

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

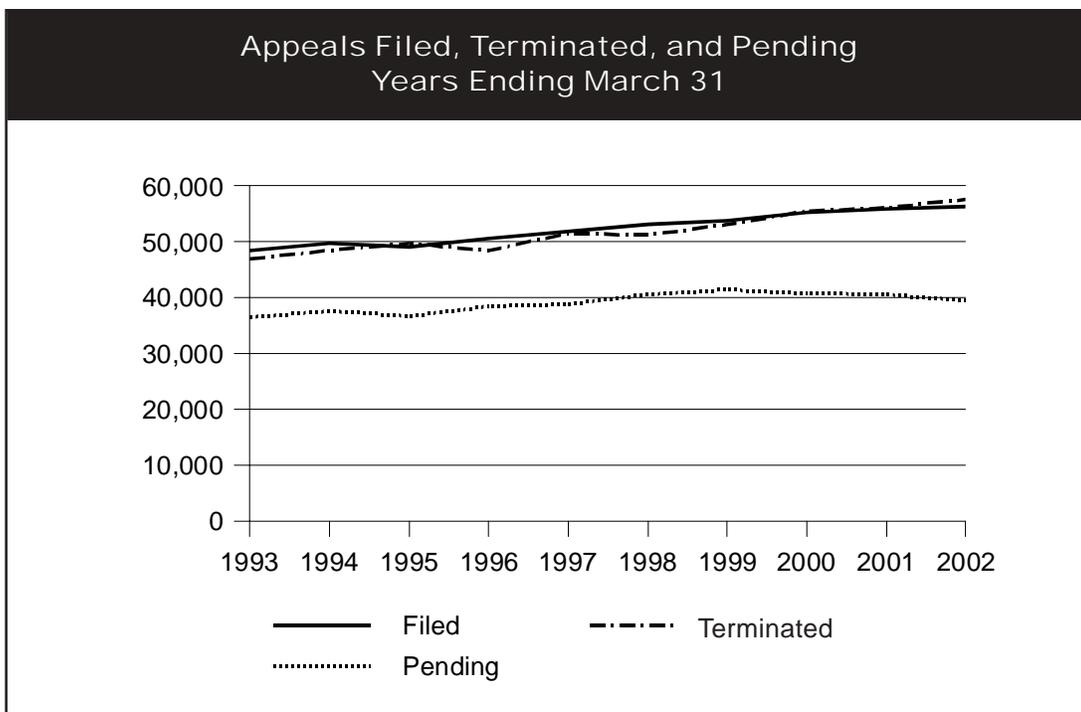
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2002. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and on the work of the probation and pretrial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

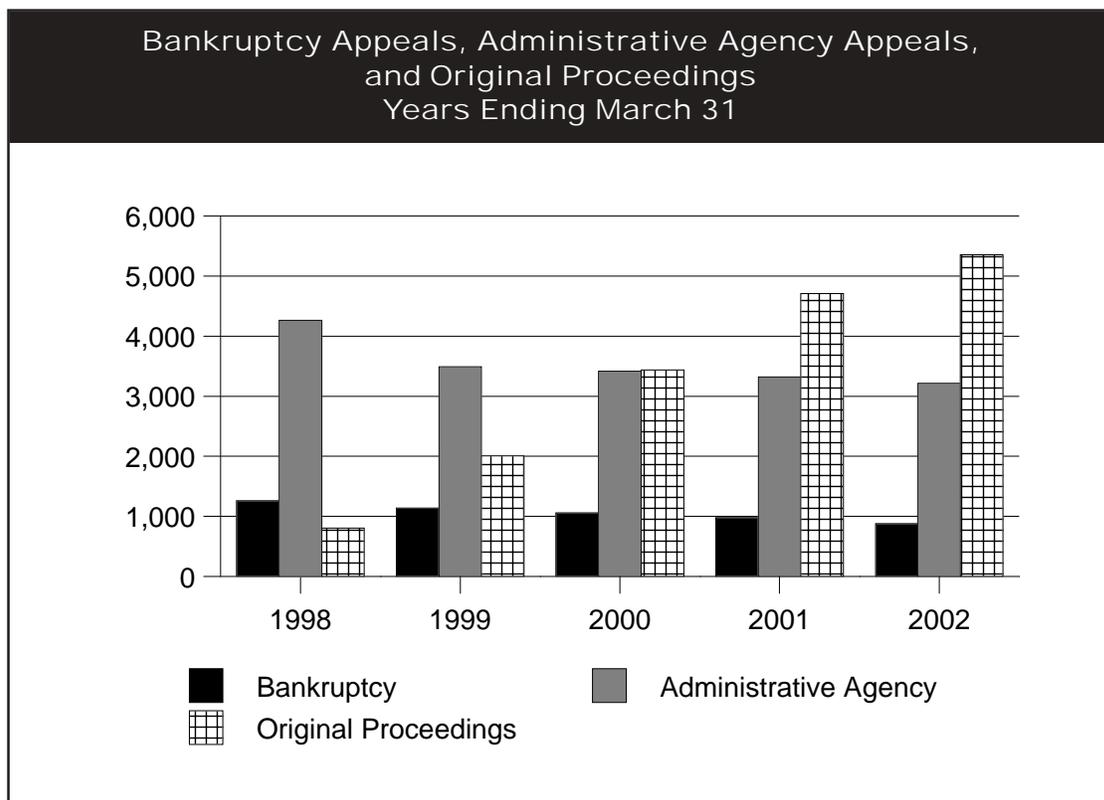
- The overall increase in filings resulted from growth in original proceedings (up 14 percent) and criminal appeals (up 2 percent).
- Terminations of appeals rose 3 percent, causing appeals terminated per three-judge panel to increase from 1,010 to 1,035. Since 1998, the number of appeals terminated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

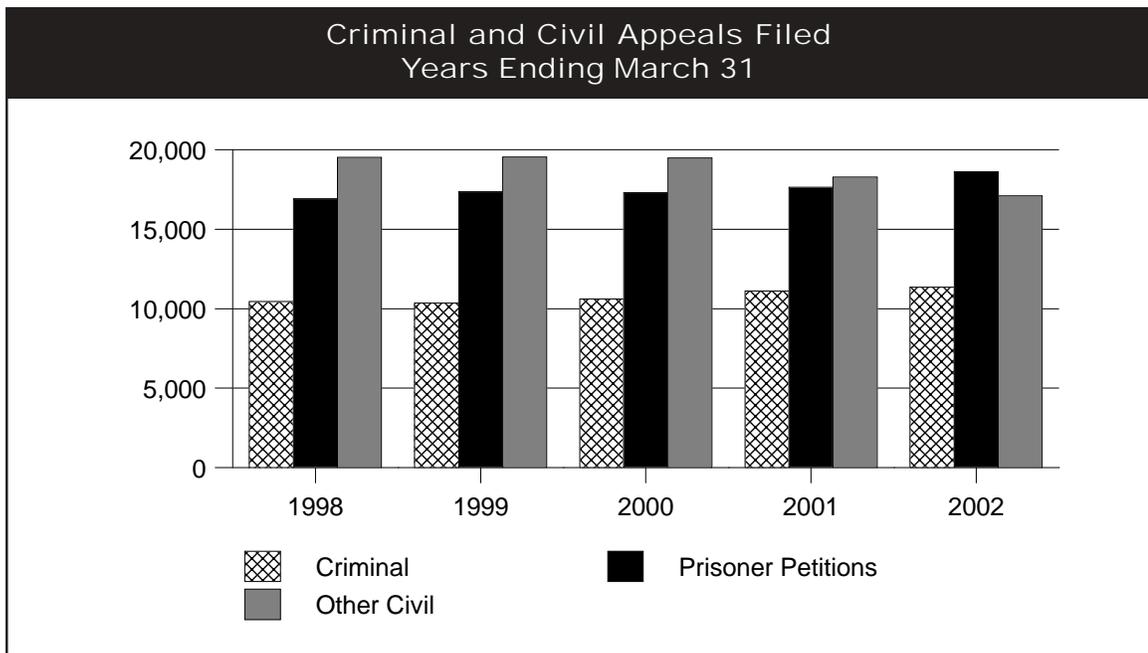


- Increases in annual filings over the last seven years have been modest, but have led to an overall rise of 12 percent since 1996. Since 1998, appeals filings have grown 6 percent.
- Authorized judgeships in the courts of appeals were last increased in 1990. However, since 1993, appeals filings per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

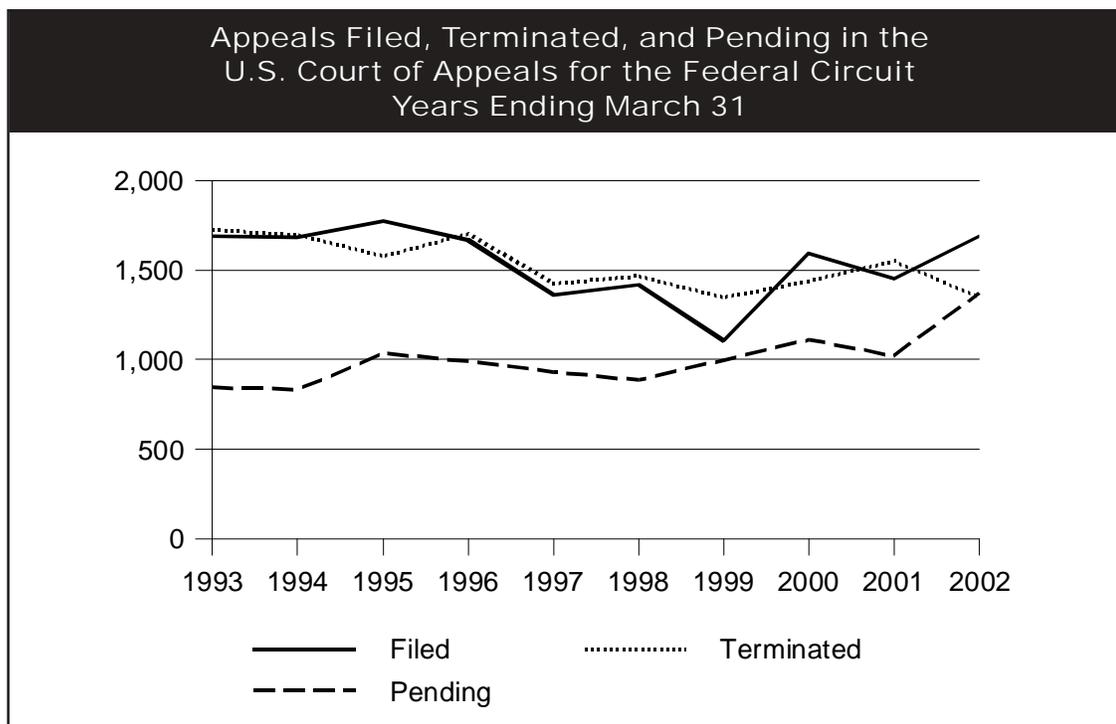
- Bankruptcy appeals filings declined for the fourth consecutive year and have dropped 30 percent (down 385 appeals) since 1998.

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.

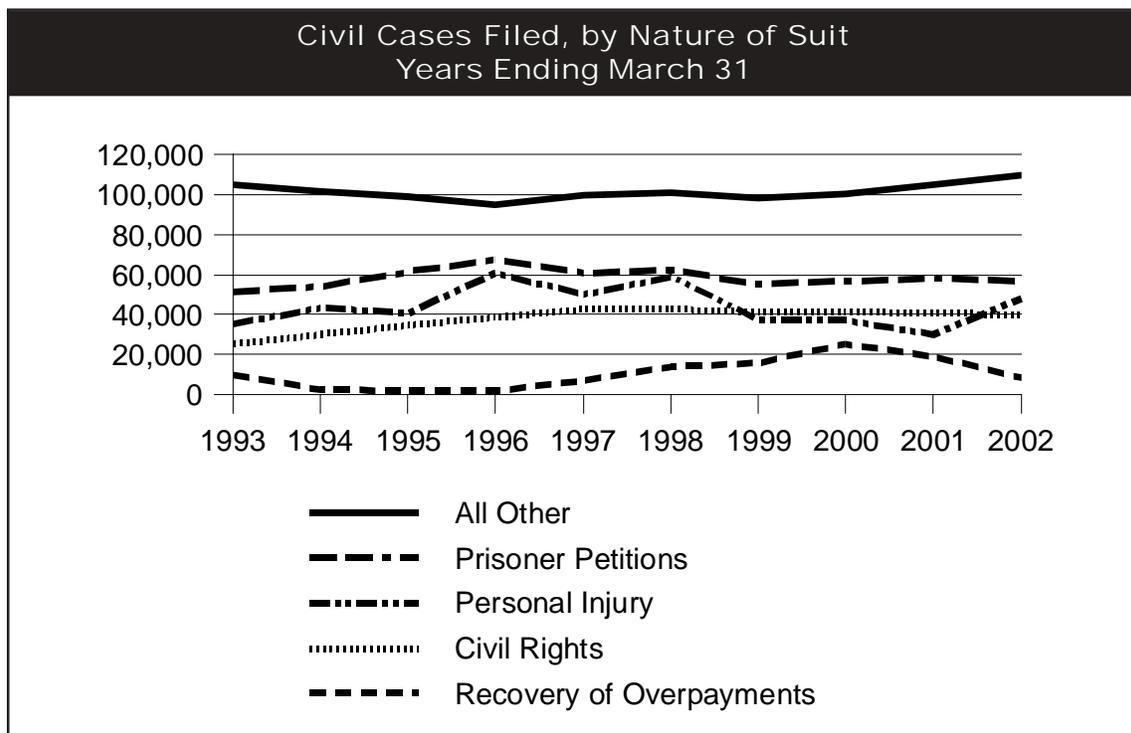
Civil Filings

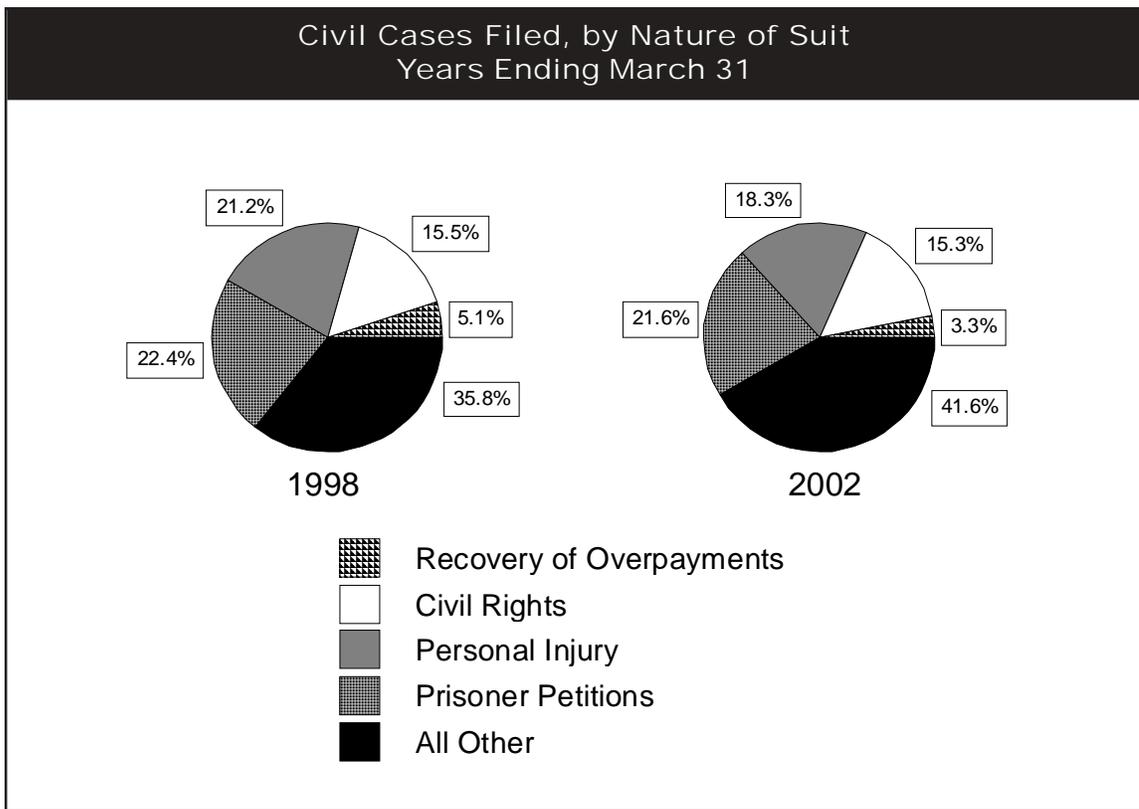
Civil filings in the U.S. district courts increased 4 percent to 265,091.

- 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.

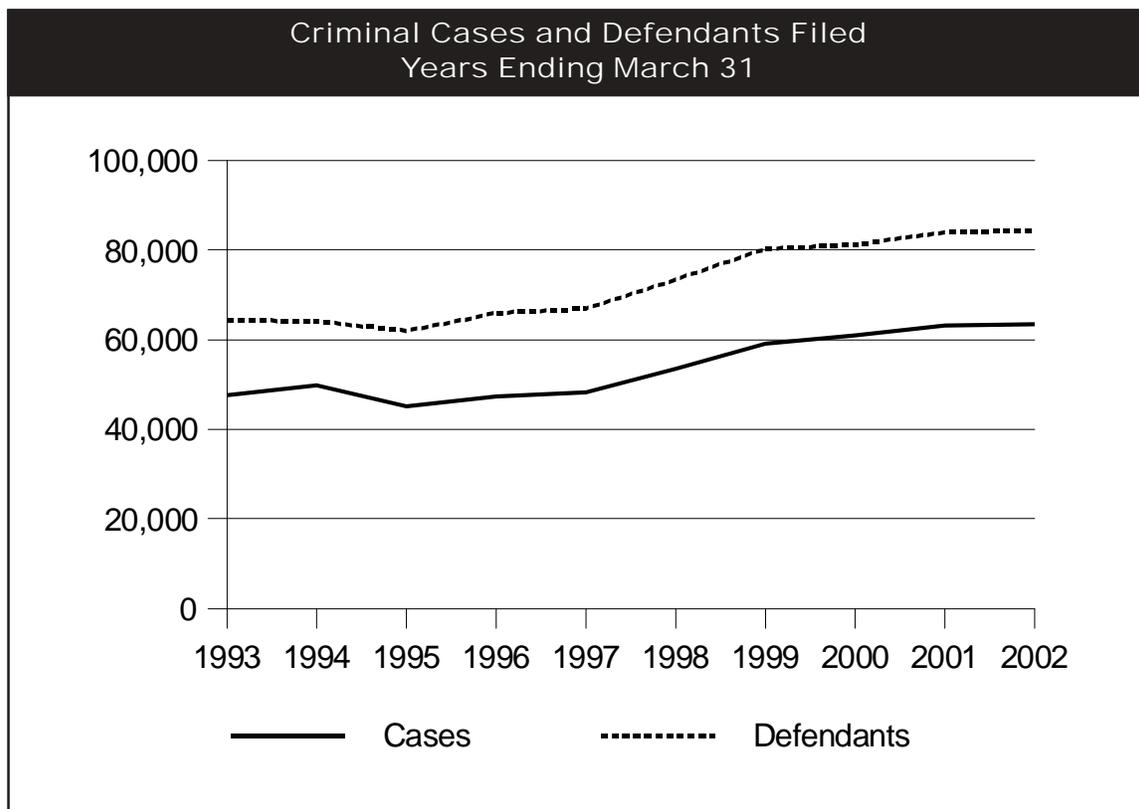
Detailed data on civil cases appear in the C series of the appendix tables.

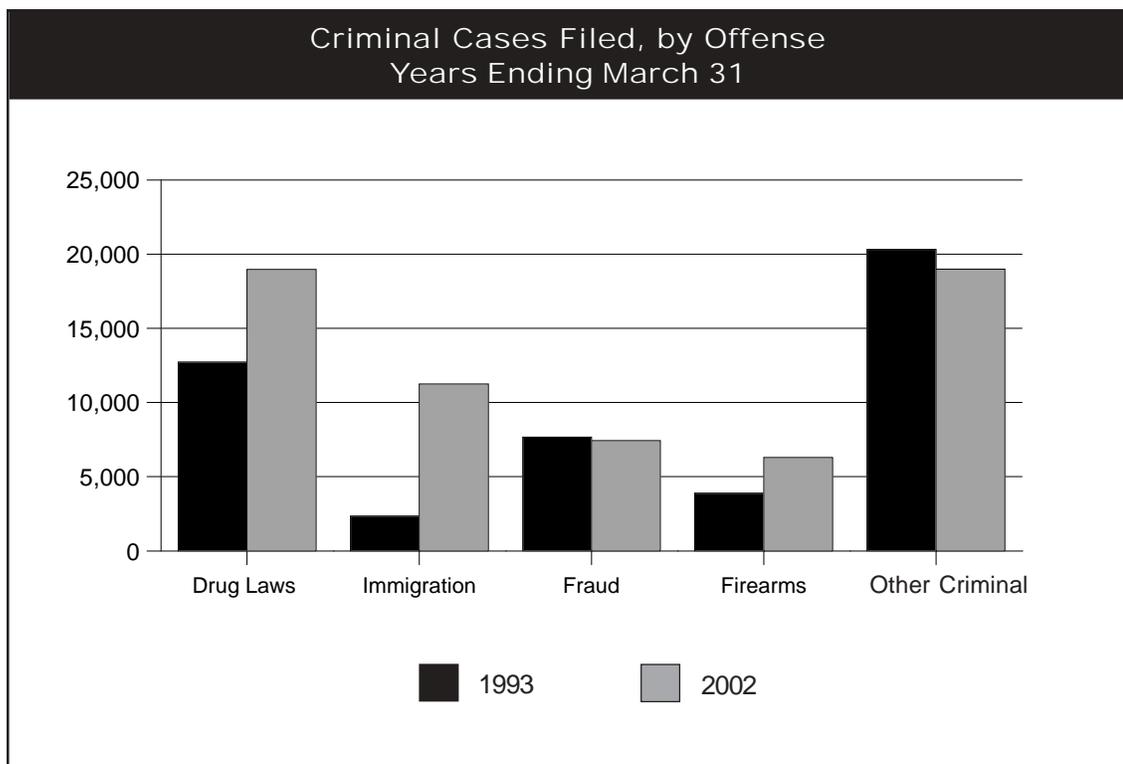
Criminal Filings

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.

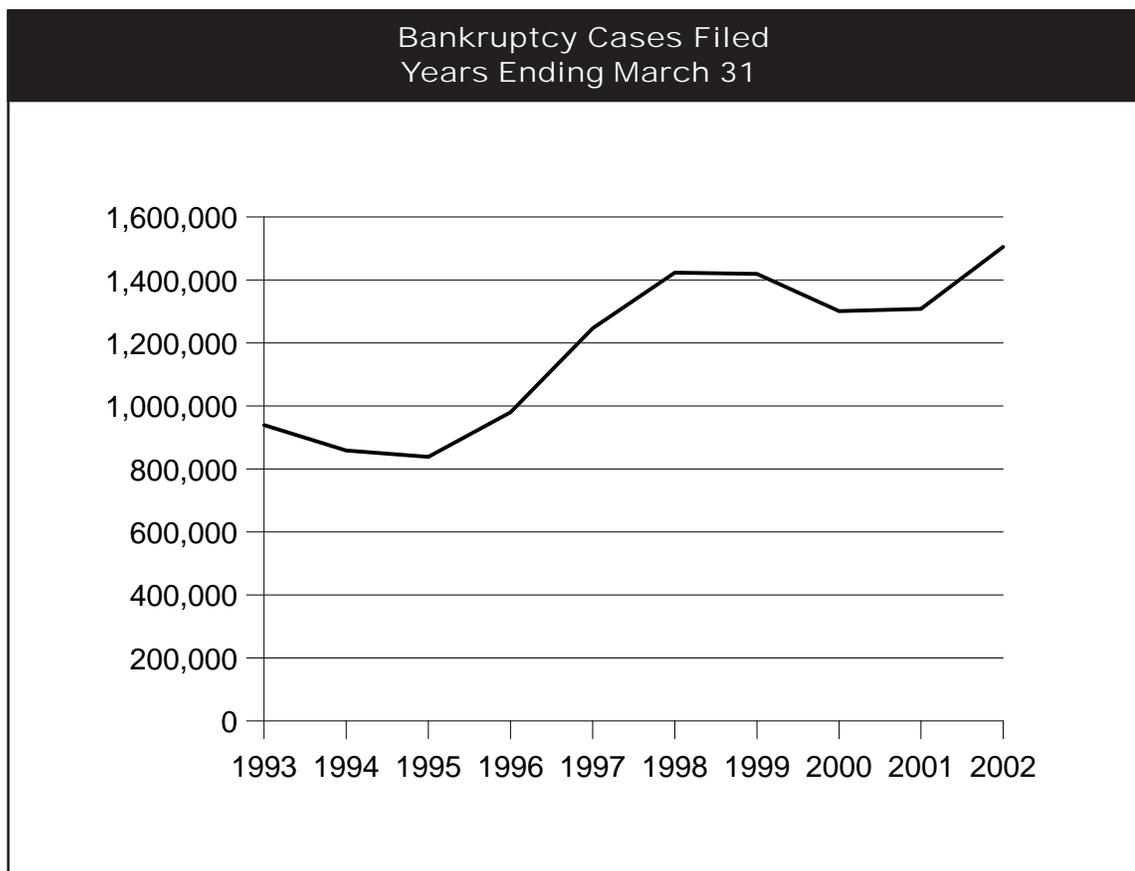
U.S. Bankruptcy Courts

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).



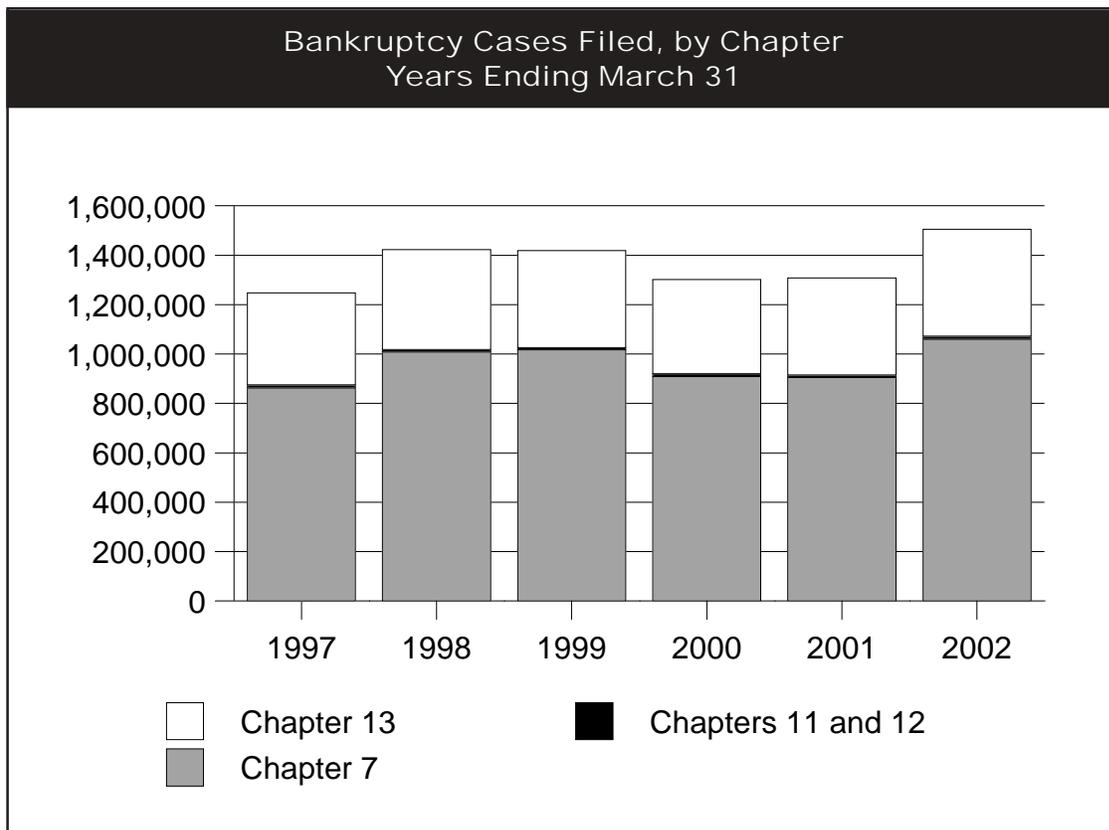
- Consumer debt levels remained high. The high level of consumer debt relative to personal income probably has been responsible for the consistently large number of bankruptcy petitions filed over the last decade.
- The national economy underwent a slowdown.

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.

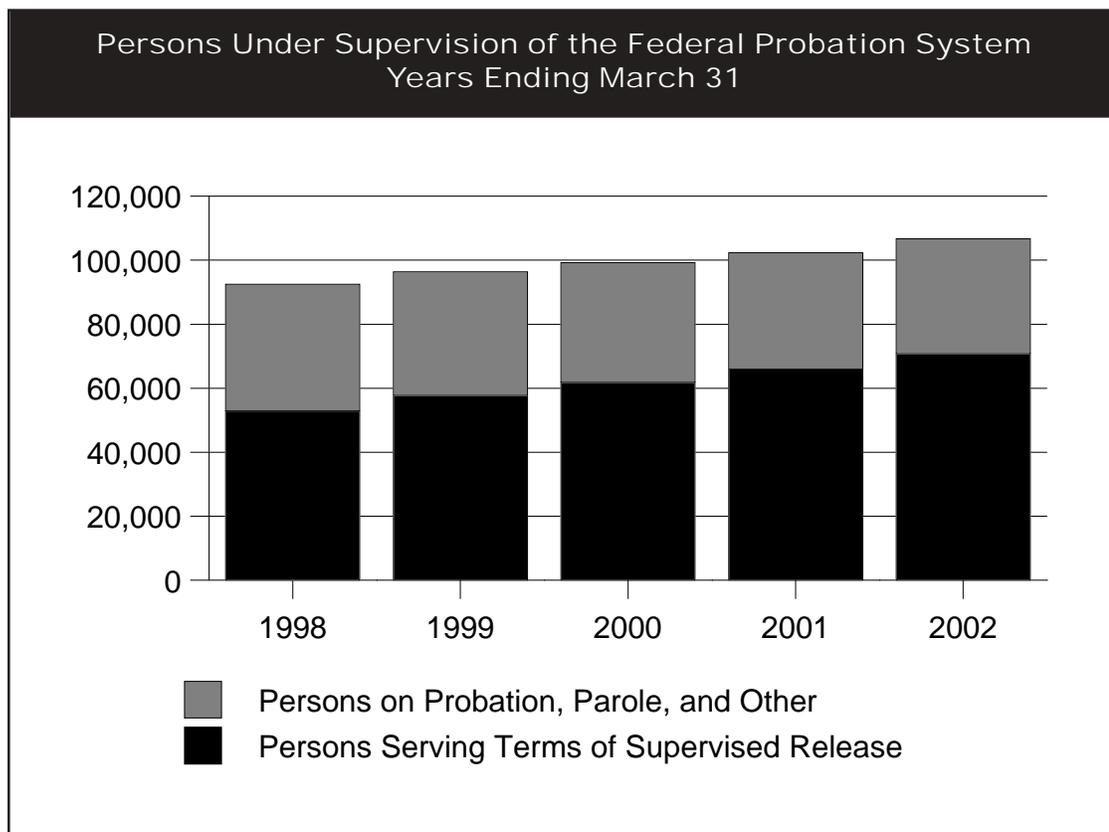
Of all offenders under supervision on March 31, 2002, two-thirds (66 percent) were serving terms of supervised release after imprisonment, approximately 30 percent were under supervision following imposition of a sentence of probation, and 4 percent were on parole.

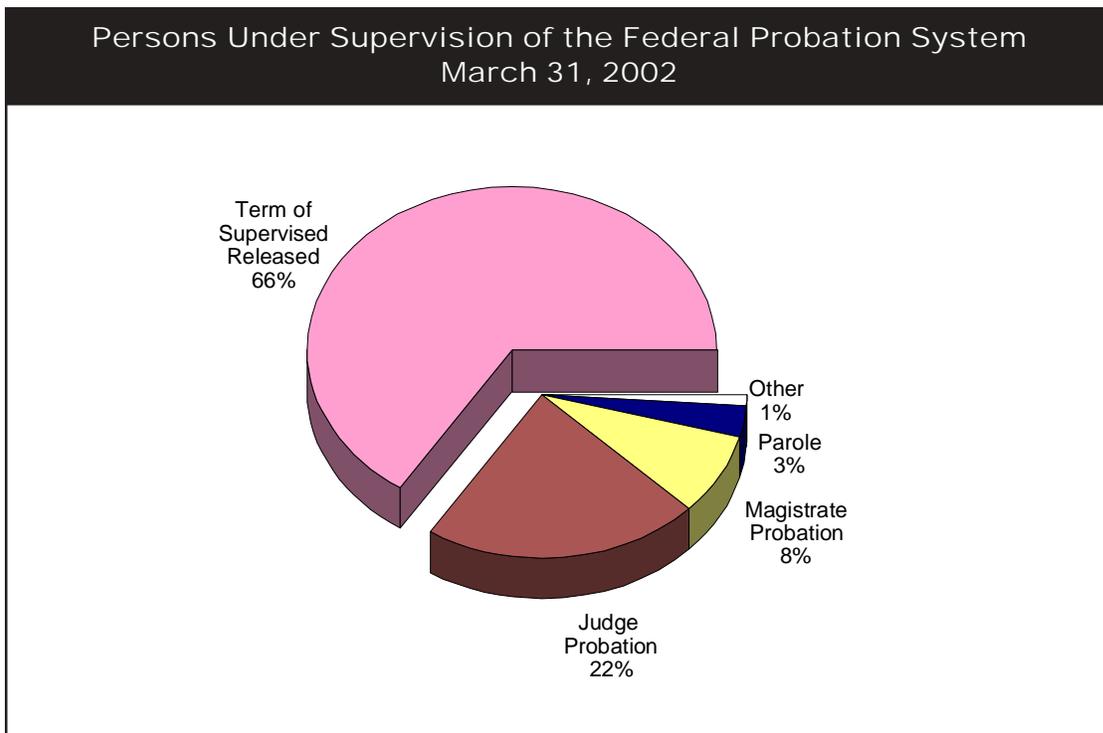
The proportion of persons serving terms of supervised release rose 2 percentage points over last year.

- 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.

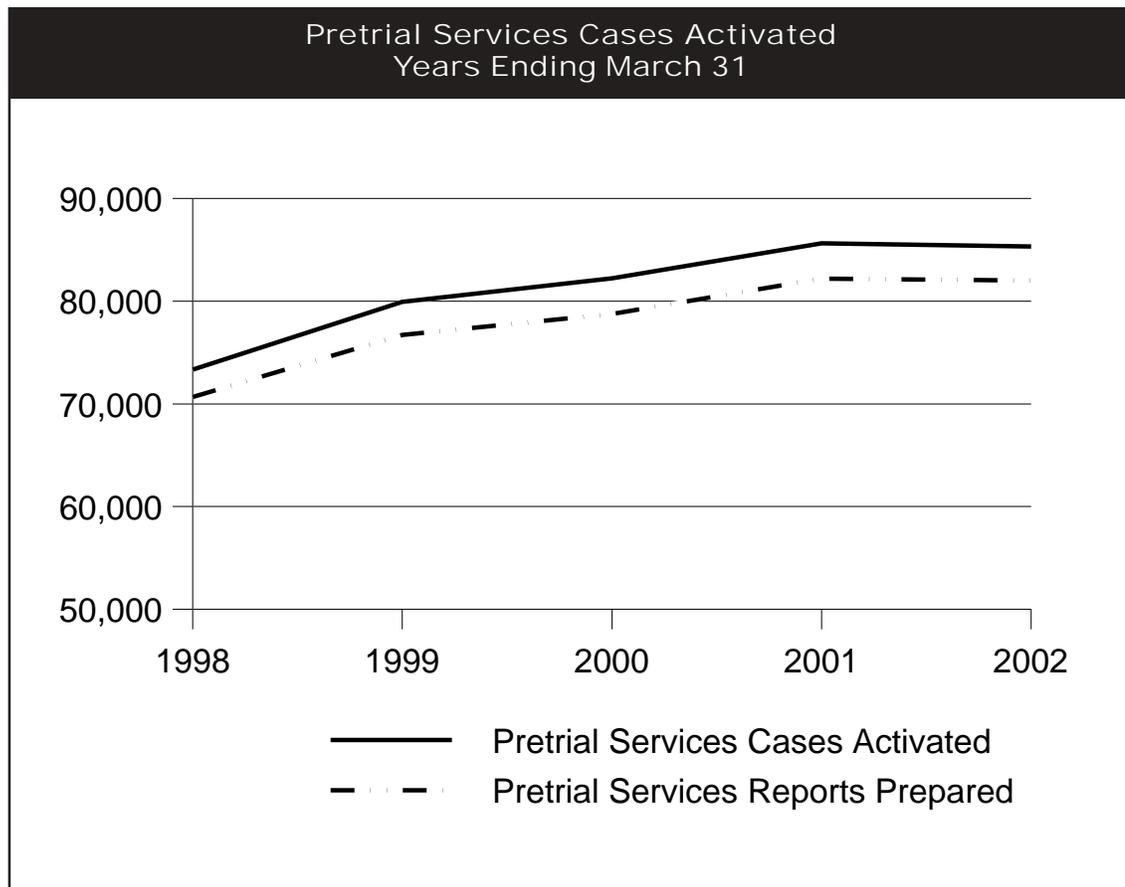
- The relative stability in pretrial services activations was consistent with the trend in the total number of criminal defendants filed in the district courts, which also decreased by less than 1 percent during the year.

- 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.