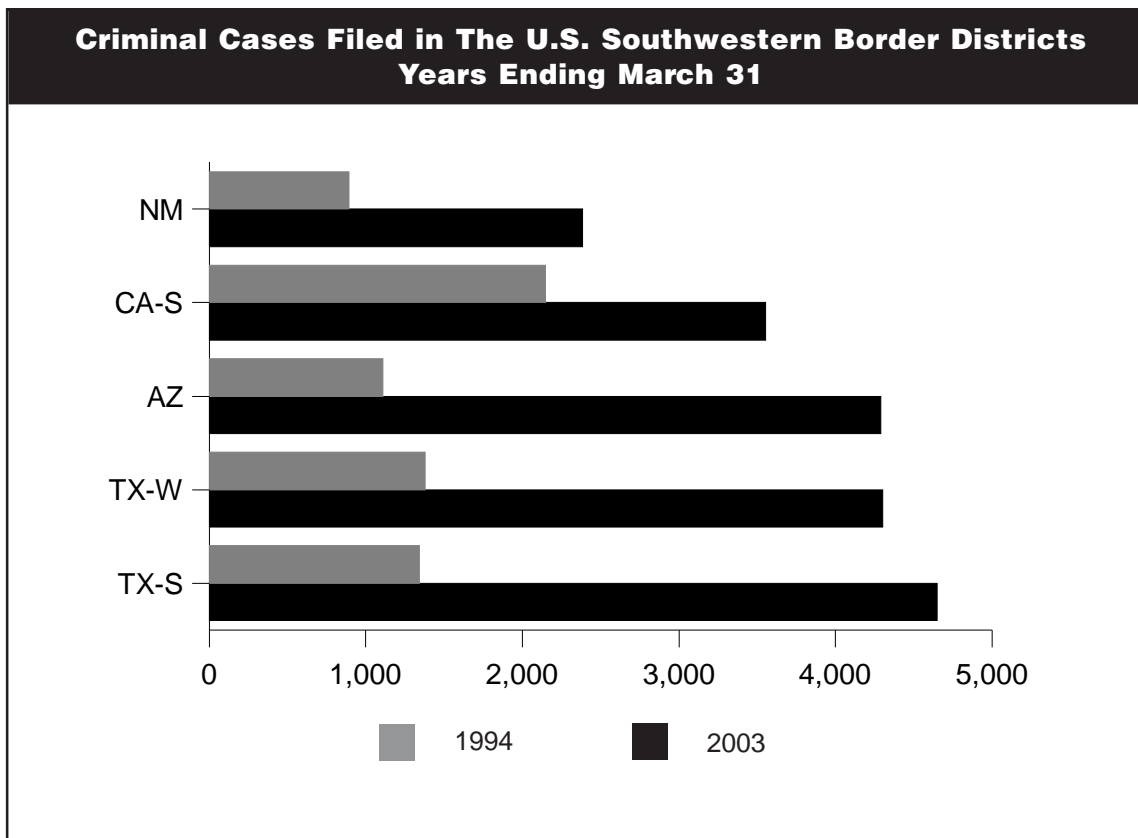
- Despite the changes in policy noted above, drug cases have climbed 64 percent since 1994, and drug defendants have risen 45 percent. Since 1999, filings of drug cases and defendants have grown 11 percent and 7 percent, respectively.

In 2003, notable increases also occurred in filings of cases involving assault and sex offenses.

- Assault filings rose 34 percent to 801 cases, but the total for 2003 is not comparable to totals for previous years. About 60 percent of this year's increase resulted from a change in coding that caused some cases that previously would have been reported as homicide cases to be reported as aggravated assault cases.
- Sex offense cases grew 8 percent to 1,236, mostly because of a rise in filings related to the sexual abuse of minors.

Declines occurred in homicide and robbery filings.

- Overall, homicide cases fell 19 percent, but—as noted above—this decline stemmed from a change in coding whereby some cases that previously would have been classified as homicide cases were reported as aggravated assault cases.
- Robbery cases dropped 9 percent to 1,191 as a greater proportion of robbery defendants were prosecuted in state courts under cooperative partnerships led by U.S. attorneys.



The number of criminal defendants terminated in 2003 grew 8 percent to 84,503. Because filings exceeded terminations, the number of pending defendants rose 11 percent to 81,126.

The D series of the appendix tables contains more detailed data on the criminal caseload by district.

Civil Filings

Civil filings in the U.S. district courts decreased 3 percent in 2003 to 256,858, after rising 4 percent in 2002.

- The overall decline in filings resulted from an 83 percent reduction in asbestos cases filed under the Constitution, laws, or treaties of the United States in which the United States was not a party.
- Civil filings per authorized judgeship fell from 399 to 386.
- Total civil filings have fluctuated over the past five years primarily because of decreases in personal injury/product liability cases involving breast implants and increases in such cases related to asbestos and the anti-cholesterol drug Baycol.
- From 1994 to 2003, civil filings climbed 10 percent, an increase of more than 23,000 cases. This growth largely comprised personal injury/product liability cases related to breast implants, prisoner petitions, civil rights cases, Social Security cases, and cases addressing defaulted student loans.
- From 1999 to 2003, civil filings rose 3 percent, primarily due to increases in cases involving personal injury/product liability, Social Security, and defaulted student loans.

The number of private personal injury/product liability cases filed declined 21 percent from the 2002 total as a result of a drop in asbestos cases filed in the Eastern District of Virginia, the Northern District of Ohio, and the Southern District of New York.

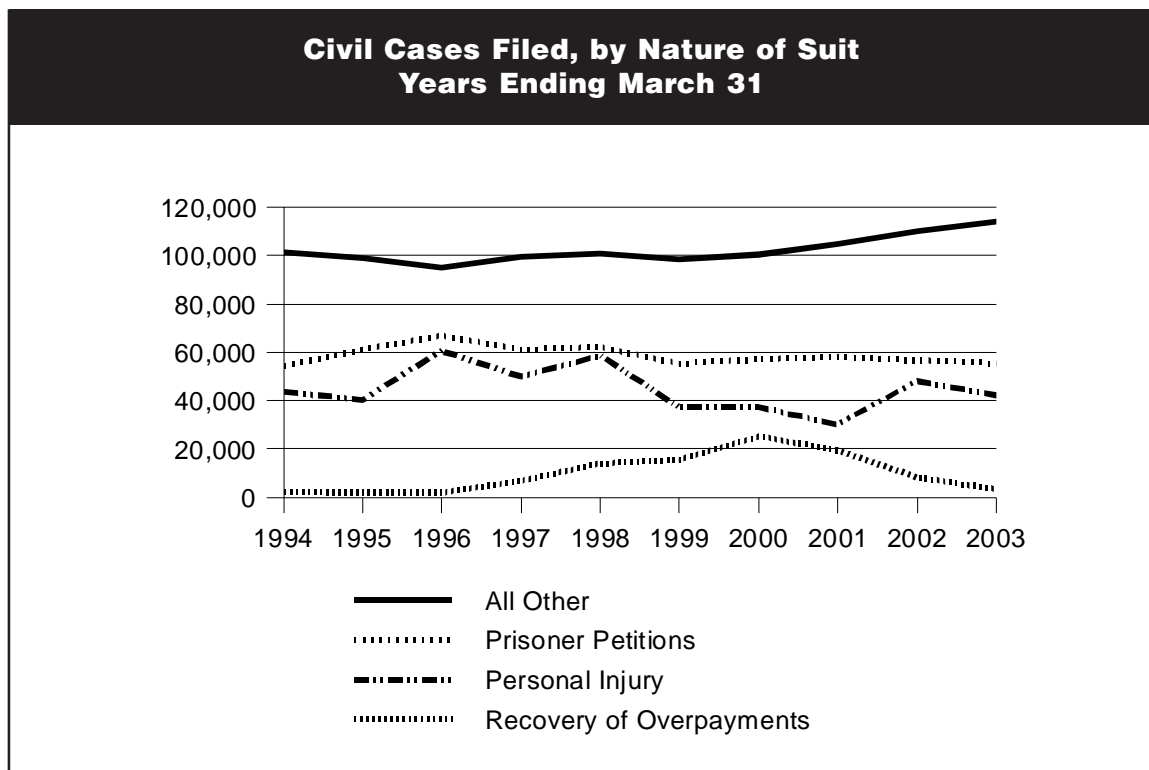
- The Northern District of Ohio reported 6,892 fewer cases; the Eastern District of Virginia reported 5,392 fewer cases; and the Southern District of New York reported 1,459 fewer cases. In 2002, asbestos cases had surged in more than half of the 94 district courts, with the majority of these cases addressing “friction products” manufactured by the “big three” auto makers (Ford, General Motors, and Daimler Chrysler) and Honeywell International, Inc.

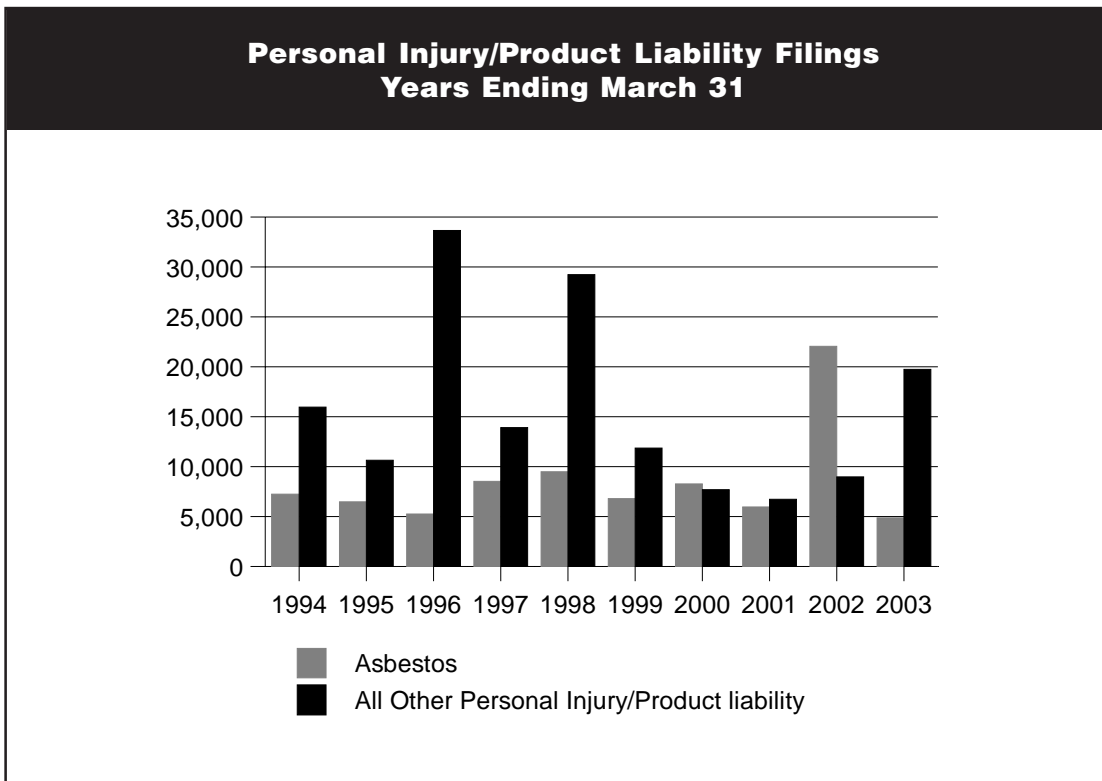
Total filings with the United States as plaintiff or defendant decreased 10 percent to 51,726.

- Cases with the United States as plaintiff declined 32 percent to 12,122 as defaulted student loan filings fell 59 percent (down by nearly 4,800 cases). This reduction stemmed, in part, from the Department of Education’s implementing new administrative measures in 2001 to collect these debts.
- Cases with the United States as defendant dropped by less than 1 percent. An 11 percent decline in federal prisoner petitions (mostly in motions to vacate sentence) was nearly offset by a 7 percent increase in Social Security cases (which largely involved supplemental security income).

Diversity of citizenship filings climbed 19 percent in 2003 as personal injury/product liability cases soared 77 percent.

- This growth largely consisted of lawsuits alleging injuries arising from Baycol. Most of these cases were filed in the Eastern District of Pennsylvania (the home state of the Bayer Company) and the District of Minnesota.





Civil case terminations increased 8 percent to 267,580.

- Most of this rise stemmed from terminations of asbestos cases in the Northern District of Ohio and Baycol cases in the Eastern District of Pennsylvania.

Pending civil cases dropped 4 percent (down 10,772 cases) to 256,276.

- The largest declines were reported by the Northern District of Ohio and the Eastern District of Virginia, whose pending asbestos caseloads decreased markedly. The remaining asbestos cases eventually will be transferred to the Eastern District of Pennsylvania under Multidistrict Litigation Docket Number 875.

Detailed data on civil cases appear in the C series of the appendix tables.

U.S. Bankruptcy Courts

Bankruptcy filings rose 7 percent in 2003 to an all-time high of 1,611,268.

- Filings of personal bankruptcies climbed 7 percent, passing the 1.5 million mark to reach a record total of 1,573,720.
- Business bankruptcy filings declined 6 percent to 37,548.
- Eighty-four districts reported increases in filings, with 10 districts reporting growth of 15 percent or more.
- Terminations of bankruptcy cases rose 8 percent, and the number of pending cases rose 7 percent.

- Since 1994, bankruptcy filings have surged 88 percent. The last increase in authorized bankruptcy judgeships occurred in 1992, and two temporary judgeships have lapsed since then. As a result, filings per authorized judgeship grew from 2,633 in 1994 to 4,973 in 2003.
- Bankruptcy petition filings were 14 percent higher in 2003 than in 1999.

This year's increase in filings was attributed to high consumer debt levels combined with a weak economy.

- The high level of consumer debt relative to personal income probably has been responsible for the consistently large number of bankruptcy petitions filed over the last decade.

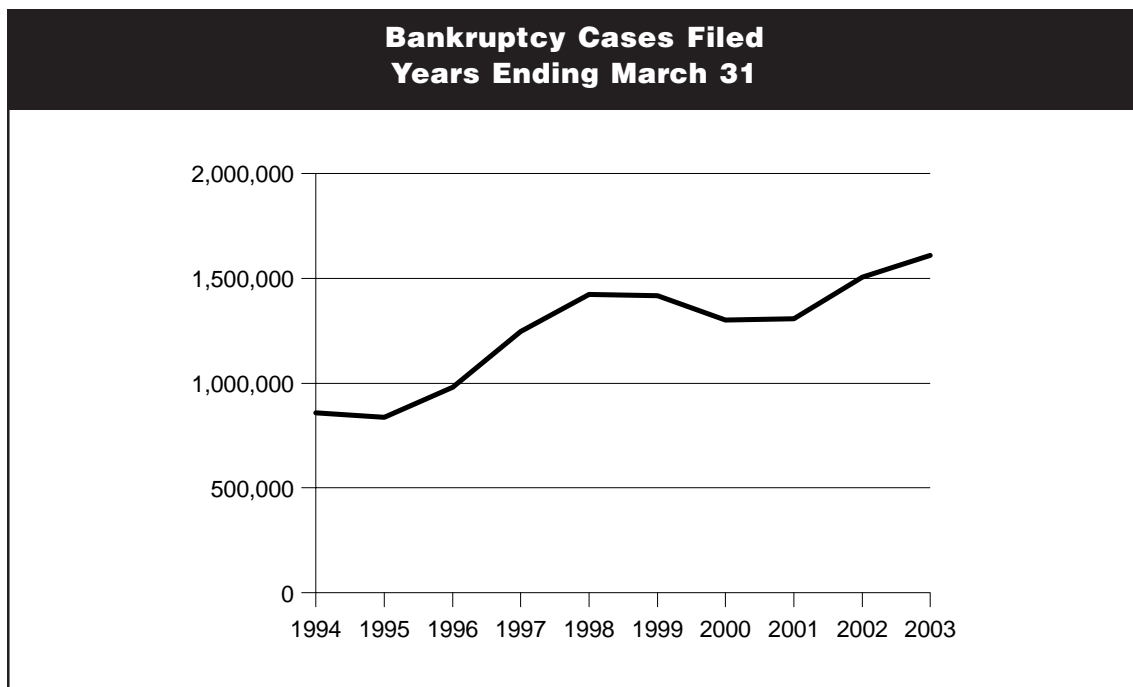
Filings of bankruptcy petitions rose under chapters 7, 12, and 13, and fell under chapter 11.

- Filings increased 7 percent under both chapter 7 and chapter 13, and surged 62 percent (up 243 cases) under chapter 12. Filings dropped 7 percent under chapter 11.
- Filings under chapter 12 have fluctuated since the authority to file under that chapter first expired in July 2000. Several times, Congress has re-authorized the filing of chapter 12 petitions retroactively for limited periods, with the most recent legislation providing that petitions could be filed under chapter 12 through June 2003.

Nonbusiness filings increased 7 percent (up 108,759 petitions).

- Growth in nonbusiness petitions occurred under all chapters.
- Nonbusiness filings climbed 12 percent under chapter 11 and rose 7 percent under both chapter 7 and chapter 13.
- Since 1994, nonbusiness petitions have accounted for an increasing proportion of total filings, rising from 93 percent of all filings in 1994 to 98 percent in 2003.

Business bankruptcy filings, which constituted 2 percent of total petitions filed, declined 6 percent to 37,548.



Bankruptcy Cases Filed, by Chapter Years Ending March 31

- A 62 percent increase in filings under chapter 12 (up 243 petitions) and a 113 percent rise in filings under section 304 (up 54 petitions), which together constituted only 2 percent of all business bankruptcy petitions filed, were not nearly enough to offset declines under all other chapters. (Section 304 cases are ancillary to foreign proceedings and generally are filed to prevent the dissipation of U.S.-based assets of a foreign bankrupt or to otherwise administer such assets for the benefit of the estate of a foreign individual or business that has filed for bankruptcy in another nation.)
- Reductions in filings of business petitions under chapter 11 (down 8 percent), chapter 7 (down 7 percent), and chapter 13 (down 10 petitions) were responsible for the overall decline.

Adversary proceedings jumped 24 percent to 86,463, after climbing 13 percent in 2002.

- The number of adversary proceedings terminated increased 13 percent.
- On March 31, 2003, the number of adversary proceedings pending was 24 percent higher than the total one year earlier.

Detailed data on the number of filings, terminations, and pending bankruptcy and adversary proceeding cases, by district, appear in Appendix Tables F, F-2 and F-8.

Federal Probation System

The number of persons under the supervision of the federal probation system on March 31, 2003, was 109,889, a 3 percent increase over the number under supervision one year earlier.

- A total of 55,001 persons were received for supervision, a 5 percent rise.
- The number of persons removed from supervision climbed 7 percent to 52,098.

- A total of 4,243 persons had their supervision terminated early, an increase of 28 percent.
- The total for persons under supervision in 2003 was 14 percent higher than that for 1999 and 24 percent higher than that for 1994.

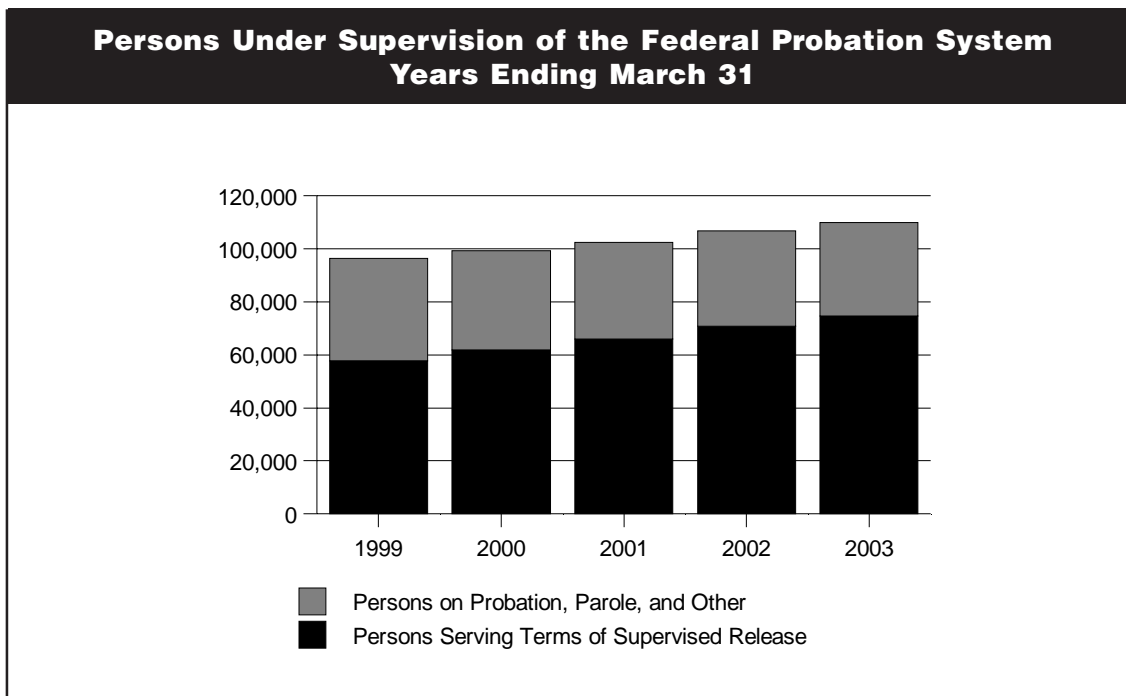
Sixty-eight percent of offenders under supervision on March 31, 2003, were serving terms of supervised release after imprisonment, 28 percent were under supervision following the imposition of a sentence of probation, and 3 percent were on parole.

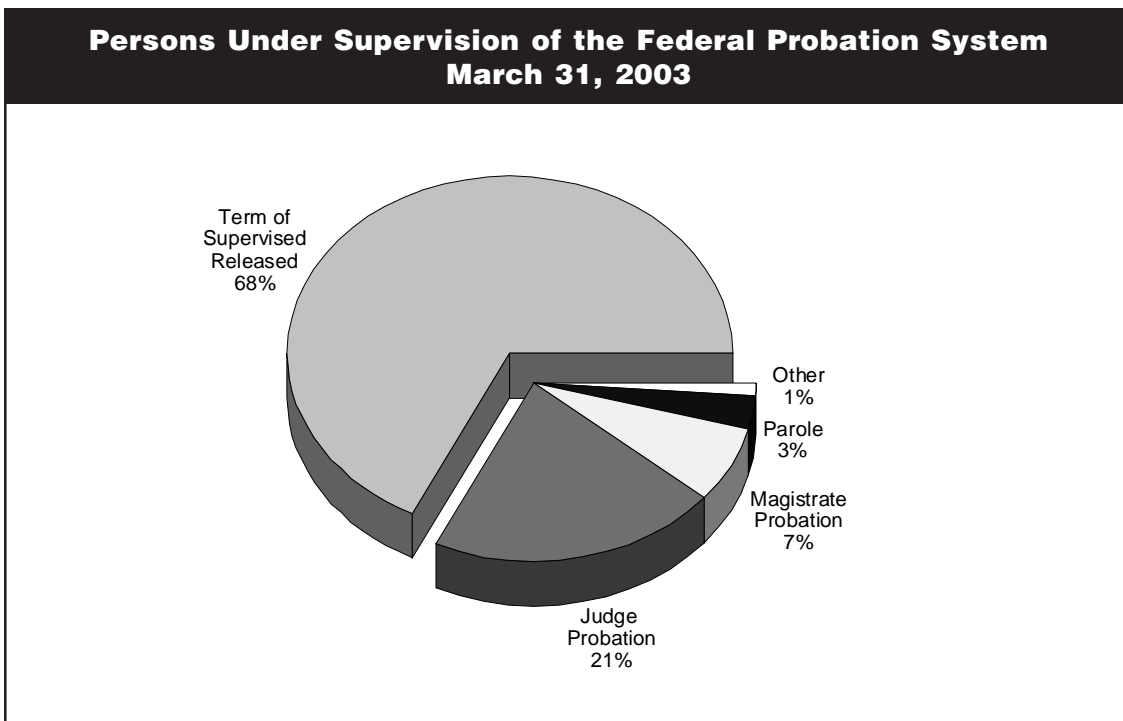
- A total of 74,695 persons were serving terms of supervised release, a rise of 5 percent from those serving such terms on March 31, 2002.
- The number of persons serving terms of supervised release in 2003 was 29 percent higher than the number for 1999 and more than twice the number for 1994.
- The above totals reflect the continuing impact of the Sentencing Reform Act of 1984—which abolished parole, established sentencing guidelines, and created terms of supervised release that could be imposed to follow imprisonment—and the effects of mandatory minimum sentencing legislation passed in the mid-1980s.

The number of persons under supervision following sentences of probation dropped 1 percent.

- Overall, 75 percent of these persons were on probation imposed by district judges, and 25 percent were on probation imposed by magistrate judges.
- The number of persons on probation imposed by district judges remained stable, rising less than one-half of 1 percent to 23,384.
- The number of persons on probation imposed by magistrate judges decreased 4 percent to 7,717.

The number of persons on parole, special parole, and military parole on March 31, 2003, fell 7 percent to 3,310.





- Parole accounted for 3 percent of all persons under supervision in 2003. Parole accounted for 5 percent of persons under supervision in 1999 and 15 percent of those under supervision in 1994.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive presentence reports, which are presented to judges who will be sentencing convicted defendants. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines.

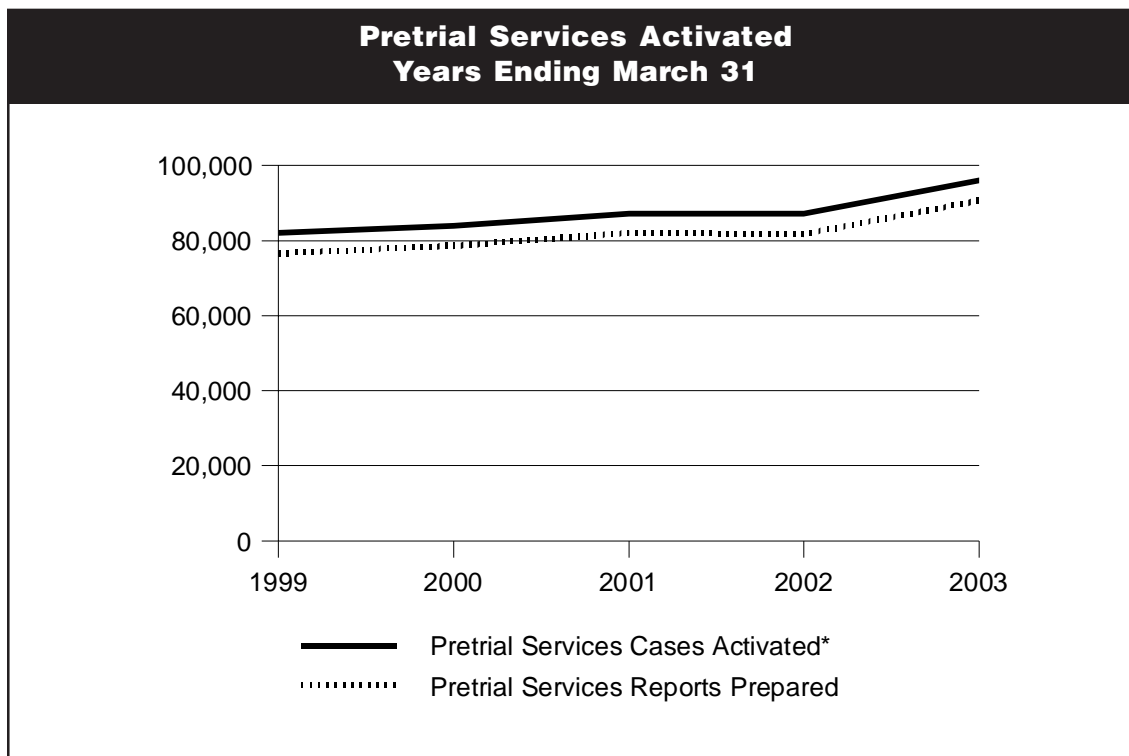
- In 2003, probation officers completed 67,148 presentence reports, 6 percent more than were written in 2002.

Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

A total of 94,325 pretrial services cases were activated in 2003, an 11 percent increase over the previous year's total.

- This growth was consistent with the 9 percent rise in criminal defendants in the district courts.
- During the same period, 1,810 pretrial diversion cases were activated, 6 percent fewer than last year.
- The number of pretrial services cases closed climbed 9 percent to 87,362.
- The number of pretrial services cases activated in 2003 was 18 percent greater than the number activated in 1999 and was 66 percent greater than the number activated in 1994.



Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants pending trial. The reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed 8 percent more defendants (up 4,768) and prepared 11 percent more pretrial services reports (up 8,715) in 2003 than they did the previous year.
- The number of pretrial services reports prepared was 90,706, which was 18 percent greater than the total for 1999 and 67 percent greater than that for 1994.

The number of pretrial services defendants released this year rose 4 percent to 38,752. One of the release conditions that may be imposed is pretrial services supervision. The proportion of released defendants who were placed under the supervision of pretrial services officers remained stable at 87 percent (33,636 defendants).

- The number of defendants placed under pretrial services supervision increased 4 percent (up 1,177).

More detailed pretrial statistics appear in the H series of the appendix tables.

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March 31, 2004

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Federal Judicial Caseload Statistics

March 31, 2004

Office of Judges Programs
Statistics Division
Administrative Office of the United States Courts
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Judicial Caseload Indicators
Calendar Years 1995, 2000, 2003, and 2004

Judicial Caseload	1995	2000	2003	2004	% Change Since 1995	% Change Since 2000	% Change Since 2003
U.S. Courts of Appeals¹							
Cases Filed	49,131	55,320	60,661	60,505	23.2	9.4	-0.3
Cases Terminated	49,885	55,678	56,284	56,243	12.7	1.0	-0.1
Cases Pending	36,794	40,910 ²	42,716 ²	46,978	27.7	14.8	10.0
U.S. District Courts							
Civil							
Cases Filed	238,068	262,548	256,858	255,851	7.5	-2.6	-0.4
Cases Terminated	229,749	265,030	267,580	241,864	5.3	-8.7	-9.6
Cases Pending	220,996	243,422 ²	250,500 ²	264,487	19.7	8.7	5.6
Criminal (Includes Transfers)							
Cases Filed	45,148	61,242	70,353	70,746	56.7	15.5	0.6
Defendants Filed	63,004	82,105	92,352	92,761	47.2	13.0	0.4
Cases Terminated	42,786	57,188	64,134	65,362	52.8	14.3	1.9
Cases Pending	28,091	44,646 ²	57,473 ²	62,857	123.8	40.8	9.4
U.S. Bankruptcy Courts							
Cases Filed	838,959	1,301,205	1,611,268	1,654,847	97.3	27.2	2.7
Cases Terminated	861,891	1,289,283	1,508,798	1,641,103	90.4	27.3	8.8
Cases Pending	1,081,838 ²	1,382,978 ²	1,662,157 ²	1,675,901	54.9	21.2	0.8
Federal Probation System							
Persons Under Supervision	84,001	99,209	109,889	112,486	33.9	13.4	2.4
Pretrial Services							
Total Cases Activated	60,448	84,219	96,135	98,262	62.6	16.7	2.2
Pretrial Services Cases Activated	58,260	82,221	94,325	96,525	65.7	17.4	2.3
Pretrial Diversion Cases Activated	2,188	1,998	1,810	1,737	-20.6	-13.1	-4.0
Total Released on Supervision	30,470	32,921	35,547	35,487	16.5	7.8	-0.2
Pretrial Supervision	28,063	30,734 ²	33,636	33,678	20.0	9.6	0.1
Diversion Supervision	2,407	2,187 ²	1,911	1,809	-24.8	-17.3	-5.3

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

²Revised.

Judicial Business

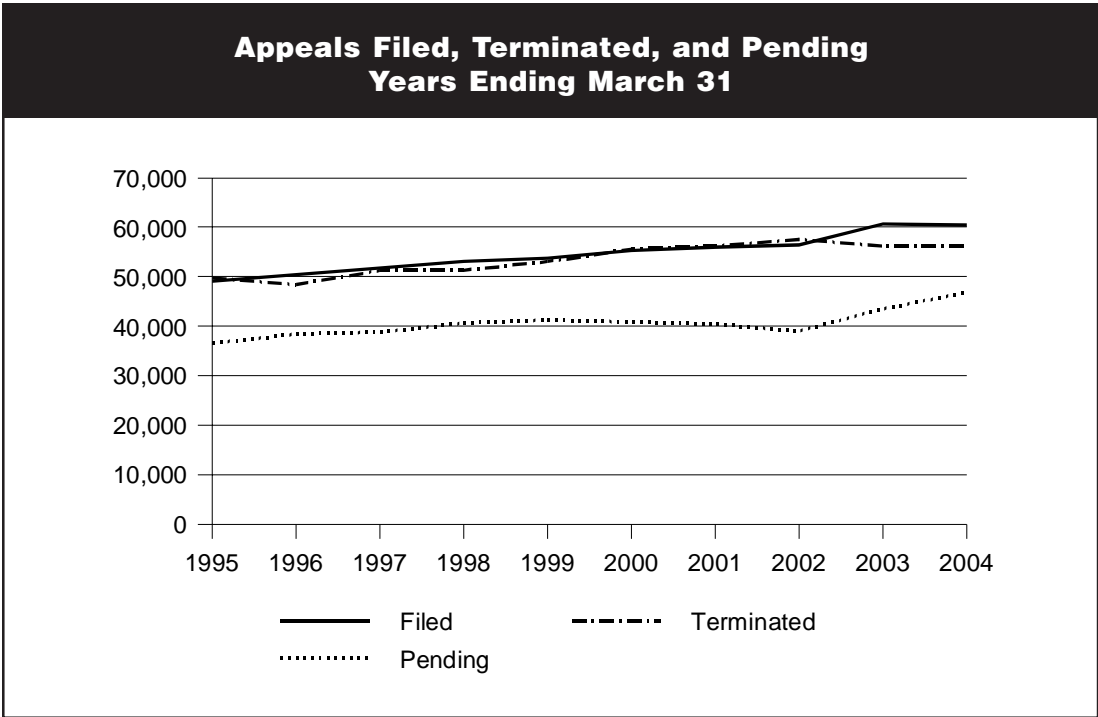
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2004. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and on the work of the probation and pretrial services system.

Once again, bankruptcy filings exceeded 1.6 million, reaching the highest total for any 12-month period ending March 31, climbing 27 percent above the total obtained five years earlier, and soaring to nearly double the number reported a decade ago. Two percent more persons were under the supervision of the federal probation system on March 31, 2004, compared to one year earlier, and the number of pretrial services cases activated also grew 2 percent. Filings in the U.S. courts of appeals remained close to record levels, dropping by only 156 cases. In the U.S. district courts, filings of criminal defendants rose to a new high of 92,761, while civil case filings fell less than 1 percent.

U.S. Courts of Appeals

Filings in the federal courts of appeals remained essentially unchanged in 2004, declining less than 1 percent (down 156 cases) to 60,505. Increases in appeals of administrative agency decisions, criminal appeals, and original proceedings were offset by a reduction in civil appeals.

- Given the stable caseload and absence of growth in authorized judgeships, the number of cases terminated per three-judge panel dropped from 1,011 to 1,010.
- Appeals filings have risen 9 percent since 2000, primarily because of jumps in administrative agency and criminal appeals.



In 2004, filings in the federal appeals courts comprised 56 percent civil appeals, 20 percent criminal appeals, 17 percent administrative agency appeals, 6 percent original proceedings, and 1 percent bankruptcy appeals.

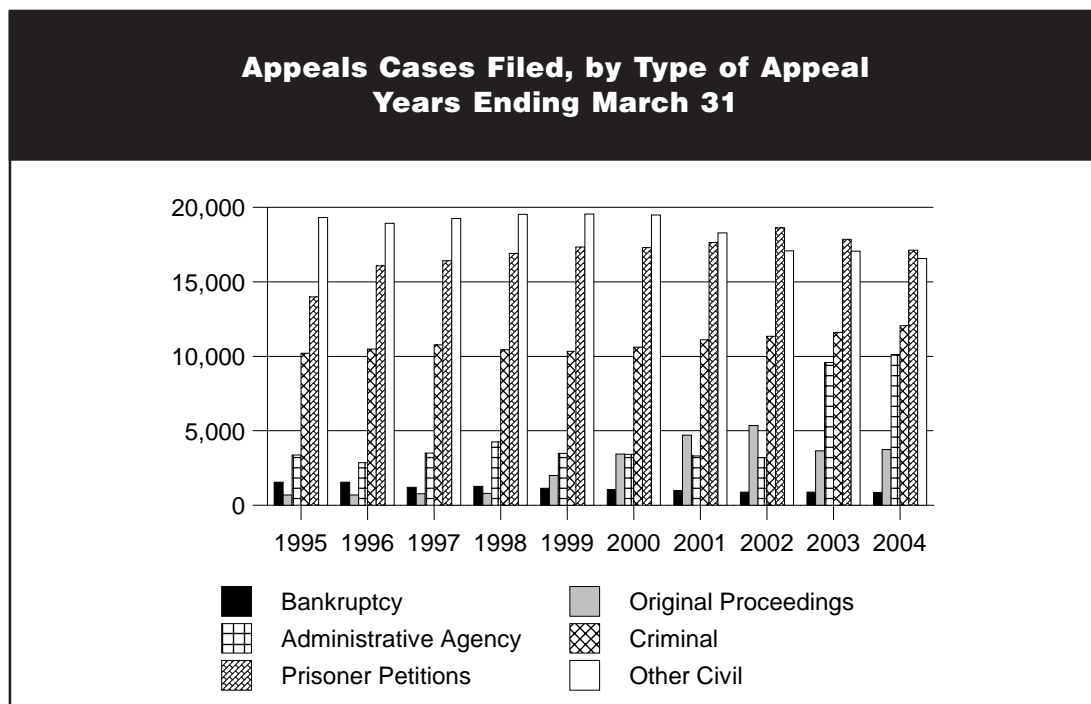
- In 1995, the distribution was 68 percent civil appeals, 21 percent criminal appeals, 7 percent administrative agency appeals, 1 percent original proceedings, and 3 percent bankruptcy appeals.
- The distribution of appellate cases has changed in response to reformed habeas corpus procedures under the Antiterrorism and Effective Death Penalty Act of 1996 and because administrative agency appeals involving the Board of Immigration Appeals (BIA) grew as that agency cleared its backlog of cases.

From 2003 to 2004, administrative agency appeals climbed 6 percent to 10,130. This growth stemmed primarily from a 3 percent increase to 8,720 in appeals of BIA decisions.

- BIA filings have soared 357 percent since 2000, mostly because in 2002 changes were made to the guidelines for processing BIA cases to clear a backlog of more than 56,000 such cases.
- Filings of BIA petitions have more than doubled in every circuit since 2002. The surge in BIA appeals has particularly stretched the resources of the Ninth and Second Circuits, which received 47 percent and 25 percent, respectively, of all BIA petitions filed in 2004.

Criminal appeals rose 4 percent to 12,056, mainly because of increases in filings related to firearms and immigration violations.

- Seventy-nine percent of criminal appeals filed in 2004 involved drugs, firearms, immigration, or fraud. Firearms filings jumped 22 percent to 1,791, and immigration filings grew 7 percent to 1,806. Drug filings fell 4 percent to 4,481.



- Criminal appeals have climbed 14 percent since 2000 and 18 percent since 1995.
- From 2003 to 2004, immigration appeals and firearms appeals surpassed fraud appeals to rank second and third in overall criminal appeals filings, respectively, behind appeals involving drugs.
- The growth in firearms appeals across the nation corresponds to the increase in firearms convictions arising from Project Safe Neighborhoods, an initiative to prosecute firearms defendants under federal laws, which often carry more severe penalties than state laws. Firearms cases in the courts of appeals have leaped 71 percent since 2000.
- Fifty-five percent of immigration appeals were filed in the Fifth Circuit, and 25 percent were filed in the Ninth Circuit. Explosive growth in such filings in the southwestern border district courts in these two circuits has caused appeals related to immigration violations to rise 66 percent since 2000 and 576 percent since 1995.

Original proceedings rose 2 percent to 3,734.

- Fifty-seven percent of original proceedings involved motions for second or successive habeas corpus prisoner petitions, which grew 1 percent to 2,142. Forty percent of original proceedings involved writ of mandamus petitions, which increased 1 percent to 1,503. Overall, original proceedings have risen 9 percent since 2000.

Civil appeals fell 3 percent to 33,713, and bankruptcy appeals stayed relatively stable, declining by two appeals to 872.

- In 2004, civil appeals consisted of 51 percent prisoner petitions, 20 percent civil rights appeals, and 29 percent other civil appeals. Appeals related to civil rights dropped 7 percent to 6,727 from 2003 to 2004 and declined 18 percent after 2000. Prisoner petitions decreased 4 percent to 17,133 from 2003 to 2004 to approach the 2000 level, but were 22 percent higher this year than in 1995.

Terminations of appeals remained about the same, declining by 41 cases to 56,243. Terminations have increased 1 percent since 2000 and 13 percent since 1995. Nevertheless, because filings exceeded terminations, pending cases rose 10 percent to 46,978.

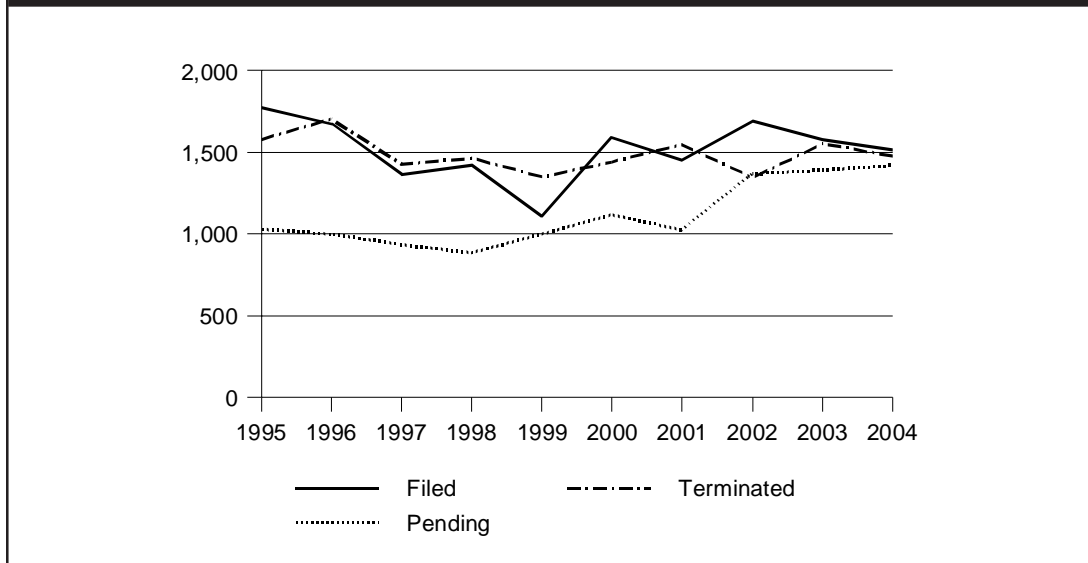
Detailed data for the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

Filings in the U.S. Court of Appeals for the Federal Circuit fell 4 percent to 1,515. The largest decreases occurred in appeals of decisions by the Merit Systems Protection Board (down 99 appeals) and the U.S. district courts (down 25 appeals). Appeals arising from the U.S. Court of Appeals for Veterans Claims (CAVC) grew 25 percent to 246, and those involving the Board of Contract Appeals rose 38 percent to 44.

- Filings per three-judge panel declined from 386 in 2003 to 379 in 2004.
- The Veterans Claims Assistance Act enacted in November 2000 obligated the Department of Veterans' Affairs to help veterans develop their claims. Thereafter, in *Quartuccio v. Principi*, 16 Vet.App. 183 (2002), the CAVC remanded many cases involving veterans' benefits to the Board of Veterans' Appeals. The Secretary of Veterans' Affairs appealed the remand orders in more than 100 cases.

**U.S. Court of Appeals for the Federal Circuit
Appeals Filed, Terminated, and Pending
Years Ending March 31**



Overall filings in 2004 dropped 5 percent from the total for 2000 and 15 percent from that for 1995.

Terminations of appeals in 2004 decreased 5 percent to 1,481 after increasing 15 percent from 2002 to 2003.

- The number of appeals terminated per three-judge panel fell from 394 to 370.
- Appeals terminations have fluctuated from year to year. The number of terminations in 2004 was 3 percent below that in 2000 and 6 percent below that in 1995.

The number of appeals pending on March 31, 2004, was 1,425, a 2 percent increase over the number pending one year earlier.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

Filings in the U.S. district courts were relatively stable, dropping less than one-half of 1 percent (down 614 cases) to 326,597 (this number does not include petty offense cases assigned to magistrate judges).

- Case filings were 15 percent greater than the number filed 10 years ago.
- In 2004, civil cases accounted for 78 percent of total filings in the U.S. district courts (255,851 cases), and criminal cases amounted to 22 percent (70,746). Ten years earlier, civil cases constituted 84 percent of total filings, and criminal cases 16 percent.
- Because 15 new district court judgeships were authorized in July 2003, filings per authorized judgeship fell from 492 to 481. However, as of March 31, 2004, only 650 of 680 authorized judgeships were filled, so the number of filings per on-board active judge was 502.

- After climbing 8 percent in 2003 in response to the closure of many civil cases involving asbestos and the anti-cholesterol drug Baycol, in 2004 case terminations nearly matched the 2002 level, declining 7 percent to 307,226.
- The stability of overall filings combined with the reduction in terminations caused the pending caseload to rise 6 percent to 327,344.

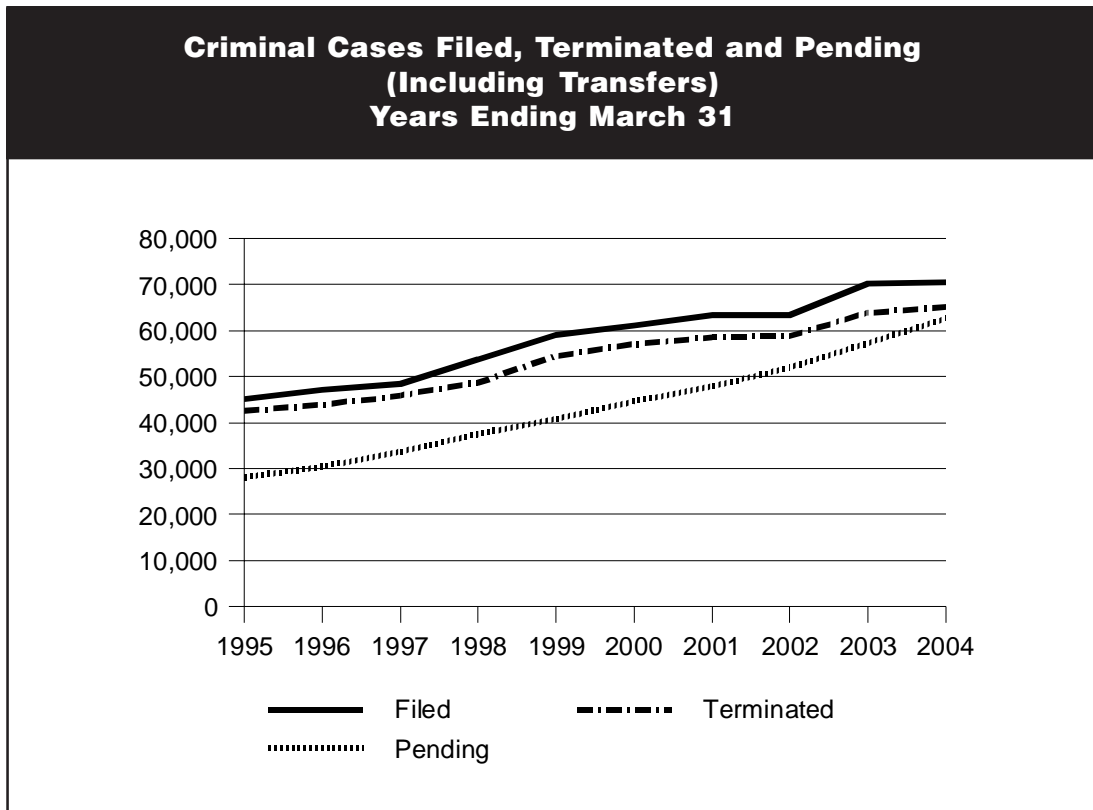
Criminal Filings

Filings of criminal cases and defendants (including transfers) both rose less than 1 percent. Case filings grew by 393 to 70,746, and defendants increased by 409 to an all-time high of 92,761.

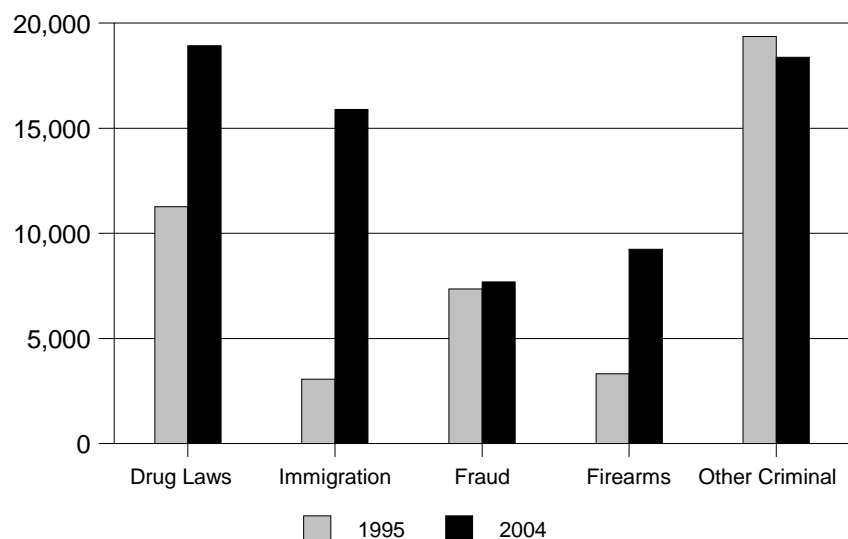
- Case filings per authorized judgeship declined from 106 to 104 as 15 new judgeships were authorized in July 2003.
- In 2004, the district courts received 58 percent more criminal cases and 48 percent more defendants than in 1995, and 16 percent more cases and 13 percent more defendants than in 2000.
- Criminal case filings have risen every year since 1995 because of growth in cases involving immigration, drugs, and firearms.

The largest numeric rise in filings from 2003 to 2004 was in immigration cases, followed by that for firearms cases.

- Immigration cases climbed 9 percent in 2004 to 15,890, and immigration defendants increased 7 percent to 16,800.
- Firearms cases grew 11 percent to 9,246, and firearms defendants rose 10 percent to 10,384.



Criminal Cases Filed, by Major Offense (Excluding Transfers) Years Ending March 31



- Since 1995, immigration case filings have soared 418 percent, and defendants in such cases have surged 390 percent. Since 2000, filings of immigration cases and defendants have jumped 37 percent and 35 percent, respectively. In the past decade, the U.S. government has increased security at its southwestern border to deter illegal entry. Subsequently, filings of immigration cases in the five southwestern border district courts—the District of Arizona, District of New Mexico, Southern District of California, and Southern and Western Districts of Texas—have grown 828 percent since 1995.
- Since 1995, firearms case filings have jumped 178 percent, and firearms defendants have increased 157 percent. Since 2000, filings of firearms cases and defendants have surged 89 percent and 84 percent, respectively. These increases have stemmed primarily from Project Safe Neighborhoods, a special program for prosecuting defendants accused of unlawful firearms possession under federal laws, which usually carry higher penalties than do state laws for similar crimes.

Drug case filings remained essentially stable during the past year, with 5 fewer cases in 2004 than in 2003. However, the number of defendants in drug cases rose 2 percent as more cases with multiple defendants were filed. The federal courts received 32,824 defendants in 18,926 drug cases in 2004.

- Since 1995, drug cases have surged 68 percent, and drug defendants have jumped 49 percent. Since 2000, filings of drug cases and defendants have grown 9 percent and 7 percent, respectively.

In 2004, notable increases also occurred in filings involving assault and sex offenses.

- Assault cases climbed 12 percent to 900.
- Sex offense cases grew 19 percent to 1,470, mostly because of a rise in filings related to sexually explicit materials.

Declines occurred in filings addressing fraud, traffic, embezzlement, larceny, counterfeiting, homicide, and robbery.

- Fraud cases dropped 12 percent and fraud defendants fell 10 percent as prosecutions of Social Security fraud cases decreased 38 percent after having doubled in 2003. This reduction more than offset a 27 percent rise in passport fraud cases.
- Homicide cases decreased by 11 to 236.
- Robbery cases dropped 3 percent to 1,159.

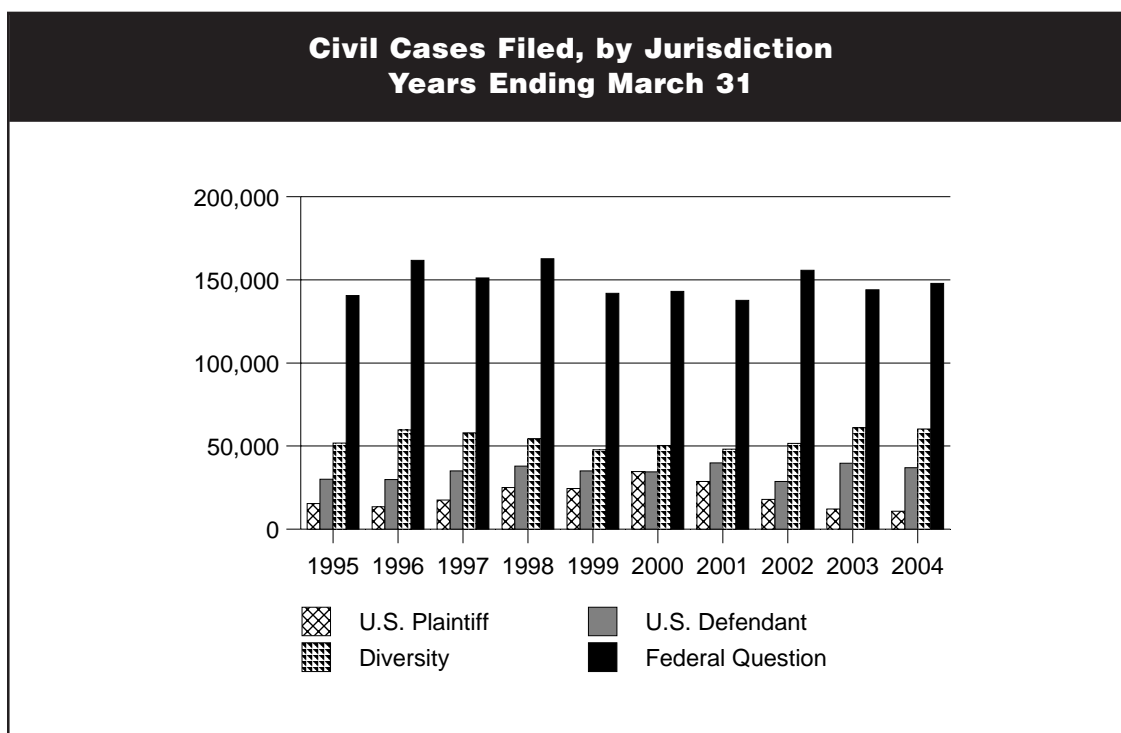
The number of criminal defendants terminated in 2004 grew by 394 defendants to 84,897. Because filings exceeded terminations, the number of pending defendants rose 10 percent to 87,346.

The D series of the appendix tables contains more detailed data on the criminal caseload by district.

Civil Filings

Civil filings in the U.S. district courts remained essentially stable, falling less than one-half of 1 percent to 255,851.

- An 8 percent reduction in U.S. plaintiff and defendant cases was offset by a 3 percent rise in federal question filings (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party in the case).
- Civil filings per authorized judgeship dropped from 386 to 376, primarily because of the authorization of 15 new judgeships in July 2003.
- Filings have fluctuated over the past five years in response to declines in personal injury/product liability cases involving breast implants and increases in cases associated with asbestos and Baycol. Excluding personal injury/product liability cases, civil filings have declined 5 percent since 2000.



- From 1995 to 2004, civil filings climbed 7 percent, a jump of nearly 18,000 cases. This growth stemmed mostly from the influx of large numbers of personal injury/product liability cases related to Baycol and breast implants, as well as cases involving civil rights and Social Security.

Filings of cases with the United States as defendant fell 7 percent from 2003 to 2004 as a result of declines in Social Security cases and prisoner petitions.

- An 11 percent decrease in cases involving Social Security laws stemmed primarily from a 12 percent reduction in disability filings and a 9 percent drop in supplemental security income filings.
- Prisoner petitions declined 3 percent, chiefly because habeas corpus petitions fell 7 percent.

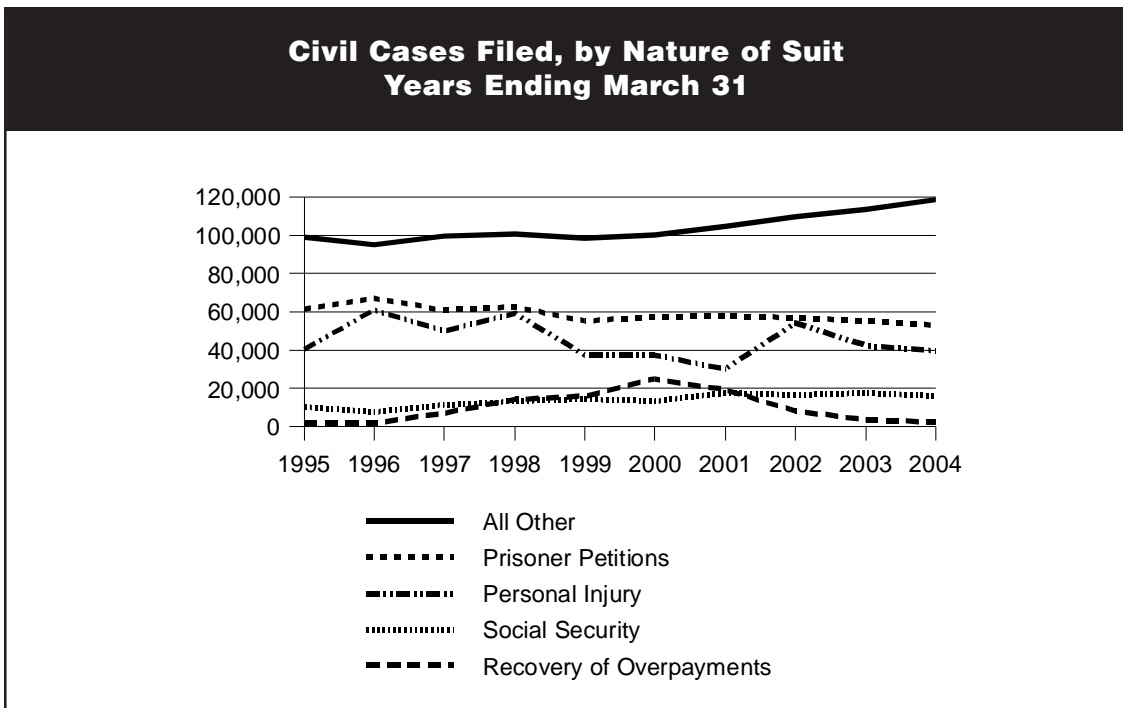
The number of filings with the United States as plaintiff decreased 12 percent to 10,700, largely in response to reductions in cases addressing defaulted student loans and foreclosures.

- Defaulted student loan cases dropped 23 percent to 2,573. This decline continues a trend that began in 2001 following the implementation of administrative measures by the Department of Education to improve the collection of these debts.
- Foreclosure cases fell 18 percent to 2,159.

Diversity of citizenship filings decreased 1 percent in 2004 to 60,334 because of reductions in contract and civil rights actions.

Federal question cases rose by 3,841 filings to 147,855.

- Copyright cases, most of which involved the music industry, jumped 26 percent, causing protected property rights cases to increase 11 percent overall.



- Approximately 10,000 patent infringement cases were filed against DirecTV and other private cable companies.

After increasing 8 percent in 2003, civil case terminations decreased 10 percent in 2004 to 241,864, which was close to the number of closures in 2002.

- In 2003, the Northern District of Ohio, the Eastern District of Virginia, the Eastern District of Pennsylvania, and the Southern District of Illinois had closed an unusually high number of asbestos cases, a combined total of more than 15,000. These four districts closed only 509 asbestos cases in 2004 as their case terminations returned to levels consistent with those in previous years.
- Terminations of personal injury/product liability cases in the Eastern District of Pennsylvania fell by more than 6,000. In 2003, that district had closed a large number of personal injury/product liability cases related to Baycol. Most of the Baycol cases were filed during the previous two years and terminated shortly thereafter prior to transfer to the District of Minnesota as part of Multidistrict Litigation Docket Number 1431.

Pending civil cases rose 6 percent (up 13,987 cases) to 264,487. The largest increases were reported by the Northern District of Ohio (whose pending caseload consisted mostly of asbestos cases) and the Western District of Washington (whose pending caseload consisted mostly of personal injury/product liability cases alleging injuries from phenylpropanolamine).

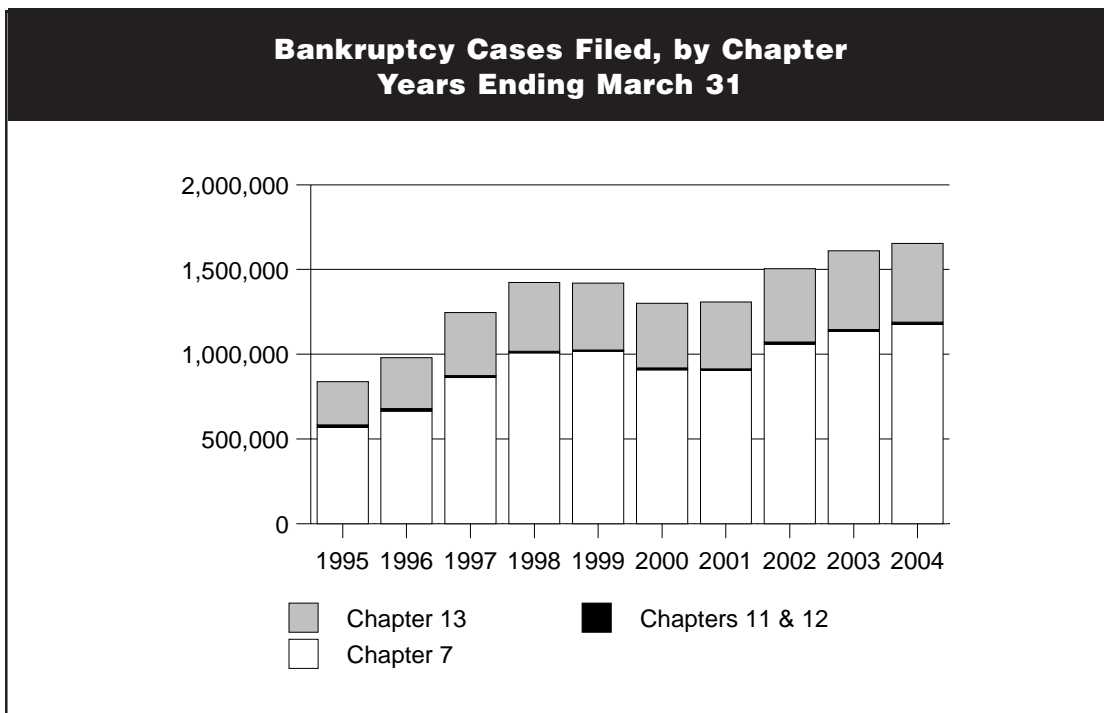
Detailed data on civil cases appear in the C series of the appendix tables.

U.S. Bankruptcy Courts

Bankruptcy filings increased 3 percent to 1,654,847. This total was the highest ever obtained for any 12-month period ending March 31 and was less than one-half of 1 percent below the all-time 12-month record, which was reached in the period ending September 30, 2003.

- Growth occurred under all major chapters of the bankruptcy code except chapter 12. The reduction in chapter 12 filings stemmed in part from the expiration of legislation authorizing that chapter. The sunset date for this legislation was January 1, 2004.
- Filings of personal bankruptcies climbed 3 percent to 1,618,062.
- Business bankruptcies declined 2 percent to 36,785.
- Seventy-two districts reported higher filings, with three districts—the Southern District of New York, the District of Colorado, and the Northern District of Oklahoma—reporting increases of 15 percent or more.
- Terminations of bankruptcy cases rose 9 percent. Because the number of cases filed exceeded the number closed, pending bankruptcy cases grew 1 percent.
- Since 1995, bankruptcy filings have surged 97 percent. Moreover, no additional bankruptcy judgeships have been authorized since 1992, and two temporary judgeships have lapsed since then. As a result, filings per authorized judgeship have leaped from 2,573 in 1995 to 5,108 in 2004.

As in past years, this year's increase in filings likely stemmed from the high level of consumer debt.



Filings of bankruptcy petitions rose under chapters 7, 11, and 13, but fell under chapter 12.

- Chapter 7 filings increased 4 percent to 1,176,654.
- Chapter 11 filings climbed 9 percent to 11,649.
- Chapter 13 filings grew 0.3 percent to 465,878.
- Chapter 12 filings fell 9 percent to 573.

Nonbusiness filings totaled 1,618,062, an increase of 3 percent (up 44,342 petitions) over the 2003 figure.

- Growth in nonbusiness petitions occurred under all chapters (all chapter 12 cases are classified as business cases).
- Nonbusiness filings climbed 4 percent under chapter 7, 1 percent under chapter 11, and 0.4 percent under chapter 13.
- Since 1995, nonbusiness petitions have accounted for an increasingly large proportion of total filings, rising from 94 percent of all filings in 1995 to 98 percent in 2004.

Business bankruptcy filings, which constituted 2 percent of total petitions filed, declined 2 percent to 36,785.

- Business petitions decreased under all chapters except chapter 11. Filings fell 5 percent under chapter 7, 9 percent under chapter 12, and 9 percent under chapter 13. Business filings rose 9 percent under chapter 11.
- The increase in chapter 11 filings largely stemmed from a surge of 150 percent (up 1,964 cases) in petitions filed in the Southern District of New York. All of this growth can be attributed to a large number of related cases involving a footwear company. Excluding filings from this district, chapter 11 business petitions decreased 12 percent from 2003.

For the third consecutive year, filings of adversary proceedings increased, rising 20 percent to 103,382. A 359 percent surge in such filings (up 9,077 cases) in the Southern District of New York arose primarily from mega-bankruptcy cases initiated in previous years, such as those involving Ames Merchandising, Bethlehem Steel, Enron, and Global Crossing.

- Terminations of adversary proceedings rose 25 percent.
- Because filings of adversary proceedings outnumbered terminations of such cases, pending adversary proceedings increased 19 percent to 110,462 as of March 31, 2004.

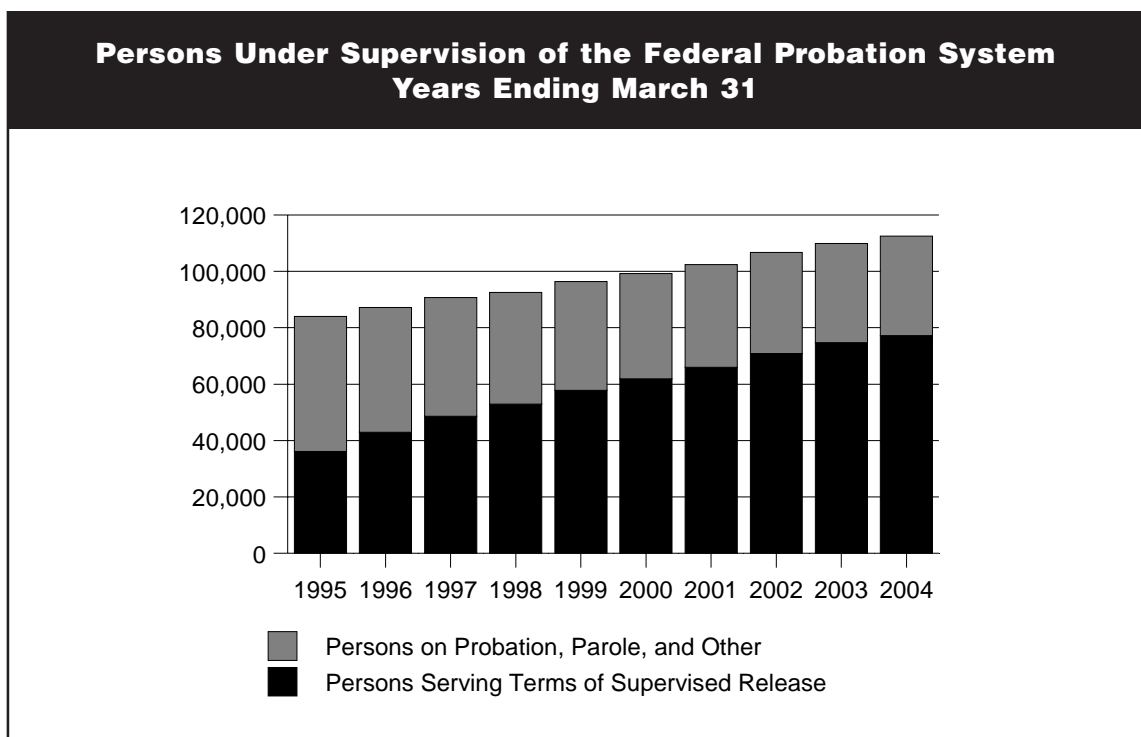
Detailed data on filings, terminations, and pending bankruptcy and adversary proceeding cases, by district, appear in Appendix Tables F, F-2 and F-8.

Federal Probation System

The number of persons under supervision totaled 112,486 as of March 31, 2004, a 2 percent increase over the number reported for March 31, 2003.

- A total of 59,363 persons were received for supervision, an 8 percent rise.
- The increase in persons received for supervision reflects increased involvement by probation officers in prisoner reentry following implementation of Monograph 109, which requires probation officers to conduct supervision planning while an offender is still in the custody of the Bureau of Prisons.
- The number of persons under supervision in 2004 was 13 percent higher than in 2000 and 34 percent higher than in 1995.

The number of persons removed from supervision climbed 9 percent to 56,905.



- Much of this growth resulted from an increase in early termination of supervision for persons who had not violated their conditions of supervision. This rise followed the approval by the Judicial Conference of criteria recommended by the Committee on Criminal Law for probation officers to use to identify offenders who may qualify for early termination of supervision. These criteria are intended to reduce the growth rate of the population under supervision.

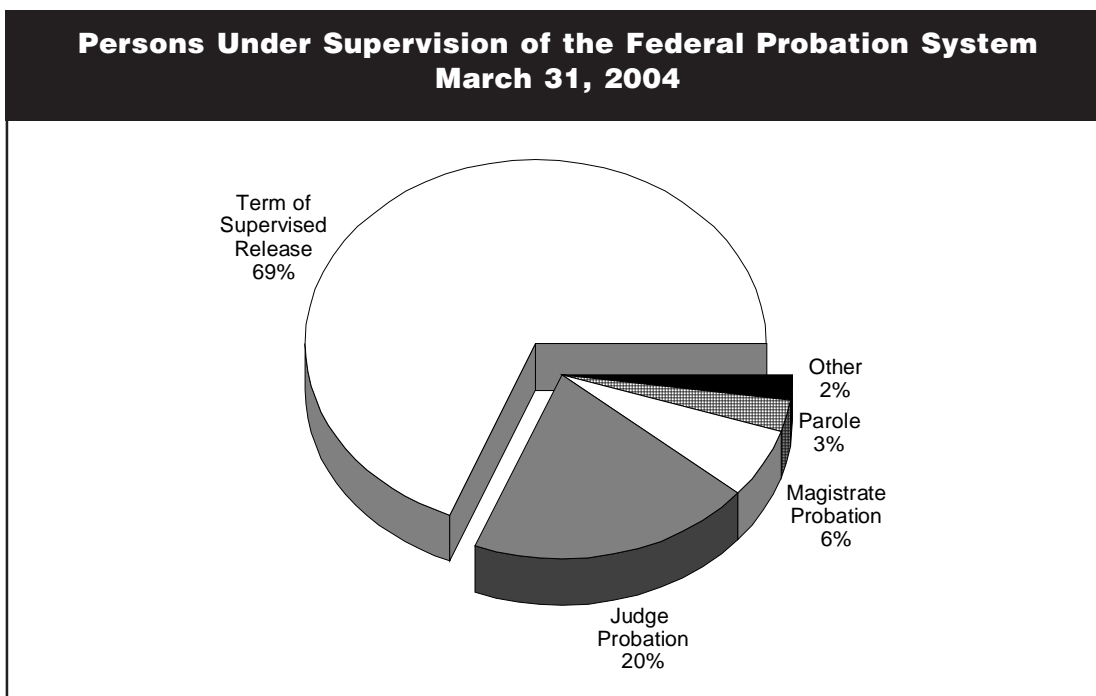
Sixty-nine percent of offenders under supervision on March 31, 2004, were serving terms of supervised release after imprisonment, 27 percent were under supervision following the imposition of a sentence of probation, and 3 percent were on parole.

- A total of 77,251 persons were serving terms of supervised release, a rise of 3 percent from the total for March 31, 2003.
- The number of persons serving terms of supervised release in 2004 was 25 percent higher than the number for 2000 and more than twice the number for 1995.

The number of persons on probation dropped 4 percent.

- Of the persons under supervision following sentences of probation, 76 percent were on probation imposed by district judges, and 24 percent were on probation imposed by magistrate judges.
- The number of persons on probation imposed by district judges decreased 3 percent to 22,571.
- The number of persons on probation imposed by magistrate judges fell 5 percent to 7,295.

The number of persons on parole, special parole, and military parole on March 31, 2004, dropped 8 percent to 3,054.



- Parole accounted for 3 percent of all persons under supervision in 2004. Parole accounted for 4 percent of persons under supervision in 2000 and 11 percent of those under supervision in 1995.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, including presentence reports, which are presented to judges who will be sentencing convicted defendants.

- The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports vary in length, but a report typically is 20 to 30 pages long.
- In 2004, probation officers completed 68,203 presentence reports, 2 percent more than were written in 2003.

Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

A total of 96,525 pretrial services cases were activated during the year ending March 31, 2004, a 2 percent increase over the total for the previous year, when pretrial services cases activated jumped 11 percent.

- During 2004, a total of 1,737 pretrial diversion cases were activated, a reduction of 4 percent.
- The number of pretrial services cases closed grew 2 percent to 88,860.
- Pretrial services activity has increased over time such that the number of pretrial services cases activated in 2004 was 17 percent greater than the number of cases activated in 2000 and 66 percent greater than the number of cases activated in 1995.

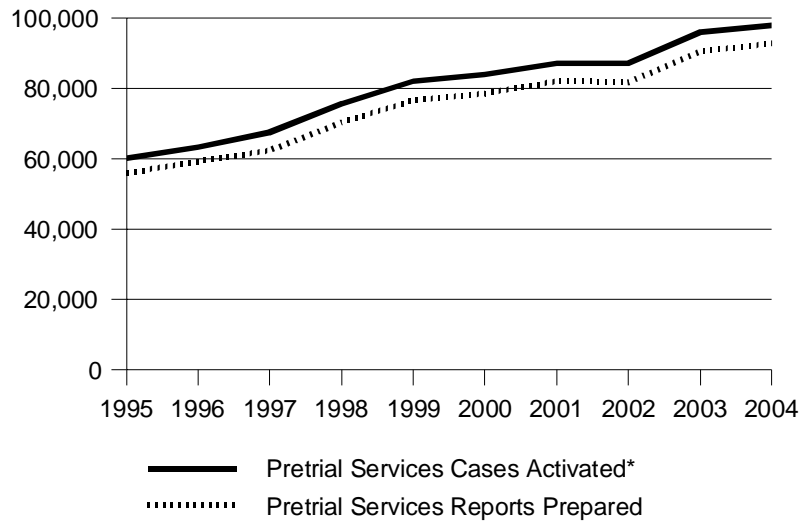
Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants awaiting trial. The reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed 2 percent more defendants (up 1,370) and prepared 2 percent more pretrial services reports (up 2,228) than they did in 2003.
- The number of pretrial services reports prepared in 2004 was 18 percent greater than in 2000 and 66 percent greater than in 1995.

For defendants ordered released pending trial, pretrial services officers monitored compliance with the release conditions set by the courts, provided necessary support services, and informed the courts and U.S. attorneys of apparent violations of release conditions.

- Although the number of cases activated increased in 2004, the number of pretrial defendants released pending trial fell 2 percent to 37,986.
- The proportion of persons released who were placed under the supervision of pretrial services officers rose from 87 percent in 2000 to 89 percent in 2004.

Federal Pretrial Services Cases Activated and Reports Prepared Years Ending March 31



* Includes both regular pretrial services cases and pretrial diversion cases.

- The total number of defendants received for pretrial services supervision (33,678 defendants) remained relatively steady (up 42 defendants).
- Nineteen percent of persons released were reported as having violated one or more release conditions during the time their cases were open, the same percentage as in 2003.

More detailed pretrial statistics appear in the H series of the appendix tables.



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Federal Judicial Caseload Statistics

March 31, 2005

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Judicial Caseload Indicators
12-Month Periods Ending March 1996, 2001, 2004, and 2005

Judicial Workload	1996	2001	2004	2005	% Change Since 1996	% Change Since 2001	% Change Since 2004
U.S. Courts of Appeals¹							
Cases Filed	50,594	56,067	60,505	65,418	29.3	16.7	8.1
Cases Terminated	48,602	56,210	56,243	57,486	18.3	2.3	2.2
Cases Pending	38,558	40,609	46,976 ²	54,908	42.4	35.2	16.9
U.S. District Courts							
Civil							
Cases Filed	264,838	254,523	255,851	278,712	5.2	9.5	8.9
Cases Terminated	244,679	249,570	241,864	260,980	6.7	4.6	7.9
Cases Pending	237,931	249,116	263,440 ²	281,172	18.2	12.9	6.7
Criminal (Includes Transfers)							
Cases Filed	47,373	63,473	70,746	70,364	48.5	10.9	-0.5
Defendants Filed	66,821	84,658	92,761	92,672	38.7	9.5	-0.1
Cases Terminated	43,960	58,790	65,362	64,430	46.6	9.6	-1.4
Cases Pending	30,574	48,042	61,933 ²	67,867	122.0	41.3	9.6
U.S. Bankruptcy Courts							
Cases Filed	980,126	1,307,857	1,654,847	1,590,975	62.3	21.6	-3.9
Cases Terminated	936,107	1,235,955	1,641,103	1,612,145	72.2	30.4	-1.8
Cases Pending	1,115,802	1,450,325	1,675,188 ²	1,654,018	48.2	14.0	-1.3
Federal Probation System							
Persons Under Supervision	87,263	102,377	112,486	112,870	29.3	10.2	0.3
Pretrial Services							
Total Cases Activated	63,146	87,464	98,262	99,116	57.0	13.3	0.9
Pretrial Services Cases Activated	61,670	85,625	96,525	97,163	57.6	13.5	0.7
Pretrial Diversion Cases Activated	1,476 ²	1,839	1,737	1,953	32.3	6.2	12.4
Total Released on Supervision	27,939	34,582	35,487	34,344	22.9	-0.7	-3.2
Pretrial Supervision	26,001 ²	32,563	33,678	32,346	24.4	-0.7	-4.0
Diversion Supervision	1,938 ²	2,019	1,809	1,998	3.1	-1.0	10.4

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

²Revised.

Judicial Business

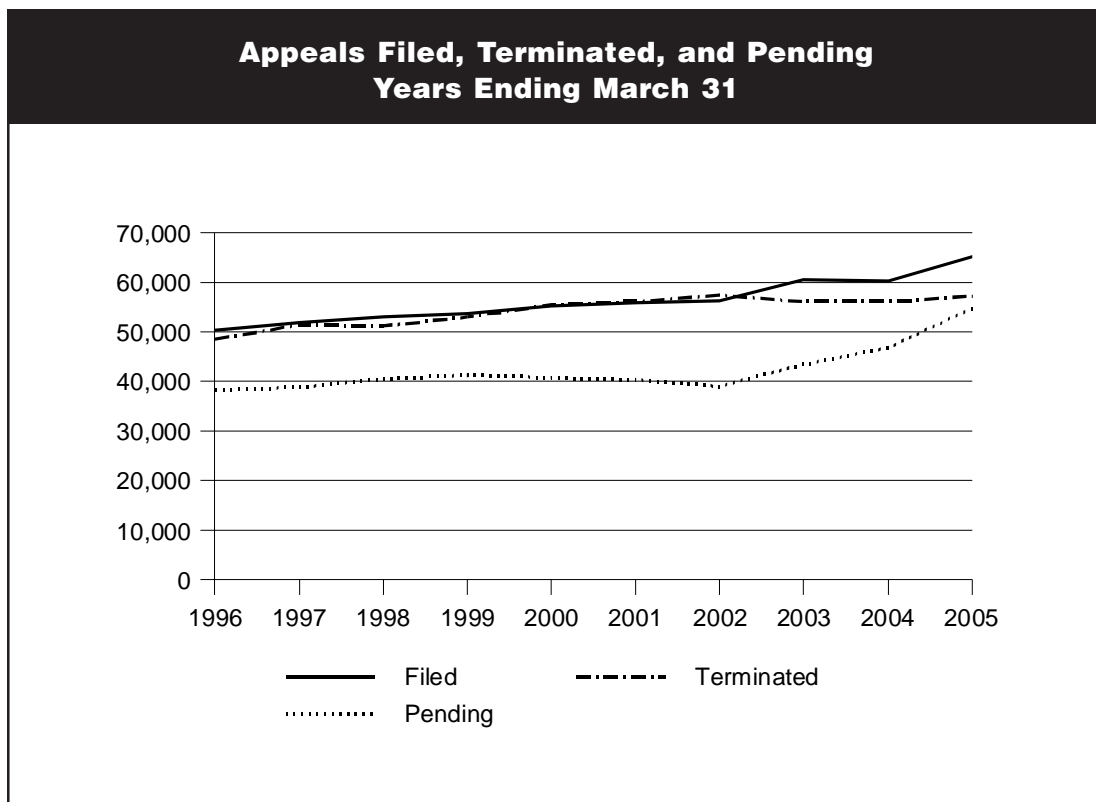
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2005. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and the work of the probation and pretrial services system.

In the U.S. courts of appeals, filings rose 8 percent to an all-time high. In the U.S. district courts, filings climbed 7 percent overall as civil case filings increased 9 percent while criminal case filings held steady. The number of persons under the supervision of the federal probation system on March 31, 2005, also remained stable, rising by less than 1 percent over the previous year's total. The number of pretrial services cases activated grew 1 percent. Although bankruptcy filings dropped 4 percent from the record set one year ago for the 12-month period ending March 31, they continued to exceed 1.5 million.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals rose 8 percent to set a new record of 65,418. This increase stemmed from continued growth in appeals of administrative agency decisions and from recent upswings in criminal appeals and original proceeding petitions following the U. S. Supreme Court's decisions in *Blakely v. Washington*, 124 S. Ct. 2531 (2004), and *U.S. v. Booker*, 125 S. Ct. 738 (2005).

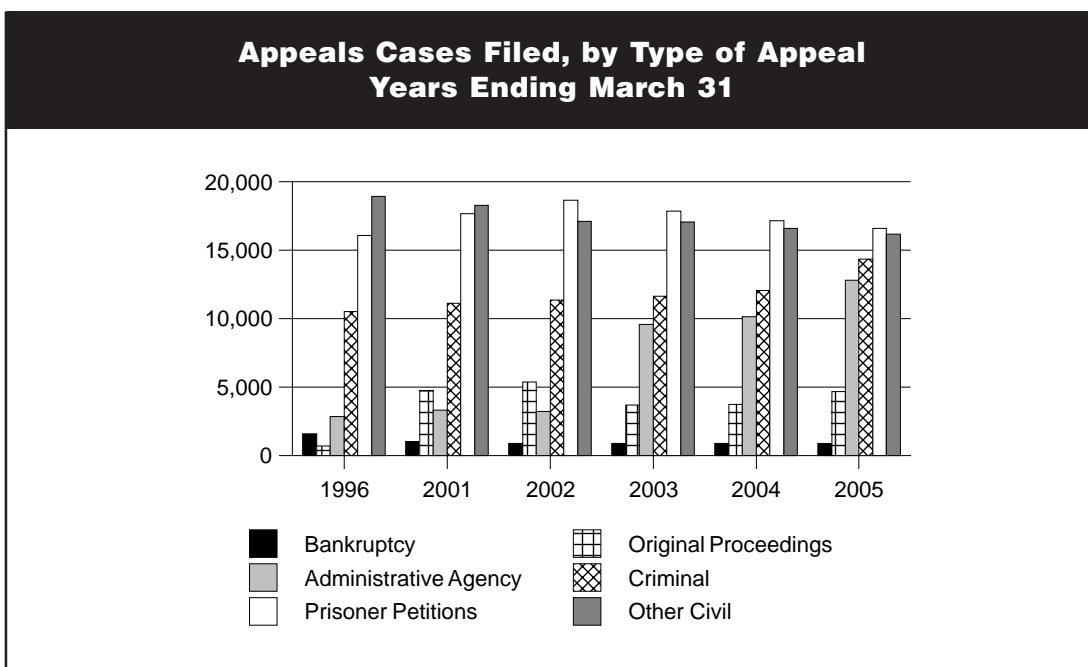
- Appeals filings have risen 17 percent since 2001, mainly because of increases in administrative agency and criminal appeals.



- In 2005, administrative agency appeals rose by 2,678 appeals to 12,808 (up 26 percent). This growth stemmed primarily from a 31 percent increase in appeals of decisions by the Board of Immigration Appeals (BIA) to 11,464 appeals.
- The surge in BIA appeals has particularly stretched the resources of the Ninth and Second Circuits, which received 54 percent and 22 percent, respectively, of all BIA petitions filed in 2005.
- Administrative agency appeals rose between August 2002 and October 2004 due to explosive growth in appeals of decisions by the BIA as it processed 40,000 new appeals annually and reduced its pending caseload of 56,000 cases. During that period, the percentage of BIA decisions challenged in the U.S. courts of appeals jumped from 5 percent to 25 percent.

Criminal appeals rose as many offenders appealed their convictions and/or sentences following the decisions in *Blakely* and *Booker*.

- Criminal appeals grew 19 percent to 14,319. Seventy-one percent of criminal appeals filed in 2005 involved drugs, firearms, or immigration. Drug crime appeals rose 20 percent to 5,387.
- Firearms appeals rose 31 percent to 2,352. The growth in firearms appeals across the nation corresponds to the increase in firearms convictions arising from Project Safe Neighborhoods, an initiative to prosecute firearms defendants under federal laws, which often carry more severe penalties than state laws.
- Immigration appeals grew 32 percent to 2,376. Fifty-four percent of immigration appeals were filed in the Fifth Circuit, and 22 percent were filed in the Ninth Circuit. These proportions are consistent with the surge in immigration prosecutions in the district courts along the southwestern border in these two circuits.
- Criminal appeals have climbed 29 percent since 2001 and 36 percent since 1996. Firearms appeals have doubled since 2001 and have gone up 92 percent since 1996. Immigration appeals have leaped 38 percent since 2001 and 728 percent since 1996.



Original proceedings rose 24 percent from 2004 to 2005 to 4,635 in response to increases in motions to file second or successive habeas corpus petitions.

- Sixty-nine percent of original proceedings involved motions to file second or successive habeas corpus petitions, which rose 49 percent to 3,201. Thirty percent of original proceedings involved petitions for writs of mandamus, which decreased 8 percent to 1,376.
- Overall, original proceedings have declined 2 percent since 2001, when filings were higher than normal following the U.S. Supreme Court's decision in *Apprendi v. New Jersey*, 530 U.S. 466 (2000).

Civil appeals fell 3 percent to 32,775, and bankruptcy appeals rose 1 percent to 881.

- In 2005, civil appeals consisted of 51 percent prisoner petitions, 21 percent civil rights appeals, and 28 percent all other civil appeals. Appeals related to civil rights rose 1 percent to 6,816 from 2004 to 2005, although they have declined 12 percent since 2001 and 2 percent since 1996. The number of prisoner petitions, which decreased 3 percent to 16,588 from 2004 to 2005, was 6 percent lower than the 2001 total and 3 percent higher than that for 1996.
- The distribution of appeals has changed in the past decade in response to habeas corpus reforms instituted by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) and to changes in the Department of Justice guidelines for processing BIA cases.
- In 2005, filings in the federal appeals courts comprised 50 percent civil appeals, 22 percent criminal appeals, 20 percent administrative agency appeals, 7 percent original proceedings, and 1 percent bankruptcy appeals.
- In 1996, the distribution was 69 percent civil appeals, 21 percent criminal appeals, 6 percent administrative agency appeals, 1 percent original proceedings, and 3 percent bankruptcy appeals.

Terminations of appeals rose 2 percent to 57,486. Because filings exceeded terminations, courts waited for guidance following the *Blakely* and *Booker* decisions, and BIA appeals continued to increase, pending cases rose 17 percent to 54,908. This total was 35 percent higher than that for 2001 and 42 percent larger than that for 1996. Since 2002, the pending caseload has risen in response to the growth in filings of BIA cases.

Detailed data for the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

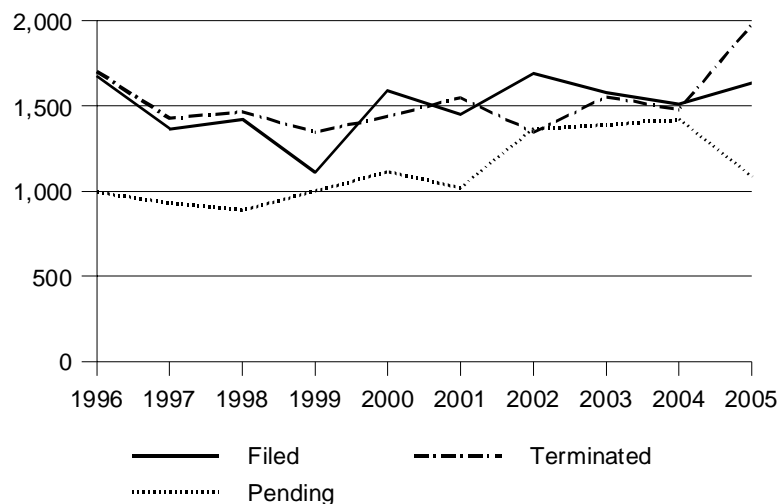
Filings in the U.S. Court of Appeals for the Federal Circuit grew 8 percent to 1,637. The most significant increase occurred in appeals of decisions by the Merit Systems Protection Board (up 143 appeals). Appeals involving the Board of Contract Appeals fell 50 percent to 22, and those arising from the U.S. Court of Appeals for Veterans Claims (CAVC) declined 12 percent to 217 appeals.

- Filings per three-judge panel rose from 379 in 2004 to 409 in 2005.
- Filings in 2005 were 13 percent higher than in 2001, but 2 percent lower than in 1996.

Terminations of appeals in the Federal Circuit jumped 34 percent from 2004 to 2005 to 1,979, after decreasing 5 percent from 2003 to 2004.

- The number of appeals terminated per three-judge panel grew from 370 in 2004 to 495 in 2005.

U.S. Court of Appeals for the Federal Circuit Appeals Filed, Terminated, and Pending



- Appeals terminations usually fluctuate from year to year, but the rise in appeals terminated in 2005 was exceptionally large and resulted mainly from a 289 percent surge (up 419 appeals) in terminations of appeals of CAVC decisions. After the Veterans Claims Assistance Act (VCAA) was enacted in 2000, the CAVC received numerous filings from veterans alleging violations of the VCAA, most of which the court remanded to the Board of Veterans' Appeals. The Secretary of Veterans' Affairs appealed these decisions to the Federal Circuit, which stayed the appeals pending its ruling in *Conway v. Principi*, 353 F.3d 1369 (Fed. Cir. 2004), which vacated the CAVC's remand orders. When the CAVC subsequently denied applications for attorneys' fees in many of the VCAA cases, hundreds of claimants filed appeals with the Federal Circuit, which dismissed most of them after *Vaughn v. Principi*, 336 F.3d 1351 (Fed. Cir. 2003), upheld the CAVC's decisions to deny fees.
- Terminations were 28 percent greater in 2005 than in 2001 and 16 percent greater than in 1996.

Because terminations of appeals exceeded filings of appeals, the number of appeals pending on March 31, 2005, fell to 1,085, which was 24 percent below the number pending one year earlier.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

Filings in the U.S. district courts rose 7 percent (up 22,479 cases) to 349,076 (this total does not include petty offense cases assigned to magistrate judges).

- The growth in overall filings combined with the loss of 2 temporary judgeships in the past 12 months (in the District of Nebraska and the Eastern District of California) caused filings per authorized judgeship to climb from 481 to 515.

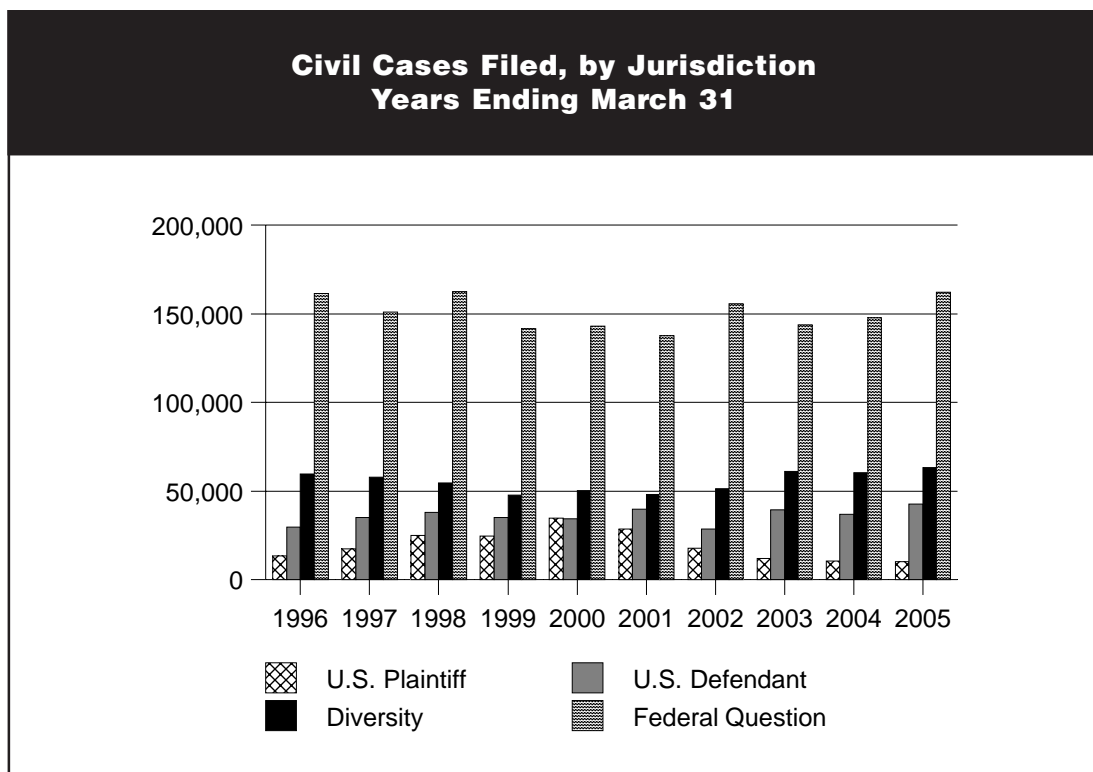
- The number of cases filed during this period was 10 percent greater than the number filed 5 years earlier and 12 percent greater than the number filed 10 years ago.

Case terminations increased 6 percent (up 18,184 cases to 325,410) from 2004 to 2005. As filings exceeded terminations, the pending caseload rose 7 percent to 349,039.

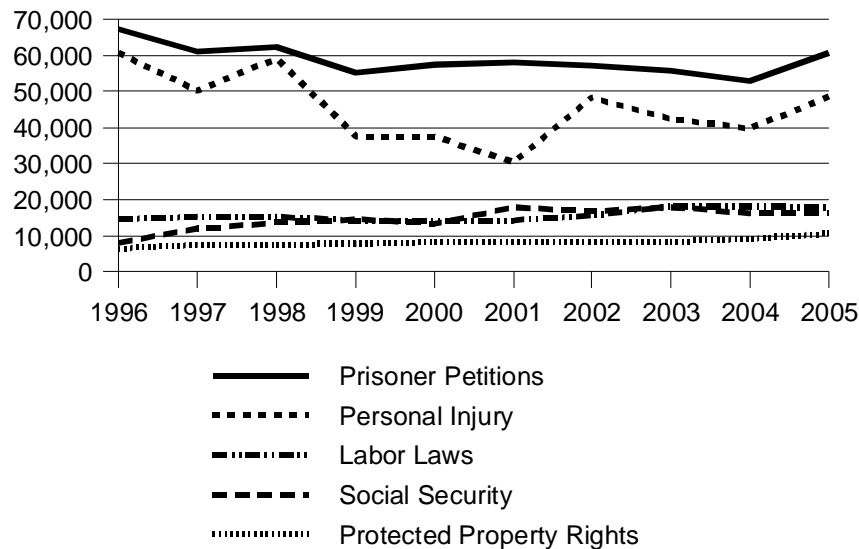
Civil Filings

Civil filings in the U.S. district courts grew 9 percent, rising by 22,861 cases to 278,712.

- An 8 percent increase occurred in private cases consisting of federal question filings (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party) and diversity of citizenship filings.
- Filings have fluctuated over the past five years in response to declines in personal injury/product liability cases involving breast implants and increases in cases associated with diet drugs containing phentermine/fenfluramine/dexfenfluramine.
- Civil filings per authorized judgeship climbed from 377 to 411.
- From 2001 to 2005, civil filings rose 10 percent (up more than 24,000 cases), mostly as a result of filings of personal injury/product liability cases related to diet drugs and of cases involving civil rights and Social Security.
- Excluding all personal injury/product liability cases, civil filings have increased 3 percent during the past five years.
- Over the past 10 years, civil filings have grown 5 percent (up nearly 14,000 cases), primarily as a result of increases in Social Security cases (which doubled), protected property cases (up 62 percent), and filings related to defaulted student loans (up 71 percent).



Civil Cases Filed, by Nature of Suit Years Ending March 31



Federal question filings climbed 10 percent, chiefly because of increases in statutory actions related to personal property damage, protected property rights, and federal prisoner petitions.

- The District of South Carolina received more than 19,000 statutory actions related to personal property damage that involved high-risk mortgage loans to consumers. These cases filed against a single defendant accounted for 82 percent of all statutory actions related to personal property damage.
- Cases involving protected property rights climbed 17 percent, mostly due to a 73 percent jump in copyright filings (up more than 1,900 cases).

Diversity of citizenship filings grew 5 percent, largely in response to a 39 percent increase in personal injury/product liability cases, most of which alleged injuries arising from diet drugs or welding rods containing manganese.

Filings of cases with the United States as defendant rose 16 percent as prisoner petitions soared 50 percent to 17,876.

- Prisoner petitions increased mostly because of a 71 percent surge in motions to vacate sentence and a 45 percent jump in habeas corpus petitions following the U.S. Supreme Court decisions in *Blakely* and *Booker*.

Total prisoner civil rights and prison condition filings rose 3 percent.

The number of filings with the United States as plaintiff declined 4 percent to 10,252, mainly as a result of a 20 percent decrease in foreclosure cases.

Civil case terminations rose 8 percent to 260,980.

- This growth resulted from terminations of personal injury/product liability cases in the Eastern District of Pennsylvania (which closed more than 4,000 cases related to diet drugs containing phentermine/fenfluramine/dexfenfluramine), the Northern District of Ohio (which closed more than 5,000 cases related to welding rods containing manganese), and the District of Minnesota (which closed more than 600 cases related mostly to the anticholesterol drug Baycol).

Pending civil cases grew 7 percent (up 17,732 cases) to 281,172.

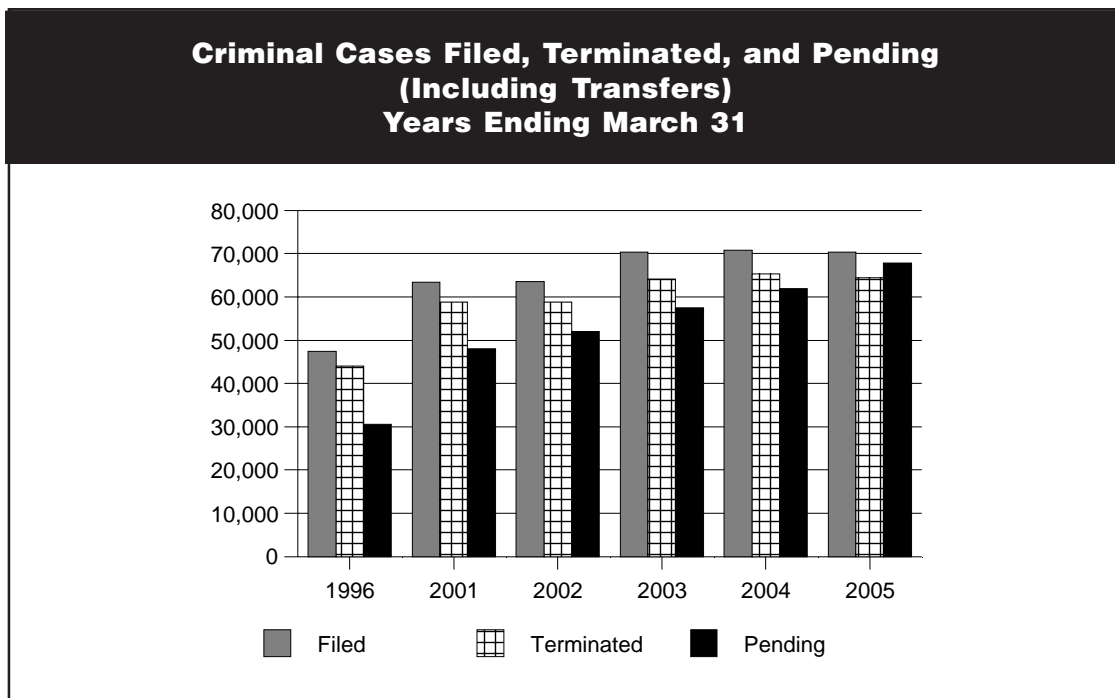
- The largest increases in pending cases were reported by the District of South Carolina, whose pending caseload jumped by more than 18,000 cases and consisted mostly of personal property damage cases involving high-risk mortgage loans; the Eastern District of Pennsylvania, whose pending caseload rose by more than 4,400 cases and consisted largely of diet drug cases; and the Eastern District of Arkansas, whose pending caseload grew by more than 1,200 cases and consisted mainly of cases dealing with hormone replacement therapy.

Detailed data on civil cases appear in the C series of the appendix tables.

Criminal Filings

Filings of criminal cases and defendants (including transfers) were relatively stable in 2005. Case filings declined by 382 to 70,364, and defendants fell by 89 to 92,672.

- Case filings per authorized judgeship remained unchanged at 104.
- In 2005, the district courts received 11 percent more cases and 10 percent more defendants than in 2001, and 50 percent more criminal cases and 39 percent more defendants than in 1996.

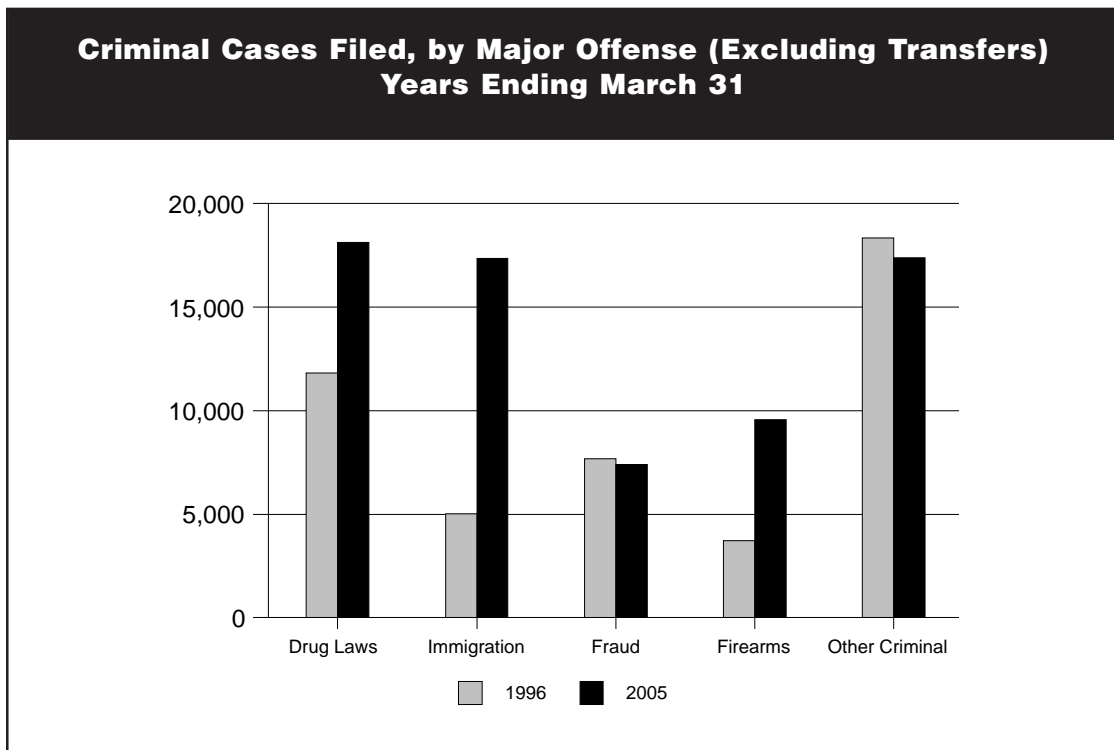


The largest numeric rise in filings from 2004 to 2005 was in immigration cases, followed by that for sex offense cases.

- Immigration case filings climbed 9 percent to 17,345, and immigration defendants increased 10 percent to 18,542.
- Since 2001, filings of immigration cases and defendants both have grown 47 percent. Since 1996, immigration case filings have soared 247 percent, and defendants in such cases have surged 229 percent. In 1995, the U.S. government began to increase security at its southwestern border to deter illegal entry into the United States. As a result, filings of immigration cases in the five southwestern border district courts—the District of Arizona, District of New Mexico, Southern District of California, and Southern and Western Districts of Texas—have more than tripled over the past 10 years.
- Sex offense cases grew 17 percent to 1,713, and defendants charged with these crimes climbed 16 percent to 1,760. These increases in sex offense filings stemmed primarily from prosecutions of defendants charged with crimes related to sexually explicit materials and interstate transportation for illegal sexual activity.

Filings of both cases and defendants involved with firearms and explosives remained fairly stable in 2005.

- Firearms and explosives case filings rose by 61 to 9,551, and defendants in these cases grew by 46 to 10,746.
- Since 2001, filings of firearms and explosives cases and defendants have increased 61 percent and 57 percent, respectively. Since 1996, firearms and explosives case filings have jumped 157 percent, and defendants in such cases have climbed 134 percent. The growth in firearms filings resulted primarily from special programs for prosecuting defendants accused of



unlawful firearms possession under federal laws, which often carry higher penalties than do state laws for similar crimes.

From 2004 to 2005, drug case filings declined 4 percent to 18,139 cases, and defendants charged with drug crimes fell 2 percent to 32,169.

- Since 2001, filings of drug cases have dropped 1 percent, although drug defendants have grown 2 percent. Since 1996, however, drug case filings have jumped 53 percent, and drug defendants have risen 38 percent.

Reductions occurred in filings of fraud, traffic, embezzlement, larceny, counterfeiting, homicide, and robbery cases.

- Overall fraud cases declined 1 percent, and fraud defendants fell 2 percent. However, cases involving identification documents and information fraud jumped 82 percent to 906 cases, and defendants in such cases soared 84 percent to 1,138. Prosecutions of these crimes increased after President Bush signed into law the Identity Theft Enhanced Penalty Act on July 15, 2004.
- Homicide cases decreased 16 percent to 147.
- Robbery cases dropped 4 percent to 1,103.

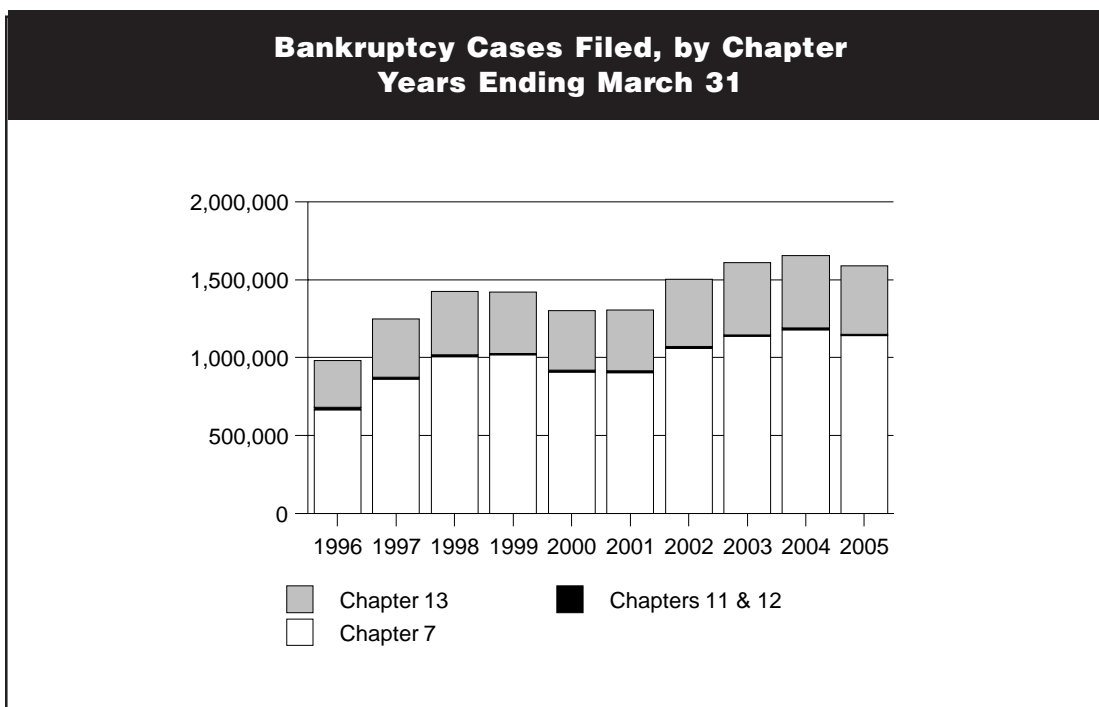
The number of criminal defendants terminated in 2005 fell 2 percent to 83,582. Because filings exceeded terminations, the number of pending defendants rose 11 percent to 94,952. The pace of terminations was further slowed as courts took time to address changes in sentencing required by *Booker*.

The D series of the appendix tables contains more detailed data on the criminal caseload by district.

U.S. Bankruptcy Courts

Bankruptcy filings decreased 4 percent to 1,590,975 in the 12-month period ending March 31, 2005, but have remained above the 1.5 million mark since the 12-month period ending March 31, 2002. The reduction occurred as debt as a percentage of income, while remaining near historically high levels, subsided somewhat during the past year.

- Sixty-four districts reported lower filings, with five districts (the District of Nevada, the Central District of California, the District of the Virgin Islands, the District of Hawaii, and the Southern District of Florida) reporting reductions of 15 percent or more.
- Terminations of bankruptcy cases fell 2 percent. Because the number of bankruptcy cases closed exceeded the number filed, pending bankruptcy cases dropped 1 percent.
- Bankruptcy filings have grown 22 percent since 2001 and have surged 62 percent since 1996.
- As of March 31, 2005, no additional bankruptcy judgeships had been authorized since 1992, and two temporary judgeships had lapsed thereafter. These factors plus growth in filings caused filings per authorized judgeship to leap from 3,007 in 1996 to 4,910 in 2005. The recently enacted Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA), P.L. No. 109-8, 199 Stat. 23, has authorized 28 additional judgeships effective April 20, 2005 (these judgeships are not included in the above figures for filings per authorized judgeship).



Filings of bankruptcy petitions decreased under all chapters.

- Chapter 7 filings declined 3 percent to 1,141,715 filings.
- Chapter 11 filings dropped 39 percent to 7,115 filings.
- Chapter 12 filings plunged 67 percent to 189 filings.
- Chapter 13 filings fell 5 percent to 441,838 filings.

Nonbusiness filings totaled 1,559,023, a decrease of 4 percent (down 59,039 petitions) from the 2004 figure.

- Nonbusiness filings under all chapters declined. Such filings fell 3 percent under chapter 7, 11 percent under chapter 11, and 5 percent under chapter 13. (All chapter 12 petitions are classified as business cases.)
- Since 1996, nonbusiness petitions have accounted for an increasingly large proportion of total filings, rising from 95 percent of all filings in 1996 to 98 percent in 2005.

Business bankruptcy filings, which constituted 2 percent of total petitions filed, dropped 13 percent to 31,952.

- Business petitions decreased under all chapters except chapter 7. Filings fell 41 percent under chapter 11, 67 percent under chapter 12, and 5 percent under chapter 13. Business filings rose 1 percent under chapter 7.
- Much of the reduction in chapter 11 petitions can be attributed to a return to normal levels for filings in the Southern District of New York. Filings in that district had jumped 150 percent in 2004 because of a large number of jointly administered petitions related to a single company's bankruptcy.

- Chapter 12 petitions declined largely because legislation authorizing chapter 12 expired on January 1, 2004. The legislation was subsequently reenacted (with retroactive provisions) in October 2004. The BAPCPA has permanently authorized chapter 12.

Adversary proceedings fell 22 percent to 81,254, after rising 20 percent in 2004. In the Southern District of New York, such filings plunged 77 percent (down 8,867 filings), mainly because of the termination of cases filed in previous years that had resulted in a surge of adversary proceedings. This reduction returned filings to levels typical for that district.

- Terminations of adversary proceedings grew 15 percent.
- The number of terminated adversary proceedings exceeded the number filed, which caused pending adversary proceedings to decrease 16 percent to 93,764 as of March 31, 2005.

Detailed data on filings, terminations, and pending bankruptcy and adversary proceeding cases, by district, appear in Appendix Tables F, F-2 and F-8.

Federal Probation System

The number of persons under supervision as of March 31, 2005, remained relatively stable at 112,870, a rise of 384 persons over the number under supervision one year earlier.

- A total of 63,605 persons were received for supervision, a 7 percent increase.
- The growth in persons received for supervision partially reflects increased involvement by probation officers in prisoner reentry following implementation of Monograph 109, which requires probation officers to conduct supervision planning while an offender is still in the custody of the Bureau of Prisons. Such offenders are considered to be under supervision during supervision planning.
- The number of persons under supervision in 2005 was 10 percent higher than the total for 2001 and 29 percent higher than that for 1996.

The number of persons removed from supervision climbed 11 percent to 63,303.

- Much of this growth resulted from an increase in early termination of supervision for persons who had not violated their conditions of supervision and were not considered risks to the community. This rise followed the approval by the Judicial Conference of criteria recommended by the Committee on Criminal Law for probation officers to use to identify nonviolent offenders who may qualify for early termination of supervision. These criteria are intended to reduce the growth rate of the population under supervision.

Seventy-three percent of offenders under supervision on March 31, 2005, were serving terms of supervised release after imprisonment, 24 percent were under supervision following the imposition of a sentence of probation, and 2 percent were on parole.

- A total of 81,736 persons were serving terms of supervised release, a rise of 6 percent from the total for March 31, 2004.
- The number of persons serving terms of supervised release in 2005 was 24 percent higher than the number for 2001 and 90 percent higher than the number for 1996.

The number of persons on probation dropped 8 percent.

- Of the persons under supervision following sentences of probation, 78 percent were on probation imposed by district judges, and 22 percent were on probation imposed by magistrate judges.
- The number of persons on probation imposed by district judges decreased 4 percent to 21,556, and the number of persons on probation imposed by magistrate judges fell 18 percent to 5,953.

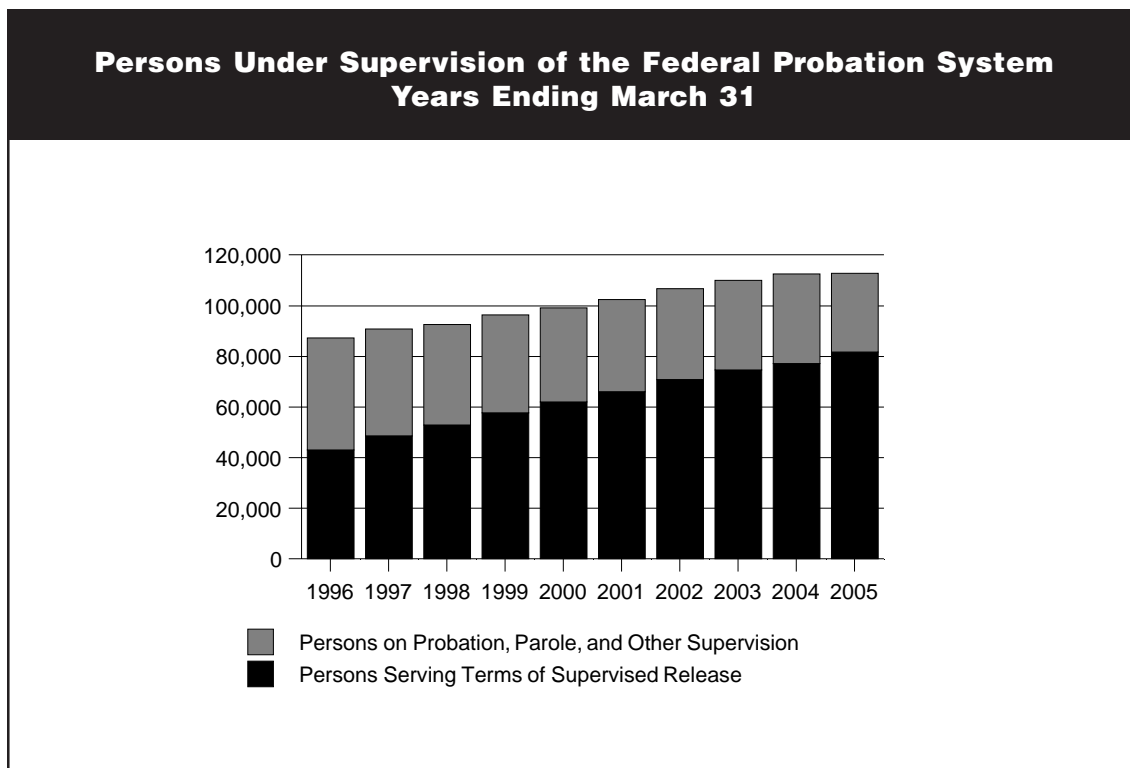
The number of persons on parole, special parole, and military parole on March 31, 2005, declined 9 percent from the total one year earlier to 2,784.

- Over the past 10 years, the number of persons on parole has steadily declined. Parole accounted for 9 percent of persons under supervision in 1996 and 4 percent of persons under supervision in 2001.

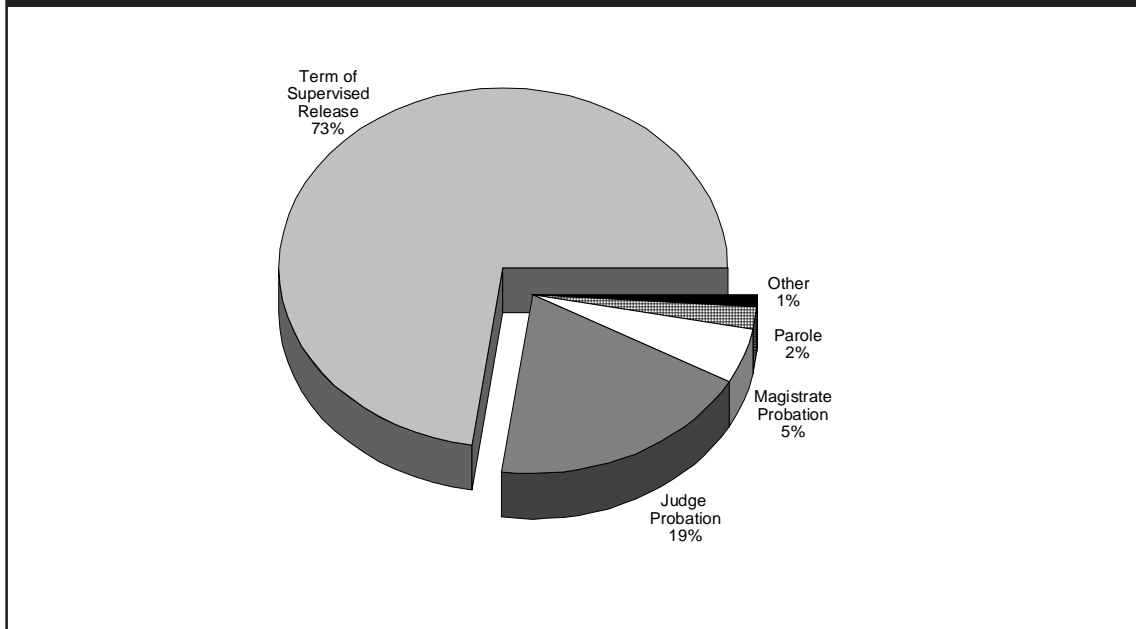
In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, including presentence reports, which are presented to judges who will be sentencing convicted defendants. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports vary in length, but a report typically is 20 to 30 pages long.

- In 2005, the number of presentence reports written by probation officers remained relatively stable at 68,818, an increase of less than 1 percent.

Detailed probation data appear in the E series of the appendix tables.



Persons Under Supervision of the Federal Probation System Years Ending March 31



Pretrial Services

A total of 97,163 pretrial services cases were activated during the year ending March 31, 2005, a 1 percent rise over the total for the previous year.

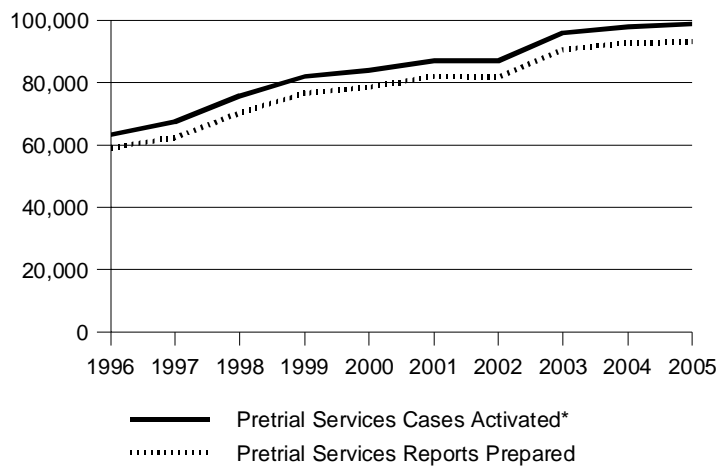
- During 2005, a total of 1,953 pretrial diversion cases were activated, an increase of 12 percent.
- The number of pretrial services cases closed remained essentially stable at 88,667.
- Pretrial services activity has increased over time such that the number of pretrial services cases activated in 2005 was 13 percent greater than the number of cases activated in 2001 and 57 percent greater than the number of cases activated in 1996.

Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants awaiting trial. The reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed 2 percent more defendants (up 1,661) and prepared 1 percent more pretrial services reports (up 473) than they did in 2004.
- The number of pretrial services reports prepared in 2005 was 14 percent greater than in 2001 and 57 percent greater than in 1996.

For defendants ordered released pending trial, pretrial services officers monitored compliance with the release conditions set by the courts, provided necessary support services, and informed the courts and U.S. attorneys of apparent violations of release conditions.

Federal Pretrial Services Cases Activated and Reports Prepared Years Ending March 31



* Includes both regular pretrial services cases and pretrial diversion cases.

- Although the number of cases activated grew in 2005, the number of pretrial services defendants released pending trial fell 6 percent to 35,662, and the number of defendants received for pretrial services supervision dropped 4 percent to 32,346.
- Despite the reduction in the number of defendants received for supervision, the proportion of persons released who were placed under the supervision of pretrial services officers rose from 89 percent in 2004 to 91 percent in 2005.
- The number received for pretrial diversion supervision increased 10 percent (up 189 defendants).
- The percentage of persons released who were reported as having violated one or more release conditions during the time their cases were open remained stable at 19 percent.

More detailed pretrial services statistics appear in the H series of the appendix tables.



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Federal Judicial Caseload Statistic

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March 31, 2006

Office of Judges Programs
Statistics Division
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Judicial Caseload Indicators
12-Month Periods Ending March 31, 1997, 2002, 2005, and 2006

Judicial Workload	1997	2002	2005	2006	% Change Since 1997	% Change Since 2002	% Change Since 2005
U.S. Courts of Appeals ¹							
Cases Filed	51,963	56,534	65,418	70,375	35.4	24.5	7.6
Cases Terminated	51,522	57,607	57,486	66,792	29.6	15.9	16.2
Cases Pending	38,955	39,242	55,218 ²	58,801	50.9	49.8	6.5
U.S. District Courts							
Civil							
Cases Filed	261,736	265,091	278,712	244,068	-6.8	-7.9	-12.4
Cases Terminated	246,027	248,886	260,980	281,220	14.3	13.0	7.8
Cases Pending	248,494	266,998	283,209 ²	246,057	-1.0	-7.8	-13.1
Criminal (Includes Transfers)							
Cases Filed	48,418	63,515	70,364	68,670	41.8	8.1	-2.4
Defendants Filed	67,960	84,389	92,672	91,203	34.2	8.1	-1.6
Cases Terminated	45,974	58,844	64,430	67,530	46.9	14.8	4.8
Cases Pending	33,932	52,044	68,603 ²	69,743	105.5	34.0	1.7
U.S. Bankruptcy Courts							
Cases Filed	1,247,065	1,504,806	1,590,975	1,794,795	43.9	19.3	12.8
Cases Terminated	1,095,618	1,395,967	1,612,145	1,889,778	72.5	35.4	17.2
Cases Pending	1,264,953	1,559,915	1,652,364 ²	1,557,381	23.1	-0.2	-5.7
Federal Probation System							
Persons Under Supervision	90,727	106,760	112,870	113,322	24.9	6.1	0.4
Pretrial Services							
Total Cases Activated	67,173	87,249	99,116	99,969	48.8	14.6	0.9
Pretrial Services Cases Activated	65,496	85,324	97,163	98,246	50.0	15.1	1.1
Pretrial Diversion Cases Activated	1,677 ²	1,925	1,953	1,723	2.7	-10.5	-11.8
Total Released on Supervision	28,151	34,565	34,344	35,015	24.4	1.3	2.0
Pretrial Supervision	26,001	32,459	32,346	33,265	27.9	2.5	2.8
Diversion Supervision	2,150 ²	2,106	1,998	1,750	-18.6	-16.9	-12.4

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

² Revised.

Judicial Business

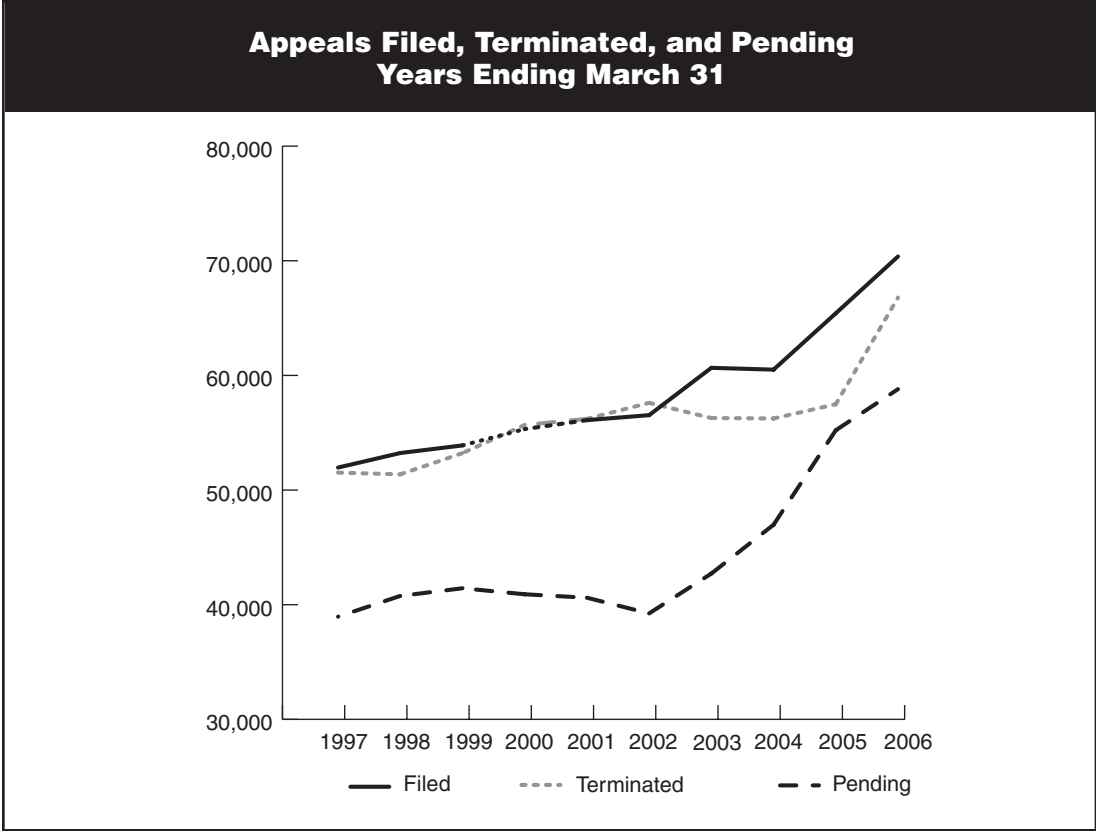
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2006. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and the work of the probation and pretrial services system.

Filings in the U.S. courts of appeals grew 8 percent to an all-time high. In the U.S. district courts, filings declined 10 percent overall as civil case filings fell 12 percent and criminal case filings dropped 2 percent. Bankruptcy filings climbed 13 percent to nearly 1.8 million, a new record for the 12-month period ending March 31. The number of persons under the supervision of the federal probation system on March 31, 2006, remained relatively stable, rising less than 1 percent over the total one year earlier. The number of pretrial services cases activated increased 1 percent.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals rose 8 percent to set a new record of 70,375. Most of this increase stemmed from further upswings in criminal appeals, motions to vacate sentence, and original proceedings petitions filed following the U.S. Supreme Court’s decisions in *Blakely v. Washington*, 124 S. Ct. 2531 (2004), and *United States v. Booker*, 125 S. Ct. 738 (2005). Growth in appeals of administrative agency decisions also continued.

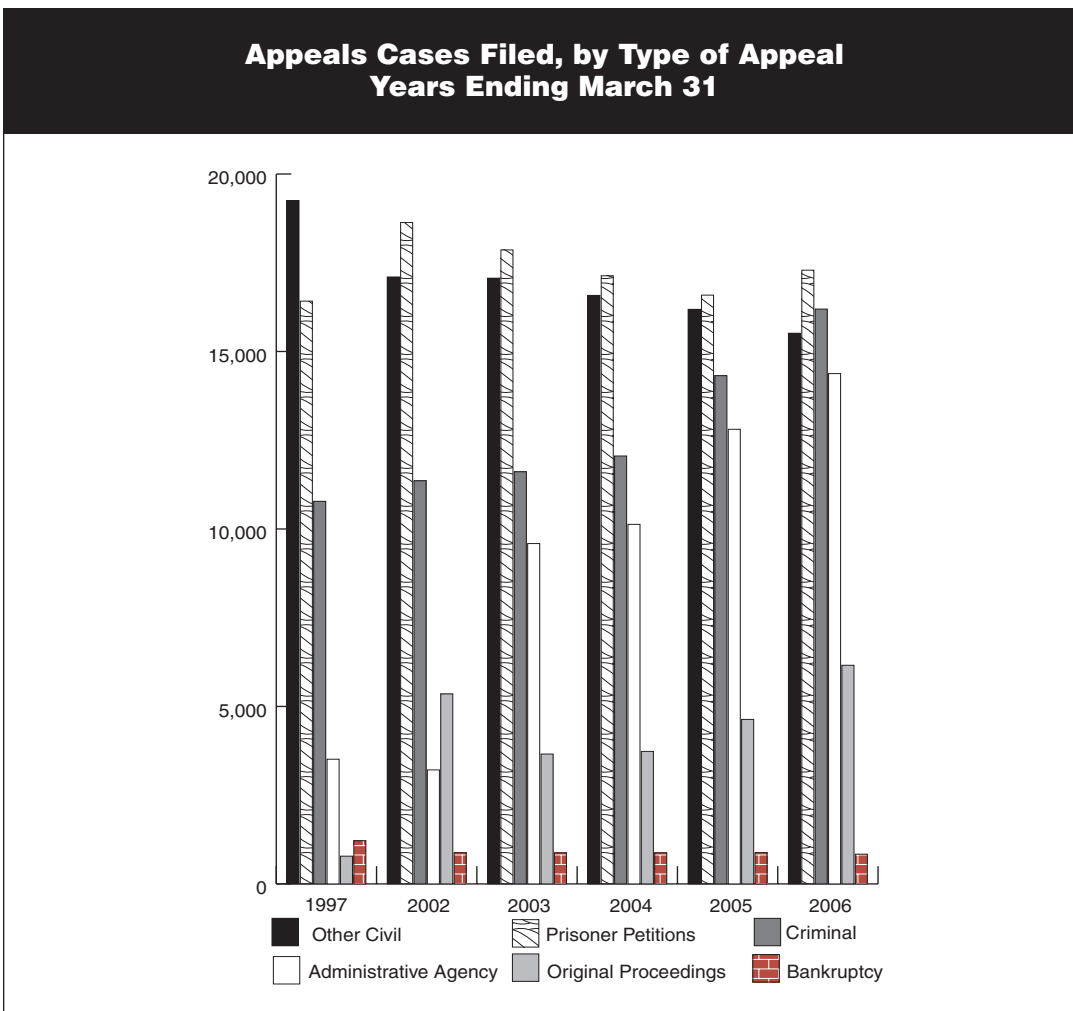
- Appeals filings have climbed 24 percent since 2002, primarily because of increases in administrative agency and criminal appeals. Since 1997, appeals filings have grown 35 percent.



In 2006, criminal appeals increased 13 percent to 16,195, despite reductions in criminal filings involving drugs, immigration, and firearms and explosives in the district courts.

- Much of the increase in criminal appeals occurred in response to *Booker* and was not driven by filings in the district courts.
- Eighty-one percent of criminal appeals filed in 2006 involved drugs, firearms, immigration, or fraud. Drug appeals rose 15 percent to 6,189. Immigration appeals climbed 22 percent to 2,919. Firearms and explosives appeals grew 3 percent to 2,455. Fraud appeals grew 13 percent to 1,559.
- Fifty-six percent of immigration appeals were filed in the Fifth Circuit, and 23 percent were filed in the Ninth Circuit. These proportions are consistent with the proportions of immigration cases filed in the district courts in the Fifth and Ninth Circuits.
- Criminal appeals have climbed 43 percent since 2002 and 50 percent since 1997.

Original proceedings climbed 33 percent in the past year to 6,160, the highest total reached since 1998, the year the category of original proceedings was changed to add mandamus proceedings not previously included.



- Seventy-eight percent of original proceedings involved motions for second or successive habeas corpus petitions, which jumped 50 percent to 4,800. Twenty-one percent of original proceedings involved petitions for writs of mandamus, which decreased 6 percent to 1,300. Overall, original proceedings have increased 15 percent since 2002, when they set the previous record in response to the U.S. Supreme Court's decision in *Apprendi v. New Jersey*, 530 U.S. 466 (2000).

Administrative agency appeals rose 12 percent to 14,377. This growth stemmed almost entirely from a 14 percent increase in appeals of decisions of the Board of Immigration Appeals (BIA) to 13,059 appeals.

- BIA filings have soared 640 percent since 2002, initially in response to the reorganization of the BIA in 2002, when new case review guidelines and processing time standards were instituted. The growth in appeals of BIA decisions continued thereafter because, according to the statistical yearbook of the Executive Office for Immigration Review, the BIA received 52 percent more cases and completed 46 percent more cases between 2001 and 2005, thus increasing the number of decisions that could be challenged in the appeals courts. Although the BIA's caseload peaked in 2002, the appeals courts thereafter received rising numbers of BIA appeals, and the rate of BIA appeals climbed.

Civil appeals remained stable, rising by 30 appeals to 32,805. Motions to vacate sentence filed by federal prisoners rose 20 percent to 6,450 pursuant to *Blakely* and *Booker*. This increase, however, was offset by declines in state prisoner petitions and other private civil appeals.

- Civil appeals consisted of 53 percent prisoner petitions, 20 percent civil rights appeals, and 27 percent all other appeals.
- The number of civil appeals filed was 8 percent below the totals for both 2002 and 1997.

In 2006, filings in the federal appeals courts consisted of 47 percent civil appeals, 23 percent criminal appeals, 20 percent administrative agency appeals, 9 percent original proceedings, and 1 percent bankruptcy appeals.

- In 1997, the appeals courts' caseload constituted 69 percent civil appeals, 21 percent criminal appeals, 7 percent administrative agency appeals, 2 percent original proceedings, and 2 percent bankruptcy appeals.
- The proportion of civil appeals has changed in the past decade in response to habeas corpus reforms instituted by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), to changes in the guidelines for processing BIA cases, and, more recently, to the *Blakely* and *Booker* decisions.

Terminations of appeals rose 16 percent to 66,792 as appeals courts concluded BIA appeals and appeals that had been held pending the decision in *Booker*.

- Appeals terminations per three-judge panel rose 16 percent from 1,033 to 1,200.
- In 2006, appeals courts terminated 16 percent more appeals than in 2002 and 30 percent more than in 1997.

The appeals courts' pending caseload grew 6 percent as filings outpaced terminations.

- The number of appeals pending in 2006 was 50 percent higher than in 2002 and 51 percent higher than in 1997.

Detailed data on filings in the courts of appeals appear in the B series of the appendix tables.

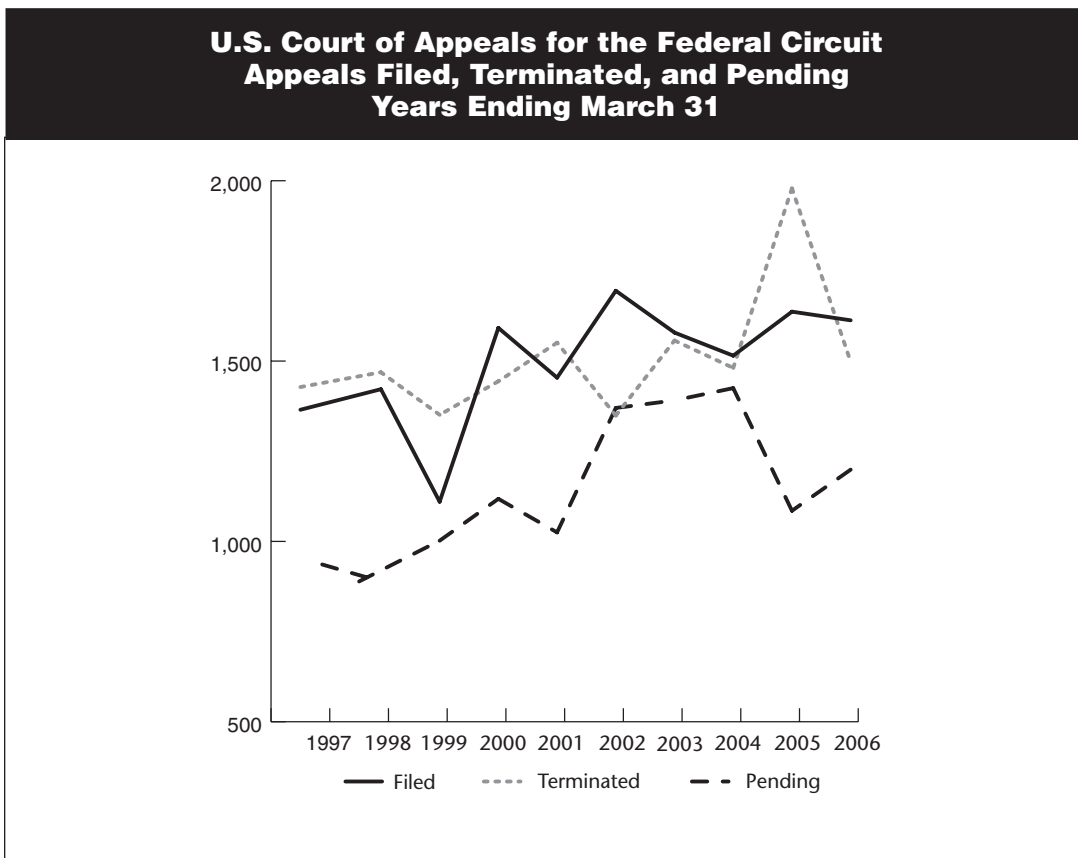
U.S. Court of Appeals for the Federal Circuit

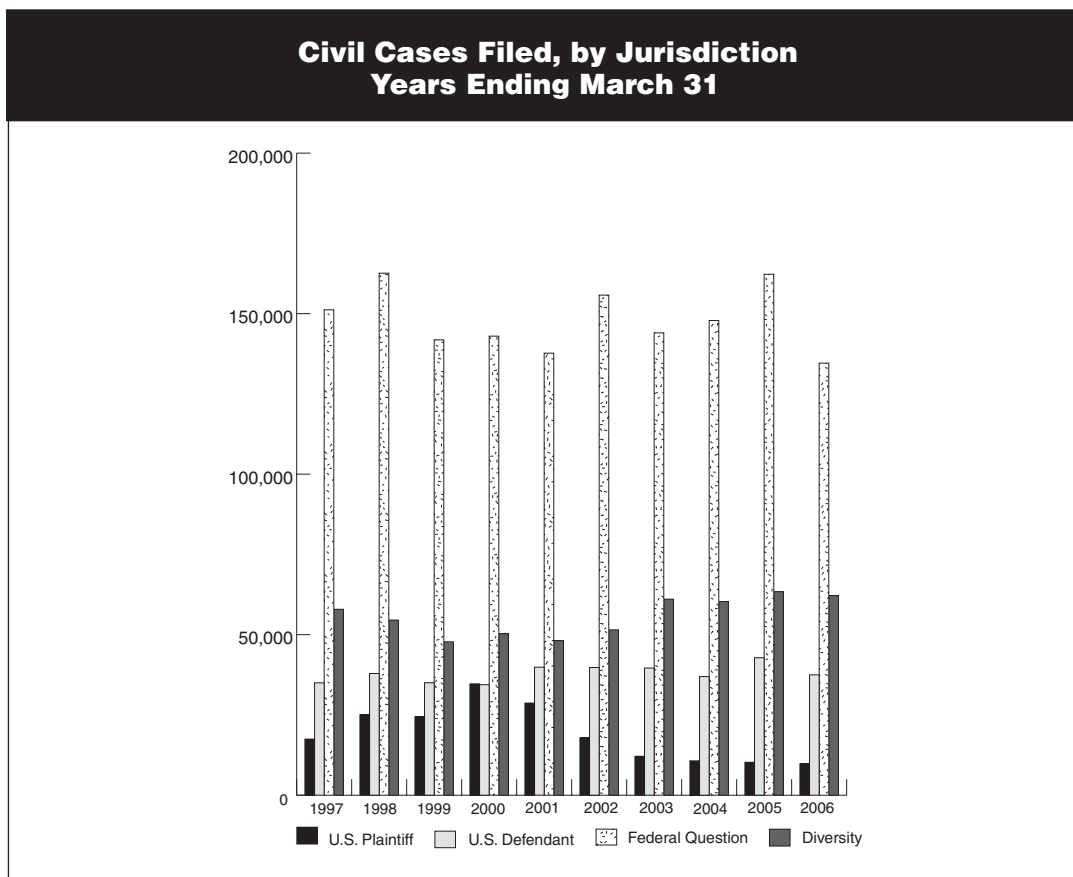
Filings in the U.S. Court of Appeals for the Federal Circuit remained relatively stable, falling 1 percent to 1,613. The largest numeric increase occurred in appeals of decisions by the Merit Systems Protection Board, a rise of 5 percent to 540 appeals. Appeals involving the U.S. Court of Federal Claims had the largest numeric decrease, a reduction of 15 percent to 163 appeals.

- Filings per three-judge panel dropped from 409 in 2005 to 403 in 2006.
- Filings in 2006 were 5 percent lower than in 2002, but 18 percent higher than in 1997.

Terminations of appeals fell 24 percent (down 481) to 1,498.

- Terminations of appeals had jumped 34 percent the previous year when many appeals of decisions by the U.S. Court of Appeals for Veterans Claims were dismissed or remanded pursuant to *Vaughn v. Principi*, 336 F.3d 1351 (Fed. Cir. 2003), and *Conway v. Principi*, 353 F.3d 1369 (Fed. Cir. 2004).
- The number of appeals terminated per three-judge panel decreased from 495 in 2005 to 375 in 2006.
- Terminations were 11 percent greater in 2006 than in 2002, and 5 percent greater than in 1997.





The number of appeals pending on March 31, 2006, rose 11 percent to 1,199, up 114 cases from one year earlier.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

Filings in the U.S. district courts decreased 10 percent (down 36,338 cases) to 312,738 (this total does not include petty offense cases assigned to magistrate judges).

- Overall filings per authorized judgeship dropped from 515 to 461.
- The number of cases filed this year was 5 percent below the number filed in 2002 and less than 1 percent above the number filed in 1997.

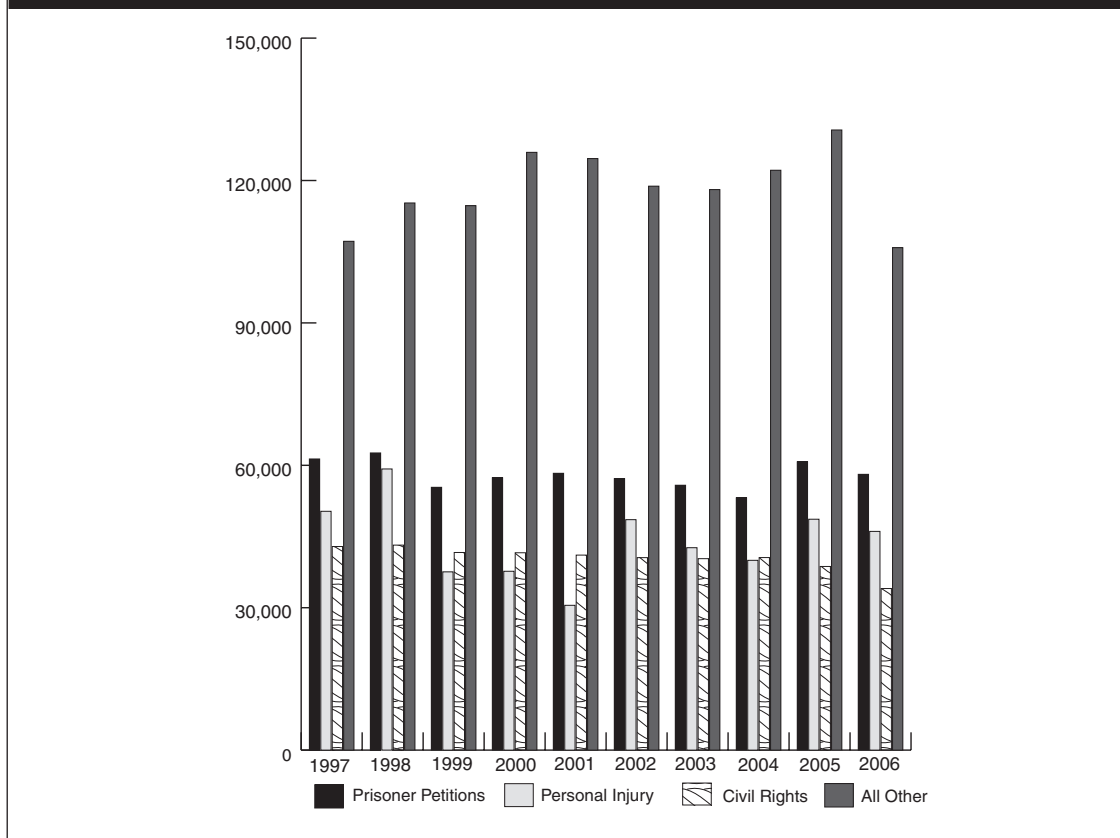
Case terminations rose 7 percent (up 23,340 cases to 348,750) from 2005 to 2006. As terminations exceeded filings, the pending caseload fell 10 percent to 315,800 cases.

Civil Filings

After rising 9 percent the previous year, civil filings in the U.S. district courts declined 12 percent, falling by 34,644 cases to 244,068.

- Most of this reduction stemmed from a 13 percent decrease in private cases consisting of federal question filings (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party) and diversity of citizenship filings.

Civil Cases Filed, by Nature of Suit Years Ending March 31



- Civil filings per authorized judgeship dropped from 411 to 360.
- From 2002 to 2006, civil filings declined 8 percent (down more than 21,000 cases), primarily due to declines in statutory actions related to personal property damage, civil rights, Social Security, and personal injury/product liability cases.
- Over the past 10 years, civil filings have fallen 7 percent (down more than 17,000 cases) as civil rights cases have dropped 21 percent, personal injury cases have decreased 8 percent, and prisoner petitions have declined 5 percent.

Federal question filings fell 17 percent, mainly because of reductions in statutory actions related to personal property damage and civil rights cases.

- Statutory actions related to personal property damage dropped 66 percent. The previous year, filings had been abnormally high because more than 19,000 actions against a single defendant had been received in the District of South Carolina.
- Civil rights cases declined 11 percent, chiefly in response to a 17 percent reduction in employment filings (down more than 2,800 cases).

Diversity of citizenship filings fell 2 percent, mostly due to an 11 percent decrease in personal injury/product liability cases alleging injuries arising from diet drugs and welding rods containing manganese.

Filings of cases with the United States as defendant dropped 12 percent as prisoner petitions declined 17 percent to 14,846.

- Prisoner petitions decreased as a result of a 25 percent reduction in habeas corpus petitions and a 14 percent decline in motions to vacate sentence. The previous year, prisoner petitions had climbed 50 percent in response to the U.S. Supreme Court's decisions in *Blakeley* and *Booker*.

The number of filings with the United States as plaintiff declined 4 percent to 9,799, as defaulted student loan cases dropped 12 percent and foreclosure cases fell 9 percent.

Civil case terminations climbed 8 percent to 281,220.

- This rise stemmed from terminations of personal property damage cases in the District of South Carolina, breast implant cases in the Eastern District of Michigan, welding rod cases in the Northern District of Ohio, and diet drug cases in the Eastern District of Pennsylvania.

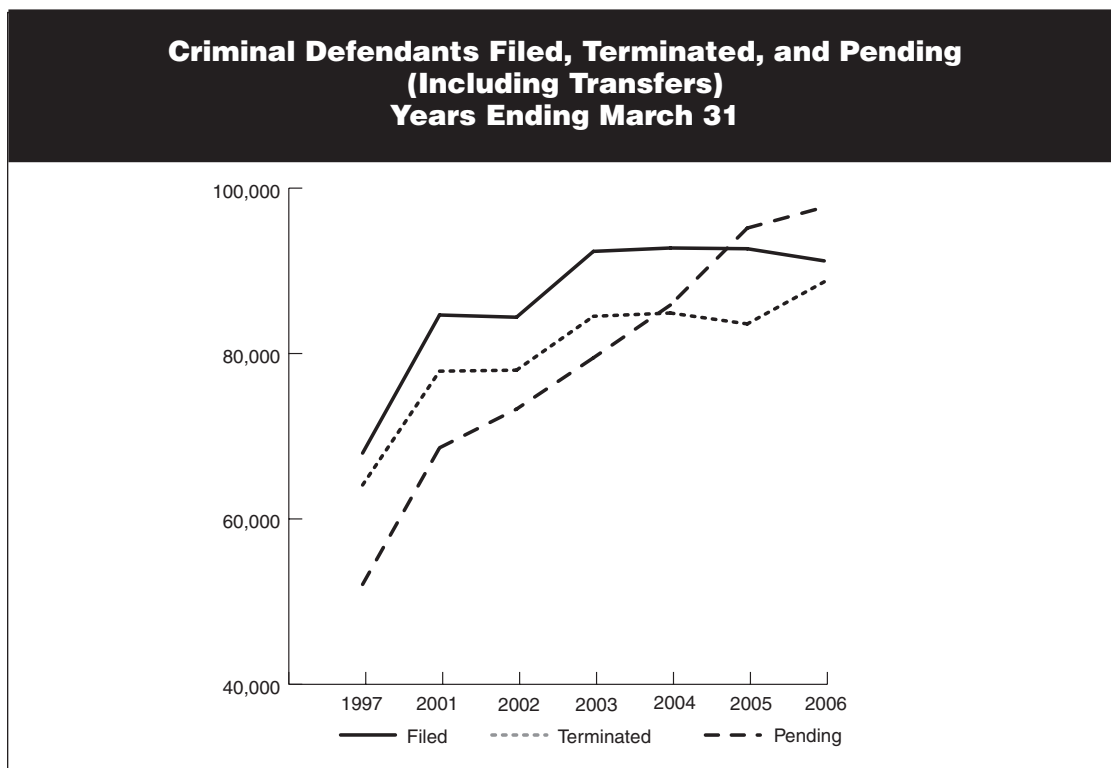
Pending civil cases decreased 13 percent (down 37,152 cases) to 246,057.

- The greatest reductions in pending cases occurred in the District of South Carolina, whose pending caseload dropped by more than 19,000 cases and consisted of cases mostly related to personal property damage, and in the Eastern District of Michigan, whose pending caseload fell by more than 14,000 cases and consisted largely of breast implant cases.

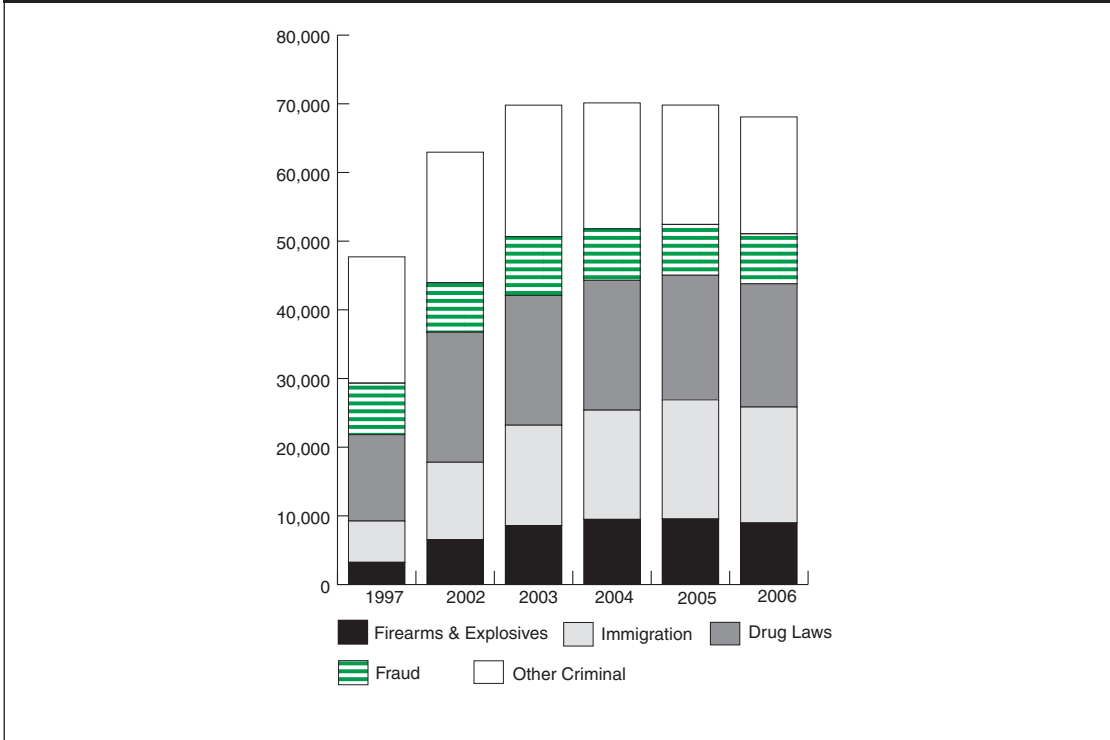
Detailed data on civil cases filed in the district courts appear in the C series of the appendix tables.

Criminal Filings

Filings of criminal cases and defendants (including transfers) both declined 2 percent in 2006, dropping to 68,670 cases and 91,203 defendants. The reduction in criminal filings stemmed from the combined effects of U.S. attorneys' using resources on previously filed cases affected by the U.S. Supreme Court decisions in *Blakeley v. Washington* and *United States v. Booker*, which addressed sentencing guidelines, and of the U.S. Department of Justice's policy of focusing on crimes related to terrorism and national security.



Criminal Cases Filed, by Major Offense (Excluding Transfers) Years Ending March 31



- In 2006, the district courts received 8 percent more cases and 8 percent more defendants than in 2002 and 42 percent more cases and 34 percent more defendants than in 1997.

Filings related to sex and property offenses grew in 2006. However, these increases were offset by reductions in filings involving violence, drugs, firearms and explosives, the justice system, immigration, regulations, and traffic.

Drug cases fell 1 percent to 17,950, and defendants declined 1 percent to 31,949, solely because of reductions in marijuana cases. Filings of non-marijuana cases rose 2 percent to 13,052, and non-marijuana defendants increased 1 percent to 24,777.

- Drug cases were 5 percent lower in 2006 than in 2002, with most of the decline occurring in the last two years. The reduction in cases was driven by the drop in marijuana filings.
- The number of defendants in drug cases has fluctuated during the past five years. The total for 2006 was 57 below that for 2002.
- Non-marijuana case filings have grown 5 percent in the past five years, and non-marijuana defendants have risen 7 percent.
- Since 1997, drug cases have jumped 43 percent, and drug defendants have grown 31 percent.

Case filings involving property offenses climbed 1 percent to 11,892 in 2006, and defendants in such cases grew 4 percent to 15,736. These increases stemmed from growth in filings related to forgery and counterfeiting and to certain categories of fraud. Although the total number of fraud cases declined 2 percent to 7,287, defendants in such cases rose by 137 to 10,059. Increases in fraud filings addressing

identification documents, false claims and services, unauthorized access devices, computers, and health care were offset by decreases involving tax, securities and exchange, false statements, mail, and social security fraud.

- Filings of property offense cases have dropped 7 percent since 2002, and defendants in those cases have fallen 5 percent. Since 1997, property offense cases have declined 12 percent, and defendants have decreased 9 percent.

Sex offense filings reached record levels as cases rose 8 percent to 1,853, and defendants climbed 10 percent to 1,940. Both increases were due to growth in cases involving sexually explicit materials.

- Sixty-four percent more sex offense cases and 66 percent more defendants were filed in 2006 than in 2002. Since 1997, such cases have surged 172 percent, and defendants have increased 166 percent.

Immigration cases declined 3 percent to 16,871, and defendants in those cases dropped 2 percent to 18,130. Seventy-two percent of immigration cases were filed in the five southwestern border districts: the Southern District of Texas, Western District of Texas, District of Arizona, Southern District of California, and District of New Mexico.

- Since 2002, immigration cases have risen 50 percent, and defendants in those cases have climbed 51 percent. Since 1997, such cases have surged 181 percent, and defendants have increased 175 percent.

Firearms and explosives cases and defendants both declined 6 percent, dropping to 8,975 cases and 10,054 defendants.

- Thirty-seven percent more firearms and explosives cases and 32 percent more defendants were filed in 2006 than in 2002. Since 1997, such cases have soared 177 percent, and defendants have climbed 144 percent.

In 2006, terminations of cases rose 5 percent to 67,530; for defendants, terminations grew 6 percent to 88,672.

Pending cases increased 2 percent to 69,743, and pending defendants climbed 3 percent to 97,701. The pending caseload has grown 34 percent since 2002 and 106 percent since 1997.

Detailed data on criminal cases filed in the district courts appear in the D series of the appendix tables.

U.S. Bankruptcy Courts

Bankruptcy filings increased 13 percent to 1,794,795 in the 12-month period ending March 31, 2006, as many debtors filed petitions before October 17, 2005, the general effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA).

- Seventy-three districts reported higher filings, with 47 districts reporting growth of 15 percent or more.
- Bankruptcy filings have grown 19 percent since 2002 and have jumped 44 percent since 1997. Household debt as a percentage of income, thought to be a prime indicator of future bankruptcies, has risen in the past decade, and the pending implementation of BAPCPA contributed to record bankruptcy filings in the past year.

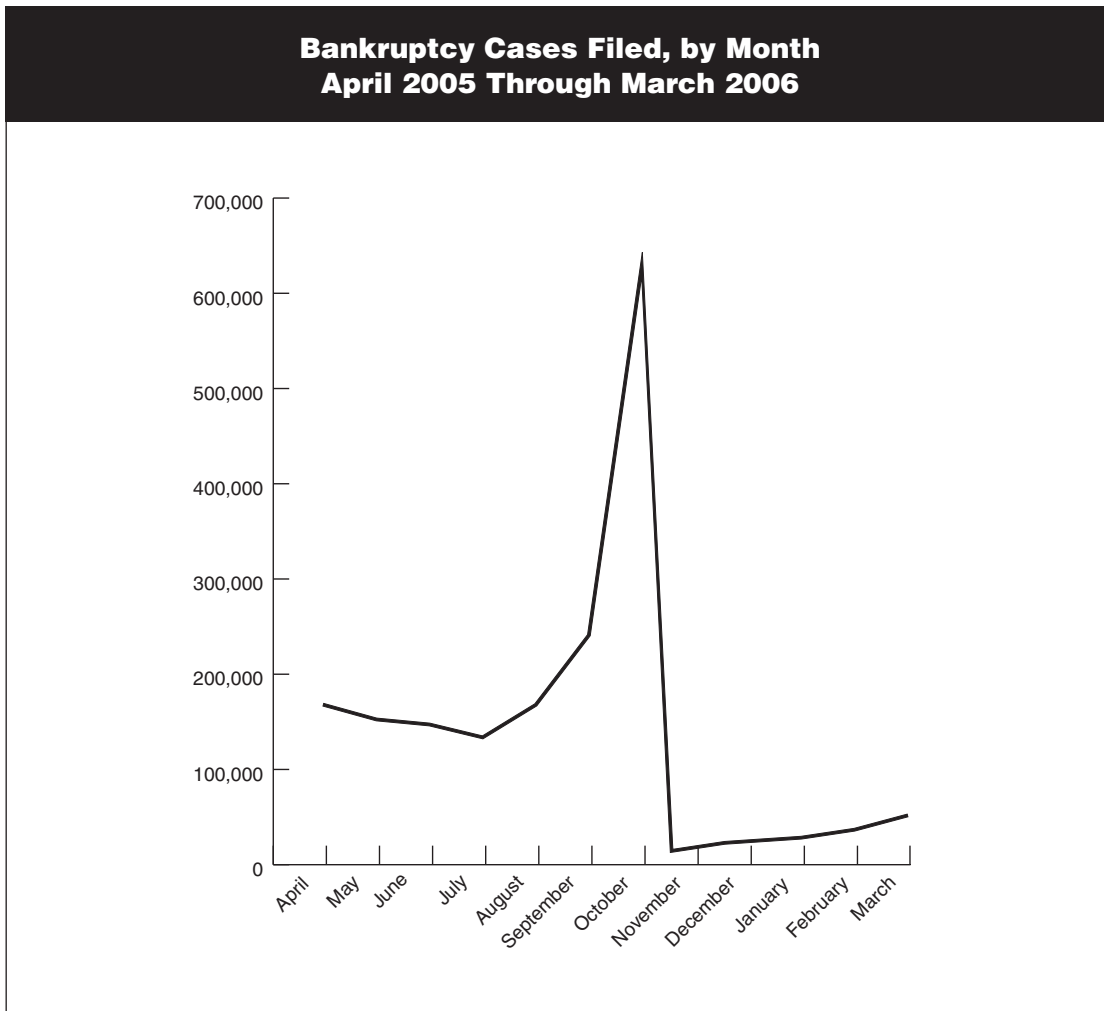
- Twenty-eight bankruptcy judgeships were authorized by BAPCPA, P.L. No. 109-8, 199 Stat. 23. However, the increase in filings leading up to the effective date of BAPCPA caused filings per authorized judgeship to climb from 4,910 in 2005 to 5,099 in 2006. The number of filings per authorized judgeship was 3,825 in 1997.
- Terminations of bankruptcy cases rose 17 percent. Because the number of bankruptcy cases closed exceeded the number filed, pending bankruptcy cases dropped 6 percent.

Filings of bankruptcy petitions rose under chapters 7 and 12, but fell under chapters 11 and 13.

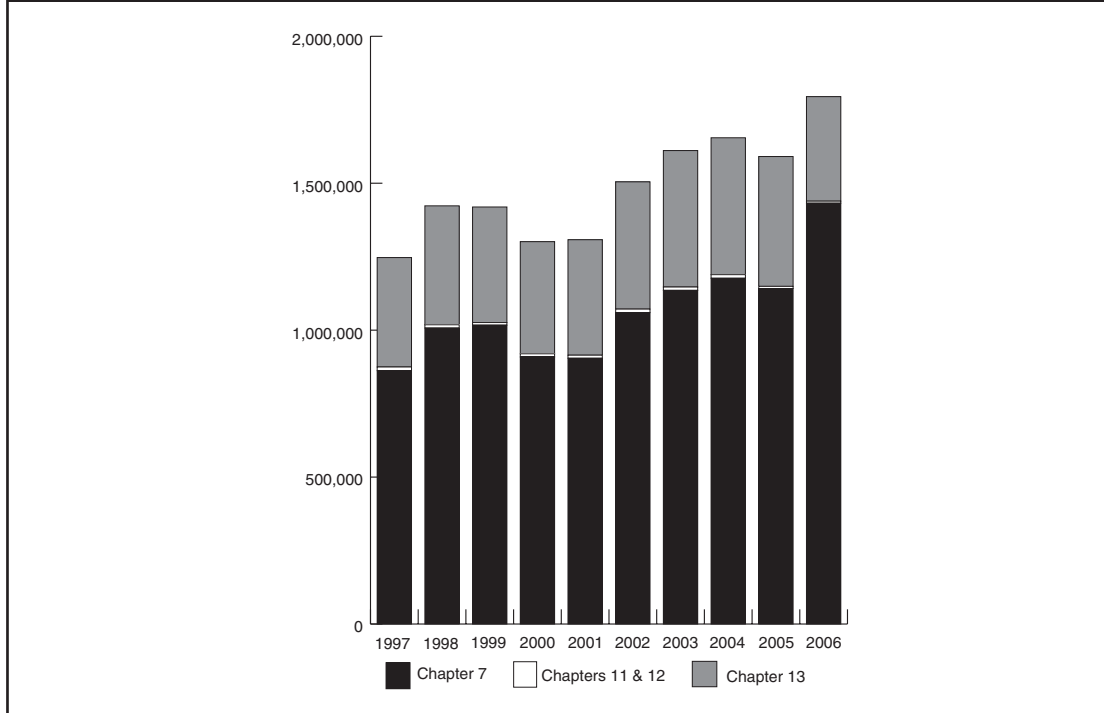
- Chapter 7 filings increased 25 percent to 1,432,074.
- Chapter 11 filings decreased 9 percent to 6,497.
- Chapter 12 filings rose 94 percent to 366.
- Chapter 13 filings dropped 19 percent to 355,756.

Filings involving predominantly nonbusiness debts totaled 1,759,503, an increase of 13 percent (up 200,480 petitions) over the 2005 figure.

- Nonbusiness filings grew 26 percent under chapter 7 because many debtors rushed to file petitions before the implementation of BAPCPA, which places new constraints on debtors who wish to file chapter 7 petitions.



Bankruptcy Cases Filed, by Chapter Years Ending March 31



- Nonbusiness chapter 13 filings fell 20 percent, and nonbusiness chapter 11 filings dropped 8 percent. Many nonbusiness debtors, in lieu of filing for bankruptcy under chapters 13 and 11, rushed to file chapter 7 petitions before BAPCPA took effect. (All chapter 12 petitions are classified as business cases.)
- Nonbusiness petitions continued to account for an overwhelming percentage of bankruptcy filings, rising from 96 percent of all filings in 1997 to 98 percent in 2006.

Filings involving predominantly business debts, which constituted 2 percent of total petitions filed, grew 10 percent to 35,292.

- Business petitions jumped 21 percent under chapter 7 due to the rush in filings before the effective date of BAPCPA.
- Chapter 12 petitions soared 94 percent. This dramatic growth stemmed, in part, from the lapse in legislation authorizing chapter 12 from January to October 2004. Changes required by BAPCPA included the permanent authorization of chapter 12 of the United States Bankruptcy Code.
- Business petitions fell 11 percent under chapter 13 and decreased 9 percent under chapter 11.

Adversary proceedings decreased 5 percent from 81,254 to 77,193. The District of Delaware saw filings drop 58 percent (down 6,122 filings), mainly due to the termination of mega-bankruptcy cases filed in previous years that had led to a surge of adversary proceedings.

- Terminations of adversary proceedings declined 14 percent.
- The number of adversary proceedings terminated exceeded the number filed, which caused pending adversary proceedings to decrease 8 percent to 86,020 as of March 31, 2006.

Detailed data on bankruptcy petitions and adversary proceedings filed in the bankruptcy courts appear in the F series of the appendix tables.

Post-Conviction Supervision

The number of persons under post-conviction supervision as of March 31, 2006, remained relatively stable at 113,322, a rise of 452 persons over the number under supervision one year earlier.

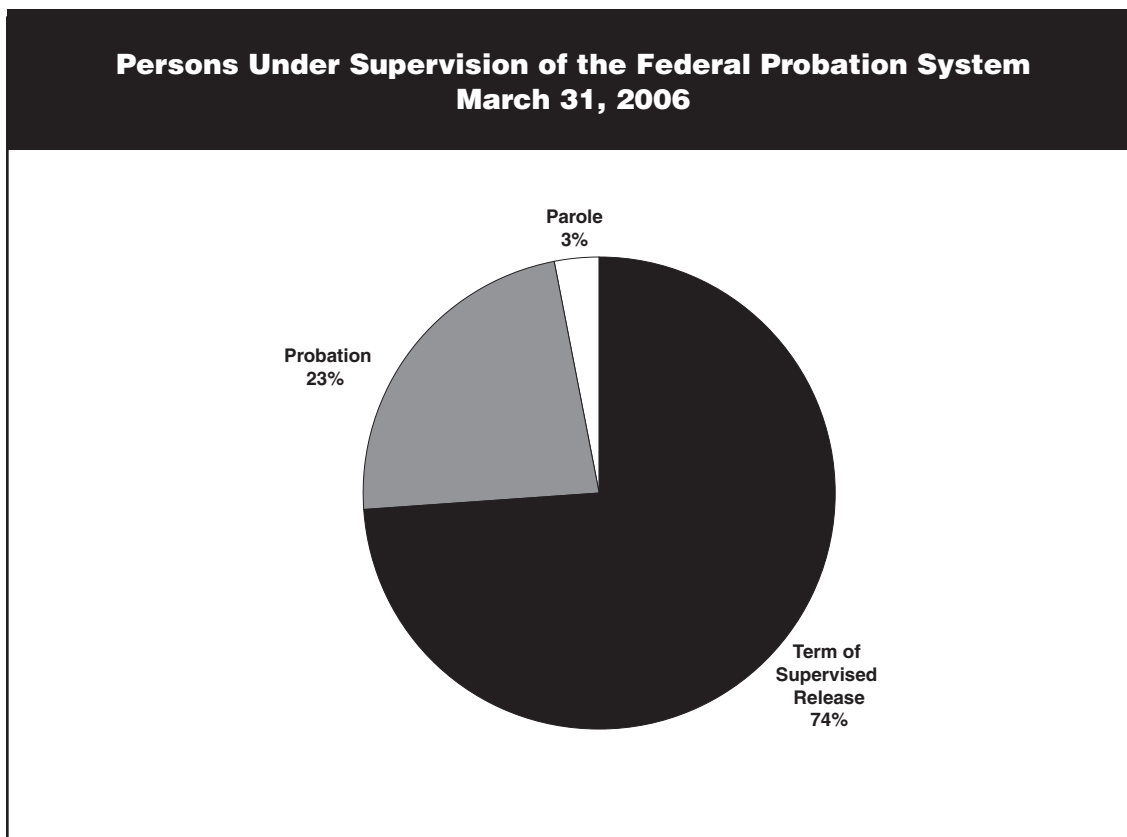
- A total of 58,308 persons were received for supervision compared to 63,605 the previous year. However, this apparent decline occurred because of a change in case opening coding procedures. Prior to 2005, districts opened and closed cases during re-entry, then opened cases again upon the offenders' release, resulting in abnormally high totals for cases received.
- The number of persons under supervision in 2006 was 6 percent higher than the total for 2002 and 25 percent higher than that for 1997.

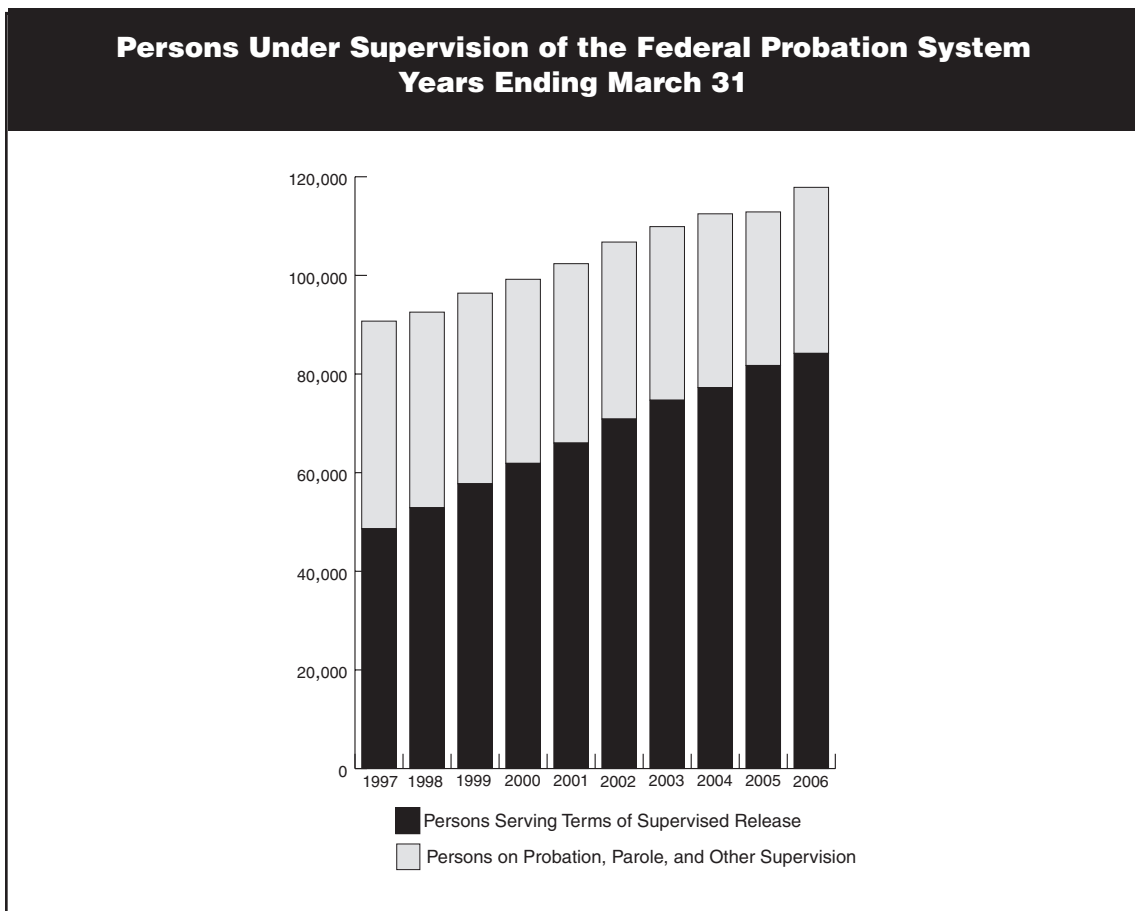
The number of persons removed from supervision decreased 9 percent to 57,767.

Seventy-four percent of offenders under supervision on March 31, 2006, were serving terms of supervised release after imprisonment, 23 percent were under supervision following the imposition of a sentence of probation, and 3 percent were on parole.

- A total of 84,191 persons were serving terms of supervised release, a rise of 3 percent from the total for March 31, 2005.
- The number of persons serving terms of supervised release in 2006 was 19 percent higher than the number for 2002 and 73 percent higher than the number for 1997.

The number of persons on probation dropped 7 percent.





The number of persons on parole, special parole, military parole, and mandatory release on March 31, 2006, declined 5 percent from the total one year earlier to 3,060, 28 percent from the number for 2002, and 63 percent from the number for 1997. The reductions are due to the Sentencing Act of 1987, which provides that the Sentencing Reform Act of 1984 abolishes parole for anyone who committed an offense on or after November 1, 1987.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, including presentence reports, which are presented to judges who will be sentencing convicted defendants. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports vary in length, but a report typically is 20 to 30 pages long.

- In 2006, the number of presentence reports written by probation officers totaled 72,281, a rise of 5 percent. Of this number, 68,187 were presentence reports on guidelines.

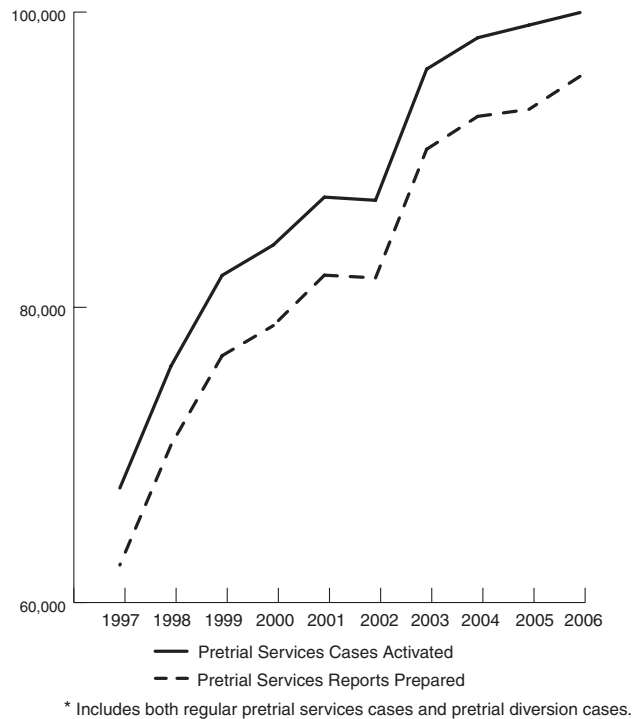
Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

A total of 98,246 pretrial services cases were activated during the year ending March 31, 2006, a 1 percent increase over the total for the previous year.

- During 2006, a total of 1,723 pretrial diversion cases were activated, a decrease of 12 percent from the previous year.

Federal Pretrial Services Cases Activated and Reports Prepared Years Ending March 31



- A total of 93,986 pretrial services cases were closed.
- Pretrial services activity has grown over time such that the number of pretrial services cases activated in 2006 was 15 percent greater than the number of cases activated in 2002 and 50 percent greater than the number of cases activated in 1997.

Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants awaiting trial. The reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed 1 percent fewer defendants (down 634) but prepared 2 percent more pretrial services reports (up 2,241) than they did in 2005.
- The number of pretrial services reports prepared in 2006 was 17 percent greater than in 2002 and 53 percent greater than in 1997.

For defendants ordered released pending trial, pretrial services officers monitored compliance with the release conditions set by the courts, provided necessary support services, and informed the courts and U.S. attorneys of apparent violations of release conditions.

- The number of defendants received for pretrial services supervision increased 3 percent to 33,265.
- The number of defendants received for pretrial diversion supervision decreased 12 percent from 1,998 to 1,750.

Detailed pretrial services statistics appear in the H series of the appendix tables.



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Federal Judicial Caseload Statistics

March 31, 2007

Office of Judges Programs
Statistics Division
Administrative Office of the United States Courts
Thurgood Marshall Federal Judiciary Building
Washington, D.C. 20544
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Judicial Caseload Indicators
12-Month Periods Ending March 31, 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	53,230	60,661	70,375	60,668	14.0	0.0	- 13.8
Cases Terminated	51,371	56,284	66,792	65,308	27.1	16.0	- 2.2
Cases Pending	40,766	42,716	58,489 ²	53,849	32.1	26.1	- 7.9
U.S. District Courts							
Civil							
Cases Filed	280,293	256,858	244,068	278,272	- 0.7	8.3	14.0
Cases Terminated	251,873	267,580	281,220	254,850	1.2	-4.8	- 9.4
Cases Pending	273,780	250,500	245,930 ²	269,352	- 1.6	7.5	9.5
Criminal (Includes Transfers)							
Cases Filed	53,811	70,353	68,670	66,629	23.8	-5.3	- 3.0
Defendants Filed	74,491	92,352	91,203	87,479	17.4	-5.3	- 4.1
Cases Terminated	48,717	64,134	67,530	68,584	40.8	6.9	1.6
Cases Pending	37,710	57,473	71,652 ²	69,697	84.8	21.3	- 2.7
U.S. Bankruptcy Courts							
Cases Filed	1,423,128	1,611,268	1,794,795	695,575	- 51.1	-56.8	- 61.2
Cases Terminated	1,338,503	1,508,798	1,889,778	950,845	- 29.0	-37.0	- 49.7
Cases Pending	1,346,072	1,662,157	1,567,961 ²	1,312,691	- 2.5	-21.0	-16.3
Federal Probation System							
Post-Conviction Supervision	92,550	109,889	113,322	115,002	24.3	4.7	1.5
Pretrial Services							
Total Cases Activated	76,020	96,135	99,969	95,649	25.8	-0.5	- 4.3
Pretrial Services Cases Activated	73,340	94,325	98,246	94,080	28.3	-0.3	- 4.2
Pretrial Diversion Cases Activated	2,680	1,810	1,723	1,569	- 41.5	-13.3	- 8.9
Total Released on Supervision	30,840	35,547	35,015	34,307	11.2	-3.5	- 2.0
Pretrial Supervision	28,408	33,636	33,265	32,816	15.5	-2.4	- 1.3
Diversion Supervision	2,432	1,911	1,750	1,491	- 38.7	-22.0	- 4.8

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

² Revised.

Judicial Business

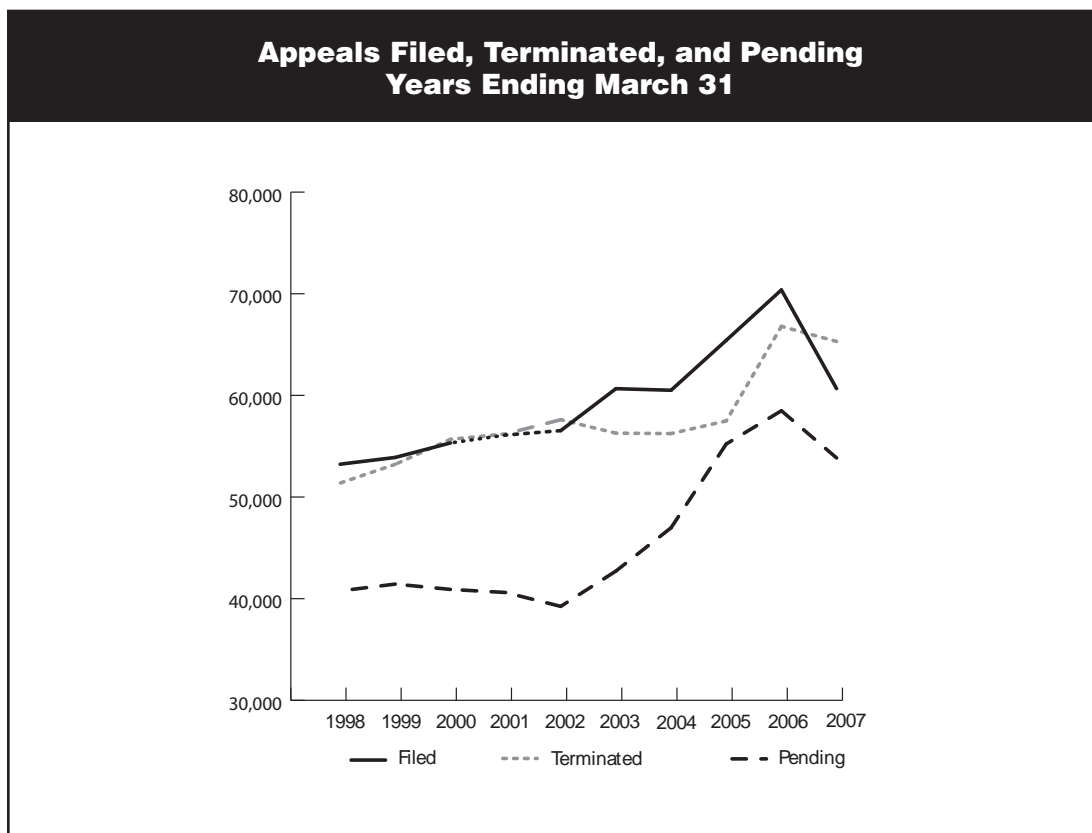
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2007. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and the work of the probation and pretrial services system. Data for this period are compared to data for periods ending 1 year earlier (2006), 5 years earlier (2003), and 10 years earlier (1998).

In 2007, filings dropped significantly in the U.S. courts of appeals and U.S. bankruptcy courts. In the U.S. district courts, an increase in civil case filings more than offset a reduction in criminal case filings. The number of persons under the supervision of the federal probation system on March 31, 2007, was slightly higher than the total 1 year earlier. However, the number of pretrial services cases activated declined.

U.S. Courts of Appeals

After setting a record in 2006, filings in the 12 regional courts of appeals fell 14 percent to 60,668 in 2007. All major categories of appeals—civil, criminal, administrative agency, original proceedings, and bankruptcy—showed reductions. Filings declined mainly because fewer cases affected by the U.S. Supreme Court’s decisions in *Blakely v. Washington*, 542 U.S. 296 (2004), and *United States v. Booker*, 543 U.S. 220 (2005), were appealed this year and because fewer petitions for review of decisions of the Board of Immigration Appeals (BIA) were received.

- Overall appeals filings approached the total for 2003. Since 1998, appeals filings have grown 14 percent.



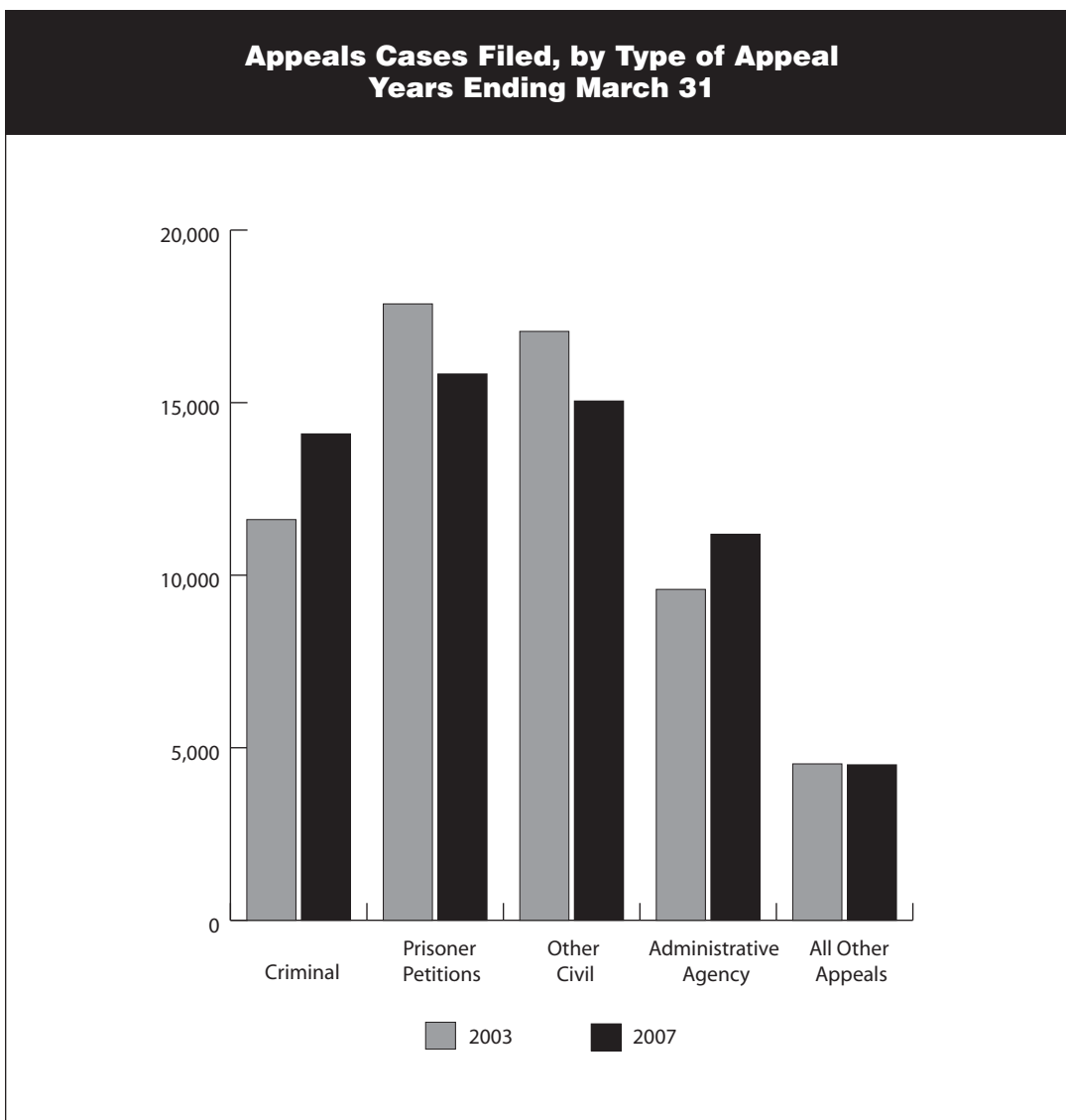
From 2006 to 2007, criminal appeals dropped 13 percent to 14,095. However, criminal appeals were 17 percent above the total for 2004, the year they began to grow in response to *Blakely*.

- Criminal appeals have climbed 21 percent since 2003 and 35 percent since 1998.

In 2007, appeals of administrative agency decisions fell 22 percent to 11,186. This decline stemmed almost entirely from a 23 percent reduction in BIA appeals to 10,042 and is consistent with the drops in BIA case receipts and completions in 2005 and 2006 reported in the statistical yearbook of the Executive Office for Immigration Review.

- Administrative agency appeals have grown 17 percent since 2003 and 162 percent since 1998. Appeals of BIA decisions, which constituted 90 percent of administrative agency appeals filings, have risen 19 percent since 2003 and 365 percent since 1998.

Original proceedings plunged 40 percent in 2007 to 3,725. This reduction occurred as filings of second or successive motions for permission to file habeas corpus petitions declined following the expiration of the deadline for filing petitions pursuant to *Booker*.



- Sixty-seven percent of original proceedings involved motions for second or successive habeas corpus petitions, which fell 48 percent in 2007 to 2,504.
- Thirty-two percent of original proceedings involved petitions for writs of mandamus, which decreased 9 percent to 1,177.
- Overall, original proceedings have increased 2 percent since 2003. (Categories of data within original proceedings were changed in 1998, so data for that year cannot be compared to data for 2007).

Civil appeals fell 6 percent to 30,881 in 2007, primarily due to declines in prisoner petitions and appeals involving civil rights.

- In 2007, civil appeals consisted of 51 percent prisoner petitions, 19 percent civil rights appeals, and 30 percent all other civil appeals.
- Civil appeals filings dropped 12 percent below the total for 2003 and 15 percent below the total for 1998.

In 2007, filings in the federal appeals courts consisted of 51 percent civil appeals, 23 percent criminal appeals, 18 percent administrative agency appeals, 6 percent original proceedings, and 1 percent bankruptcy appeals (percentages do not add up to 100 because of rounding).

- In 1998, the appeals courts' caseload constituted 68 percent civil appeals, 20 percent criminal appeals, 8 percent administrative agency appeals, 2 percent original proceedings, and 2 percent bankruptcy appeals.
- The distribution of appeals has changed in the past decade in response to habeas corpus reforms instituted by the Antiterrorism and Effective Death Penalty Act of 1996, to changes in the guidelines for processing BIA cases, and to the *Blakely* and *Booker* decisions.

Terminations of appeals fell 2 percent in 2007 to 65,308.

- Appeals terminations per three-judge panel decreased 2 percent from 1,200 in 2006 to 1,173 in 2007.
- In 2007, appeals courts terminated 16 percent more appeals than in 2003 and 27 percent more than in 1998.

The appeals courts' pending caseload dropped 8 percent as terminations outpaced filings.

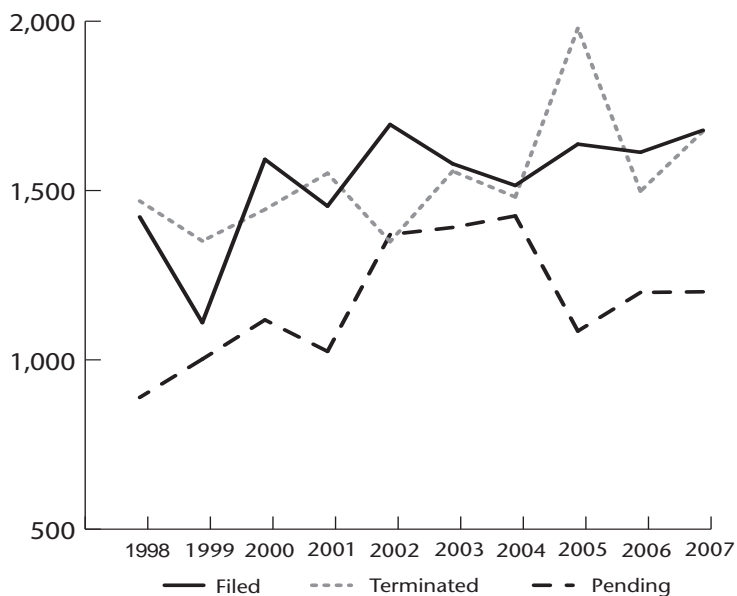
- The number of appeals pending in 2007 was 26 percent higher than the total for 2003 and 32 percent higher than that for 1998.

Detailed data on filings in the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

Filings in the U.S. Court of Appeals for the Federal Circuit rose 4 percent in 2007 to 1,678. The largest numeric increase occurred in appeals of decisions by the U.S. Court of Appeals for Veterans Claims, which grew by 204 appeals to 416 (up 96 percent). The Department of Veterans' Affairs filed many appeals addressing its duty under the Veterans Claims Assistance Act (VCAA), 38 U.S.C. 5103(a), to assist veterans in proving their entitlement to benefits. Appeals of decisions by the Merit Systems Protection Board had the largest numeric decrease, a reduction of 95 appeals to 445 (down 18 percent).

**U.S. Court of Appeals for the Federal Circuit
Appeals Filed, Terminated, and Pending
Years Ending March 31**



- Filings per three-judge panel climbed from 403 in 2006 to 420 in 2007.
- Filings in 2007 were 6 percent higher than in 2003 and 18 percent higher than in 1998.

Terminations of appeals rose 12 percent (up 177) to 1,675.

- The number of appeals terminated per three-judge panel increased from 375 in 2006 to 419 in 2007.
- Terminations were 8 percent greater in 2007 than in 2003 and 14 percent greater than in 1998.

The number of appeals pending on March 31, 2007, remained stable, rising by 2 appeals to 1,201.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

U.S. District Courts

In 2007, filings in the U.S. district courts climbed 10 percent (up 32,163 cases) to 344,901 (this total does not include petty offense cases assigned to magistrate judges).

- Overall filings per authorized judgeship increased from 461 to 509.
- The number of cases filed this year was 5 percent greater than the number filed in 2003 and 3 percent greater than the number filed in 1998.

Case terminations fell 7 percent (down 25,316 cases) to 323,434, after rising 7 percent the previous year (in 2006, an unusually high number of civil cases involving personal property damage had been closed in the District of South Carolina). As filings exceeded terminations in 2007, the pending caseload grew 7 percent (up 21,467 cases) to 339,049 cases.

Civil Filings

After declining 12 percent last year, civil filings in the U.S. district courts grew 14 percent in 2007, climbing by 34,204 cases to 278,272.

- A 19 percent rise in private cases stemmed from a 5 percent increase in federal question filings (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party) and a 49 percent jump in diversity of citizenship filings.
- Cases with the United States as plaintiff or defendant dropped 7 percent.
- Civil filings per authorized judgeship rose from 360 to 410.
- Excluding personal injury and insurance contract cases, civil case filings fell 2 percent from 2006 to 2007.
- From 2003 to 2007, civil filings grew 8 percent (up more than 21,000 cases), primarily due to increases in personal injury/product liability cases, contract/insurance cases, and intellectual property cases.
- Over the past 10 years, civil filings have fallen less than 1 percent (down 2,000 cases). During that period, contract cases have dropped 25 percent, largely because of fewer filings related to defaulted student loans. Civil rights cases also have decreased 25 percent, with most of this reduction occurring in the past two years. Prisoner petitions have fallen 15 percent in response to declines in motions to vacate sentence and to obtain habeas corpus relief.

In 2007, diversity of citizenship filings jumped 49 percent to 92,557, mainly because of large increases in personal injury/product liability cases.

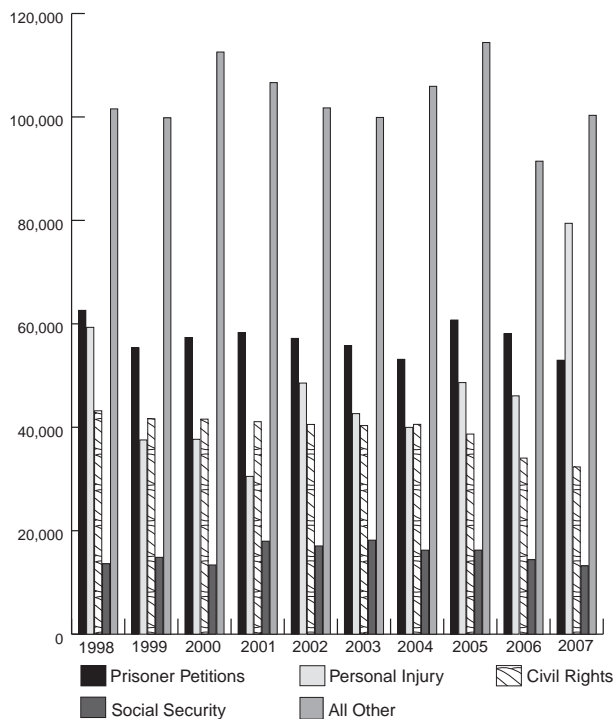
- Asbestos filings rose as a result of nearly 20,000 cases, most of them transferred cases filed in the Eastern District of Pennsylvania. Administrative Order Number 11 requires that all pending and future asbestos product liability cases filed under multidistrict litigation number 875 be transferred to that district. Court officials anticipate that this will result in higher filings of such transferred cases for the next several years.

Federal question filings climbed 5 percent to 141,551 in 2007, mostly in response to increases in personal injury cases (up 91 percent) and contract insurance cases (which nearly doubled to 2,571 cases).

- In the Middle District of Florida, personal injury/product liability filings soared by almost 7,000 cases. Many of these cases were consolidated and filed under multidistrict litigation number 1769 and alleged that the antipsychotic drug Seroquel caused diabetic-related injuries.
- Contract insurance filings jumped by nearly 4,400 cases in the Eastern District of Louisiana and by more than 600 cases in the Southern District of Mississippi. In both districts, most of these cases addressed the effects of Hurricane Katrina.

In 2007, filings of cases with the United States as defendant dropped 7 percent.

Civil Cases Filed, by Nature of Suit Years Ending March 31



- Prisoner petitions involving motions to vacate sentence and habeas corpus each declined 27 percent. These reductions may indicate a return to levels more consistent with the number of petitions filed prior to the U.S. Supreme Court's decision in *Booker*.
- Social Security filings declined 8 percent as disability insurance claims decreased 10 percent and supplemental income insurance cases fell 7 percent.

Filings with the United States as plaintiff dropped 7 percent in 2007 to 9,174 as foreclosure cases fell 28 percent.

Civil case terminations decreased 9 percent in 2007 to 254,850.

- This reduction resulted mostly from fewer terminations of personal property damage cases (the District of South Carolina had closed more than 19,000 such cases the previous year) and breast implant cases (the Eastern District of Michigan had closed more than 15,000 such cases in 2006).

Pending civil cases increased 10 percent (up more than 23,000 cases) to 269,352.

- The largest growth occurred in the Eastern District of Pennsylvania, where the pending caseload jumped by more than 9,500 cases and consisted mainly of cases related to asbestos, and in the Eastern District of Louisiana, where the pending caseload rose by almost 6,800 cases and consisted largely of personal injury/product liability cases and insurance cases related to the effects of Hurricane Katrina.

Detailed data on civil cases appear in the C series of the appendix tables.

Criminal Filings

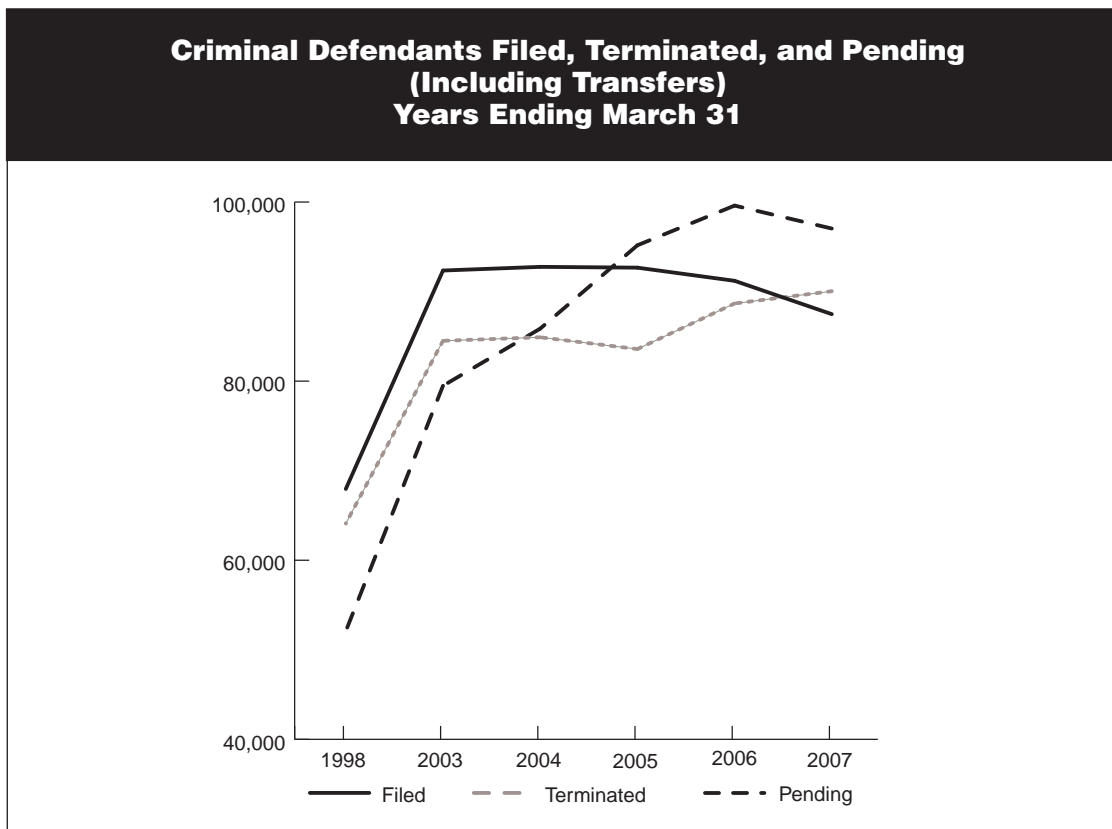
Filings of criminal cases and the number of criminal defendants (including transfers) both declined in 2007. Cases fell 3 percent to 66,629, and defendants dropped 4 percent to 87,479.

- The district courts received 5 percent fewer cases and defendants in 2007 than in 2003. However, this year they received 24 percent more cases and 17 percent more defendants than in 1998.

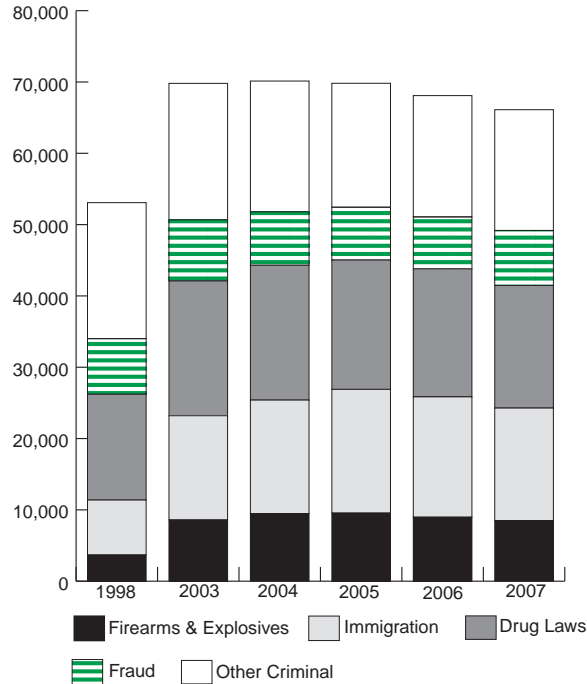
In 2007, growth occurred in filings related to fraud, sex, regulatory, and traffic offenses. However, these increases were offset by reductions in filings involving violence, drugs, firearms and explosives, justice system offenses, and immigration.

Drug cases fell 4 percent to 17,194, and drug defendants declined 5 percent to 30,205, because of reductions in both marijuana and non-marijuana cases. Despite the overall declines, filings of cases and defendants involved with importing and/or exporting drugs increased. This growth, however, was offset by drops in filings related to drug possession and distribution.

- Drug case filings were 9 percent lower in 2007 than in 2003, with most of the decrease occurring since 2005. This reduction was driven by drops in both marijuana and non-marijuana filings.
- The number of defendants in drug cases has fluctuated over the past five years. The total for 2007 was 6 percent below that for 2003.
- Since 1998, drug cases have jumped 16 percent, and drug defendants have grown 11 percent, in response to prosecutions of drug crimes under the Southwest Border Initiative, a cooperative effort among federal law enforcement agencies to combat drug trafficking by groups based in Mexico who operate along the southwest border.



Criminal Cases Filed, by Major Offense (Excluding Transfers) Years Ending March 31



Immigration cases and defendants both declined 6 percent in 2007 to 15,797 cases and 16,982 defendants. Filings of all types of immigration cases fell, but the most significant reduction was in filings of cases involving improper entry, the least severe of the immigration crimes. However, this decrease may be temporary, for a review of preliminary data indicates that after March 31, 2007, immigration filings began rising. Sixty-eight percent of immigration cases in 2007 were filed in the southwestern border districts of the Southern District of Texas, Western District of Texas, District of Arizona, Southern District of California, and District of New Mexico.

- Since 2003, immigration cases and defendants both have risen 8 percent. Since 1998, such cases have surged 105 percent, and immigration defendants have increased 101 percent.

In 2007, firearms and explosives cases declined 6 percent to 8,480, and such defendants fell 5 percent to 9,593. Within the firearms category, filings involving firearms used in the furtherance of a violent or drug trafficking crime, one of the more serious firearms offenses, declined the least.

- Since 2003, firearms and explosives cases have grown 1 percent, and defendants in such cases have risen 2 percent. Since 1998, such cases have soared 131 percent, and defendants have climbed 109 percent.

Filings of property offense cases climbed 3 percent to 12,214 in 2007, and defendants in such cases remained stable, growing by 26 to 15,762. The increase arose from property crimes involving larceny and theft and fraud.

- Filings related to theft of U.S. property climbed because of increased activity on military bases.
- Fraud cases jumped 6 percent to 7,710, and defendants in such cases rose 3 percent to 10,389, as a large number of misdemeanor cases addressing identification documents and information fraud were filed in the District of Arizona. Filings dealing with Social Security fraud also rose.
- Filings of property offense cases have fallen 13 percent since 2003, and defendants in such cases have dropped 12 percent. Since 1998, property offense cases have decreased 12 percent, and property offense defendants have declined 11 percent.

In 2007, sex offense filings reached record levels as cases rose 12 percent to 2,082 and defendants climbed 11 percent to 2,156. Both increases were due to growth in cases involving sexually explicit materials and the sexual abuse of minors.

- Since 2003, sex offense cases have increased 70 percent, and defendants in such cases have risen 66 percent. Since 1998, such cases have surged 208 percent, and sex crime defendants have grown 203 percent.

In 2007, filings of regulatory offense cases rose 7 percent to 1,684, and defendants grew 1 percent to 1,954. The increases primarily stemmed from cases addressing game and conservation regulations and national park regulations. Traffic offense filings climbed 3 percent to 3,969 cases and 3,971 defendants as filings involving non-drunk-driving offenses on military bases and in national parks increased.

Terminations of cases and defendants both rose 2 percent to 68,584 and 90,043, respectively.

Pending cases dropped 3 percent to 69,697, and pending defendants also fell 3 percent to 97,039. The pending caseload has grown 21 percent since 2003 and 85 percent since 1998.

Detailed data on criminal cases filed in the district courts appear in the D series of the appendix tables.

U.S. Bankruptcy Courts

Bankruptcy filings decreased 61 percent in 2007 to 695,575. This decline is from the high number of petitions filed during the 12-month period ending March 31, 2006, which included a surge in filings before October 17, 2005, the general effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). This surge is attributable largely to some debtors' fears that BAPCPA would make them ineligible for relief under chapter 7 of the Bankruptcy Code, as well as to some misinformed debtors' belief that once BAPCPA was implemented, they would not be able to file for bankruptcy at all.

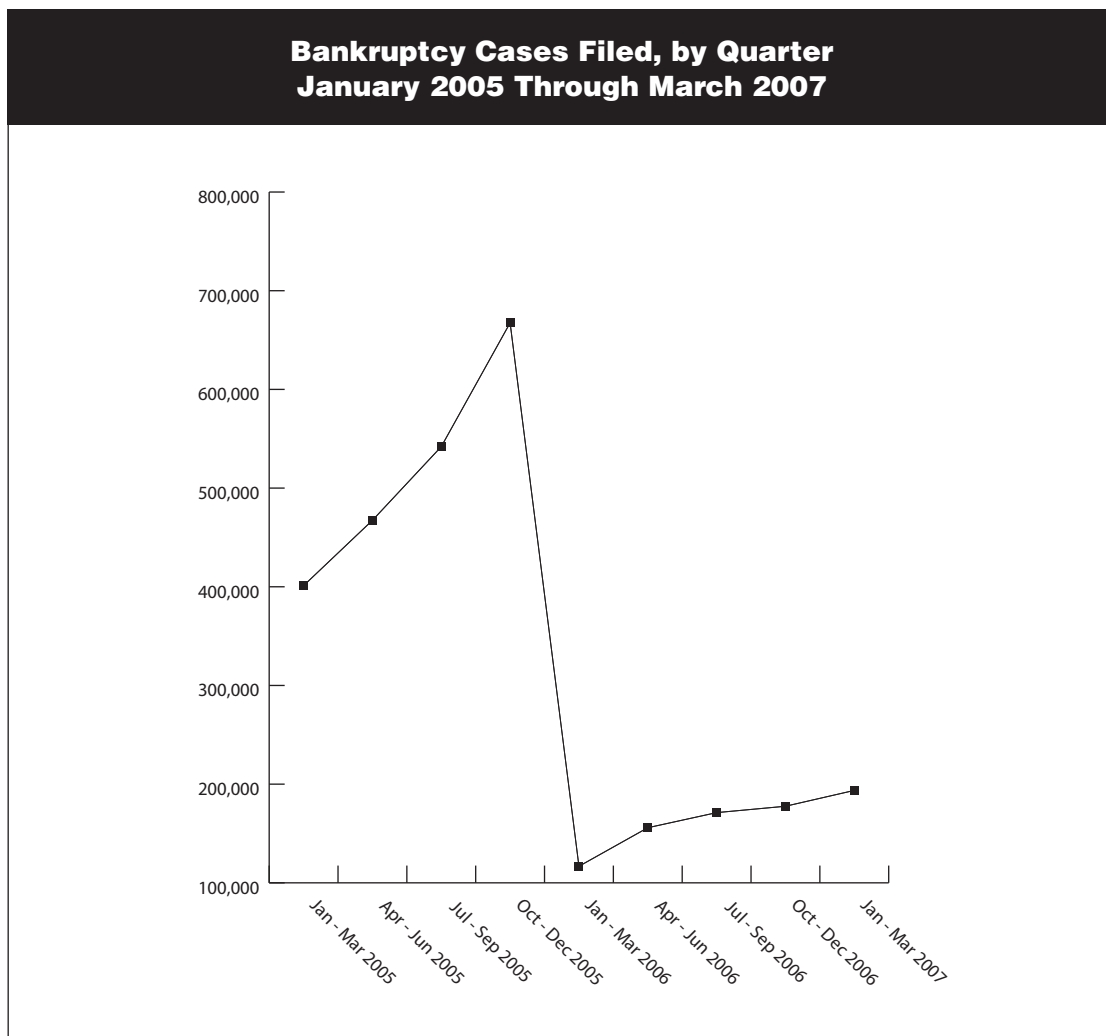
- All 94 districts reported fewer filings. Fifteen districts reported reductions of 70 percent or more.
- After BAPCPA took effect, quarterly filings plummeted to a low of 116,771 in the January-March 2006 period, but increased in every quarter thereafter. Filings in the April-June 2006 quarter were 33 percent greater than those in the prior quarter. Filings grew 10 percent, 4 percent, and 9 percent in each successive quarter.
- Debt as a percentage of income, as well as the financial obligations ratio and the debt service ratio (as defined by the Board of Governors of the Federal Reserve System), currently are at record levels, suggesting that recent quarterly increases in bankruptcy filings may continue.

- Terminations of bankruptcy cases fell 50 percent. Because case terminations exceeded filings, pending bankruptcy cases dropped 16 percent.

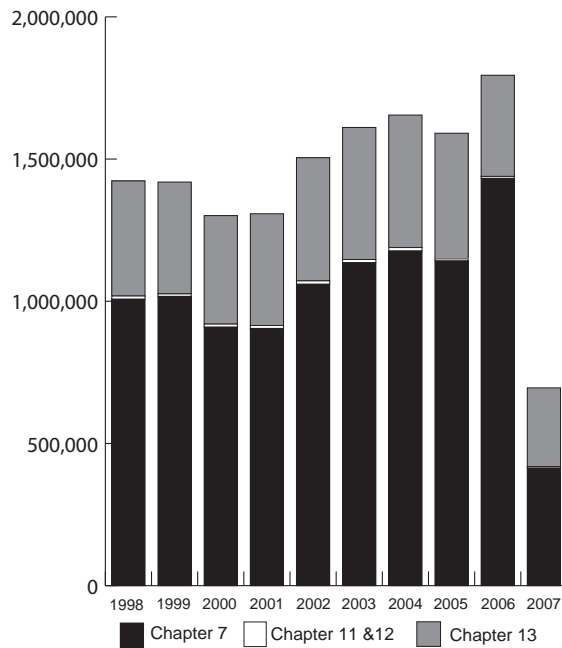
Filings of bankruptcy petitions fell substantially under chapters 7, 11, and 13, but rose slightly under chapter 12.

- Chapter 7 filings plunged 71 percent to 413,294. Chapter 7 filings accounted for 80 percent of all bankruptcy filings in 2006, but constituted 59 percent in 2007. This reduction occurred as BAPCPA, which was intended to encourage debtors to file bankruptcy petitions under chapter 13 rather than chapter 7, placed new constraints on debtors' eligibility for relief under chapter 7.
- Chapter 11 filings dropped 20 percent to 5,199.
- Chapter 12 filings rose 2 percent to 372.
- Chapter 13 filings fell 22 percent to 276,649.

Filings involving predominantly nonbusiness debts totaled 673,615, a decrease of 62 percent (down 1,085,888 petitions).



Bankruptcy Cases Filed, by Chapter Years Ending March 31



- Nonbusiness filings fell 72 percent under chapter 7, dropped 22 percent under chapter 13, and decreased 33 percent under chapter 11.
- Nonbusiness petitions continued to account for an overwhelming percentage of bankruptcy filings, constituting 97 percent of all filings in 2007, down one percentage point from 2006.

Filings involving predominantly business debts, which amounted to 3 percent of total petitions filed, fell 38 percent to 21,960.

- Business petitions dropped 45 percent under chapter 7, declined 28 percent under chapter 13, and fell 18 percent under chapter 11.
- Filings rose 2 percent under chapter 12, the only category of filings that had an increase.

The total number of bankruptcy filings in 2007 was 57 percent lower than the number filed in 2003, and 51 percent lower than the number filed in 1998.

Adversary proceedings fell 36 percent to 49,141. In the District of Delaware, filings plunged 69 percent (down 3,003 filings) in 2007 after they rose dramatically from 2002 (when they soared 278 percent) through 2006.

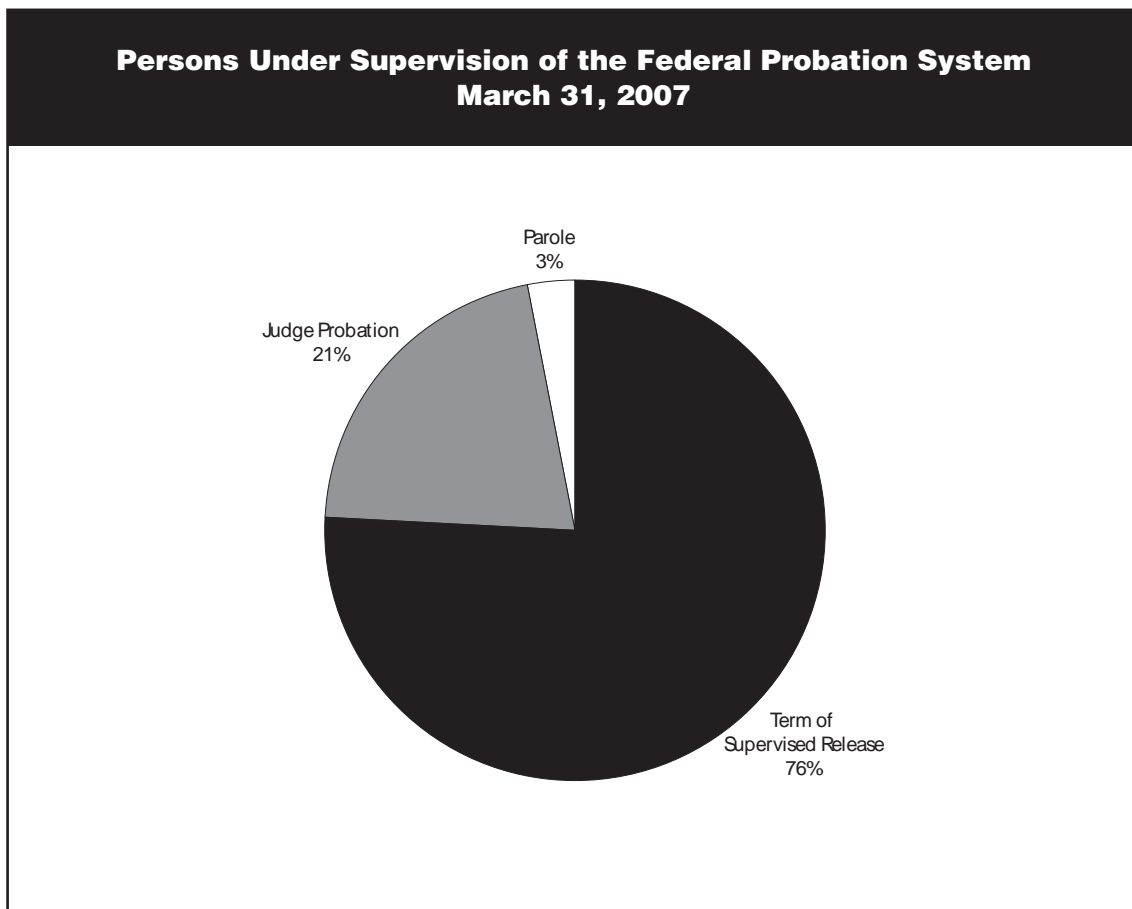
- Terminations of adversary proceedings dropped 14 percent.
- The number of adversary proceedings terminated exceeded the number filed, which caused pending adversary proceedings to decrease 28 percent to 61,692 as of March 31, 2007.

Detailed data on bankruptcy petitions and adversary proceedings filed in the bankruptcy courts appear in the F series of the appendix tables.

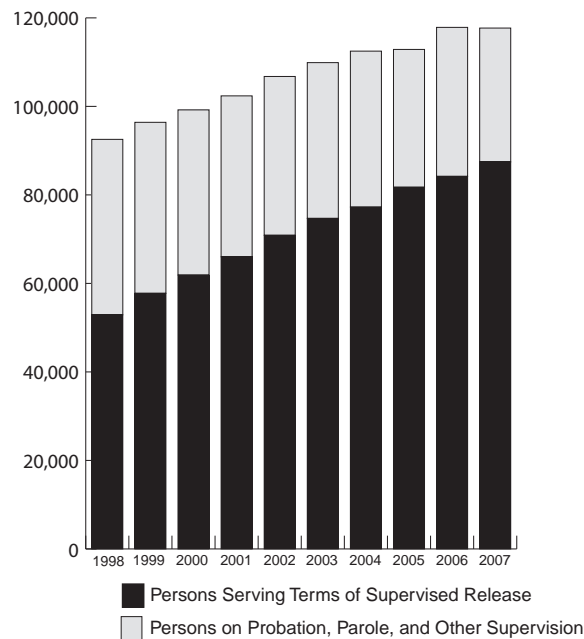
Post-Conviction Supervision

Consistent with recent years, the number of persons under post-conviction supervision as of March 31, 2007, remained relatively stable, increasing by 1,680 persons from the number under supervision one year earlier to 115,002, a rise of slightly more than 1 percent.

- A total of 58,599 persons were received for post-conviction supervision compared to 58,308 the previous year. This relatively insignificant change contrasts with the previous year's decline, which was attributed to a revision in case opening coding procedures. Prior to 2005, districts had opened and closed cases during reentry, then opened cases again upon the offenders' release, resulting in abnormally high totals for cases received. Now that coding changes are firmly in place, data for subsequent years should more accurately reflect changes in cases received for supervision.
- The number of persons under supervision on March 31, 2007, was 5 percent higher than the total 5 years earlier and 24 percent higher than the total 10 years earlier.



Persons Under Supervision of the Federal Probation System Years Ending March 31



- The total number of post-conviction supervision cases closed (excluding transfers and deaths) decreased 2 percent from 50,348 in 2006 to 49,230 in 2007.

Seventy-six percent of persons under post-conviction supervision on March 31, 2007, were serving terms of supervised release, 21 percent were under supervision following the imposition of sentences of probation, and 2 percent were on parole.

- A total of 87,457 persons were serving terms of supervised release on March 31, 2007, an increase of nearly 4 percent from the previous year's total.
- The number of persons serving terms of supervised release in 2007 was 17 percent higher than the number in 2003 and 65 percent higher than the number in 1998.
- The total number of persons on probation in 2007 decreased 4 percent below the total for 2006.
- The number of persons on probation on March 31, 2007, was 21 percent below that for 2003 and 25 percent below that for 1998.

The number of persons on parole, special parole, military parole, and mandatory release on March 31, 2007, declined nearly 10 percent from the previous year's total, dropping from 3,060 to 2,762.

- The 2007 total was 29 percent below that for 2003 and 60 percent below that for 1998.

- These reductions are due to the Sentencing Act of 1987, which abolished parole for anyone who committed an offense on or after November 1, 1987.

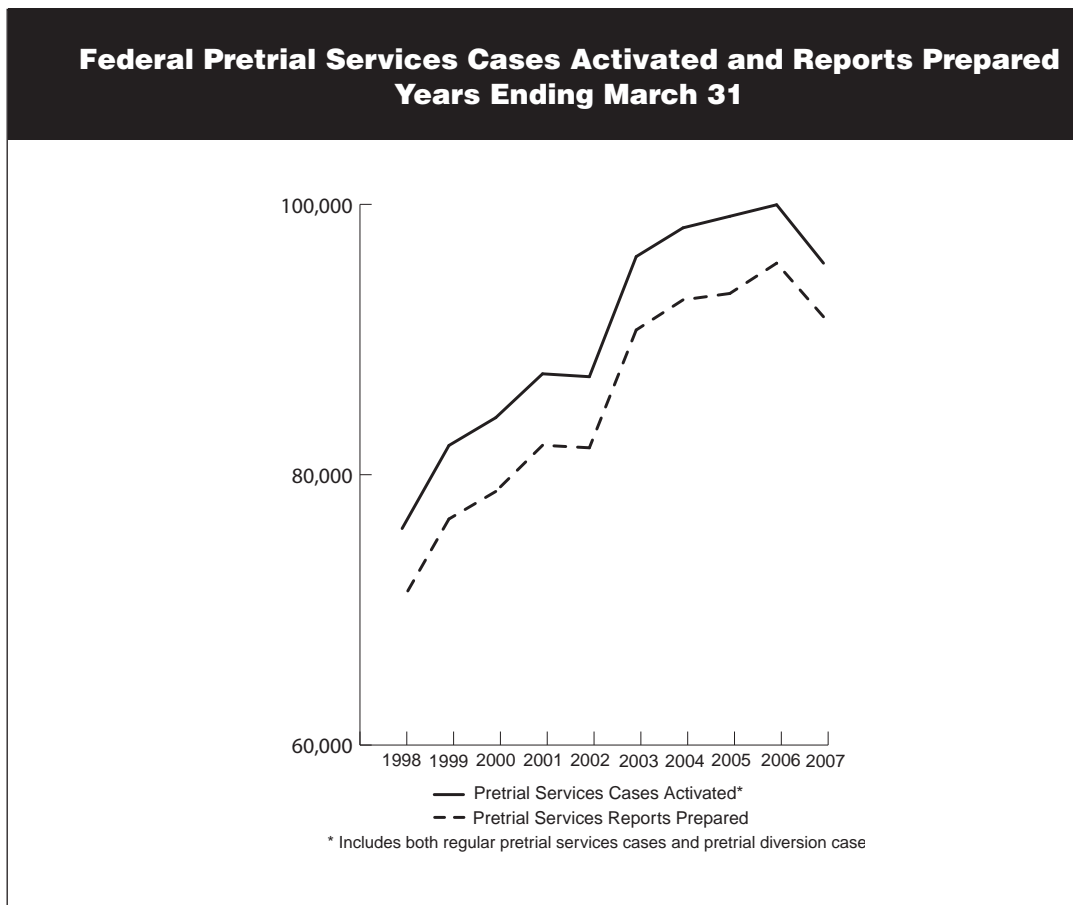
In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, which aid judges in the sentencing of convicted defendants. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports are time consuming to prepare and typically range in length from 20 to 30 pages.

- In 2007, the number of presentence reports written by probation officers totaled 73,023, a rise of 1 percent. Of this total, 68,842 were presentence reports addressing offenses for which the U.S. Sentencing Commission has promulgated sentencing guidelines.

Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

A total of 94,080 pretrial services cases were activated during the 12-month period ending March 31, 2007, a 4 percent reduction over the total for the previous year. The drop in case activations occurred primarily in districts along the nation’s southwest border and was related to the reduction in immigration crime filings.





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Federal Judicial Caseload Statistics

March 31, 2008

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Federal Judicial Caseload Statistics

March 31, 2008

Office of Judges Programs
Statistics Division
Administrative Office of the United States Courts
Thurgood Marshall Federal Judiciary Building
Washington, D.C. 20544
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Suggested citation:

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Judicial Caseload Indicators
12-Month Periods Ending March 31, 1999, 2004, 2007, and 2008

Judicial Caseload	1999	2004	2007	2008	% Change Since 1999	% Change Since 2004	% Change Since 2007
U.S. Courts of Appeals ¹							
Cases Filed	53,895	60,505	60,668	58,373	8.3	-3.5	-3.8
Cases Terminated	53,222	56,243	65,308	60,439	13.6	7.5	-7.5
Cases Pending	41,435	46,976	53,085 ²	51,019	23.1	8.6	-3.9
U.S. District Courts							
Civil							
Cases Filed	249,245	255,851	278,272	245,427	-1.5	-4.1	-11.8
Cases Terminated	270,874	241,864	254,850	238,097	-12.1	-1.6	-6.6
Cases Pending	247,873	263,440	263,499 ²	270,829	9.3	2.8	2.8
Criminal (Includes Transfers)							
Cases Filed	59,191	70,746	66,629	69,092	16.7	-2.3	3.7
Defendants Filed	80,325	92,761	87,479	90,227	12.3	-2.7	3.1
Cases Terminated	54,701	65,362	68,584	67,629	23.6	3.5	-1.4
Cases Pending	40,851	61,933	71,079 ²	72,542	77.6	17.1	2.1
U.S. Bankruptcy Courts							
Cases Filed	1,419,199	1,654,847	695,575	901,927	-36.4	-45.5	29.7
Cases Terminated	1,385,503	1,641,103	950,845	904,206	-34.7	-44.9	-4.9
Cases Pending	1,374,911	1,675,188	1,364,516 ²	1,362,236	-0.9	-18.7	-0.2
Post-Conviction Supervision							
Persons Under Supervision	96,401	112,486	115,002	118,346	22.8	5.2	2.9
Pretrial Services							
Total Cases Activated	82,838	98,262	95,649	98,119	18.4	-0.1	2.6
Pretrial Services Cases Activated	79,942	96,525	94,080	96,537	20.8	0.0	2.6
Pretrial Diversion Cases Activated	2,896	1,737	1,569	1,582	-45.4	-8.9	0.8
Total Released on Supervision	35,679	37,296	32,816	32,576	-8.7	-12.7	-0.7
Pretrial Supervision	33,239	35,487	31,325	31,143	-6.3	-12.2	-0.6
Diversion Supervision	2,440	1,809	1,491	1,433	-41.3	-20.8	-3.9

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

² Revised.

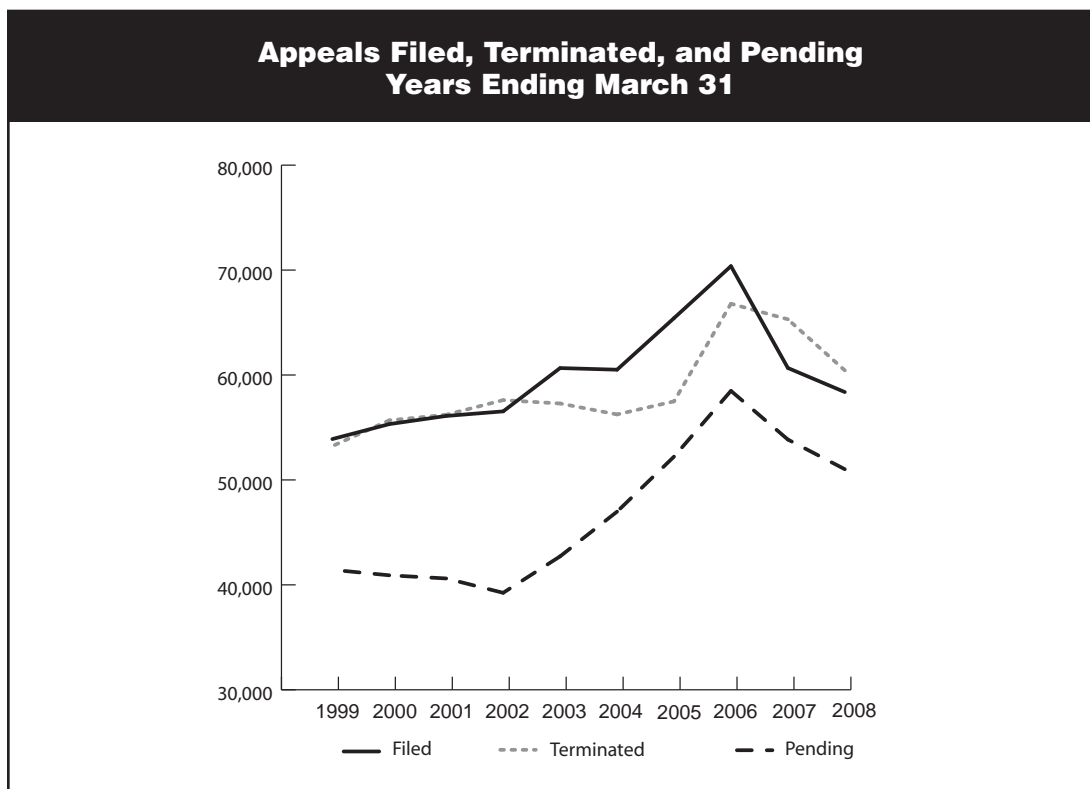
Judicial Business

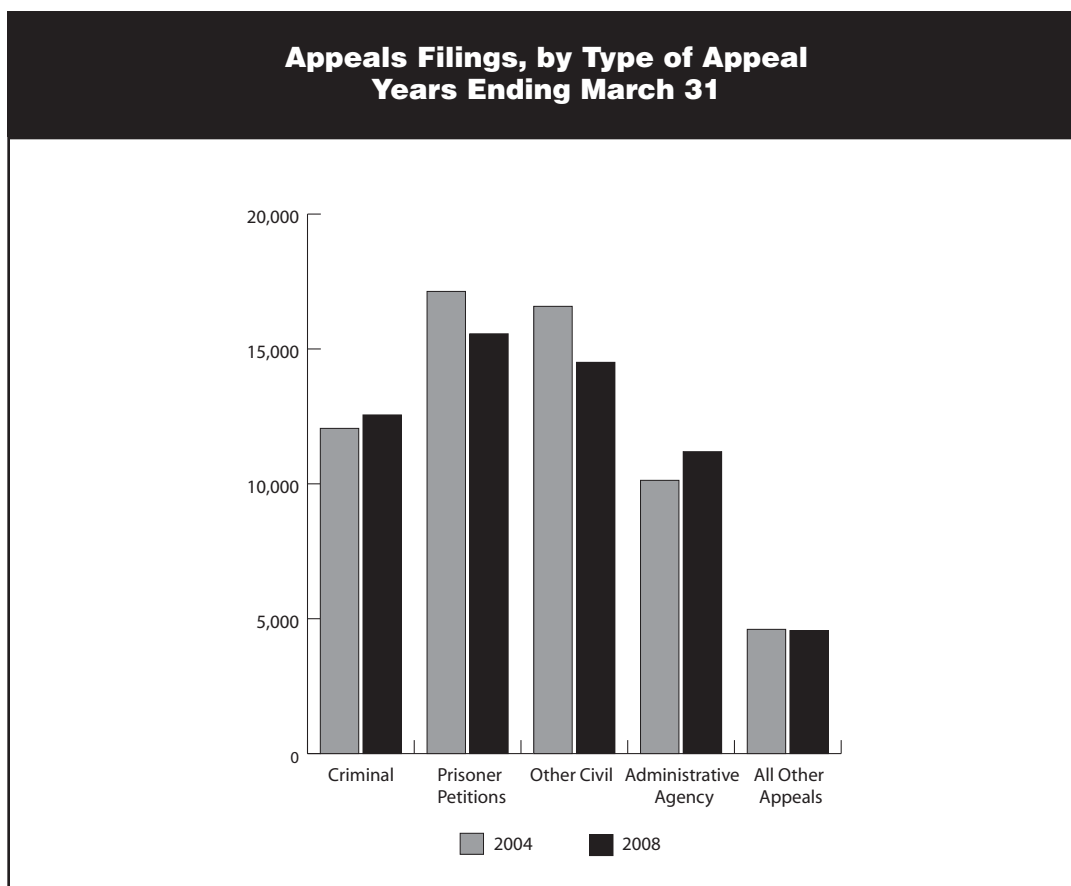
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2008. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and the work of the probation and pretrial services system.

Filings in the U.S. courts of appeals decreased 4 percent. In the U.S. district courts, filings fell 9 percent overall as civil case filings declined 12 percent, although criminal case filings grew 4 percent. Bankruptcy filings, which had dropped dramatically after the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) took effect, climbed 30 percent during this reporting period. The number of persons under the supervision of the federal probation system on March 31, 2008, rose 3 percent over the total one year earlier. The number of pretrial services cases activated also increased 3 percent.

U.S. Courts of Appeals

After setting a record in 2006, filings in the 12 regional courts of appeals fell for the second consecutive year, dropping 4 percent to 58,373 in the 12-month period ending March 31, 2008. Filings of civil appeals, criminal appeals, and original proceedings all declined. Filings for review of decisions by administrative agencies remained stable, and filings of bankruptcy appeals increased. Overall filings decreased mainly because fewer cases affected by the U.S. Supreme Court's decisions on sentencing guidelines in *Blakely v. Washington*, 542 U.S. 296 (2004), and *United States v. Booker*, 543 U.S. 220 (2005), were appealed this year.





Filings in the federal appeals courts consisted of 52 percent civil appeals, 22 percent criminal appeals, 19 percent administrative agency appeals, 6 percent original proceedings, and 2 percent bankruptcy appeals (percentages do not add up to 100 because of rounding).

- In 1999, the appeals courts' caseload constituted 68 percent civil appeals, 19 percent criminal appeals, 6 percent administrative agency appeals, 4 percent original proceedings, and 2 percent bankruptcy appeals.
- The distribution of appeals has changed in the past decade in response to habeas corpus reforms instituted by the Antiterrorism and Effective Death Penalty Act of 1996, to changes in guidelines for processing Board of Immigration Appeals (BIA) cases, and to the *Blakely* and *Booker* decisions.

In 2008, appeals of administrative agency decisions remained stable, increasing by 7 petitions to 11,193. Appeals of decisions by the BIA fell 3 percent to 9,761. This reduction is consistent with the drops in BIA case receipts and completions since 2005 that have been reported in the statistical yearbook of the Executive Office for Immigration Review. BIA appeals accounted for 87 percent of administrative agency appeals in 2008, compared to 90 percent in 2007. The downturn in BIA appeals was offset by growth in many other types of administrative agency appeals.

Original proceedings dropped 1 percent to 3,675 as filings of second or successive motions for permission to file habeas corpus petitions returned to levels typical before filings surged in response to *Booker*.

- Sixty-six percent of original proceedings involved motions for second or successive habeas corpus petitions, which declined 3 percent to 2,423.
- Thirty-two percent of original proceedings involved petitions for writs of mandamus, which decreased by 12 petitions to 1,165.

Appeals Court Filings Changes Over Time			
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	+ 8	- 4	- 4
Civil Appeals	- 19	- 11	- 3
Criminal Appeals	+ 21	+ 4	- 11
Administrative Agency Appeals	+ 221	+ 10	< 1
Bankruptcy Appeals	- 22	+ 1	+ 13
Original Proceedings	+ 83	- 2	- 1

Civil appeals fell 3 percent to 30,066, primarily due to declines in prisoner petitions and appeals involving civil rights.

- In 2008, civil appeals consisted of 52 percent prisoner petitions, 19 percent civil rights appeals, and 29 percent all other civil appeals.

Terminations of appeals fell 7 percent to 60,439. The appeals courts' pending caseload dropped 4 percent as terminations outpaced filings.

Detailed data on filings in the courts of appeals appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

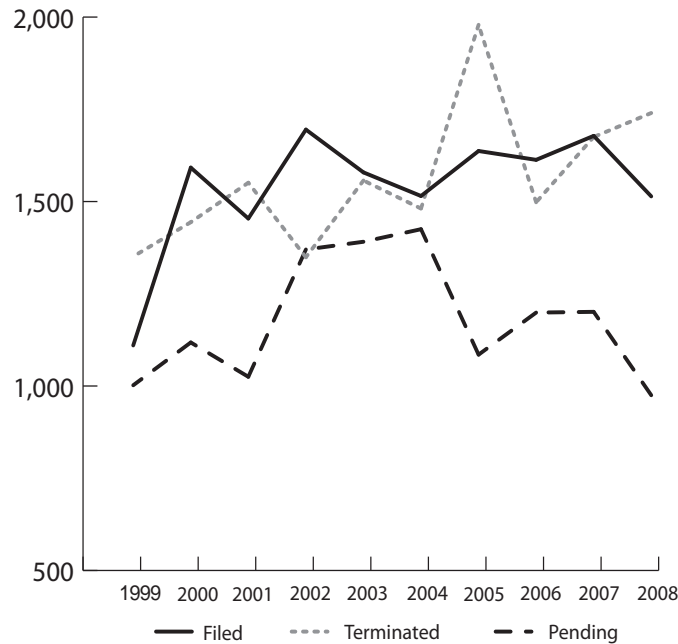
Filings in the U.S. Court of Appeals for the Federal Circuit decreased 10 percent to 1,514. The largest numeric reduction occurred in appeals of decisions by the U.S. Court of Appeals for Veterans Claims, which fell by 178 appeals to 238 (down 43 percent) this year. Such filings had soared 96 percent in 2007 when the Department of Veterans' Affairs filed many appeals related to its duty under the Veterans Claims Assistance Act to help veterans establish their entitlement to benefits. In 2008, appeals involving the International Trade Commission had the largest numeric increase, a rise of 33 appeals to 42.

Terminations of appeals grew 4 percent (up 65) to 1,740. The number of appeals pending on March 31, 2008, decreased 19 percent from the previous year to 975.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

Federal Circuit Filings Changes Over Time			
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	+ 36	< 1	- 10

U.S. Court of Appeals for the Federal Circuit Appeals Filed, Terminated, and Pending Years Ending March 31



U.S. District Courts

After rising 10 percent the previous year, filings in the U.S. district courts dropped 9 percent (down 30,382 cases) to 314,519 (this total does not include petty offense cases assigned to magistrate judges).

Case terminations decreased 5 percent in 2008 (down 17,708 cases) to 305,726. As filings exceeded terminations this year, the pending caseload grew 3 percent (up 8,793 cases) to 343,371 cases.

Civil Filings

Following a 14 percent increase in 2007, civil filings in the U.S. district courts decreased 12 percent in 2008, falling by 32,845 cases to 245,427.

- Most of this reduction resulted from drops in private cases consisting of federal question filings (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party) and diversity of citizenship filings.

From 2007 to 2008, federal question filings dropped 6 percent, primarily due to a decline in personal injury cases (down 48 percent) in response to fewer filings related to the antipsychotic drug Seroquel and to labor laws. Diversity of citizenship filings decreased 28 percent (down more than 26,000 cases), largely because of reductions in personal injury/product liability cases.

- In the Eastern District of Pennsylvania, multidistrict litigation filings related to diet drugs and asbestos fell by more than 15,000 cases. In 2007, this district had an influx of more than 22,000 personal injury/product liability cases.

- In the District of Minnesota, multidistrict filings addressing the cholesterol-reducing drug Baycol decreased by more than 1,200 cases. The previous year, this district had a 56 percent increase in diversity filings involving Baycol.
- Personal injury/product liability filings decreased by almost 6,500 cases, mainly because the Middle District of Florida had a reduction in multidistrict litigation filings alleging that Seroquel caused diabetic-related injuries.

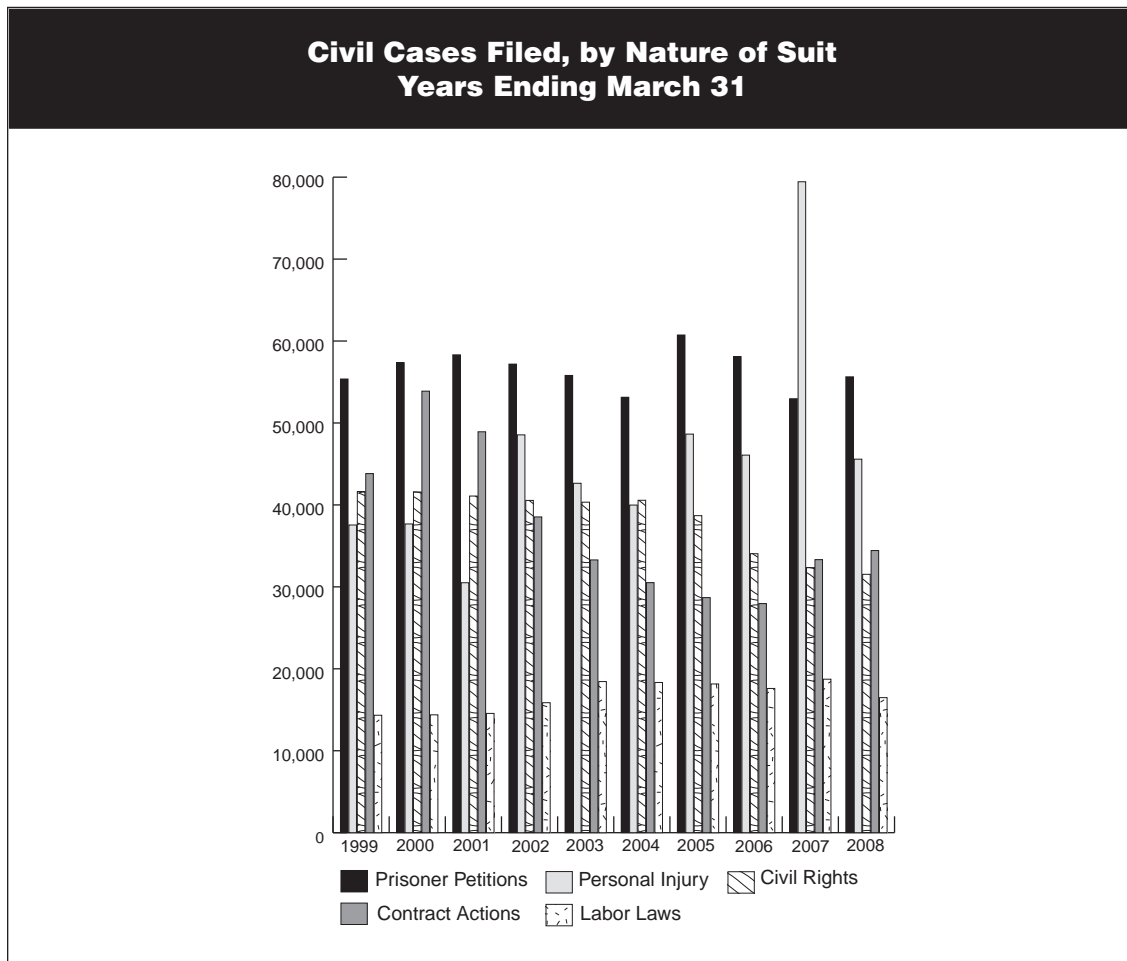
Filings of cases with the United States as defendant climbed 4 percent to 36,317.

- A 15 percent increase in motions to vacate sentences was the chief reason for an overall rise of more than 1,000 prisoner petitions.
- Social Security filings grew 1 percent as a result of a 5 percent increase in disability claims (up by nearly 300 cases).

Filings with the United States as plaintiff rose 6 percent to 9,758 as forfeiture and penalty cases climbed 5 percent and cases involving defaults of student loans grew 4 percent.

Civil case terminations fell 7 percent to 238,097.

- This reduction stemmed mainly from a decline in personal injury/product liability case terminations in the Eastern District of Pennsylvania (down by more than 18,000 terminations). Excluding this court, civil case terminations rose by more than 4,000 cases.



Civil Case Filings Changes Over Time			
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	- 2	- 4	- 12
Federal Question Cases	- 6	- 10	- 6
Diversity of Citizenship Cases	+ 39	+ 10	+ 28
U.S. Defendant Cases	+ 4	- 2	+ 4
U.S. Plaintiff Cases	- 60	- 9	+ 6

- Terminations of personal injury/product liability cases in the District of Minnesota dropped by nearly 3,600 cases.

Pending civil cases grew 3 percent (up more than 7,000 cases) to 270,829.

- This increase was buoyed by nationwide growth in pending cases related to asbestos (up more than 13,000 cases), contracts (up more than 900 cases), prisoner civil rights (up nearly 900 cases), foreclosures (up more than 700 cases), and consumer credit (up nearly 600 cases).

Detailed data on civil cases appear in the C series of the appendix tables.

Criminal Filings

The numbers of criminal cases filed and criminal defendants filed (including transfers) both rose in 2008. Cases climbed 4 percent to 69,092, and defendants increased 3 percent to 90,227. Growth stemmed from higher filings related to immigration crimes, sex crimes, fraud, violent crimes, general offenses, and traffic offenses. Reductions occurred in filings involving drugs, firearms and explosives, and regulatory offenses.

Immigration cases rose 17 percent to 18,468, and defendants in such cases jumped 16 percent to 19,749.

- Seventy-one percent of immigration cases were filed in the southwestern border districts of the Southern District of Texas, Western District of Texas, District of Arizona, Southern District of California, and District of New Mexico.

Filings of property offense cases grew 1 percent to 12,341 in 2008, and defendants in such cases climbed 2 percent to 16,018. These increases arose from property crimes involving larceny and theft, as well as from fraud.

- Filings related to theft of U.S. property rose because of the increased presence of law enforcement personnel on military bases.
- Fraud cases climbed 1 percent to 7,751, and fraud defendants grew 1 percent to 10,476, in response to increased filings addressing conspiracy to defraud, passport fraud, Social Security fraud, and health care fraud.

Sex offense filings reached record levels as cases rose 26 percent to 2,627 and defendants climbed 27 percent to 2,733. Both increases were due to continued growth in cases involving sexually explicit materials and a recent increase in sex offender registration filings.

- Cases focusing on sexually explicit materials began climbing after Congress passed the Child Pornography Prevention Act (CPPA) of 1996, which updated federal child pornography law to address the Internet.
- Sex offender registration cases increased after the Adam Walsh Child Protection and Safety Act of 2006 led to the creation of a national sex offender registry and strengthened penalties for offenders who fail to register and to keep their information current.

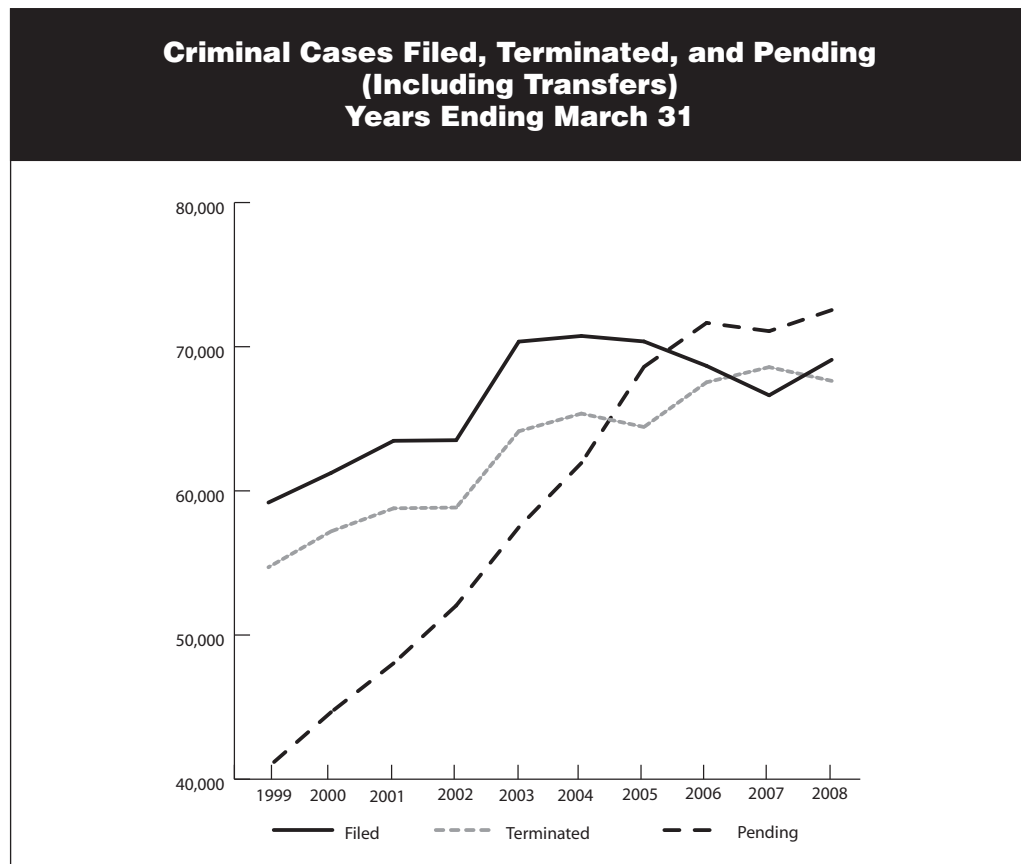
In 2008, filings of regulatory offense cases fell 1 percent to 1,671, although defendants in such cases grew 7 percent to 2,104.

- The increase in defendants stemmed from greater numbers of defendants in cases addressing hazardous waste treatment, disposal, and storage; customs; reporting of monetary transactions; migratory birds; and maritime and shipping regulations.

Traffic offense cases climbed 6 percent to 4,192, and traffic defendants also grew 6 percent to 4,195, in response to higher filings for traffic offenses other than drunk driving on military bases and in national parks.

Drug cases dropped 5 percent to 16,310, and drug defendants decreased 4 percent to 29,043, because of reductions in non-marijuana cases. Marijuana cases and defendants in such cases increased.

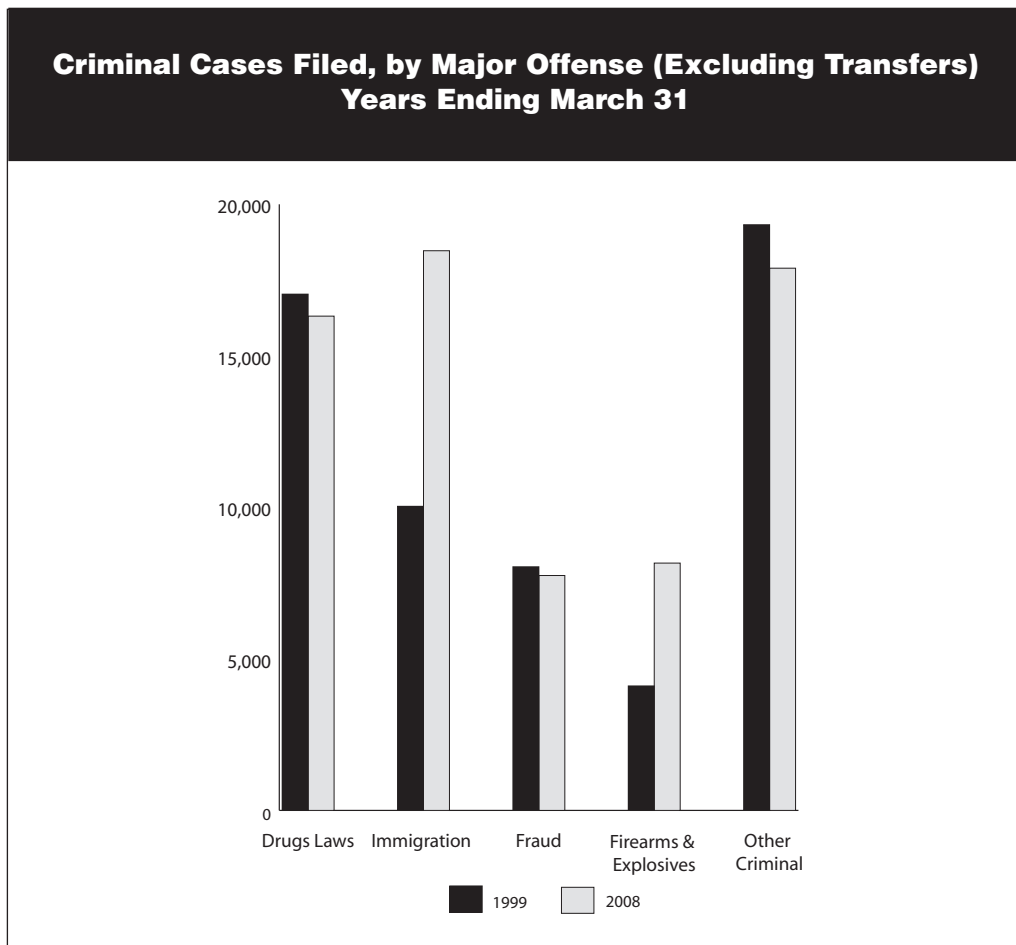
Firearms and explosives cases declined 4 percent to 8,161, and defendants in such cases decreased 3 percent to 9,284.



Case terminations declined 1 percent to 67,629. The number of defendants in terminated cases dropped 2 percent to 88,047.

The pending criminal caseload rose 2 percent to 72,542 cases, and pending defendants increased 2 percent to 100,500.

Detailed data on criminal cases filed in the district courts appear in the D series of the appendix tables.



**Criminal Case Filings (Excluding Transfers)
Changes Over Time**

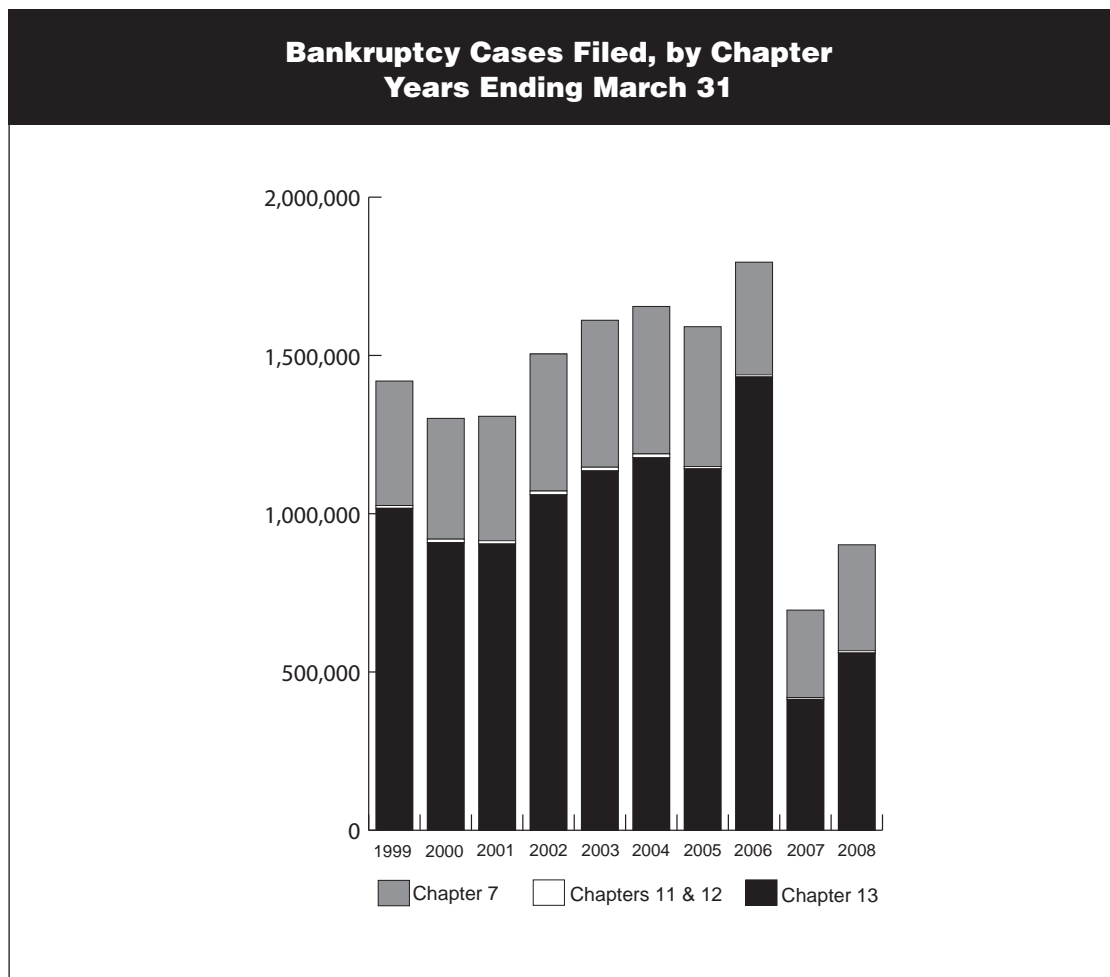
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	+ 17	- 2	+ 4
Immigration Cases	+ 84	+ 16	+ 17
Property Cases	- 14	< 1	+ 1
Sex Offense Cases	+ 221	+ 79	+ 26
Drug Cases	- 4	- 14	- 5
Firearms and Explosives Cases	+ 99	- 14	- 4

U.S. Bankruptcy Courts

Bankruptcy filings jumped 30 percent from 695,575 to 901,927 during the 12-month period ending March 31, 2008, as economic uncertainty forced more debtors to seek protection from their creditors in bankruptcy courts. Across the nation, 84 of 94 districts reported growth in filings of 10 percent or more.

- The highest percentage increases occurred in the Ninth Circuit and the Eleventh Circuit. Filings rose 83 percent in the Eastern District of California, 82 percent in the District of Nevada, 79 percent in the Central District of California, 68 percent in the Southern District of California, 67 percent in the Middle District of Florida, and 57 percent in the Southern District of Florida.
- Districts in the Sixth Circuit reported a total of 160,100 bankruptcy filings, the highest number for any circuit. Within the Sixth Circuit, the Eastern District of Michigan led the way with 37,511 filings, followed by the Northern District of Ohio with 28,230 filings, then the Southern District of Ohio with 24,176 filings.
- Only four districts reported reductions in filings in 2008: the District of Guam, the District of the Virgin Islands, the District of the Northern Mariana Islands, and the Northern District of New York.

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) placed more stringent requirements on debtors.



- A surge in bankruptcy filings took place just before BAPCPA was implemented on October 17, 2005. Thereafter, bankruptcy filings initially tumbled, but have risen steadily every quarter since then.
- This year, filings grew between 3 percent and 9 percent in each quarter.

Filings of bankruptcy petitions rose under chapters 7, 11, and 13, but fell under chapter 12.

- Chapter 7 filings climbed 36 percent to 560,015. Such filings, which had accounted for 71 percent of all bankruptcy filings in 2004 prior to the passage of BAPCPA, constituted 62 percent in 2008. This reduction is largely attributed to the means test that BAPCPA places on debtors who wish to file chapter 7 petitions.
- Chapter 11 filings rose 34 percent to 6,971.
- Chapter 13 filings grew 21 percent to 334,551.
- Chapter 12 filings decreased 8 percent to 343.

Filings involving predominantly nonbusiness debts totaled 871,186, an increase of 29 percent (up 197,571 petitions).

- Nonbusiness filings rose 35 percent under chapter 7, climbed 21 percent under chapter 13, and grew 31 percent under chapter 11.
- Nonbusiness petitions continued to account for an overwhelming percentage of bankruptcy filings, constituting 97 percent of all filings in 2008, the same as in 2007.

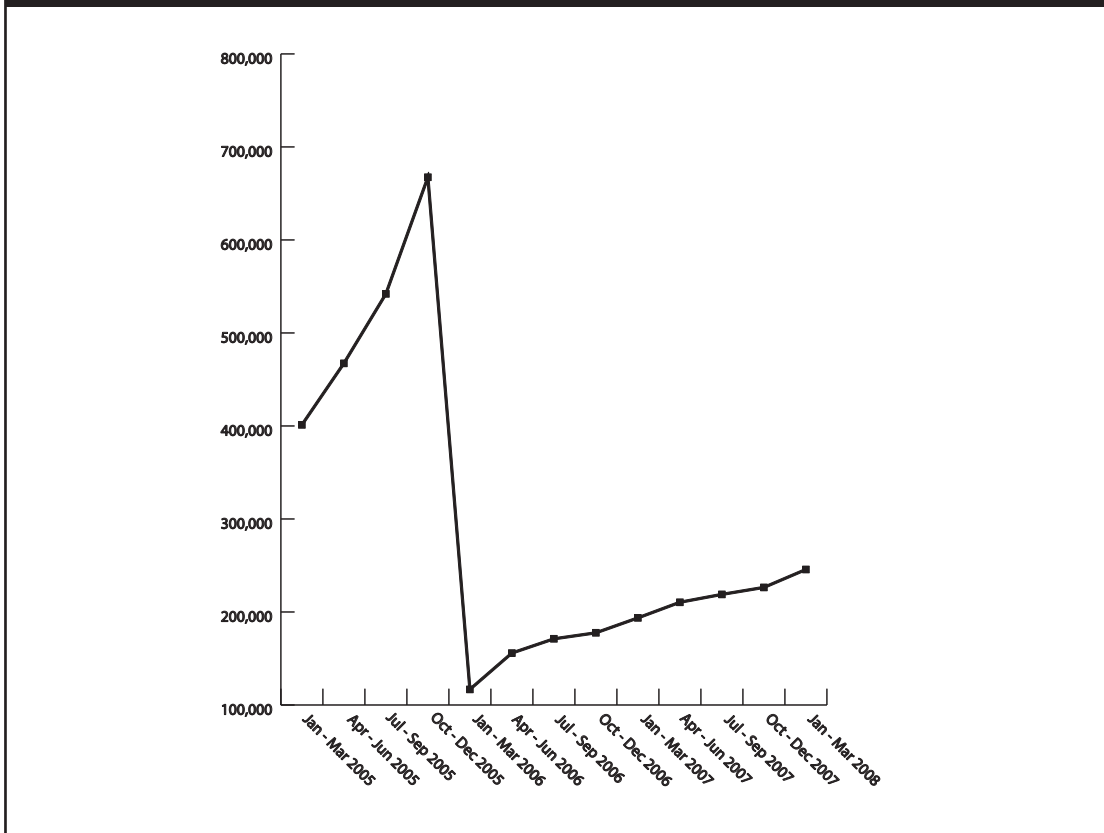
Filings involving predominantly business debts, which amounted to 3 percent of total petitions filed, increased 40 percent to 30,741.

- Business petitions jumped 49 percent under chapter 7, grew 14 percent under chapter 13, and rose 34 percent under chapter 11.
- Business filings decreased 8 percent under chapter 12, the only category of filings with a decline.

Terminations of bankruptcy cases fell 5 percent. Because the number of bankruptcy cases terminated exceeded filings, pending bankruptcy cases decreased slightly (down less than 1 percent).

Bankruptcy Case Filings Changes Over Time			
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	- 36	- 45	+ 30
Chapter 7	- 45	- 52	+ 36
Chapter 11	- 13	- 40	+ 34
Chapter 13	- 15	- 28	+ 21

Bankruptcy Cases Filed, by Quarter January 2005 Through March 2008



Adversary proceedings declined 1 percent from 49,141 to 48,667. The largest reduction occurred in the Eastern District of Missouri, where filings dropped 58 percent (down 411 filings), mainly due to a downturn in chapter 11 cases.

- Terminations of adversary proceedings fell 27 percent to 53,693.
- The number of adversary proceedings terminated exceeded the number filed, which caused pending adversary proceedings to decrease 8 percent to 59,346 as of March 31, 2008.

Detailed data on bankruptcy petitions and adversary proceedings filed in the bankruptcy courts appear in the F series of the appendix tables.

Post-Conviction Supervision

Consistent with growth in recent years, the number of persons under post-conviction supervision as of March 31, 2008, increased by 3,344 persons (up 3 percent) from the number under supervision one year earlier to 118,346.

- A total of 60,509 persons were received for post-conviction supervision compared to 58,599 the previous year.
- The total for post-conviction supervision cases closed (excluding transfers and deaths) increased by less than 1 percent from 49,230 in 2007 to 49,313 in 2008.

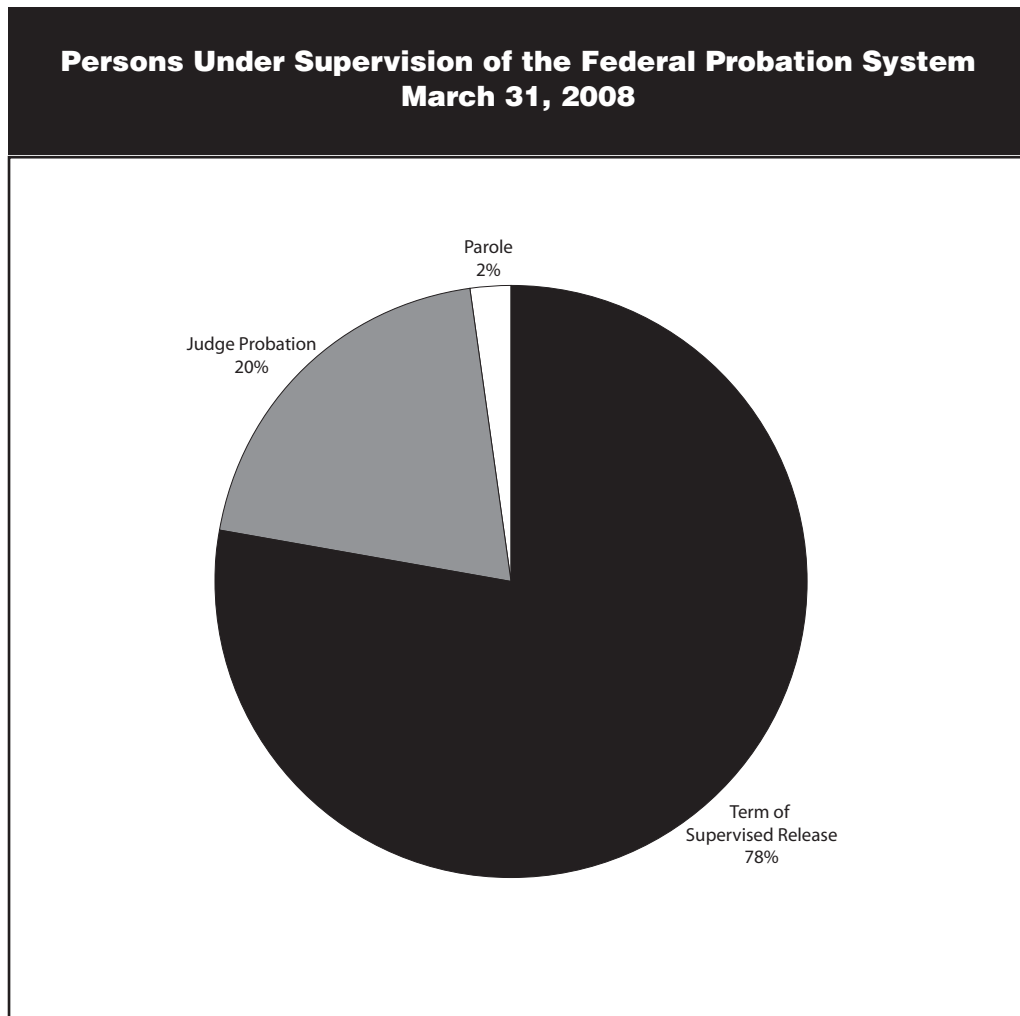
Seventy-eight percent of persons under post-conviction supervision on March 31, 2008, were serving terms of supervised release, 20 percent were under supervision following the imposition of sentences of probation, and 2 percent were on parole.

- A total of 92,303 persons were serving terms of supervised release on March 31, 2008, an increase of nearly 6 percent from the previous year's total.
- The total for persons on probation in 2008 fell 5 percent below the total for 2007.

The number of persons on parole, special parole, military parole, and mandatory release on March 31, 2008, declined nearly 7 percent from the previous year's total, dropping from 2,762 to 2,579.

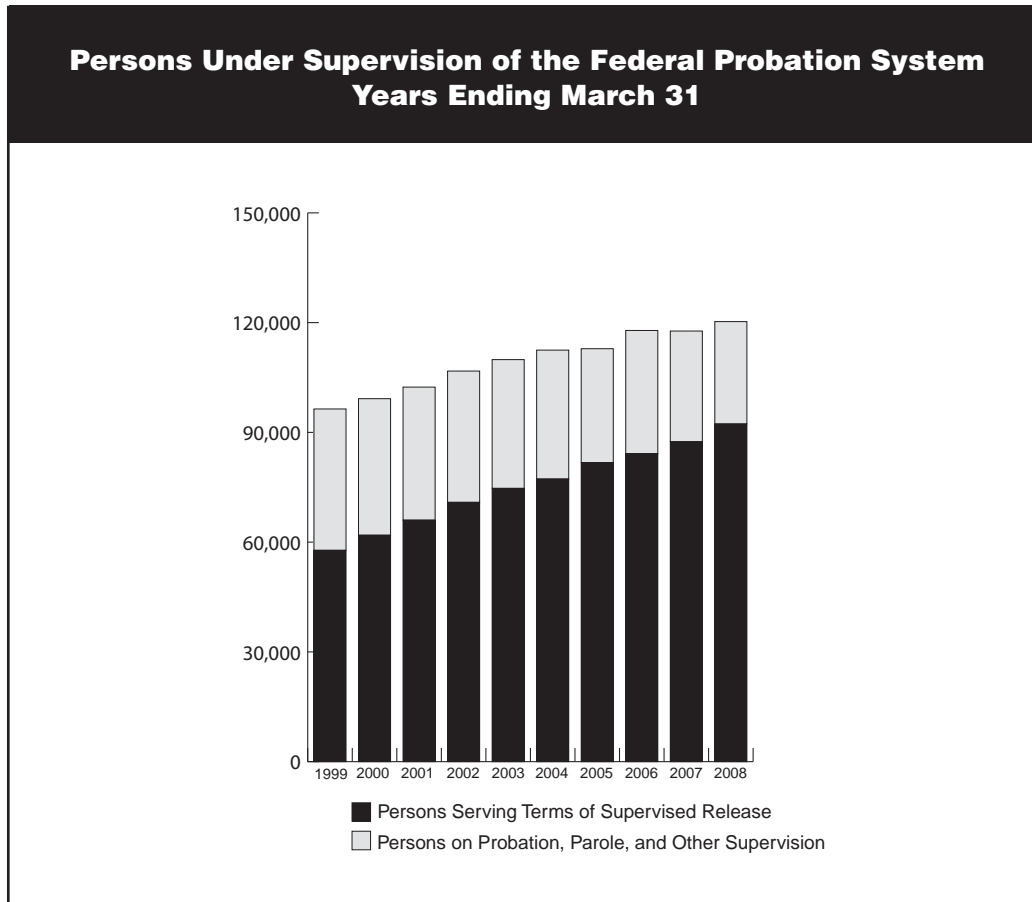
- A continued reduction in persons on parole has occurred since the implementation of the Sentencing Act of 1987, which abolished parole for anyone who committed an offense on or after November 1, 1987.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, which aid judges in the sentencing of convicted defendants. The pre-sentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports are time consuming to prepare and typically range in length from 20 to 30 pages.



- In 2008, the number of pre-sentence reports written by probation officers totaled 72,773, a decrease of less than 1 percent. Of this total, 67,615 were pre-sentence reports addressing offenses for which the U.S. Sentencing Commission has promulgated sentencing guidelines.

Detailed probation data appear in the E series of the appendix tables.



Persons Under Post-Conviction Supervision Changes Over Time			
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Under Supervision	+ 23	+ 5	+ 3
Serving Terms of Supervised Release	+ 60	+ 19	+ 6
On Probation	- 29	- 22	- 5
On Parole	- 48	- 27	- 7

Pretrial Services

A total of 96,537 pretrial services cases were activated during the 12-month period ending March 31, 2008, a 3 percent increase over the total for the previous year.

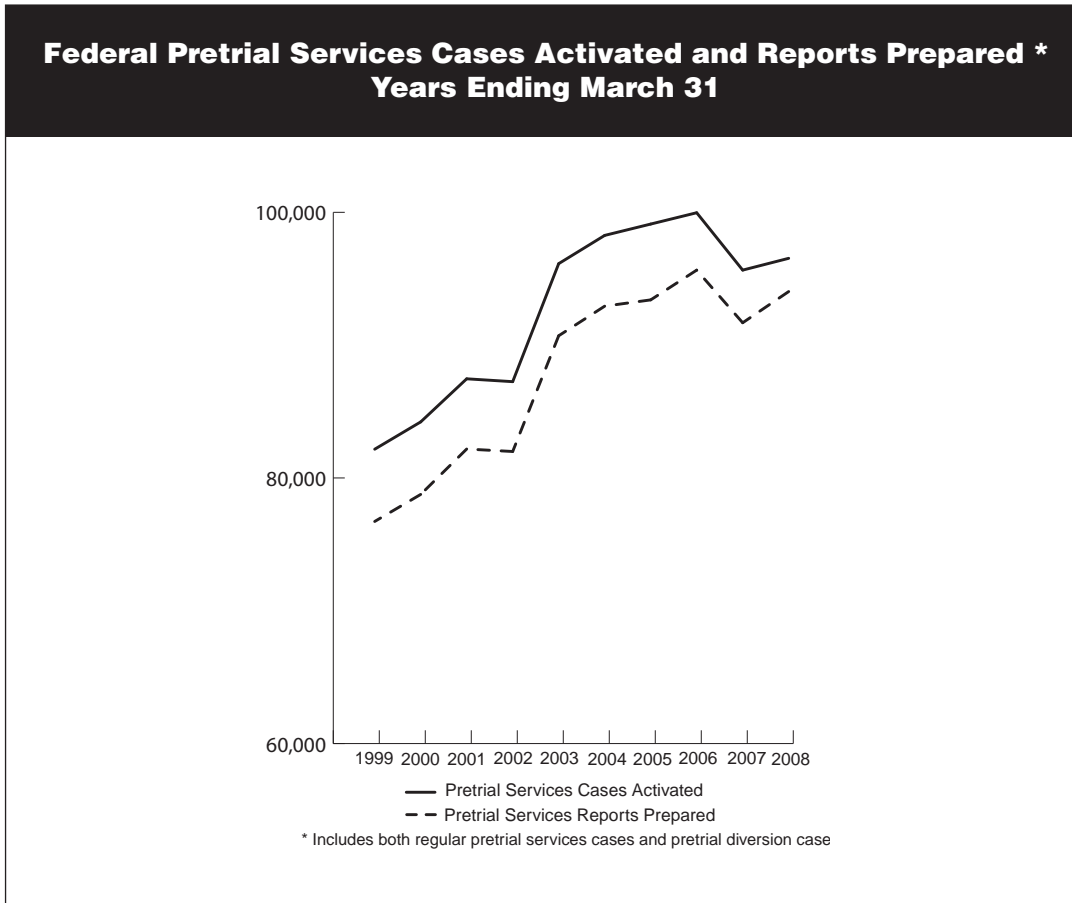
- During 2008, a total of 1,582 pretrial diversion cases were activated, a 1 percent increase from the previous year.
- A total of 92,254 pretrial services cases were closed, 2 percent below the total for 2007.

Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants awaiting trial. These reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed 1 percent more defendants (64,188) and prepared 3 percent fewer pretrial services reports (94,034) in 2008 than they did in 2007.

When defendants are released pending trial, pretrial services officers are responsible for monitoring their compliance with release conditions set by the courts, informing the courts and U.S. attorneys of any violations of release conditions, and providing referrals to relevant support services.

- The number of defendants received for pretrial services supervision decreased by less than 1 percent to 31,143.



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Federal Judicial Caseload Statistics

March 31, 2009

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12-Month Periods Ending March 31, 2000, 2005, 2008, and 2009

Judicial Caseload	2000	2005	2008	2009	% Change Since 2000	% Change Since 2005	% Change Since 2008
U.S. Courts of Appeals ¹							
Cases Filed	55,320	65,418	58,373	60,358	9.1	-7.7	3.4
Cases Terminated	55,678	57,486	60,439	59,604	7.1	3.7	-1.4
Cases Pending	40,910	55,218	50,809	51,563	26.0	-6.6	1.5
U.S. District Courts							
 Civil							
Cases Filed	262,548	278,712	245,427	258,535	-1.5	-7.2	5.3
Cases Terminated	265,030	260,980	238,097	238,640	-10.0	-8.6	0.2
Cases Pending	243,422	283,209	281,705 ²	301,600	23.9	6.5	7.1
 Criminal (Including Transfers)							
Cases Filed	61,242	70,364	69,092	74,547	21.7	5.9	7.9
Defendants Filed	82,105	92,672	90,227	95,736	16.6	3.3	6.1
Cases Terminated	57,188	64,430	67,629	73,937	29.3	14.8	9.3
Cases Pending	44,646	68,603	73,489 ²	74,099	66.0	8.0	0.8
U.S. Bankruptcy Courts							
Cases Filed	1,301,205	1,590,975	901,927	1,202,503	-7.6	-24.4	33.3
Cases Terminated	1,289,283	1,612,145	904,207 ²	1,073,619	-16.7	-33.4	18.7
Cases Pending	1,382,978	1,652,364	1,284,614 ²	1,413,498	2.2	-14.5	10.0
Post-Conviction Supervision							
Persons Under Supervision	99,209	112,870	118,346	122,633	23.6	8.6	3.6
Pretrial Services							
Total Cases Activated	84,219	99,116	98,119	102,499	21.7	3.4	4.5
Pretrial Services Cases Activated	82,221	97,163	96,537	101,208	23.1	4.2	4.8
Pretrial Diversion Cases Activated	1,998	1,953	1,582	1,291	-35.4	-33.9	-18.4
Total Released to Supervision	33,309	34,344	32,576	30,472	-8.5	-11.3	-6.5
Pretrial Supervision	31,110	32,346	31,143	29,236	-6.0	-9.6	-6.1
Diversion Supervision	2,199	1,998	1,433	1,236	-43.8	-38.1	-13.7

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

² Revised.

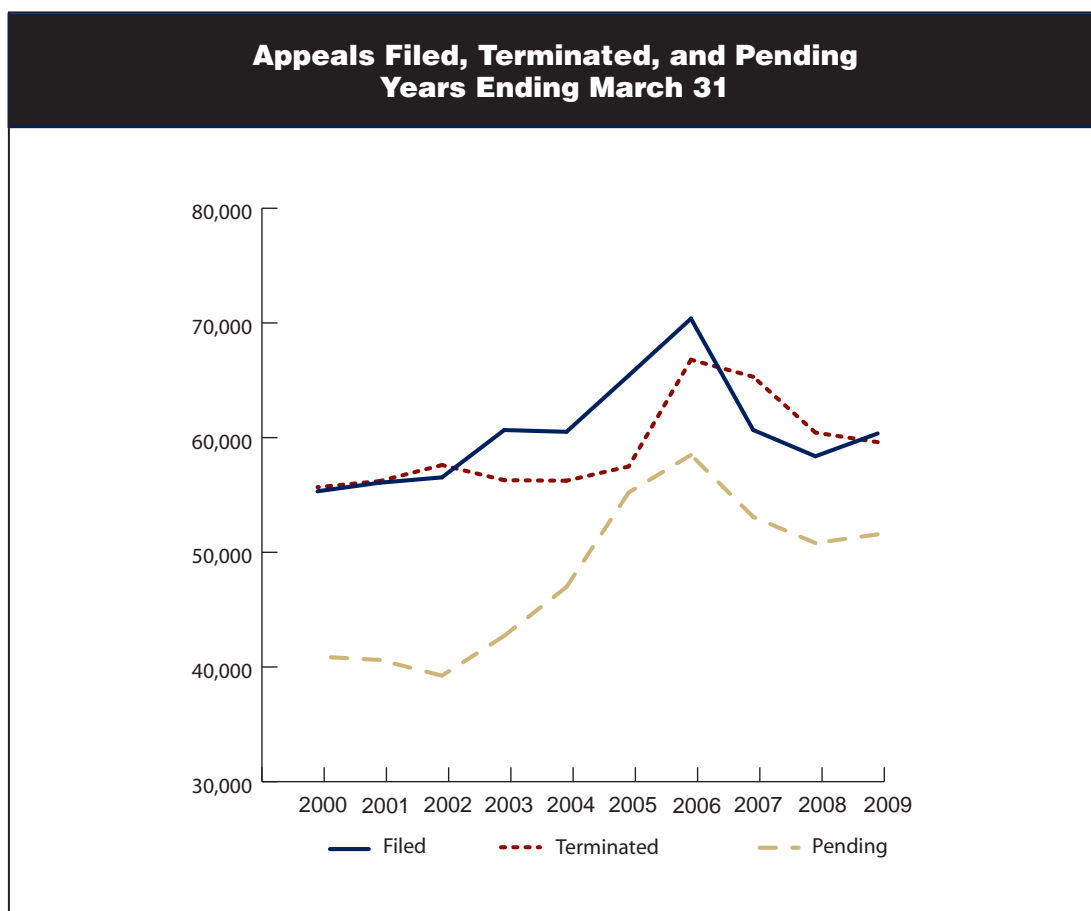
Judicial Business

This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2009. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and the probation and pretrial services system.

During the reporting period, caseload growth occurred across the federal Judiciary. Filings in the U.S. courts of appeals increased 3 percent. In the U.S. district courts, civil case filings rose 5 percent, and criminal case filings rose 8 percent. Bankruptcy filings, which had dropped dramatically after the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) took effect, climbed 33 percent to exceed 1.2 million. The number of persons under supervision by the federal probation system on March 31, 2009, was 4 percent greater than the total one year earlier. The number of pretrial services cases activated increased 5 percent.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals rose 3 percent to 60,358 during the 12-month period ending March 31, 2009. Overall filings increased mainly because of the growth in criminal appeals involving drugs. Filings of civil appeals also increased. Filings for review of decisions by administrative agencies, bankruptcy appeals, and original proceedings all declined.



Filings in the federal appeals courts consisted of 52 percent civil appeals, 24 percent criminal appeals, 17 percent administrative agency appeals, 6 percent original proceedings, and 1 percent bankruptcy appeals.

- In 2000, the appeals courts' caseload consisted of 67 percent civil appeals, 19 percent criminal appeals, 6 percent administrative agency appeals, 6 percent original proceedings, and 2 percent bankruptcy appeals.

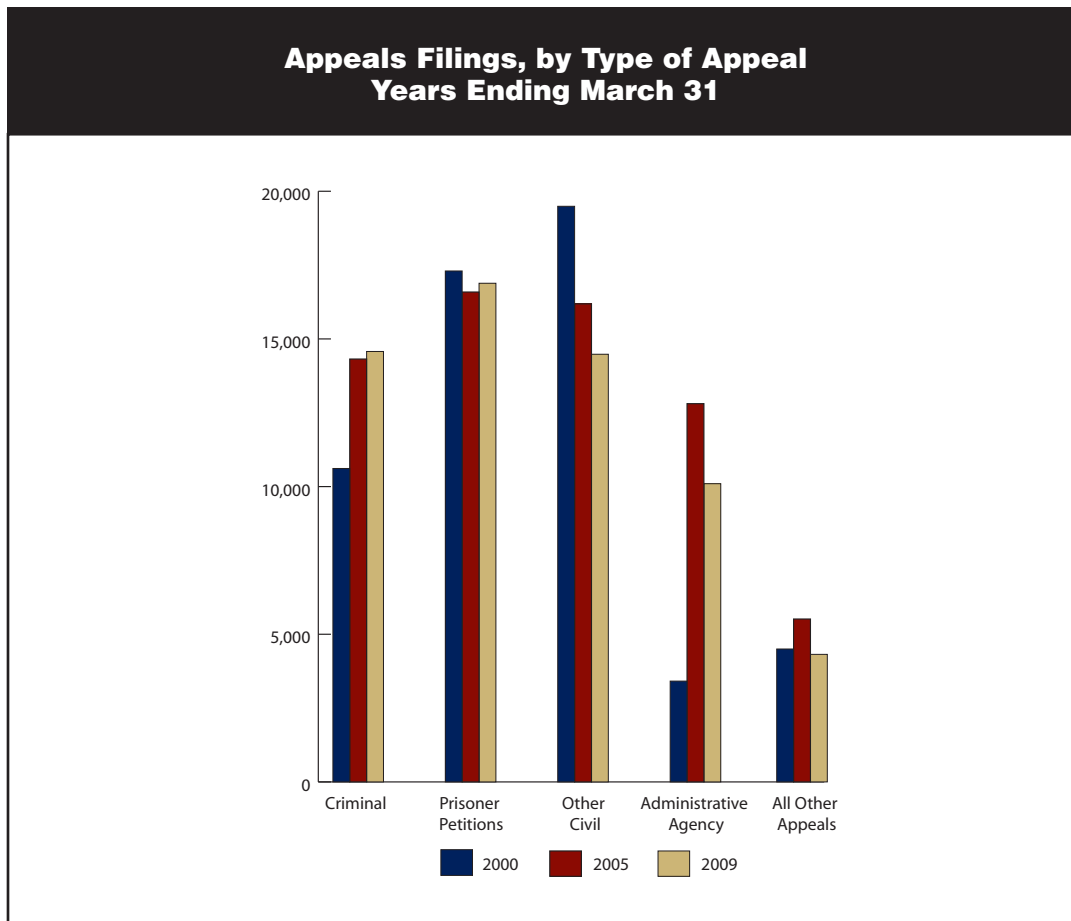
Criminal appeals rose 16 percent to 14,575 in 2009. The increase stemmed from appeals in crack cocaine cases affected by an amendment to the sentencing guidelines issued by the U.S. Sentencing Commission on November 1, 2007.

- The amendment reduced penalties for most crack cocaine offenses. Retroactivity of the amendment became effective on March 3, 2008.
- Some of the growth in non-marijuana drug case appeals was offset by a decline in immigration crime appeals.

Civil appeals climbed 4 percent to 31,366, primarily due to an increase in prisoner petitions.

- In 2009, civil appeals consisted of 54 percent prisoner petitions, 18 percent civil rights appeals, and 28 percent all other civil appeals.

Administrative agency appeals fell 10 percent to 10,098. BIA appeals accounted for 88 percent of administrative agency appeals in 2009.



Appeals Court Filings Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Filings	+ 9.1	-7.7	+3.4
Civil Appeals	-14.7	-4.3	+4.3
Criminal Appeals	+37.3	+1.8	+16.1
Administrative Agency Appeals	+195.8	-21.2	-9.8
Bankruptcy Appeals	-32.2	-18.2	-18.5
Original Proceedings	+4.7	-22.4	-2.1

- Appeals of BIA decisions decreased 9 percent to 8,890. The reduction is consistent with the drops in BIA case receipts and completions since 2005 that have been reported in the statistical yearbook of the Executive Office for Immigration Review.

Original proceedings declined 2 percent to 3,598 as filings of second or successive motions for permission to file habeas corpus petitions and petitions for writs of mandamus declined.

- Sixty-three percent of original proceedings involved motions for second or successive habeas corpus petitions, which fell 6 percent to 2,279.
- Thirty-one percent of original proceedings involved petitions for writs of mandamus, which decreased 4 percent to 1,117.

Terminations of appeals fell 1 percent to 59,604. The appeals courts' pending caseload rose 1 percent as filings outpaced terminations.

Detailed data on filings in the courts of appeals appear in the B series of the appendix tables.

Bankruptcy Appellate Panels

Five circuits in the federal Judiciary have bankruptcy appellate panels (BAPs). In the 12-month period ending March 31, 2009, filings in the BAPs decreased 8 percent (down 63 appeals) to 724. BAP filings declined in the Eighth Circuit (down 18 filings or 23 percent), the Ninth Circuit (down 65 filings or 15 percent), and the Tenth Circuit (down 17 filings or 16 percent). BAP filings rose in the First Circuit (up 26 filings or 41 percent) and the Sixth Circuit (up 11 filings or 11 percent).

Data for the bankruptcy appellate panels appear in the B series of the appendix tables.

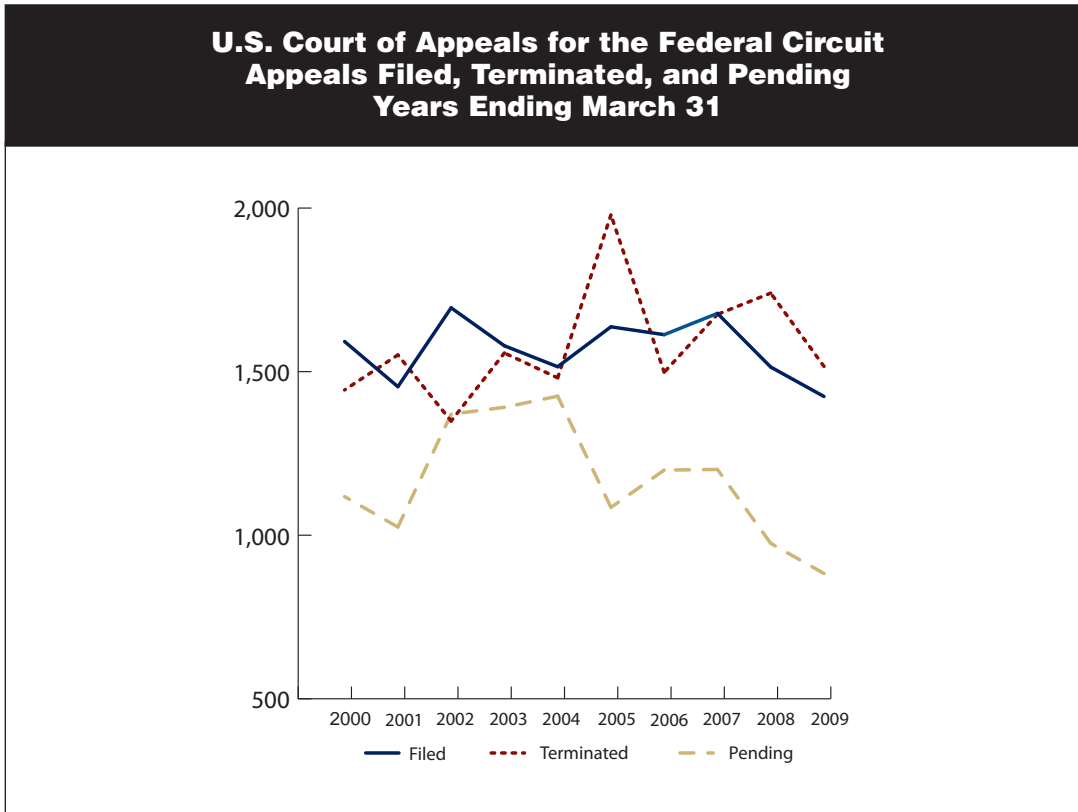
U.S. Court of Appeals for the Federal Circuit

Filings in the U.S. Court of Appeals for the Federal Circuit decreased 6 percent to 1,424. For the second consecutive year, the largest numeric reduction occurred in appeals of decisions by the U.S. Court of Appeals for Veterans Claims, which fell by 85 appeals this year to 153 (down 36 percent). In 2009, appeals involving the U.S. Patent and Trademark Office had the largest numeric increase, a rise of 58 appeals to 111.

Terminations of appeals dropped 13 percent (down 224) to 1,516. The number of appeals pending on March 31, 2009, decreased 9 percent from the previous year to 883.

Appendix Table B-8 provides summary data on the activity of the U.S. Court of Appeals for the Federal Circuit.

Federal Circuit Filings Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Filings	-10.5	-13.0	-5.9



U.S. District Courts

Total filings in the U.S. district courts increased 6 percent (up 18,563 cases) to 333,082 cases (this total does not include petty offense cases assigned to magistrate judges). The pending caseload also increased 6 percent, rising by 20,505 cases to 375,699. Case terminations grew 2 percent (up 6,851) to 312,577.

Civil Filings

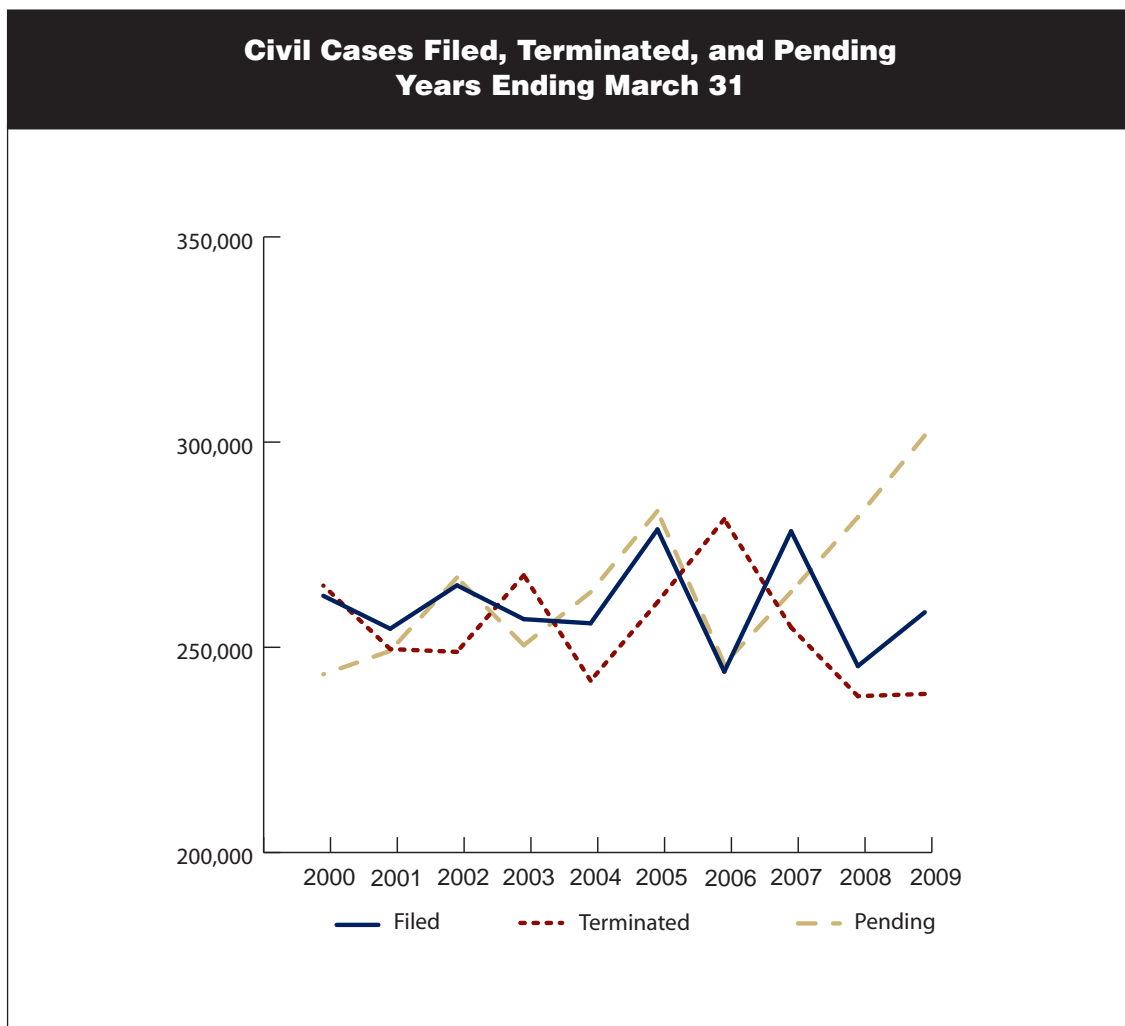
Civil filings in the U.S. district courts rose 5 percent in 2009, climbing by 13,108 cases to 258,535.

- The increase largely resulted from the 8 percent growth in filings of private cases consisting of diversity of citizenship cases and federal question cases (i.e., actions under the Constitution, laws, or treaties of the United States in which the United States is not a party).

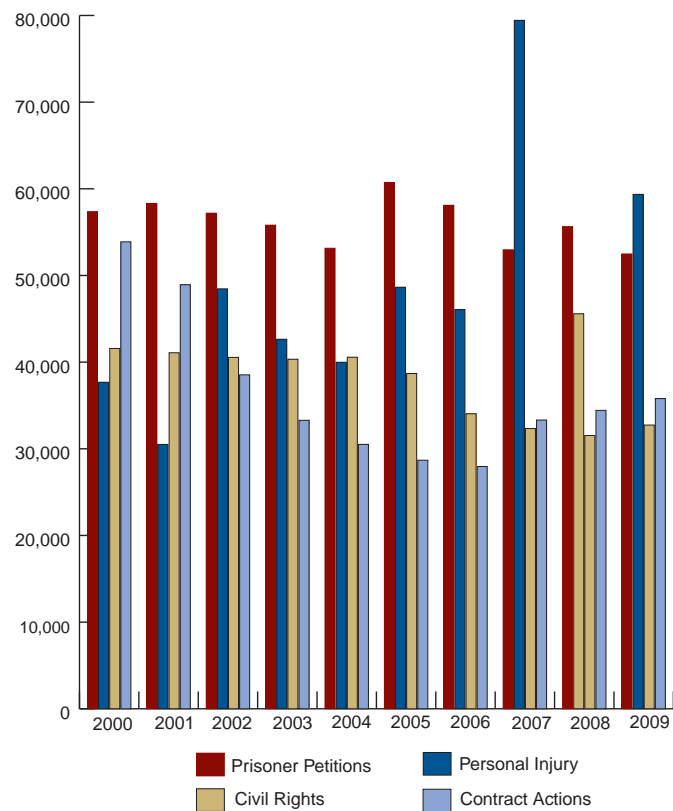
From 2008 to 2009, diversity of citizenship filings jumped 24 percent (up more than 16,000 cases), mostly because of filings of personal injury/product liability cases.

- The Eastern District of Pennsylvania had influxes of filings related to diet drugs and asbestos that contributed to that district's increase of more than 9,300 cases.

Civil Case Filings Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Filings	-1.5	-7.2	+5.3
Federal Question Cases	-6.5	-17.6	+0.05
Diversity of Citizenship Cases	+63.9	+30.1	+24.4
U.S. Defendant Cases	-4.7	-23.4	-9.7
U.S. Plaintiff Cases	-72.4	-6.7	-2.0



Civil Cases Filed, by Nature of Suit Years Ending March 31



- In the District of Minnesota, filings addressing the hormone replacement therapy drug Prempro grew by more than 2,200 cases.
- Federal question filings rose less than 1 percent as a 71 percent surge in marine contract cases (most of them filed in the Southern District of New York) was offset by decreases in state prisoner petitions (down 4 percent) and intellectual property cases (down 10 percent).

Filings of cases with the United States as defendant dropped 10 percent to 32,801.

- A 10 percent decline in motions to vacate sentence was mostly responsible for the overall decrease of more than 1,200 federal prisoner petitions.
- Social Security filings fell 5 percent as a result of a 7 percent reduction in disability claims (down by more than 600 cases) and a 3 percent reduction in supplemental security income claims (down by more than 160 cases).
- Immigration filings nearly quadrupled, increasing by more than 1,600 cases (this is the second year in which data have been reported for civil cases addressing immigration).

Filings with the United States as plaintiff declined 2 percent to 9,563 as forfeiture and penalty cases decreased 5 percent.

Civil case terminations rose less than 1 percent to 238,640.

- Although large numbers of personal injury/product liability cases were terminated in the Eastern District of Pennsylvania (up more than 4,500 terminations) and the District of Minnesota (up more than 3,300 terminations), the Middle District of Louisiana had more than 5,000 fewer terminations of oil refinery explosion cases.

Pending civil cases grew 7 percent (up more than 19,000 cases) to 301,600.

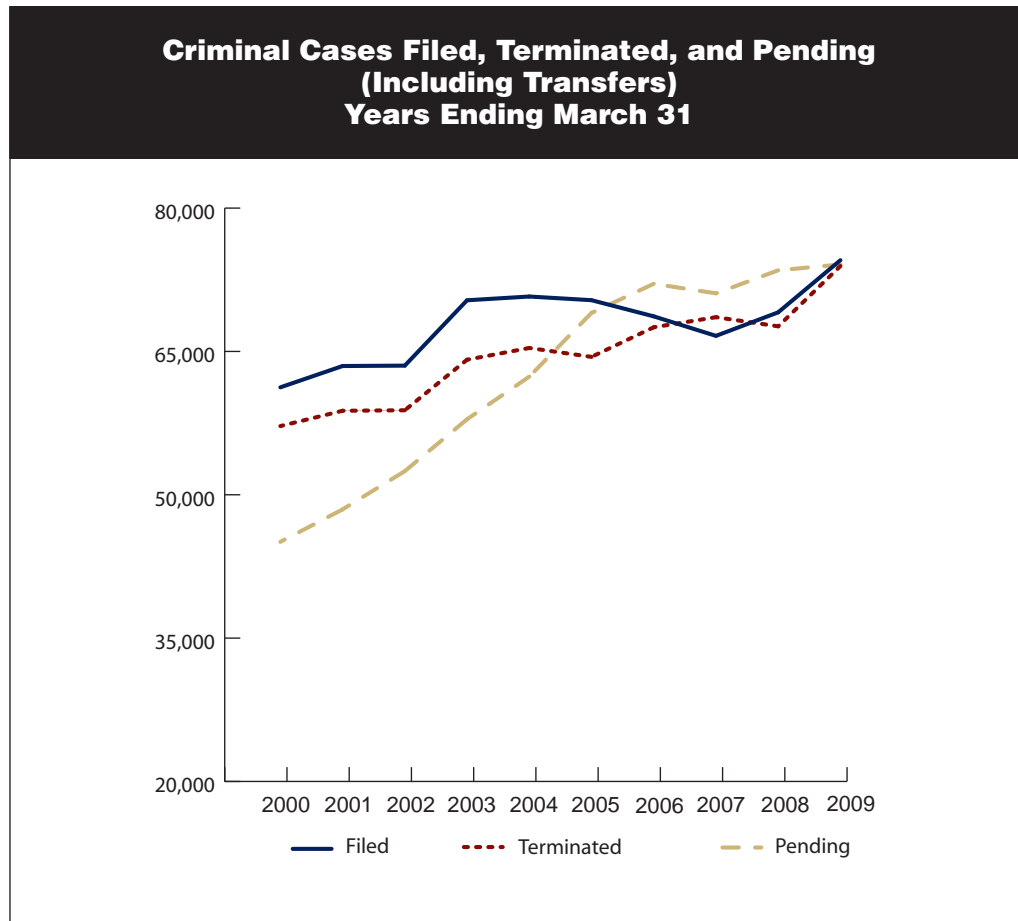
- This increase stemmed mainly from pending cases related to asbestos (up more than 16,000 cases), the vast majority of which were pending in the Eastern District of Pennsylvania.

Detailed data on civil cases appear in the C series of the appendix tables.

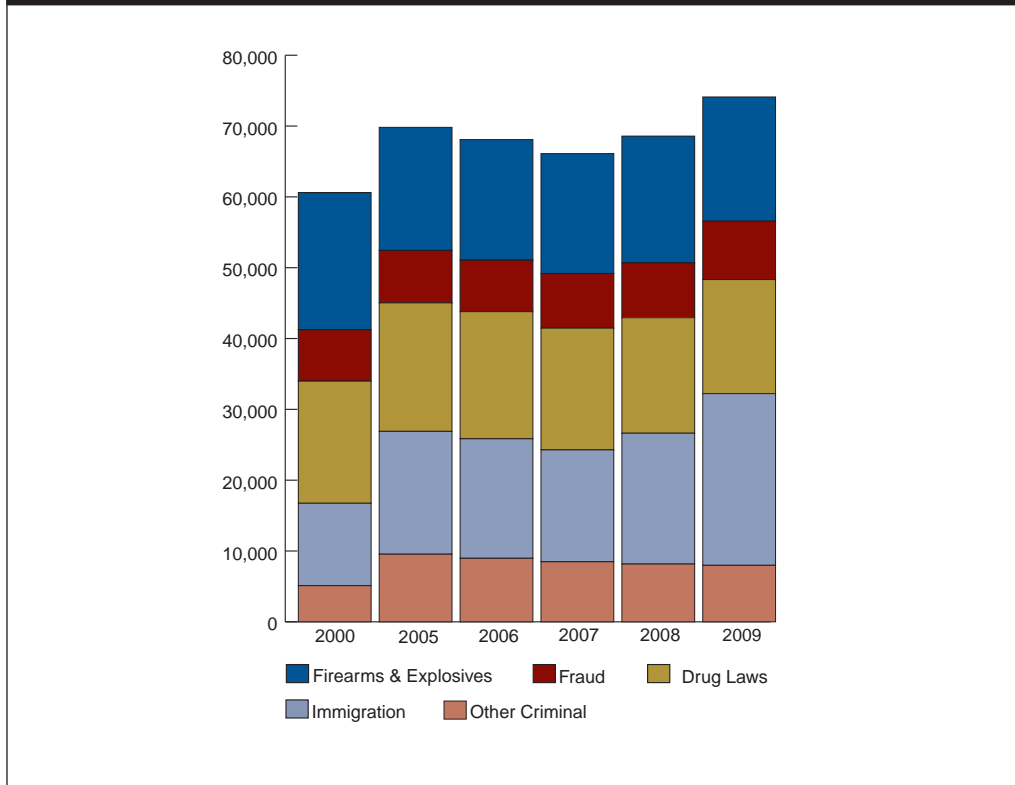
Criminal Filings

Filings of criminal cases and criminal defendants (including transfers) both rose in 2009. Cases climbed 8 percent to 74,547, and defendants increased 6 percent to 95,736. The growth stemmed primarily from filings related to immigration crimes. Filings addressing embezzlement, fraud, sex crimes, and traffic offenses also rose. Reductions occurred in filings involving firearms and explosives, property offenses other than fraud and embezzlement, general offenses, regulatory offenses, and violent crimes. Although filings of drug cases declined, defendants in drug cases rose.

Immigration cases jumped 31 percent to 24,239, and defendants in such cases increased 30 percent to 25,581.



Criminal Cases Filed by Major Offense (Excluding Transfers) Years Ending March 31



- Seventy-two percent of immigration cases were filed in the five southwestern border districts of the Southern District of Texas, Western District of Texas, District of Arizona, Southern District of California, and District of New Mexico.

Overall filings of property offense cases fell 1 percent to 12,261 in 2009, and defendants in such cases dropped 2 percent to 15,767. However, filings related to property crimes involving embezzlement and fraud rose.

- Fraud case filings climbed 6 percent to 8,253, and fraud defendants climbed 6 percent to 11,074, in response to increased filings addressing identification documents and information, false statements, citizenship and naturalization, and conspiracy to defraud.

Sex offense filings reached record levels as cases rose 4 percent to 2,737 and defendants rose 3 percent to 2,828. The increases were due to continued growth in cases involving sexually explicit materials.

- Cases focusing on sexually explicit materials began rising after Congress passed the Child Pornography Prevention Act of 1996, which updated federal child pornography law to address new technologies.

Traffic offense case filings increased 2 percent to 4,280, and traffic defendants increased 2 percent to 4,285, in response to higher filings for drunk driving and traffic offenses committed on military bases and in national parks.

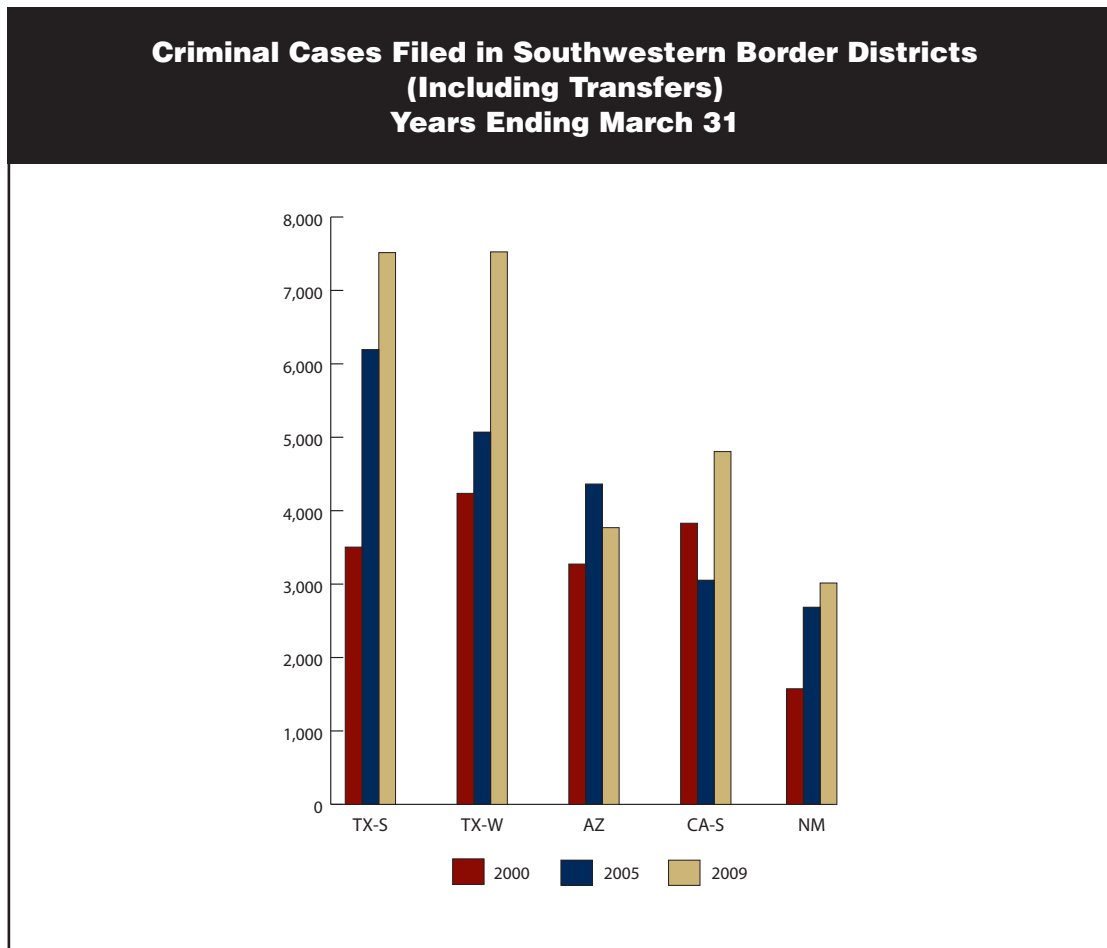
Drug cases dropped 1 percent to 16,107 because of reductions in marijuana cases, but drug defendants rose 1 percent to 29,419. Non-marijuana case filings remained stable, although defendants in such cases increased.

Firearms and explosives cases declined 2 percent to 7,980, and defendants in such cases decreased 3 percent to 9,020.

Case terminations grew 9 percent to 73,937. The number of defendants in terminated cases increased 8 percent to 95,233.

The pending criminal caseload remained stable, rising less than 1 percent to 74,099. Pending defendants climbed 1 percent to 101,781.

Criminal Case Filings (Excluding Transfers) Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Filings	+ 22.3	+6.1	+ 8.1
Immigration Cases	+ 108.4	+ 39.7	+ 31.2
Property Cases	- 8.7	+4.0	-0.6
Sex Offense Cases	+ 197.2	+59.7	+ 4.2
Drug Cases	- 6.6	- 11.2	-1.2
Firearms and Explosives Cases	+ 56.2	- 16.4	- 2.2

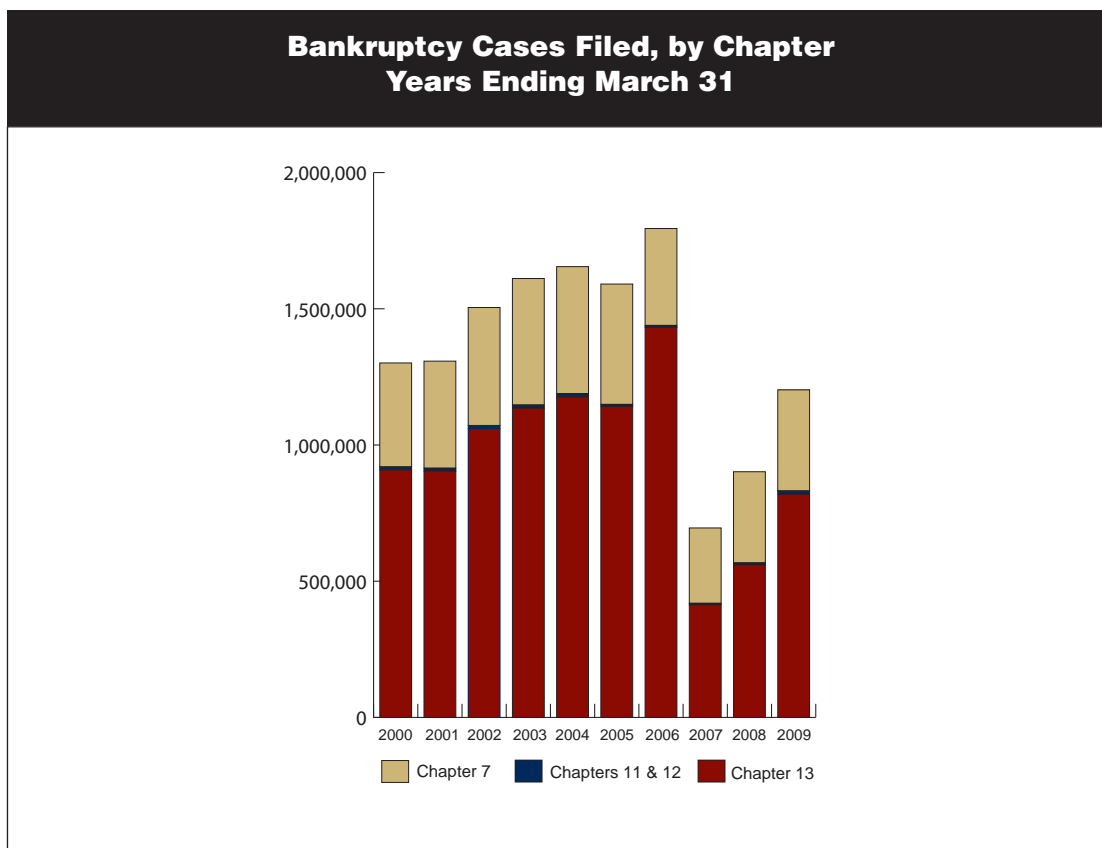


Detailed data on criminal cases filed in the district courts appear in the D series of the appendix tables.

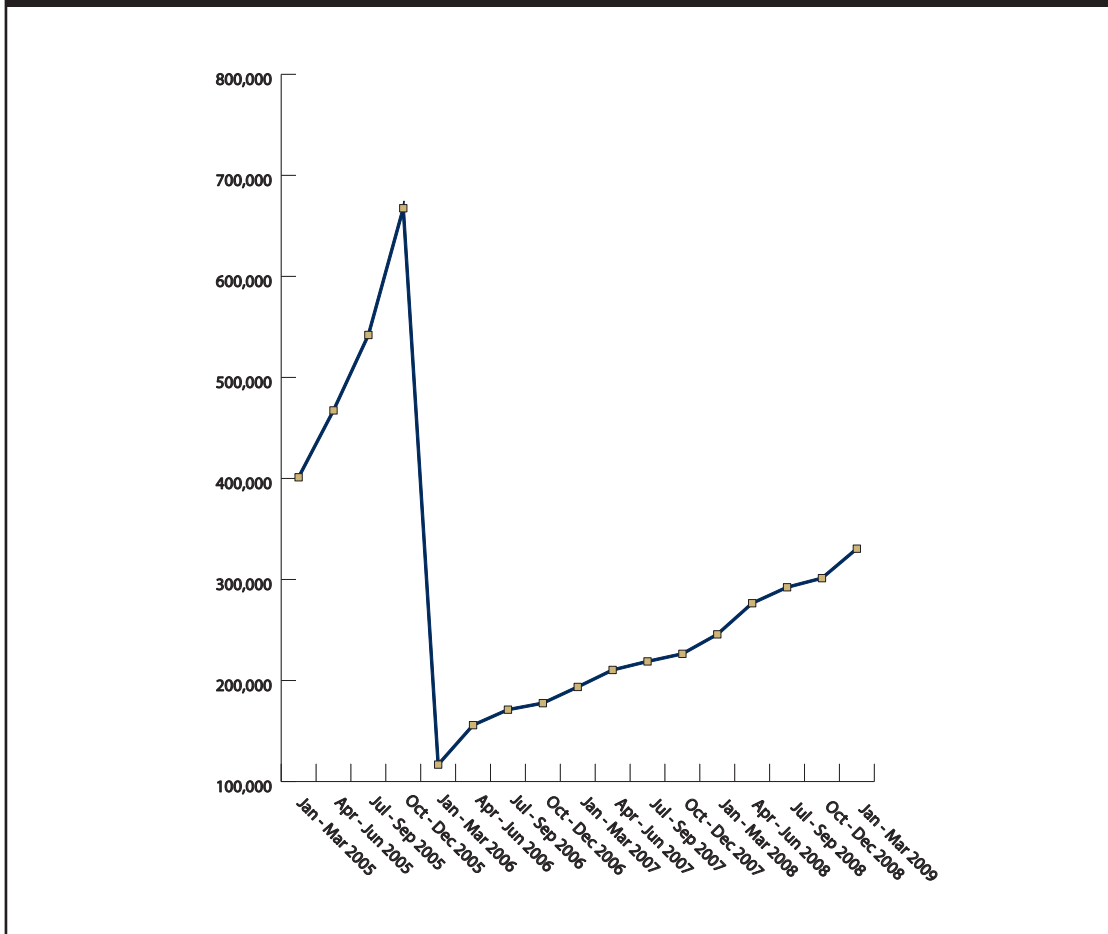
U.S. Bankruptcy Courts

Bankruptcy filings rose 33 percent from 901,927 to 1,202,503 during the 12-month period ending March 31, 2009, as the impacts of the recession led more debtors to seek protection from their creditors in bankruptcy courts. Across the nation, 83 of 94 districts reported growth in filings of 10 percent or greater.

- The largest percentage increase in a single district was the 93 percent rise in filings in the Central District of California. Filings climbed 86 percent in the District of Delaware and 83 percent in the District of Arizona. The Central District of California also had the most filings of any district (75,485), followed by the Middle District of Florida (47,042), the Eastern District of Michigan (45,610), and the Northern District of Illinois (45,436).
- The districts in the Ninth Circuit had 243,578 filings (up 71 percent), the most of any circuit. Significant percentage increases in filings occurred not only in the Central District of California and the District of Arizona, as noted above, but also in the Southern District of California (up 74 percent), the District of Nevada (up 70 percent), the Eastern District of California (up 70 percent), and the Northern District of California (up 67 percent).
- In only four districts did filings fall: the District of the Northern Mariana Islands (down 38 percent), the District of the Virgin Islands (down 26 percent), the Middle District of Louisiana (down 13 percent), and the Southern District of Texas (down 4 percent).



Bankruptcy Cases Filed, by Quarter January 2005 Through March 2008



Filings of bankruptcy petitions grew under chapters 7, 11, 12, and 13, although at different rates.

- Chapter 7 filings rose 46 percent to 819,362. Chapter 7 filings now account for 68 percent of all filings, compared to 62 percent of all filings in 2008 and 59 percent of all bankruptcy filings in 2007. The ratio of chapter 7 filings to total bankruptcy filings is approaching levels that prevailed prior to the effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA).
- Chapter 11 filings grew 69 percent to 11,785.
- Chapter 12 filings increased 7 percent to 367.
- Chapter 13 filings climbed 11 percent to 370,875.

Filings involving predominantly nonbusiness debts totaled 1,153,412, an increase of 32 percent.

- Nonbusiness filings grew 46 percent under chapter 7, grew 11 percent under chapter 13, and grew 35 percent under chapter 11.
- Nonbusiness petitions continued to account for an overwhelming percentage of bankruptcy filings, constituting 96 percent of all filings in 2009, down from 97 percent in 2008.

Filings involving predominantly business debts, which amounted to 4 percent of total petitions filed, increased 60 percent to 49,091.

- Business filings rose 64 percent under chapter 7, rose 73 percent under chapter 11, rose 7 percent under chapter 12, and rose 17 percent under chapter 13.

Bankruptcy filings fell considerably after October 17, 2005, the effective date of BAPCPA, which places more stringent requirements on debtors. However, since that time, bankruptcy filings have risen every quarter.

Terminations of bankruptcy cases rose 19 percent. Because filings of bankruptcy cases exceeded terminations, pending bankruptcy cases increased 10 percent.

Bankruptcy Case Filings Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Filings	-7.6	- 24.4	+ 33.3
Chapter 7	- 9.8	- 28.2	+ 46.3
Chapter 11	+17.0	+65.6	+ 69.1
Chapter 13	- 2.8	- 16.1	+ 10.9

Adversary Proceedings

Adversary proceedings are contested matters that arise in connection with bankruptcy cases and include actions to object to or revoke discharges, to obtain injunctions or other equitable relief, and to determine the dischargeability of debts. During the 12-month period ending March 31, 2009, adversary proceedings increased 2 percent from 48,667 to 49,720. The largest growth occurred in the Middle District of Florida, where filings soared 81 percent (up 931 filings) because of a single chapter 11 case with more than 750 adversary proceedings related to recovery of money/property and fraudulent transfer.

- Terminations of adversary proceedings decreased 10 percent.
- Pending adversary proceedings grew 3 percent to 60,883 as of March 31, 2009.

Detailed data on bankruptcy petitions and adversary proceedings filed in the bankruptcy courts appear in the F series of the appendix tables.

Post-Conviction Supervision

Consistent with growth in recent years, the number of persons under post-conviction supervision as of March 31, 2009, increased by 4,287 persons (up 4 percent) from the number under supervision one year earlier to 122,633.

- A total of 61,212 persons were received for post-conviction supervision compared to 60,509 the previous year, an increase of 1 percent.

- The total for post-conviction supervision cases closed (excluding transfers and deaths) decreased by less than 1 percent from 49,313 in 2008 to 49,157 in 2009.

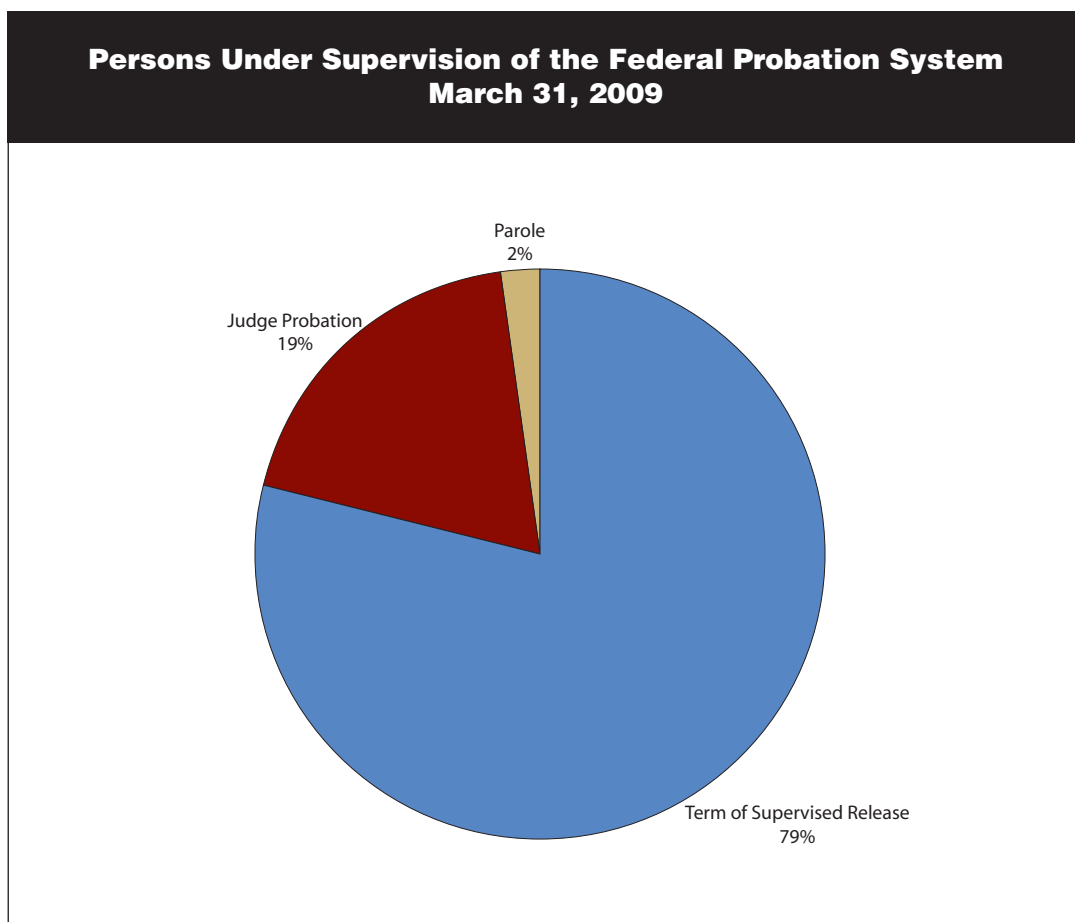
Seventy-nine percent of persons under post-conviction supervision on March 31, 2009, were serving terms of supervised release following terms of incarceration, 19 percent were under supervision following the imposition of sentences of probation, and 2 percent were on parole.

- A total of 97,367 persons were serving terms of supervised release on March 31, 2009, an increase of nearly 6 percent from the previous year's total.
- The total for persons on probation in 2009 decreased 2 percent below the total for 2008.

The number of persons on parole, special parole, military parole, and mandatory release on March 31, 2009, declined nearly 13 percent from the previous year's total, dropping from 2,579 to 2,257.

- Continued reductions in persons on parole have occurred following implementation of the Sentencing Act of 1987, which abolished parole for anyone who committed a federal offense on or after November 1, 1987.

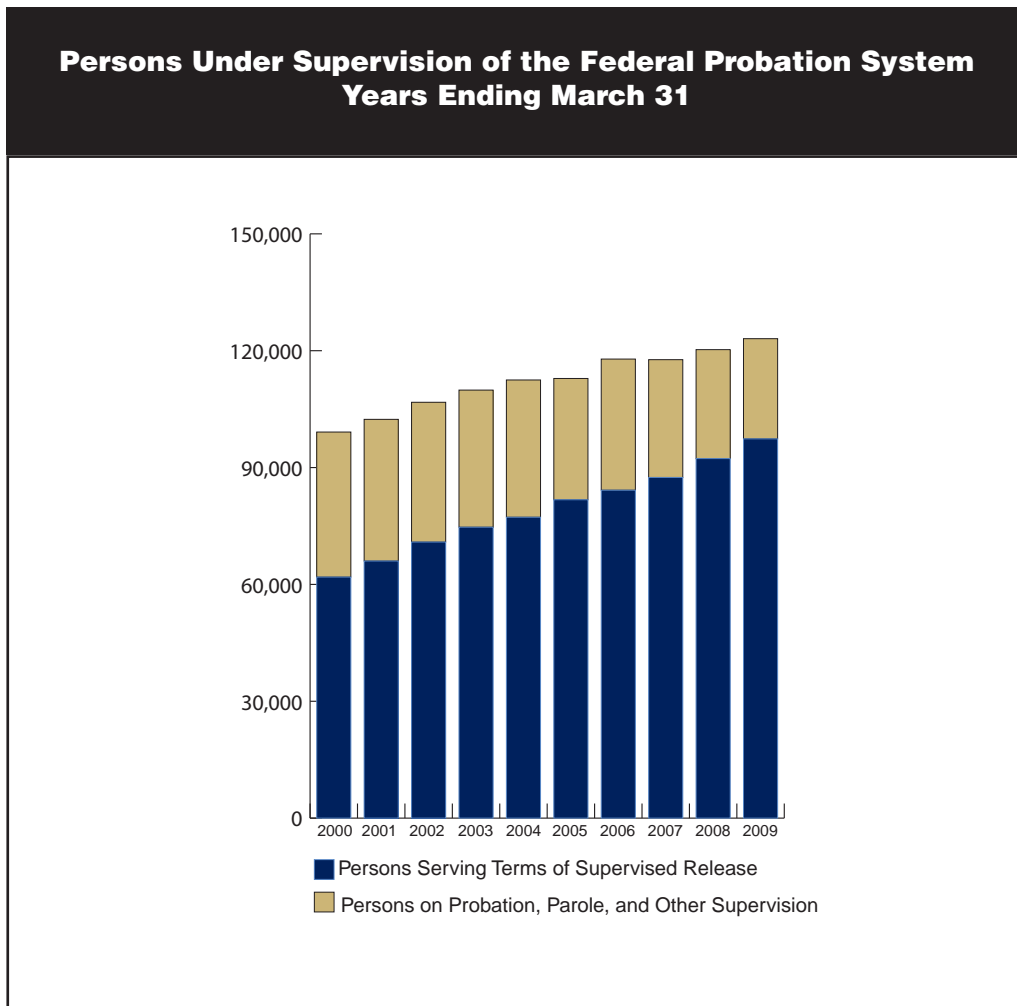
In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive reports, which aid judges in the sentencing of convicted defendants. The presentence report contains detailed background information on the defendant and a discussion of issues related to the sentencing guidelines. These reports are time consuming to prepare and typically range in length from 20 to 30 pages.



- In 2009, the number of presentence reports written by probation officers totaled 75,524, an increase of nearly 4 percent. Of this total, 69,545 were presentence reports addressing offenses for which the U.S. Sentencing Commission has promulgated advisory sentencing guidelines.

Detailed probation data appear in the E series of the appendix tables.

Persons Under Post-Conviction Supervision Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Under Supervision	+23.6	+8.6	+3.6
Serving Terms of Supervised Release	+57.3	+19.1	+5.5
On Probation	-28.7	-16.8	-1.6
On Parole	-56.9	-29.6	-12.5



Pretrial Services

A total of 101,208 pretrial services cases were activated during the 12-month period ending March 31, 2009, a 5 percent increase over the total for the previous year.

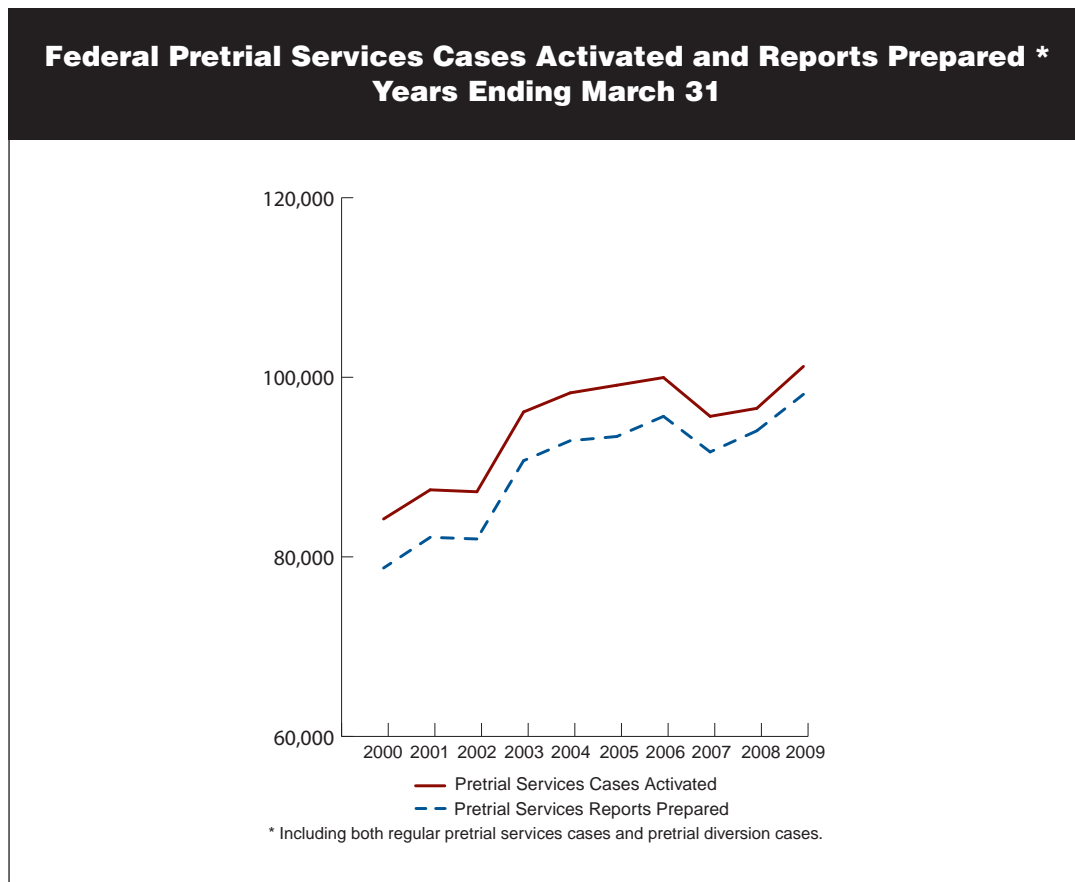
- During 2009, a total of 1,291 pretrial diversion cases were activated, an 18 percent decrease from the previous year. This reduction suggests that U.S. attorneys' offices referred fewer defendants for diversion investigations.
- A total of 97,608 pretrial services cases were closed, nearly 6 percent above the total for 2008.

Judges use reports prepared by pretrial services officers when determining whether to order the release or detention of federal defendants awaiting trial. These reports also provide information used to establish appropriate conditions for released defendants.

- Pretrial services officers interviewed less than 1 percent fewer defendants (63,940) and prepared 4 percent more pretrial services reports (98,101) in 2009 than they did in 2008.

When defendants are released pending trial, pretrial services officers are responsible for monitoring their compliance with release conditions set by the courts, informing the courts and U.S. attorneys of any violations of release conditions, and providing referrals to relevant support services.

- The number of defendants received for pretrial services supervision dropped 6 percent to 29,236.



- The number of defendants received for pretrial diversion supervision fell nearly 14 percent from 1,433 to 1,236.

Detailed pretrial services statistics appear in the H series of the appendix tables.

Pretrial Services Filings Percent Change Over Time			
	Since 2000	Since 2005	Since 2008
Total Cases Activated	+21.7	+3.4	+4.5
Pretrial Services Cases Activated	+23.1	+4.2	+4.8
Reports	+24.6	+5.0	+4.3
Pretrial Diversion Cases Activated	-35.4	-33.9	-18.4
Released on Supervision	-8.5	-11.3	-6.5
Pretrial Supervision	-6.0	- 9.6	-6.1
Diversion Supervision	- 43.8	- 38.1	- 13.7

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