

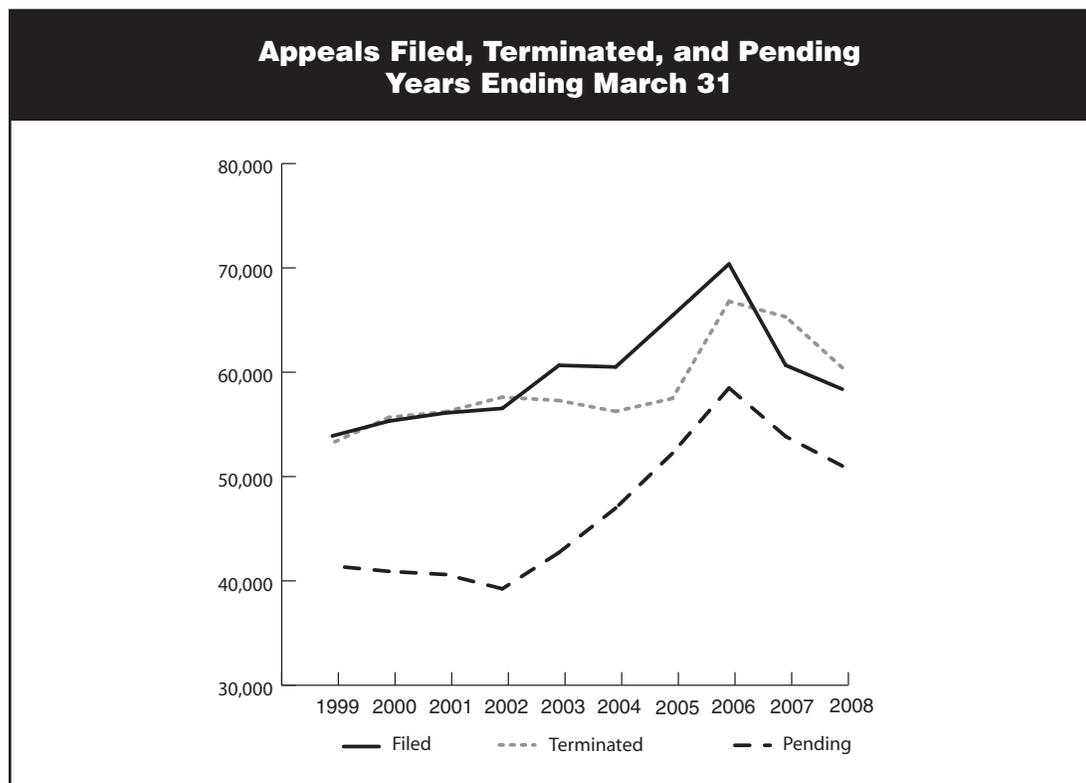
Judicial Business

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.

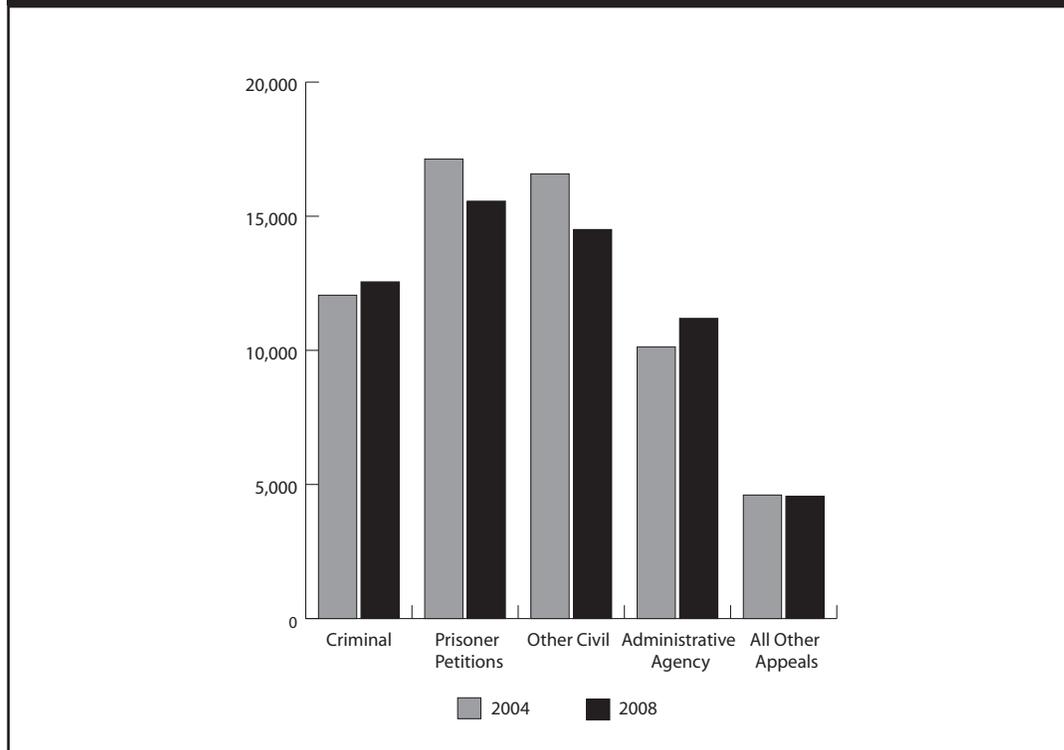
Filings in the U.S. courts of appeals decreased 4 percent. In the U.S. district courts, filings fell 9 percent overall as civil case filings declined 12 percent, although criminal case filings grew 4 percent. Bankruptcy filings, which had dropped dramatically after the Bankruptcy Abuse Prevention and 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.



Appeals Filings, by Type of Appeal Years Ending March 31



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

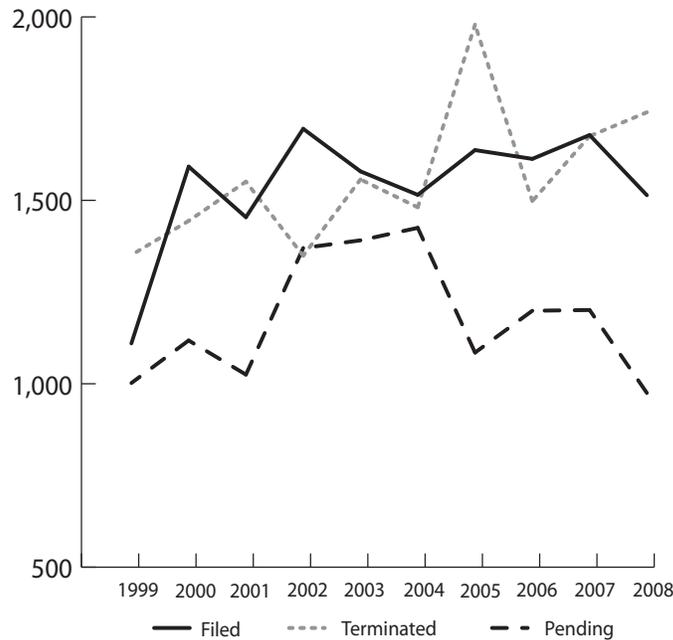
Filings in the U.S. Court of Appeals for the Federal Circuit decreased 10 percent to 1,514. The largest numeric reduction occurred in appeals of decisions by the U.S. Court of Appeals for Veterans Claims, which fell by 178 appeals to 238 (down 43 percent) this year. Such filings had soared 96 percent 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.

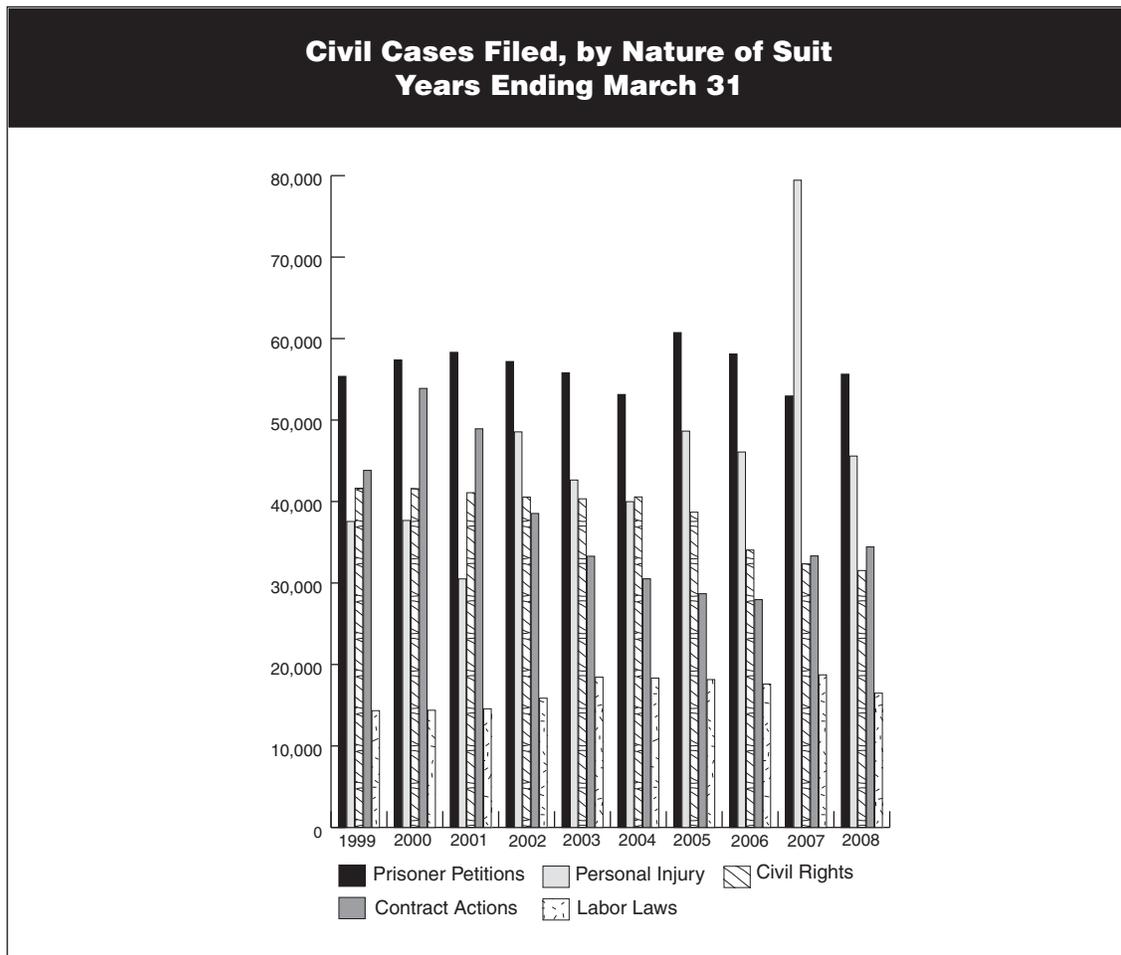
Filings of cases with the United States as defendant climbed 4 percent to 36,317.

- 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.

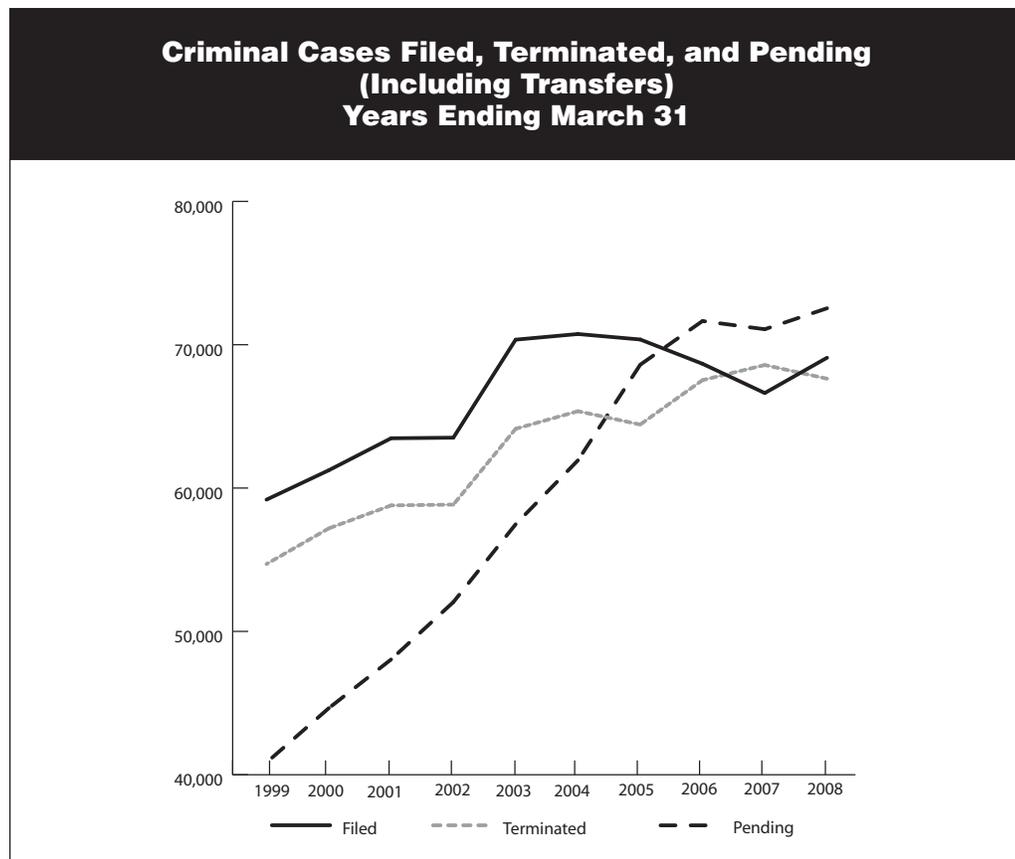
In 2008, filings of regulatory offense cases fell 1 percent to 1,671, although defendants in such cases grew 7 percent to 2,104.

- 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.

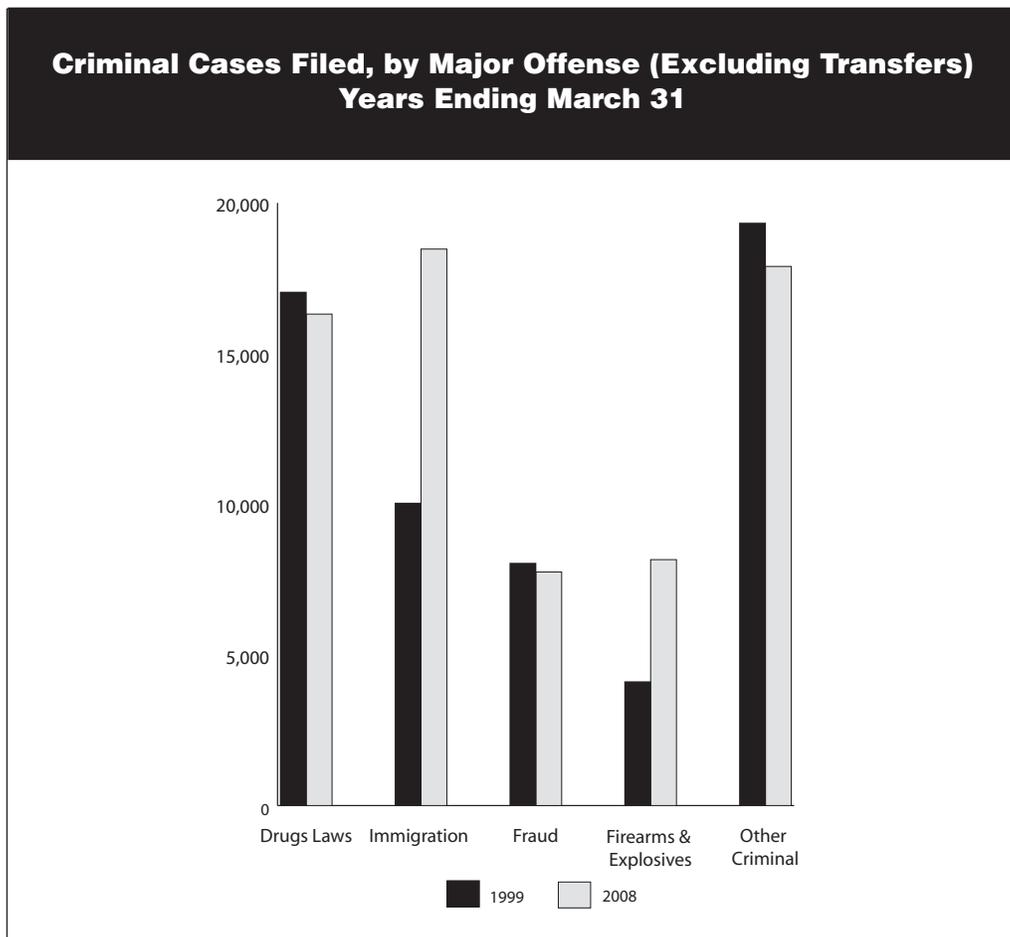
Firearms and explosives cases declined 4 percent to 8,161, and defendants in such cases decreased 3 percent to 9,284.



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**

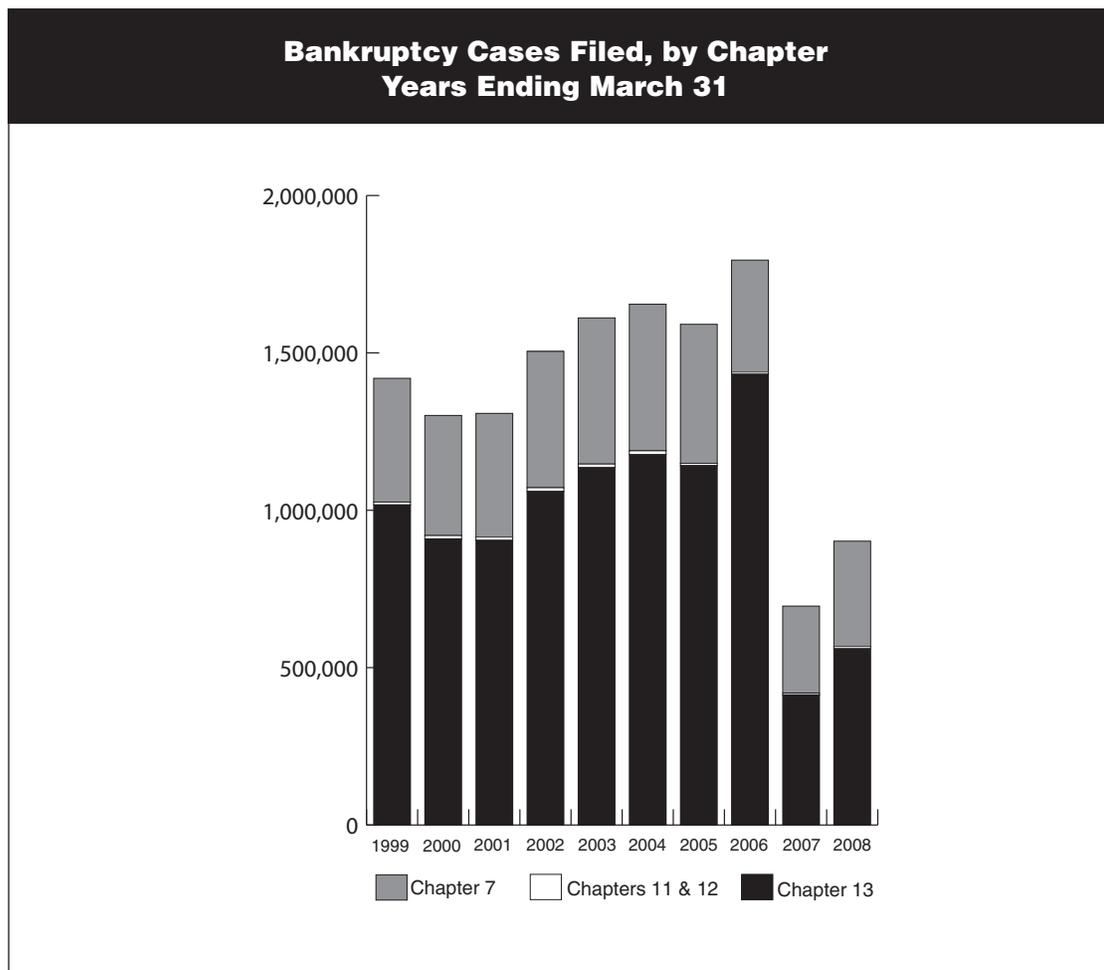
	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Filings	+ 17	- 2	+ 4
Immigration Cases	+ 84	+ 16	+ 17
Property Cases	- 14	< 1	+ 1
Sex Offense Cases	+ 221	+ 79	+ 26
Drug Cases	- 4	- 14	- 5
Firearms and Explosives Cases	+ 99	- 14	- 4

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.

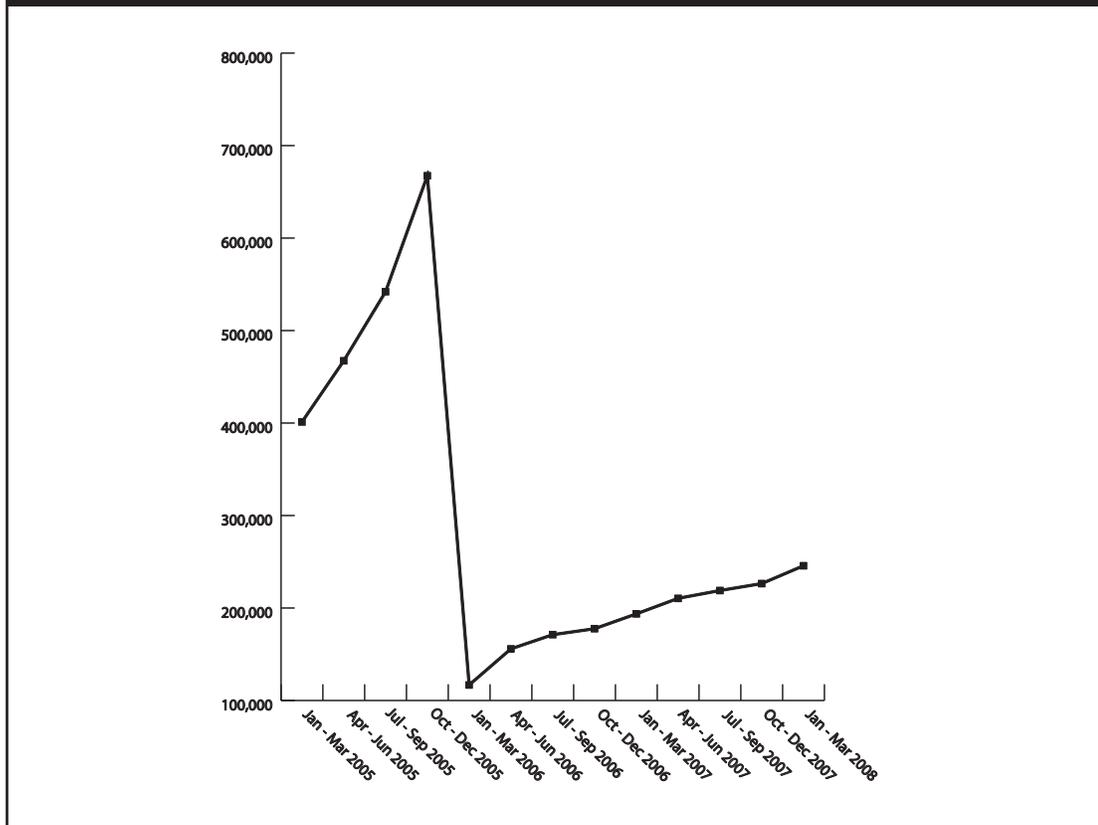
Filings involving predominantly business debts, which amounted to 3 percent of total petitions filed, increased 40 percent to 30,741.

- 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.

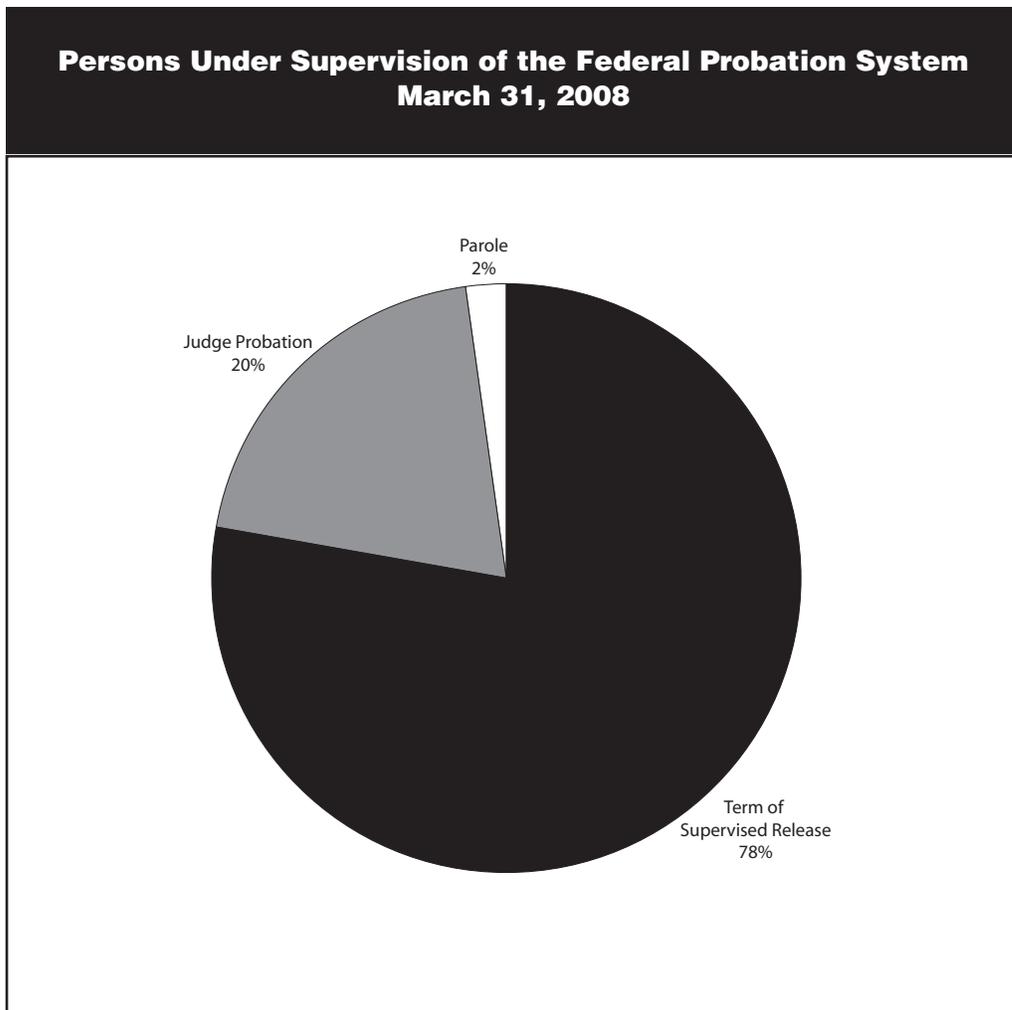
Seventy-eight percent of persons under post-conviction supervision on March 31, 2008, were serving terms of supervised release, 20 percent were under supervision following the imposition of sentences of probation, and 2 percent were on parole.

- 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.

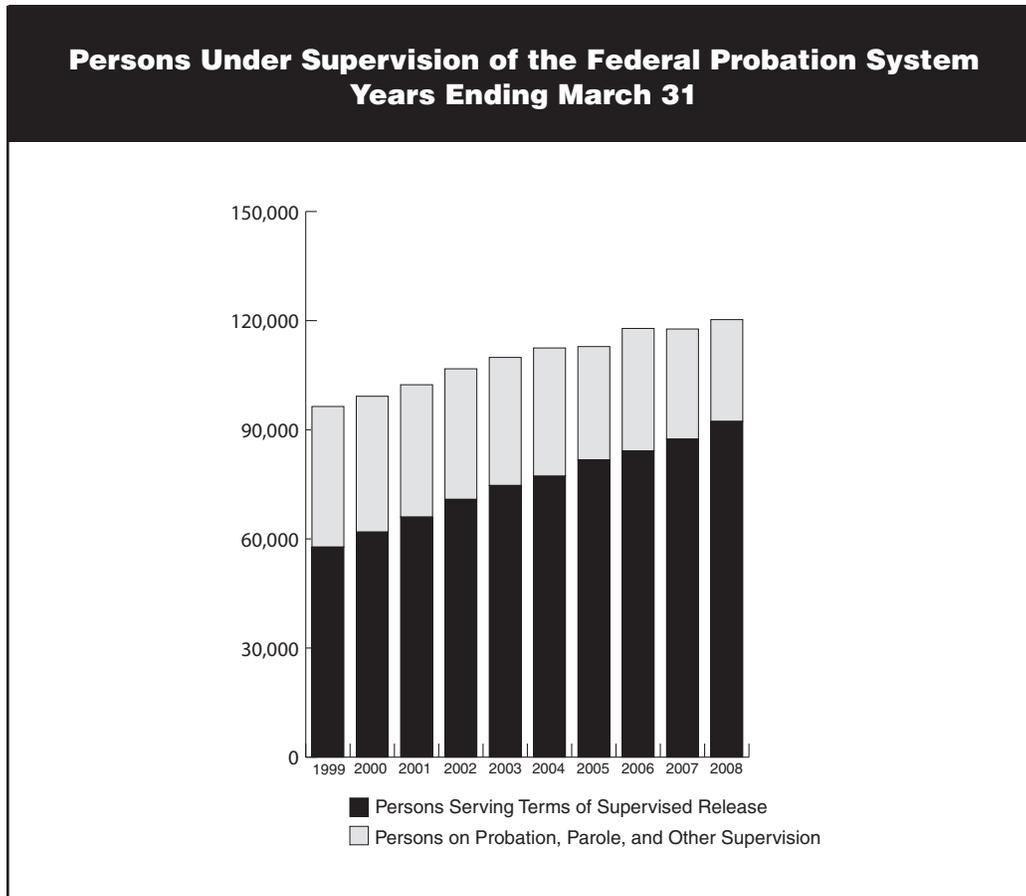
- A continued reduction in persons on parole has occurred since the implementation of the Sentencing Act of 1987, which abolished parole for anyone who committed an offense on or after November 1, 1987.

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.

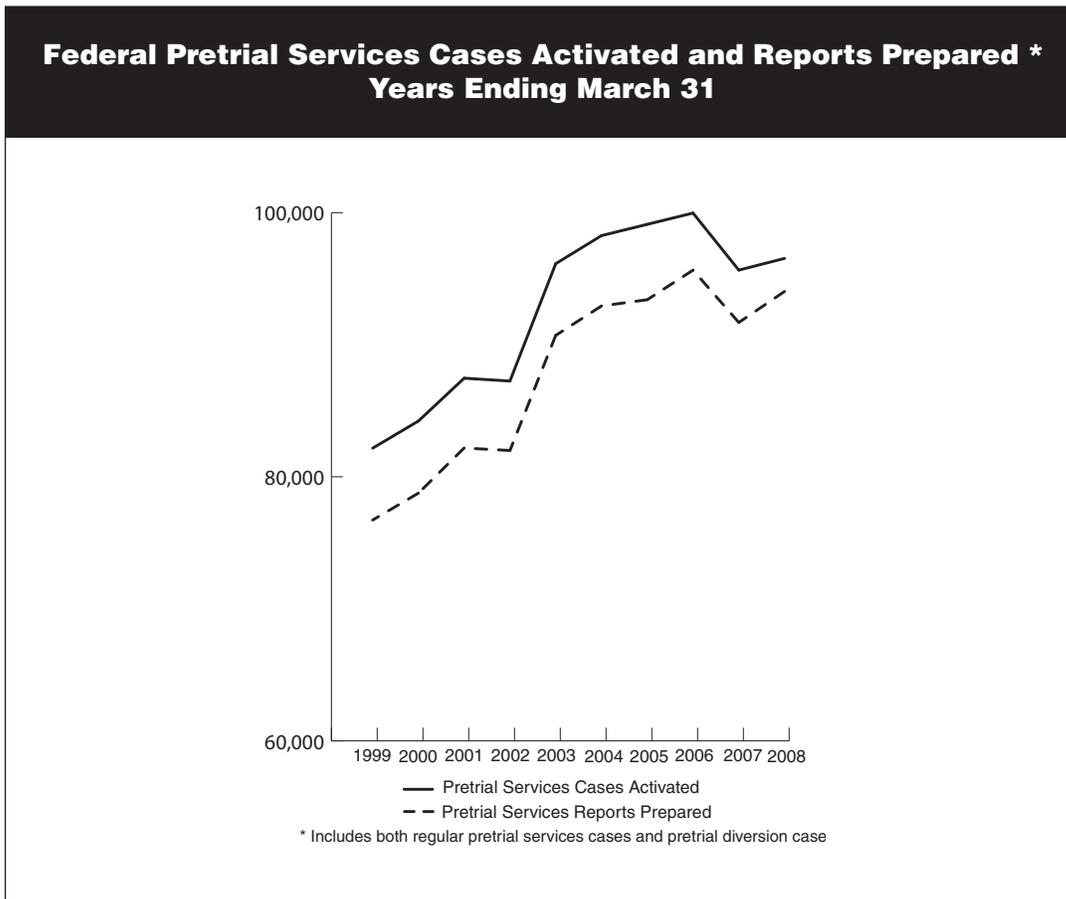
- During 2008, a total of 1,582 pretrial diversion cases were activated, a 1 percent increase from the previous year.
- A total of 92,254 pretrial services cases were closed, 2 percent below the total for 2007.

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.



**Pretrial Services Filings
Changes Over Time**

	% Change Since 1999	% Change Since 2004	% Change Since 2007
Total Cases Activated	+ 18	< 1	+ 3
Pretrial Services Cases Activated	+ 21	< 1	+ 3
Reports	+ 25	+ 4	- 3
Pretrial Diversion Cases Activated	- 45	- 9	+ 1
Released on Supervision	- 2	- 8	- 1
Pretrial Supervision	+ 1	- 8	- 1
Diversion Supervision	- 41	- 21	- 4

- The number of defendants received for pretrial diversion supervision fell 4 percent from 1,491 to 1,433.

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