

Judicial Business

This report provides statistical information on the caseload of the Federal Judiciary for the 12-month period ending March 31, 2010. 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 probation and pretrial services system.

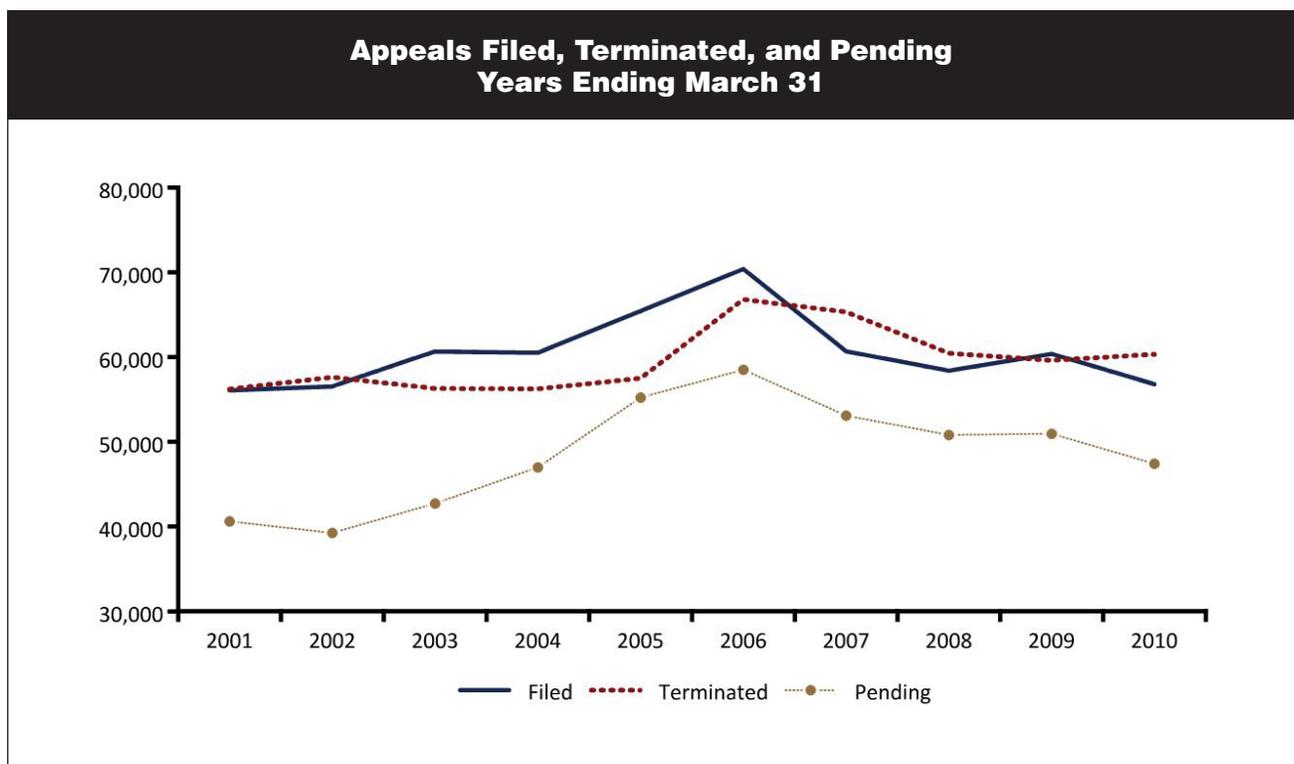
During the reporting period, nearly all areas of the Federal Judiciary reported increased caseloads. In the U.S. district courts, civil case filings rose 9 percent, and criminal case filings increased 4 percent. Bankruptcy filings climbed 27 percent to exceed 1.5 million, approaching levels reached before the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) took effect. The number of persons under supervision by the federal probation system on March 31, 2010, was 3 percent greater than the total one year earlier. The number of pretrial services cases activated increased 5.5 percent. Only the U.S. courts of appeals had a reduction in total filings, a drop of 6 percent.

U.S. Courts of Appeals

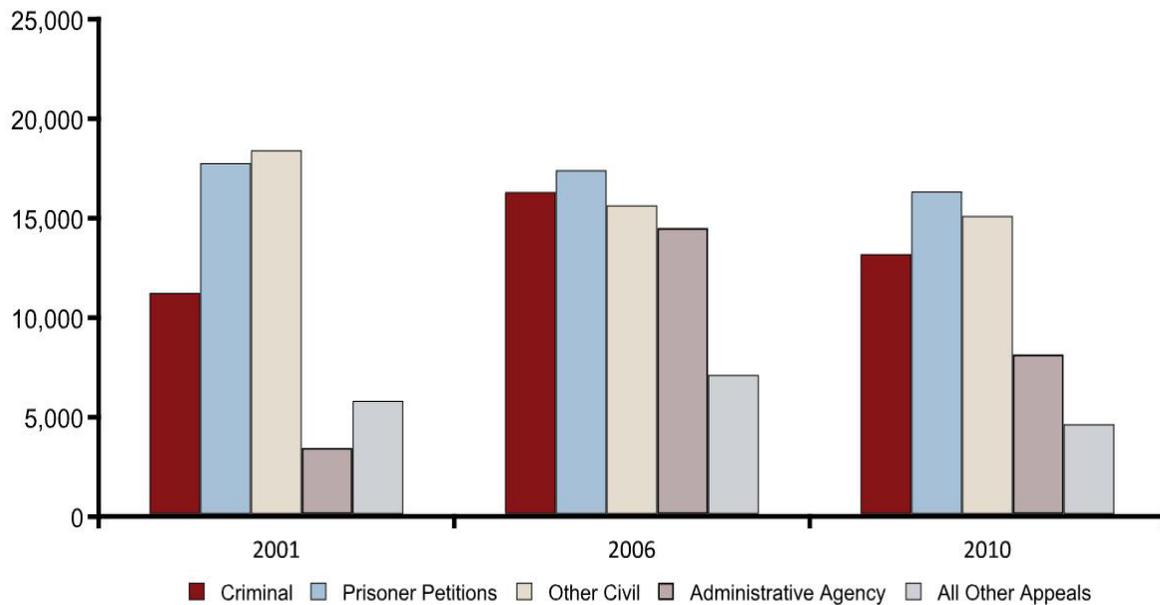
Filings in the 12 regional courts of appeals fell 6 percent to 56,790 during the 12-month period ending March 31, 2010. Filings of civil appeals remained stable, and bankruptcy appeals and original proceedings rose. Overall filings declined due to reductions in filings of criminal appeals and appeals of administrative agency decisions.

Filings in the federal appeals courts consisted of the following: 55 percent civil appeals; 23 percent criminal appeals; 14 percent administrative agency appeals; 7 percent original proceedings; and 1 percent bankruptcy appeals.

Civil appeals fell by 176 cases to 31,190. A 3 percent rise in civil appeals other than prisoner petitions was offset by a 4 percent reduction in prisoner petitions.



Appeals Filed, by Type of Appeal Years Ending March 31



- In 2010, civil appeals consisted of 52 percent prisoner petitions, 18 percent civil rights appeals, and 30 percent all other civil appeals.

Criminal appeals declined 10 percent to 13,065 in 2010. This decrease stemmed from a 24 percent reduction in cases involving drugs other than marijuana.

- Last year, cases involving drugs other than marijuana rose 54 percent. An amendment to the U.S. sentencing guidelines that retroactively reduced penalties for most crack cocaine offenses may have prompted prisoners to file actions seeking adjustments to their sentences.

Administrative agency appeals fell 21 percent to 8,016, primarily because of a 20 percent decline in appeals of decisions by the Board of Immigration Appeals (BIA), which accounted for 89 percent of administrative agency appeals in 2010.

- The reduction in BIA appeals is consistent with drops in BIA case filings and completions reported in the statistical yearbook of the Executive Office for Immigration Review.

Original proceedings rose 5 percent to 3,784 as filings of second or successive motions for permission to file habeas corpus petitions and petitions for writs of mandamus increased.

- Sixty-one percent of original proceedings involved motions for second or successive habeas corpus petitions, which climbed 2 percent to 2,322.
- Thirty-three percent of original proceedings involved petitions for writs of mandamus, which jumped 13 percent to 1,263.

Terminations of appeals rose 1 percent to 60,316. The appeals courts' pending caseload declined 7 percent as terminations outpaced filings.

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

Appeals Court Filings Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Total Filings	1.3	- 19.3	- 5.9
Civil Appeals	- 13.2	- 4.9	- 0.6
Criminal Appeals	17.5	- 19.3	- 10.4
Administrative Agency Appeals	141.4	- 44.2	- 20.6
Bankruptcy Appeals	- 25.2	- 12.3	1.9
Original Proceedings	- 19.6	- 38.6	5.2

Bankruptcy Appellate Panels

In the 12-month period ending March 31, 2010, filings with the Bankruptcy Appellate Panels (BAPs) increased 1 percent (up 9 appeals) to 733.

- Filings rose in the Eighth Circuit (up 31 filings or 52 percent) and the Ninth Circuit (up 40 filings or 11 percent).
- Filings fell in the First Circuit (down 21 filings or 23 percent), the Sixth Circuit (down 33 filings or 31 percent), and the Tenth Circuit (down 8 cases or 9 percent).

Data for the BAPs appear in the B series of the appendix tables.

U.S. Court of Appeals for the Federal Circuit

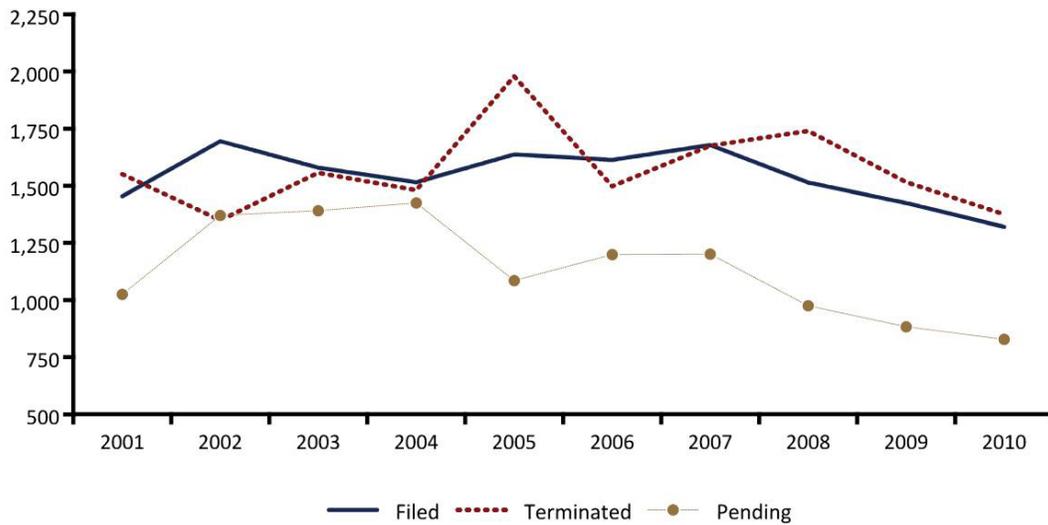
Filings in the U.S. Court of Appeals for the Federal Circuit decreased 7 percent to 1,320.

- The largest numeric reduction occurred in appeals of decisions by the Merit Systems Protection Board, which fell by 50 appeals to 317 (down 14 percent).
- Appeals involving the U.S. Court of International Trade had the largest numeric increase, a rise of 8 appeals to 50 (up 19 percent).

Terminations of appeals dropped 9 percent (down 141 terminations to 1,375). The number of appeals pending on March 31, 2010, decreased 6 percent from the previous year's total to 828.

Federal Circuit Filings Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Total Filings	9.2	18.2	-7.3

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



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

Total filings in the U.S. district courts increased 8 percent (up 26,512 cases) to 359,594 cases (this total does not include petty offense cases assigned to magistrate judges). Case terminations rose 16 percent (up 50,206) to 362,783. The pending caseload remained relatively stable, falling less than 1 percent (down 3,189 cases) to 376,260.

Civil Filings

Civil filings in the U.S. district courts increased 9 percent, rising by 23,772 cases to 282,307.

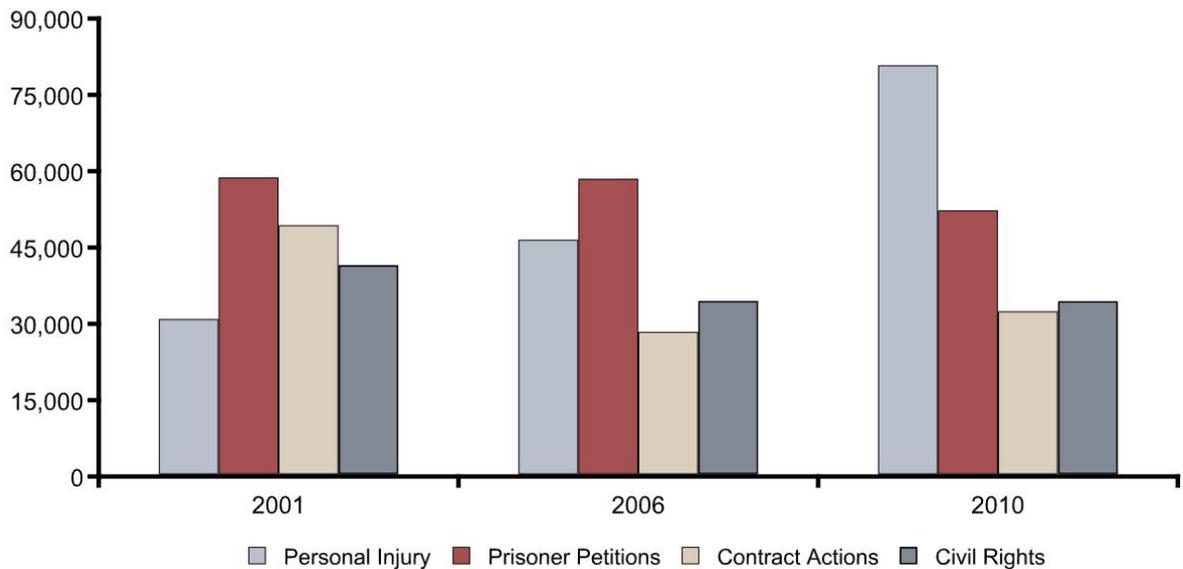
- This growth arose primarily from an 11 percent jump in filings of private cases consisting of diversity of citizenship cases (i.e., cases between citizens of different states) and federal question cases (i.e., actions under the Constitution, laws, or treaties, of the United States in which the United States is not a party in the case).

Diversity of citizenship filings climbed 24 percent (up by more than 20,000 cases), mostly due to personal injury/product liability cases.

- Existing multidistrict litigation cases related to asbestos that were transferred to the Eastern District of Pennsylvania (PA-E) and severed into separate filings soared 98 percent (up by more than 22,000 cases). However, filings of new asbestos actions that were transferred to or originally filed in PA-E decreased 75 percent (down by 1,685 cases).

Federal question filings grew 2 percent, mostly because of substantial increases in cases addressing consumer credit (up by more than 2,700 cases) and foreclosures (up by nearly 800 cases).

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



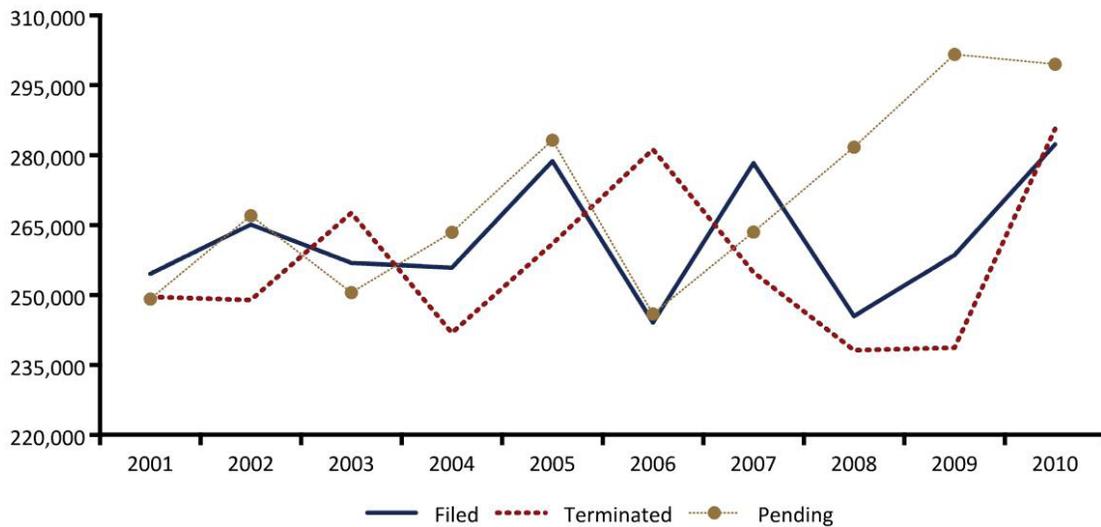
Filings of cases with the United States as defendant rose 6 percent to 34,751.

- Filings of personal injury/product liability cases jumped by more than 1,800 cases in response to cases filed in the Southern District of Illinois alleging injuries from birth control pills.
- Social Security filings rose 9 percent as a result of an 11 percent increase in supplemental security income claims (up by nearly 700 cases) and a 5 percent increase in disability claims (up by more than 300 cases).

Filings of cases with the United States as plaintiff decreased 11 percent as cases addressing defaulted student loans fell 19 percent.

Civil Case Filings Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Total Filings	10.9	15.7	9.2
Federal Question Cases	-.09	1.4	2.1
Diversity of Citizenship Cases	113.1	65.0	24.4
U.S. Defendant Cases	- 12.8	- 7.3	5.9
U.S. Plaintiff Cases	- 70.0	- 13.1	- 11.0

Civil Cases Filed, Terminated, and Pending Years Ending March 31



Civil case terminations increased 20 percent to 285,603.

- Over 43,000 personal injury/product liability asbestos cases were terminated in the PA-E.
- The Eastern District of Louisiana terminated more than 2,700 cases related to Hurricane Katrina.
- Over 1,000 cases involving the insurance industry were terminated nationwide.

Pending civil cases declined 1 percent (down more than 3,000 cases) to 299,512.

- This drop occurred primarily because the PA-E reduced its pending asbestos cases by more than 4,300.

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 2010. Cases grew 4 percent to 77,287, and defendants increased 3 percent to 98,798. This growth resulted primarily from filings related to immigration crimes. Filings involving property offenses and drugs also rose. Reductions occurred in filings addressing violent offenses, firearms and explosives, justice system offenses, and general offenses. Filings related to sex offenses, traffic offenses, and regulatory offenses remained stable.

Immigration cases, which constituted 35 percent of all criminal case filings, climbed 11 percent to 26,973. Defendants in those cases increased 10 percent to 28,055.

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

Case filings involving property offenses rose 4 percent to 12,732, and defendants in those cases grew 6 percent to 16,642.

Criminal Case Filings (Excluding Transfers) Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Immigration Cases	128.5	59.9	11.3
Property Cases	- 2.8	7.1	3.8
Sex Offense Cases	195.8	48.6	0.6
Drug Cases	- 10.4	- 8.8	1.7
Firearms and Explosives Cases	26.1	- 16.7	- 6.4

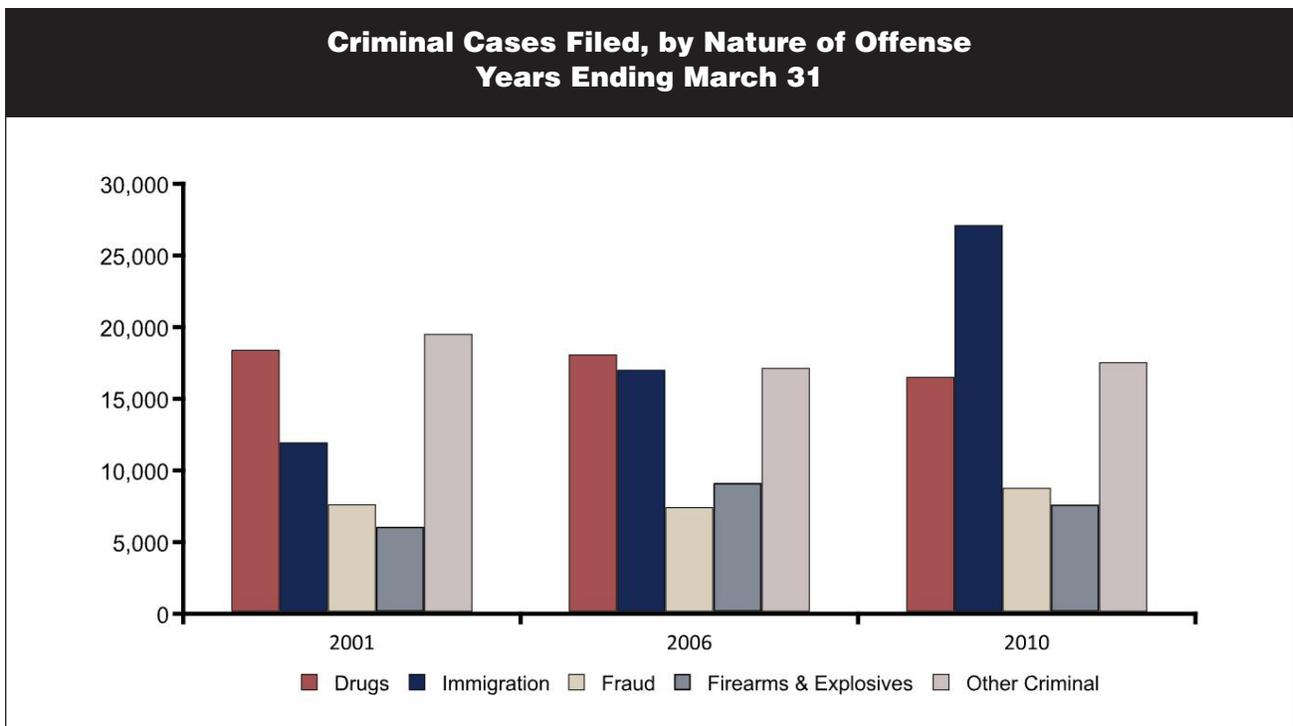
Filings of fraud cases increased 5 percent to 8,639. Case filings addressing larceny and theft grew 3 percent to 2,535. Embezzlement cases dropped 8 percent to 600.

Overall, filings of drug cases increased 2 percent to 16,374, and defendants in those cases rose 1 percent to 29,759.

- Case filings involving marijuana climbed 15 percent to 5,404 due to increases in cases related to the possession of marijuana (up 37 percent) and to the selling, distributing, or dispensing of marijuana (up 27 percent). Both increases occurred primarily as a result of filings in Tucson in the District of Arizona and are likely related to the significant growth in immigration cases there. Excluding the District of Arizona, case filings involving marijuana dropped 2 percent.

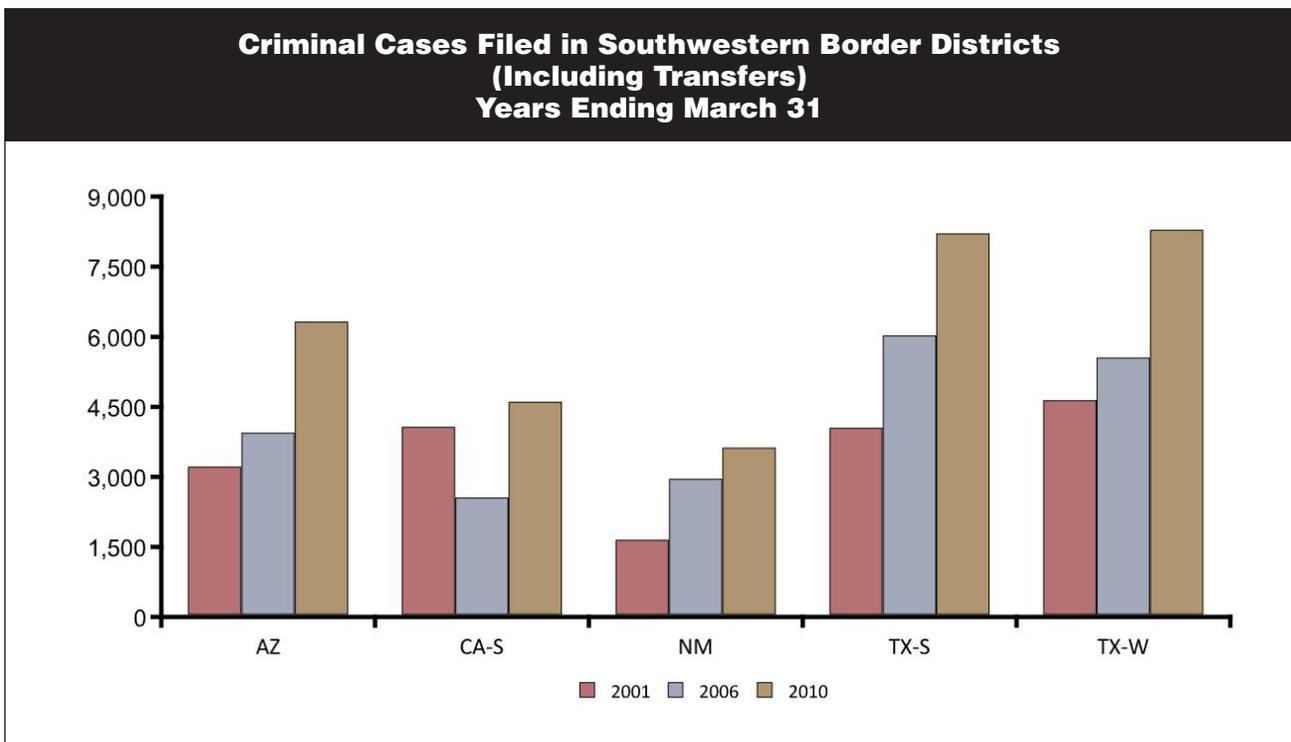
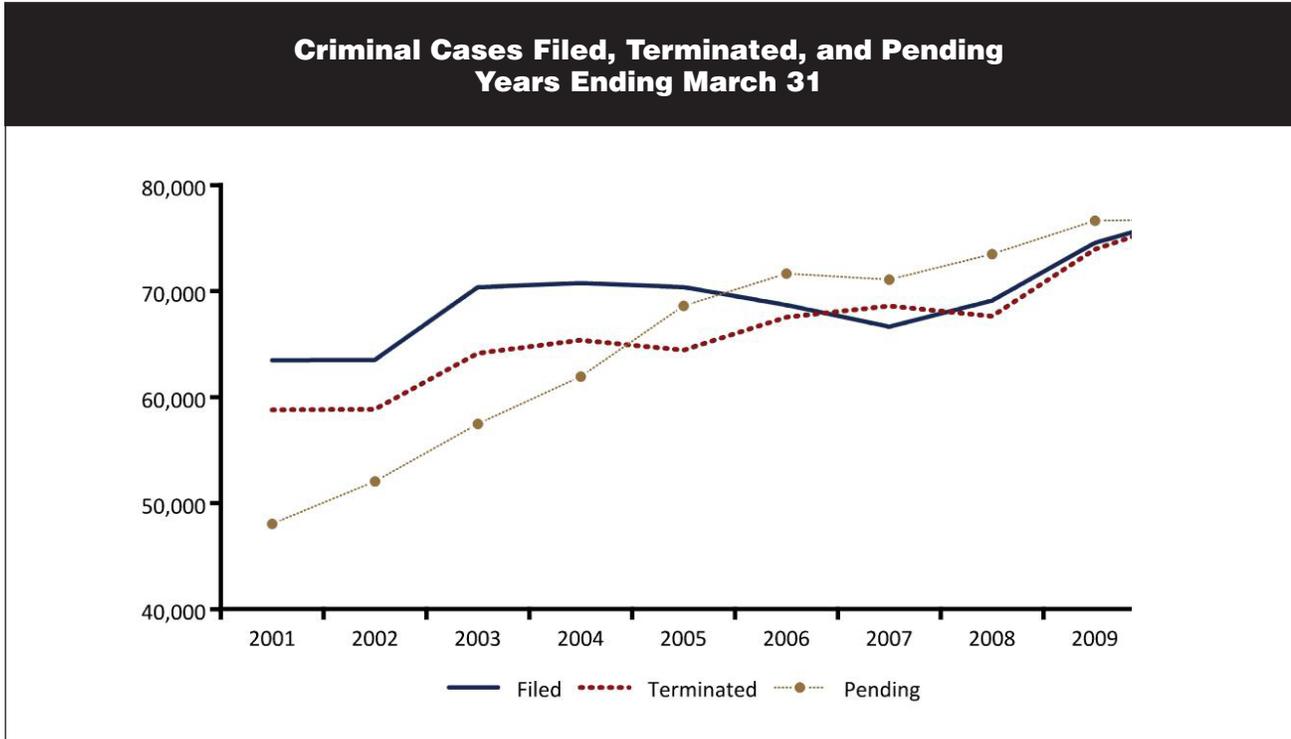
Case filings related to drugs other than marijuana decreased 4 percent.

Firearms and explosives cases declined 6 percent to 7,473, and defendants in those cases decreased 5 percent to 8,585. Violent offense cases dropped 4 percent to 2,207, and defendants in those cases de-



clined 2 percent to 2,872. Cases involving general offenses decreased 6 percent to 1,518, and defendants in those cases fell 3 percent to 2,224. Filings of cases related to justice system offenses (e.g., perjury and contempt) fell 9 percent to 841 cases, and defendants in those cases dropped 8 percent to 1,016.

Case terminations rose 4 percent to 77,180. The number of defendants in terminated cases grew 3 percent to 98,062.



Pending criminal cases increased less than 1 percent to 76,748. Defendants pending rose 1 percent to 105,139.

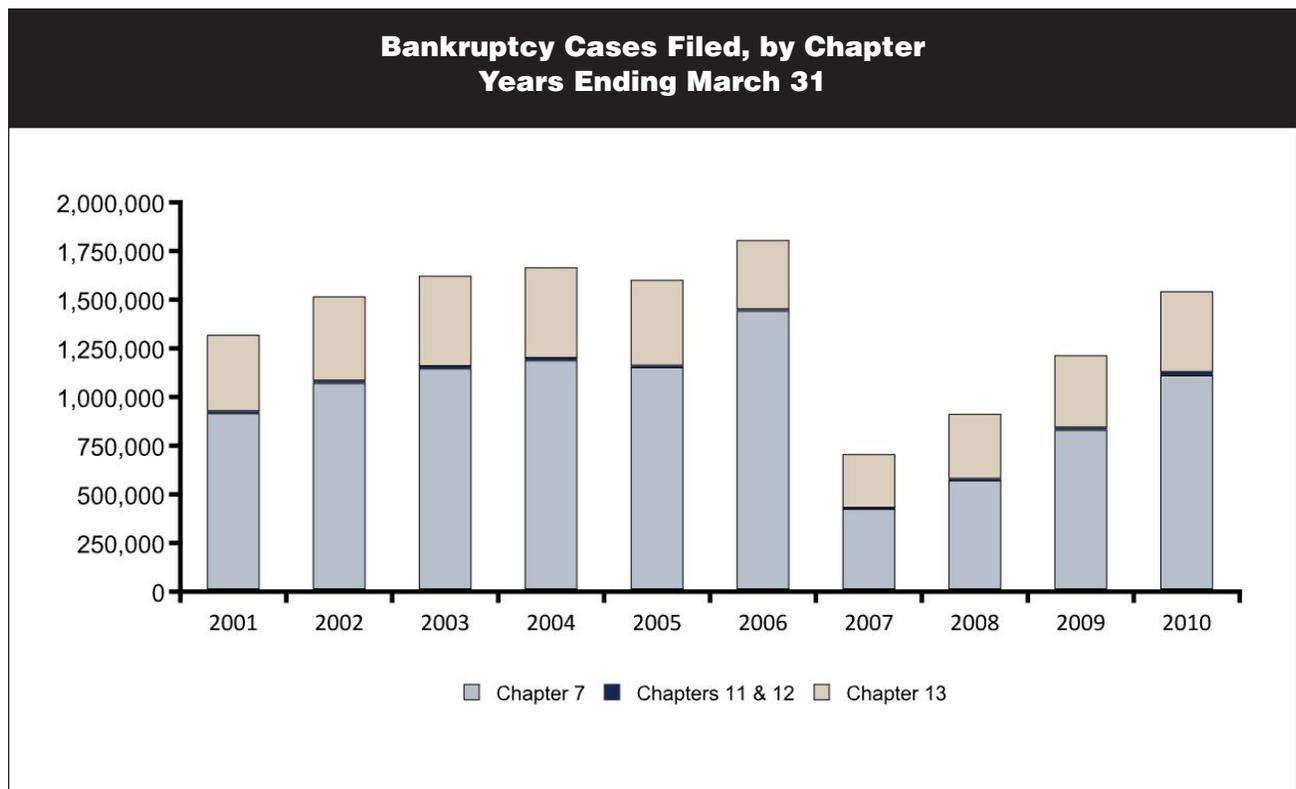
Detailed data on criminal cases and defendants filed in the district courts appear in the D series of the appendix tables.

U.S. Bankruptcy Courts

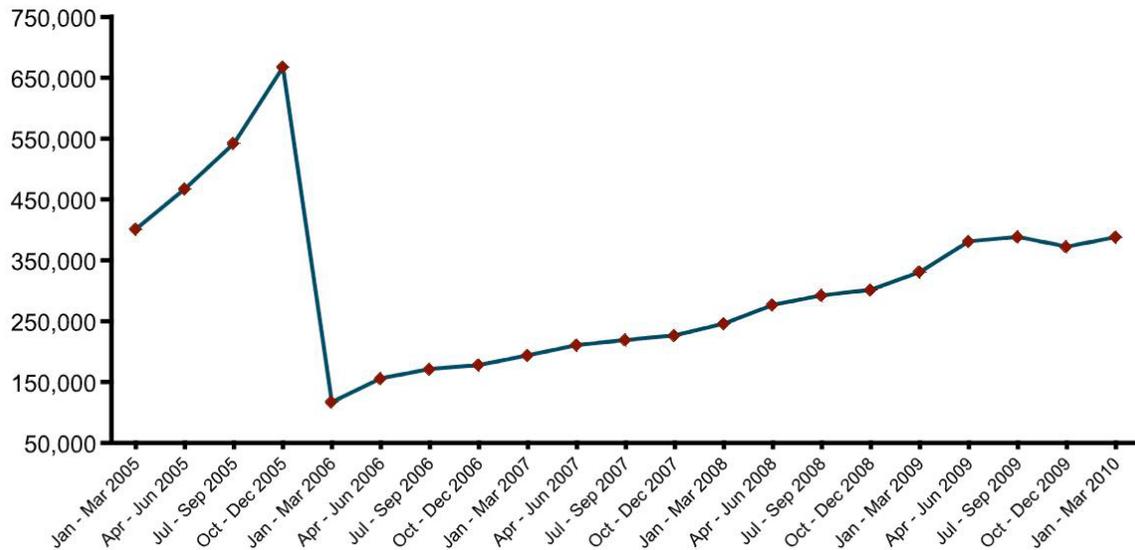
Bankruptcy filings rose 27 percent from 1,202,395 to 1,531,997 during the 12-month period ending March 31, 2010, as continued high rates of foreclosure and unemployment created financial challenges for individuals and businesses. Across the nation, 83 of 94 districts reported growth in filings of 10 percent or greater. In only one district—the Western District of Tennessee—did filings fall (down 1 percent).

- The largest percentage increase in a single district was a 69 percent rise in filings in the District of Arizona. Filings climbed 59 percent in the District of the Virgin Islands and 58 percent in the Central District of California. The Central District of California had the most filings of any district (119,134), followed by the Middle District of Florida (64,510) and the Northern District of Illinois (60,458).
- The Ninth Circuit had a 49 percent increase in filings to 363,540, giving it both the greatest number of total filings and the greatest percentage increase in filings of any circuit in the nation. Large percentage increases occurred not only in the District of Arizona and the Central District of California, as noted above, but also in the Northern District of California (up 50 percent) and the District of Nevada (up 47 percent).

Filings of bankruptcy petitions under chapters 7, 11, 12, and 13 all had growth, although at different rates.



Bankruptcy Cases Filed, by Quarter January 2005 - March 2010



- Chapter 7 filings rose 34 percent to 1,100,032. Chapter 7 filings now constitute 72 percent of all filings, compared to 68 percent of all filings in 2009 and 62 percent of filings in 2008. The percentage of all bankruptcy petitions that are filed under chapter 7 has returned to the level reached before the effective date of BAPCPA (in the 12-month period ending March 31, 2005, chapter 7 filings also constituted 72 percent of all filings).
- Chapter 11 filings rose 30 percent to 15,251.
- Chapter 12 filings grew 65 percent to 605.
- Chapter 13 filings increased 12 percent to 415,966.

Filings involving nonbusiness debts, which accounted for 96 percent of all filings, rose 28 percent to 1,470,849. Nonbusiness filings rose 35 percent under chapter 7, grew 81 percent under chapter 11, and increased 12 percent under chapter 13.

Filings involving business debts, which accounted for 4 percent of all filings, rose 25 percent to 61,148. Business filings rose 26 percent under chapter 7, increased 25 percent under chapter 11, grew 65 percent under chapter 12, and climbed 12 percent under chapter 13.

Terminations of bankruptcy cases increased 26 percent. Because filings outpaced terminations, the number of pending cases rose 13 percent.

Bankruptcy filings soared in the months before October 17, 2005, when the primary provisions of BAPCPA took effect. Filings fell sharply thereafter, but have risen steadily since that time. Filings in the 12 months ending March 31, 2010, were only 4 percent below filings in the 12-month period ending March 31, 2005, indicating that bankruptcy filings have returned to pre-BAPCPA levels.

Detailed data on cases filed in the bankruptcy courts appear in the F series of the appendix tables.

Bankruptcy Case Filings Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Total Filings	17.1	- 14.6	27.4
Chapter 7	21.6	- 23.2	34.3
Chapter 11	50.4	134.7	29.5
Chapter 13	5.8	16.9	12.2

Adversary Proceedings

Adversary proceedings are separate lawsuits that arise within the context of 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, 2010, adversary proceedings jumped 30 percent from 49,720 to 64,747.

- The largest percentage growth occurred in the Southern District of Florida (up 227 percent to 3,072), the Southern District of New York (up 168 percent to 2,945), and the Eastern District of Michigan (up 111 percent to 4,991). These increases were associated with filings of numerous types of cases.

Terminations of adversary proceedings increased 12 percent. Pending adversary proceedings rose 18 percent to 71,816.

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

Post-Conviction Supervision

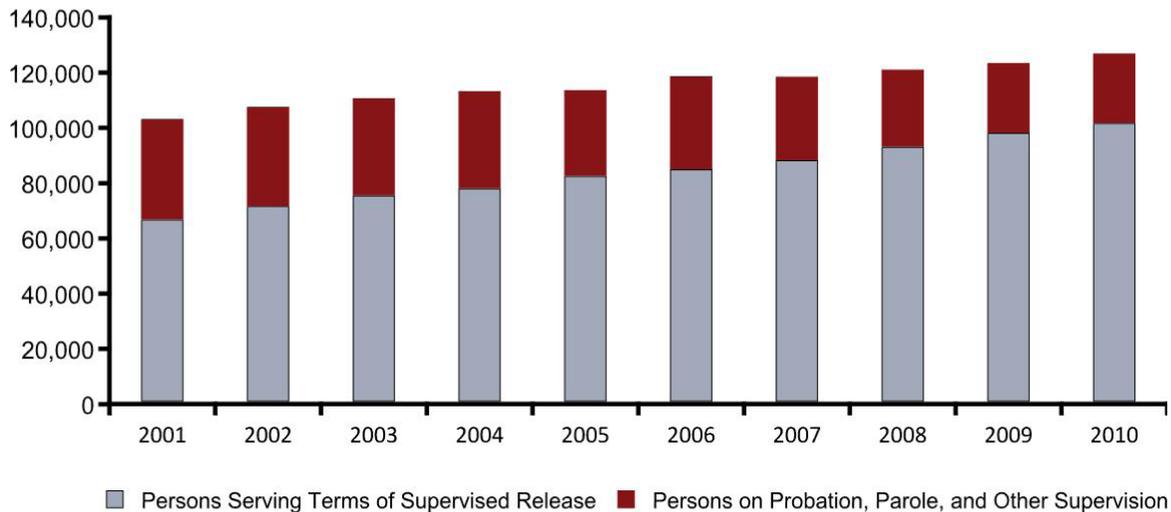
Consistent with growth in recent years, the number of persons under post-conviction supervision as of March 31, 2010, grew 3 percent over the number under supervision one year earlier to 126,117 (up 3,484 persons).

A total of 62,613 persons were received for post-conviction supervision compared to 61,212 the previous year, an increase of 2 percent.

The total for post-conviction supervision cases closed (excluding transfers and deaths) rose nearly 3 percent from 49,157 in 2009 to 50,438 in 2010.

- Eighty percent of persons under post-conviction supervision on March 31, 2010, were serving terms of supervised release, 18 percent were under supervision following the imposition of sentences of probation, and nearly 2 percent were on parole.
- A total of 100,958 persons were serving terms of supervised release on March 31, 2010, an increase of nearly 4 percent from the previous year's total.

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



- The total for persons on probation in 2010 (22,889) was nearly identical to the total for 2009 (22,881).

The number of persons on parole, special parole, military parole, and mandatory release on March 31, 2010, declined nearly 6 percent from the previous year's total, dropping from 2,257 to 2,128.

- Continued reductions in persons on parole have occurred following 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 to 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 advisory sentencing guidelines.

In 2010, the number of presentence reports written by probation officers rose 4 percent to 78,668. Of this total, 74,248 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 107,159 pretrial services cases were activated during the 12-month period ending March 31, 2010, a 6 percent increase over the total for the previous year.

- During 2010, a total of 960 pretrial diversion investigations were conducted, a decrease of nearly 26 percent from the previous year.
- A total of 101,656 pretrial services cases were closed, an increase of 4 percent.

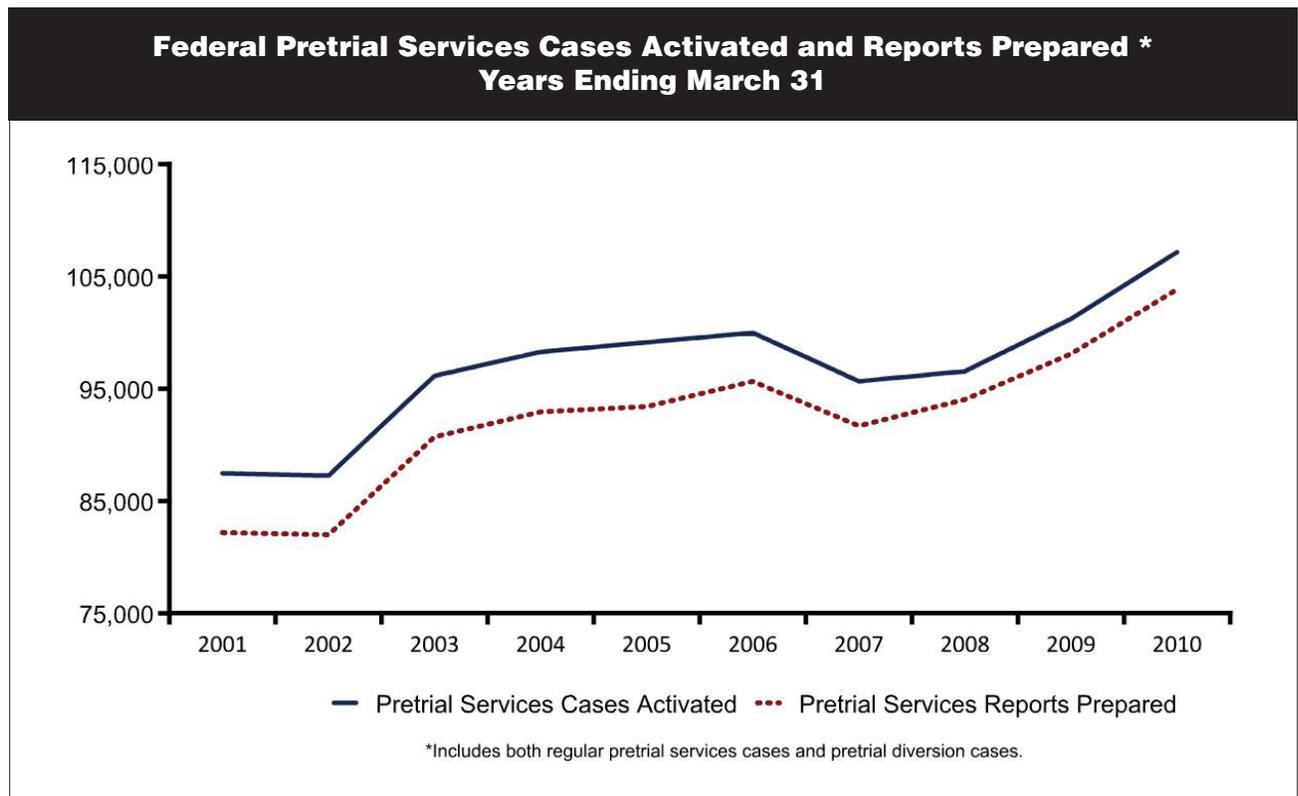
Persons Under Post-Conviction Supervision Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Under Supervision	+ 23.2	+ 11.3	+ 2.8
Serving Terms of Supervised Release	+ 52.9	+ 19.9	+ 3.7
On Probation	- 27.2	- 10.8	0.0
On Parole	- 55.7	- 30.5	- 5.7

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 62,796 defendants (down 2 percent) and prepared 103,851 pretrial services reports (up 6 percent).

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 3 percent to 28,357.



Pretrial Services Filings Percent Change Over Time			
	Since 2001	Since 2006	Since 2009
Total Cases Activated	+ 23.6	+ 8.2	+ 5.5
Pretrial Services Cases Activated	+ 25.1	+ 9.1	+ 5.9
Reports	+ 26.4	+ 8.6	+ 5.9
Pretrial Diversion Cases Activated	- 47.8	- 44.3	- 25.6
Released on Supervision	- 14.4	- 15.5	- 2.8
Pretrial Supervision	- 12.9	- 14.8	- 3.0
Diversion Supervision	- 38.2	- 28.7	+ 1.0

- The number of defendants received for pretrial diversion supervision rose nearly 1 percent from 1,236 to 1,248.

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