

Table C-12.

U.S. District Courts—Civil Cases Pending Three Years or More, by Basis of Jurisdiction and Nature of Suit, During the 12-Month Periods Ending September 30, 2017 and September 30, 2018

Nature of Suit	Cases Pending Three Years or More		U.S. Cases		Private Cases		
	September 30, 2017	September 30, 2018	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
Total Cases	74,816	73,821	1,052	2,084	14,823	55,858	4
Contract Actions, Total	2,492	2,520	230	45	608	1,636	1
Franchise	15	16	-	-	3	13	-
Insurance	572	578	4	4	91	479	-
Marine	235	198	-	1	190	7	-
Miller Act	45	36	9	-	27	-	-
Negotiable Instruments	39	41	5	1	9	26	-
Recovery of Overpayments and Enforcement of Judgments	242	254	187	26	10	31	-
Defaulted Student Loans	77	77	75	1	1	-	-
Veterans' Overpayment	78	78	78	-	-	-	-
Other	87	99	34	25	9	31	-
Other Contract Actions	1,344	1,397	25	13	278	1,080	1
Real Property Actions, Total	504	614	32	74	150	357	1
Foreclosure	143	212	22	16	44	129	1
Rent, Lease, and Ejectment	10	14	1	-	5	8	-
Torts to Land, Including Product Liability	191	190	4	19	41	126	-
Other Real Property Actions	160	198	5	39	60	94	-
Tort Actions, Total	57,255	55,349	12	131	1,505	53,700	1
Personal Injury, Total	56,192	54,069	-	126	994	52,948	1
Personal Injury/Product Liability, Total	53,667	48,964	-	2	410	48,552	-
Airplane	6	6	-	-	3	3	-
Marine	13	7	-	-	7	-	-
Motor Vehicle	80	99	-	-	18	81	-

Table C-12. (September 30, 2018—September 30, 2018)

Nature of Suit	Cases Pending Three Years or More		U.S. Cases		Private Cases		
	September 30, 2017	September 30, 2018	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
	Asbestos ¹	584	203	-	-	53	150
Health Care/Pharma	6,045	11,270	-	-	181	11,089	-
Other	46,939	37,379	-	2	148	37,229	-
Other Personal Injury, Total	2,525	5,105	-	124	584	4,396	1
Airplane	21	23	-	-	16	7	-
Marine	164	124	-	3	119	2	-
Motor Vehicle	188	214	-	22	40	152	-
Assault, Libel, and Slander	34	32	-	2	10	20	-
Federal Employers Liability Act	80	76	-	3	73	-	-
Medical Malpractice	96	118	-	56	8	54	-
Other	1,942	4,518	-	38	318	4,161	1
Personal Property Damage, Total	1,063	1,280	12	5	511	752	-
Fraud, Including Truth in Lending	311	374	11	-	94	269	-
Other Personal Property Damage	752	906	1	5	417	483	-
Actions Under Statutes, Total	14,565	15,338	778	1,834	12,560	165	1
Antitrust	765	854	6	-	848	-	-
Bankruptcy, Total	160	160	-	-	160	-	-
Appeal (28 U.S.C. 158)	102	121	-	-	121	-	-
Withdrawal (28 U.S.C. 157)	58	39	-	-	39	-	-
Banks and Banking	24	33	3	5	25	-	-
Civil Rights, Total	2,745	3,021	63	164	2,703	91	-
Voting	16	14	1	-	13	-	-
Employment	914	986	22	81	833	50	-
Housing and Accommodations	45	50	8	2	38	2	-

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Nature of Suit	Cases Pending Three Years or More		U.S. Cases		Private Cases		
	September 30, 2017	September 30, 2018	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
ADA--Employment	83	93	6	6	77	4	-
ADA--Other	106	127	4	-	119	4	-
Education	19	30	2	-	27	1	-
Other Civil Rights	1,562	1,721	20	75	1,596	30	-
Environmental Matters	921	704	28	51	625	-	-
Deportation	2	4	-	4	-	-	-
Prisoner Petitions, Total	4,395	4,805	-	818	3,986	-	1
Motions to Vacate Sentence	509	582	-	582	-	-	-
Habeas Corpus--General	1,230	1,365	-	103	1,261	-	1
Habeas Corpus--Death Penalty	428	453	-	20	433	-	-
Mandamus and Other	39	40	-	19	21	-	-
Civil Rights	1,360	1,469	-	59	1,410	-	-
Prison Condition	729	797	-	22	775	-	-
Habeas Corpus--Alien Detainees	12	10	-	10	-	-	-
Civil Detainee--Conditions of Confinement	88	89	-	3	86	-	-
Forfeiture and Penalty, Total	215	212	210	2	-	-	-
Agricultural Acts	1	1	1	-	-	-	-
Food and Drug Act	2	2	2	-	-	-	-
Drug-Related Seizure of Property	76	69	69	-	-	-	-
Air Traffic Regulations	1	1	1	-	-	-	-
Other Forfeiture and Penalty Suits	135	139	137	2	-	-	-
Labor Laws, Total	1,072	1,149	39	4	1,067	39	-
Fair Labor Standards Act	440	482	14	1	467	-	-
Labor Management Relations Act	138	133	5	-	128	-	-

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Nature of Suit	Cases Pending Three Years or More		U.S. Cases		Private Cases		
	September 30, 2017	September 30, 2018	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
Railway Labor Act	2	5	-	-	5	-	-
Employee Retirement Income Security Act	344	375	9	2	364	-	-
Family and Medical Leave Act	13	17	-	-	17	-	-
Other Labor Litigation	135	137	11	1	86	39	-
Immigration, Total ²	12	17	3	14	-	-	-
Naturalization Applications	5	6	-	6	-	-	-
Other Immigration Actions	7	11	3	8	-	-	-
Intellectual Property Rights, Total	798	732	1	-	731	-	-
Copyright	92	100	-	-	100	-	-
Patent	559	476	1	-	475	-	-
Patent--Abbreviated New Drug Application	0	0	-	-	-	-	-
Trademark	147	156	-	-	156	-	-
Securities, Commodities, and Exchanges	324	394	117	2	275	-	-
Social Security Laws, Total	525	550	3	547	-	-	-
Disability Insurance	325	325	3	322	-	-	-
Supplemental Security Income	163	183	-	183	-	-	-
Retirement and Survivors Benefits	17	21	-	21	-	-	-
Other	20	21	-	21	-	-	-

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Nature of Suit	Cases Pending Three Years or More		U.S. Cases		Private Cases		
	September 30, 2017	September 30, 2018	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
Racketeer Influenced and Corrupt Organization Act	158	153	4	-	139	10	-
State Reapportionment Suits	2	3	-	-	3	-	-
Tax Suits	90	84	46	38	-	-	-
Consumer Credit	284	288	1	1	274	12	-
Cable/Sat. TV	15	17	-	-	17	-	-
Freedom of Information Act	78	90	-	85	5	-	-
Constitutionality of State Statutes	40	35	1	-	30	4	-
Other Statutory Actions	1,940	2,033	253	99	1,672	9	-

NOTE: Total number of land condemnation cases omitted were 117.

The number of pending cases in this report includes cases that have been transferred under a Multidistrict Litigation (MDL) order. Large numbers of civil cases may be temporarily assigned by the Judicial Panel on Multidistrict Litigation to a district judge for pretrial management. As MDL cases vary greatly among districts, it is advisable to check with the relevant district court before drawing statistical conclusions about the number of pending cases for that district.

The higher number of pending cases reported for the Southern District of West Virginia is the result of reconciliation efforts conducted for pretrial management for the three-month period ending June 30, 2018.

¹ Includes cases filed in previous years as consolidated cases that thereafter were severed into individual cases.

² Data collection for these categories began in December 2007.