

Table 4.4

## U.S. District Courts. Civil Cases Filed by Nature of Suit

Nature of Suit	Fiscal Year							
	1990	1995	2000	2002	2003	2004	2005	2006
<b>TOTAL</b>	<b>217,013</b>	<b>248,335</b>	<b>259,517</b>	<b>274,841</b>	<b>252,962</b>	<b>281,338</b>	<b>253,273</b>	<b>259,541</b>
<b>CONTRACT ACTIONS, TOTAL</b>	<b>44,481</b>	<b>31,182</b>	<b>53,625</b>	<b>35,843</b>	<b>31,263</b>	<b>29,404</b>	<b>28,020</b>	<b>30,044</b>
Insurance	7,104	7,540	7,517	8,793	8,629	8,460	7,804	9,792
Marine	3,286	2,622	2,446	2,122	1,912	1,676	1,435	1,700
Miller Act	1,458	775	769	528	442	386	387	359
Negotiable Instruments	2,993	1,536	495	595	524	440	447	336
Recovery of Overpayments and Enforcement of Judgments, Total	9,449	1,822	24,838	5,651	3,073	2,830	3,309	2,872
Medicare Benefits	104	66	114	135	193	101	126	152
Student Loans (1)	4,471	1,142	24,404	5,212	2,525	2,438	2,883	2,395
Veterans' Benefits (2)	4,381	253	43	98	84	18	8	13
Other	493	361	277	206	271	273	292	312
Other Contract Actions	20,191	16,887	17,560	18,154	16,683	15,612	14,638	14,985
<b>REAL PROPERTY ACTIONS, TOTAL</b>	<b>9,603</b>	<b>6,869</b>	<b>6,711</b>	<b>8,059</b>	<b>7,373</b>	<b>5,845</b>	<b>4,561</b>	<b>4,414</b>
Condemnation of Land	474	334	1,243	938	408	197	251	316
Foreclosure	7,188	4,972	4,209	5,592	5,319	4,306	3,012	2,644
Rent, Lease, and Ejectments	348	310	175	216	160	169	154	142
Torts to Land	488	401	377	353	791	385	380	467
Other Real Property Actions	1,105	852	707	960	695	788	764	845
<b>TORT ACTIONS, TOTAL</b>	<b>44,041</b>	<b>53,986</b>	<b>36,586</b>	<b>62,919</b>	<b>45,054</b>	<b>55,023</b>	<b>51,335</b>	<b>68,804</b>
Personal Injury, Total (3)	40,815	50,565	32,621	58,997	39,563	50,594	47,364	64,743
Personal Injury Product Liability	18,839	27,547	14,428	41,135	21,611	34,100	29,537	48,739
Other Personal Injury, Total	21,976	23,018	18,193	17,862	17,952	16,494	17,827	16,004
Airplane	873	683	747	846	659	483	351	294
Marine	2,937	2,277	2,006	1,978	1,814	1,841	1,667	1,584
Motor Vehicle	6,105	5,374	4,690	4,525	4,480	4,229	4,091	3,938
Assault, Libel and Slander	670	826	801	693	892	668	647	587
Fed Employers' Liability Act	2,703	1,903	1,108	944	975	782	748	700
Medical Malpractice	1,346	1,328	1,526	1,463	1,607	1,313	1,221	1,221
Other	7,342	10,627	7,315	7,413	7,525	7,178	9,102	7,680
Personal Property Damage, Total	3,226	3,421	3,965	3,922	5,491	4,429	3,971	4,061
Fraud, Including Truth in Lending	1,561	1,881	2,265	2,359	3,860	2,909	2,465	2,313
Other Personal Property Damage	1,665	1,540	1,700	1,563	1,631	1,520	1,506	1,748
<b>ACTIONS UNDER STATUTES, TOTAL</b>	<b>118,762</b>	<b>156,209</b>	<b>162,583</b>	<b>168,010</b>	<b>169,253</b>	<b>191,017</b>	<b>169,265</b>	<b>156,177</b>
Antitrust	527	781	858	826	762	752	818	986
Bankruptcy, Total	5,179	5,046	3,361	4,100	3,305	4,145	3,000	3,389
Appeal (28 USC 158)	4,330	4,312	2,785	2,636	2,658	2,822	2,435	2,475
Withdrawal (28 USC 157)	849	734	576	1,464	647	1,323	565	914
Banks and Banking	701	432	205	251	223	366	258	201

Table 4.4 (Continued)

## U.S. District Courts. Civil Cases Filed by Nature of Suit

Nature of Suit	Fiscal Year							
	1990	1995	2000	2002	2003	2004	2005	2006
Civil Rights, Total (4)	18,922	36,600	40,908	40,420	40,516	40,239	36,096	32,865
Voting	140	208	167	234	147	173	166	150
Employment	8,273	19,059	21,032	20,955	20,507	19,746	16,930	14,353
Accommodations	364	735	1,284	1,313	1,315	1,222	885	643
Welfare	137	116	80	71	65	61	54	56
Other Civil Rights	10,008	16,482	18,345	17,847	18,482	19,037	18,061	17,663
Environmental Matters	1,004	1,081	886	790	947	978	714	871
Deportation	66	106	213	325	278	316	201	130
Prisoner Petitions	43,199	63,550	58,257	55,295	54,378	55,330	61,238	54,955
Forfeiture and Penalty, Total	6,021	2,517	2,320	2,119	2,073	2,146	2,298	2,224
Agricultural Acts	87	155	57	47	49	43	27	18
Food and Drug Act	2,663	197	110	69	72	42	49	42
Drug Related Seizure of Property	-	1,042	1,117	1,200	1,217	1,292	1,359	1,328
Air Traffic Regulations	49	11	7	6	19	6	6	2
Occupational Safety and Health Act	58	33	4	5	6	7	5	8
Other Forfeiture and Penalty Suits	3,164	1,079	1,025	792	710	756	852	826
Labor Laws, Total	14,068	14,954	14,142	18,285	17,318	18,330	18,322	16,659
Fair Labor Standards Act	1,257	1,580	1,935	3,904	2,751	3,617	4,039	4,207
Labor Management Relations Act	2,272	1,984	1,542	1,529	1,618	1,641	1,674	1,239
Labor Management Reporting & Disclosure Act	165	161	101	84	101	81	88	63
Railway Labor Act	197	172	137	126	101	111	104	108
E.R.I.S.A.	*	9,517	9,124	11,232	11,304	11,421	11,171	9,748
Other Labor Litigation	10,177	1,540	1,303	1,410	1,443	1,459	1,246	1,294
Protected Property Rights	5,738	6,866	8,738	8,254	8,934	9,590	12,184	11,514
Securities, Commodities, and Exchanges	2,645	1,906	2,678	3,465	3,189	3,094	2,038	1,621
Social Security Laws, Total (5)	6,895	9,354	15,829	18,322	17,127	15,873	15,487	13,847
Health Insurance	119	81	70	86	70	61	58	53
Black Lung Cases	28	11	20	20	10	4	20	7
Disability Insurance	4,743	5,501	8,122	8,739	7,931	7,061	7,024	6,480
Supplemental Security Income	1,774	3,347	6,762	8,313	7,792	7,916	7,675	6,649
Retirement and Survivors Benefits	231	414	855	1,164	1,324	831	710	658
RICO	**	900	829	760	743	777	781	687
State Reapportionment Suits	3	7	2	24	1	5	8	6
Tax Suits	2,672	2,202	907	1,151	1,244	1,314	1,385	1,490
Customer Challenge	39	33	12	7	11	16	21	17
Freedom of Information Act	411	467	341	271	283	315	404	312
Constitutionality of State Statutes	304	309	288	256	267	317	310	304
Other Statutory Actions (6)	10,368	9,098	11,809	13,089	17,654	37,114	13,702	14,099
<b>OTHER ACTIONS, TOTAL</b>	<b>126</b>	<b>89</b>	<b>12</b>	<b>10</b>	<b>19</b>	<b>49</b>	<b>92</b>	<b>102</b>

\* Employee Retirement Income Security Act filings were included in "other labor litigation".

\*\* Racketeer Influenced Corrupt Organization Act data not reported.

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**Table 4.4 (Continued)****U.S. District Courts. Civil Cases Filed by Nature of Suit**

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## FOOTNOTES

- (1) Filings for recovery of defaulted student loans decreased from 1990 to 1995 due to a change in Department of Education (DOE) policy on collection of delinquent loans. Renewed growth peaked in 2000 as a result of streamlining of the loan processing system. In 2001, DOE implemented new administrative measures that caused fewer student loan cases to be filed in federal courts.
- (2) Filings for recovery of overpayments of veterans benefits have decreased significantly as the Department of Veterans Affairs has used administrative actions and the Internal Revenue Service to recover overpayments rather than filing suit in district court. For additional information, see the 1991 Annual Report of the Director, page 86.
- (3) The increase in personal injury filings between 1990 and 1995 was attributable mostly to breast implant cases and a large number of cases related to an oil refinery explosion in Louisiana. In 2002, personal injury product liability filings more than tripled due to a large number of plaintiffs seeking relief in the expectation that new laws may be enacted making it more difficult to file cases related to injuries involving asbestos. A significant increase in filings involving plaintiffs seeking relief due to the injurious side effects of the anti-cholesterol drug Baycol also contributed to the increase. The 58 percent increase in personal injury product liability filings in 2004 resulted from the transfer of several thousand cases to the Northern District of Ohio as part of multidistrict litigation (MDL) involving welding products that contained manganese. In addition, a number of district courts experienced an influx of cases related to MDL involving either Baycol or Phentermine\Fenfluramine\Dexfenfluramine (Fen-phen). In 2006, personal injury product liability filings rose 64 percent, primarily as a result of 15,000 additional asbestos cases, over 14,000 of which were MDL filings in the Eastern District of Pennsylvania.
- (4) Civil rights filings increased significantly after 1990 largely because of the Civil Rights Act of 1991 and the Americans with Disabilities Act of 1990. With the exception of welfare filings that increased by two cases, filings in all categories of civil rights continued to decline since 2004.
- (5) Social security filings peaked in 2002 due to a change in the processing of backlogged cases by the Social Security Administration, but have since declined. For additional information, see the 1997 Annual Report of the Director, pages 16 and 17.
- (6) In 2004, approximately 20,000 filings related to one case in the U.S. Bankruptcy Court for the District of South Carolina.

Source: Statistical Table C-2. For Civil Actions Filed for Recovery of Overpayments and Enforcement of Judgments -- Published Statistical Table S-8 1995, 2000, 2002 through 2004, and Table S-5 2005 and 2006. For Social Security Laws -- Published Statistical Table C-2 1990, 1995, 2000, 2002-2003, Table S-9 2004, and Table S-6 2005 and 2006.