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Series: Kavanaugh, Brett – Subject Files

Folder Title: Judicial Conference - New
Judgeships

Attachment A

| ADDITIONAL JUDGESHIPS OR CONVERSION OF EXISTING JUDGESHIPS RECOMMENDED BY THE JUDICIAL CONFERENCE | | | |
|---|------------------------|------------------------------------|--|
| 2003 | | | |
| CIRCUIT/DISTRICT | AUTHORIZED JUDGESHIPS* | JUDICIAL CONFERENCE RECOMMENDATION | ADJUSTED FILINGS/WEIGHTED FILINGS PER JUDGESHIP* |
| U.S. COURTS OF APPEALS | | 9P, 2T | |
| FIRST | 6 | 1P | 700 |
| SECOND | 13 | 2P | 773 |
| SIXTH | 16 | 1P | 583 |
| NINTH | 28 | 5P, 2T | 870 |
| U.S. DISTRICT COURTS | | 29P, 17T, 5T/P | |
| ALABAMA, NORTHERN | 8 | 1P | 567 |
| ALABAMA, MIDDLE | 3 | 1P | 549 |
| ARIZONA | 13 | 3P | 655 |
| CALIFORNIA, NORTHERN | 14 | 1P, 1T | 513 |
| CALIFORNIA, EASTERN | 7 | 3P, T/P | 692 |
| CALIFORNIA, CENTRAL | 28 | 1P, 2T | 495 |
| CALIFORNIA, SOUTHERN | 13 | 2P, 3T | 628 |
| COLORADO | 7 | 1T | 511 |
| FLORIDA, MIDDLE | 15 | 2P, 1T | 531 |
| FLORIDA, SOUTHERN | 18 | 4P | 630 |
| HAWAII | 4 | T/P | 427 |
| IDAHO | 2 | 1T | 554 |
| ILLINOIS, NORTHERN | 22 | 1T | 491 |
| INDIANA, NORTHERN | 5 | 1T | 518 |
| INDIANA, SOUTHERN | 5 | 1T | 602 |
| IOWA, NORTHERN | 2 | 1T | 562 |
| KANSAS | 6 | T/P | 424 |
| MISSOURI, EASTERN | 8 | T/P | 450 |
| MISSOURI, WESTERN | 6 | 1P | 541 |
| NEBRASKA | 4 | T/P | 543 |
| NEW MEXICO | 7 | 2P, 1T | 672 |
| NEW YORK, EASTERN | 15 | 3P, 1T | 688 |
| NEW YORK, WESTERN | 4 | 1T | 537 |
| OREGON | 6 | 1P | 550 |
| SOUTH CAROLINA | 10 | 1P | 544 |
| UTAH | 5 | 1T | 521 |
| VIRGINIA, EASTERN | 11 | 2P | 674 |
| WASHINGTON, WESTERN | 7 | 1P | 682 |

P = PERMANENT

T = TEMPORARY

T/P = TEMPORARY MADE PERMANENT

* Includes judgeships authorized by P.L. 107-273, although the judgeships do not become effective until July 15, 2003.



NEWS RELEASE

Administrative Office of the U.S. Courts

March 18, 2003

Contact: David Sellers

Judicial Conference Asks Congress to Create 57 New Judgeships

The Judicial Conference of the United States today voted to ask Congress to create a total of 57 new federal judgeships—11 for the courts of appeals and 46 for the district courts.

Congress has not increased the ranks of federal appeals courts since 1990, a period in which those courts' caseloads have increased by 34 percent. The 34 district judgeships established since 1990 represent a 5 percent growth during a time in which the number of criminal and civil cases filed in the district courts increased by 33 percent.

The 11 court of appeals judgeships requested by the Conference include nine permanent and two temporary positions that would be created in four courts of appeals. The 46 district judgeships include 29 permanent and 17 temporary positions and would be located in 24 different district courts.

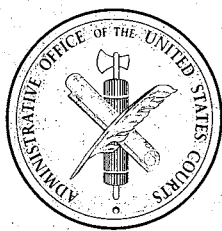
In addition, the Conference voted to request that Congress make permanent five temporary judgeships created in 1990. (A chart detailing the requested judgeships is attached.)

Acting on a presidential recommendation, the Conference also voted to strongly urge all judges to notify the President and the Administrative Office of the U.S. Courts as far in advance as possible of a change in their status, preferably a year before the contemplated change in status. This action clarifies and strengthens similar Conference policies adopted in March 1988 and September 1995.

Last October the White House proposed a series of reforms to the judicial nomination and confirmation process. One recommendation called for judges to announce their plans to leave active status at least a year in advance.

The Judicial Conference is the principal policy-making body for the federal court system. The Chief Justice serves as the presiding officer of the Conference, which is composed of the chief judges of the 13 courts of appeals, a district judge from each of the 12 geographic circuits, and the chief judge of the Court of International Trade. The Conference meets twice a year to consider administrative and policy issues affecting the court system, and to make recommendations to Congress concerning legislation involving the Judicial Branch. A list of the Conference members is attached.

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NEWS RELEASE

Administrative Office of the U.S. Courts

March 18, 2003

Contact: Karen Redmond

Caseload in Federal Courts Still Rising

In fiscal year 2002, the federal courts experienced an across-the-board increase in the number of appellate, civil, criminal and bankruptcy filings, with most categories registering record highs. The number of cases filed in the U.S. courts of appeals in 2002 rose 0.2 percent, while total civil and criminal filings in the U.S. district courts rose 9 percent. Bankruptcy filings increased 8 percent. Fiscal year 2002 is the 12-month period beginning October 1, 2001 and ending September 30, 2002.

To view these and other federal court statistics in the *2002 Judicial Business of the U.S. Courts*, visit the Judiciary's web site at www.uscourts.gov, under Library/Statistical Reports.

U.S. Courts of Appeals

Fiscal year filings in the U.S. courts of appeals rose 0.2 percent to 57,555 in fiscal year 2002. This is the seventh consecutive year of record-breaking levels.

A 75 percent increase in administrative agency appeals and a 3 percent increase in criminal appeals were enough to offset a 34 percent decline in original proceedings, a 12 percent drop in bankruptcy appeals, and a 2 percent decline in civil appeals. Administrative agency appeals climbed 153 percent over 2001, with eight courts reporting growth greater than 100 percent. The increase was in part the result of Attorney General John Ashcroft's February 2002 order to the Board of Immigration Appeals to clear its backlog of cases.

Filings of criminal appeals grew for the third consecutive year, totaling 11,569. The largest increases were in firearms cases (up 9 percent) and in drug-related appeals (4 percent.) Civil appeals filings fell to 35,499 in 2002 from 36,046 in 2001. This was due to a less than 1 percent drop in prisoner petitions, and a 3 percent decline in other civil appeals. These drops offset a 2 percent rise in civil rights appeals.

U.S. District Courts

Total fiscal year filings in the U.S. district courts rose 9 percent to 341,841 in 2002. Civil filings climbed 10 percent to 274,841. Largely due to marked increases in personal injury/product liability cases

(MORE)

involving asbestos, filings related to personal injuries skyrocketed 98 percent. Total private civil filings increased 18 percent, reflecting substantial growth in federal question filings and diversity of citizenship filings. The overall growth caused civil filings per authorized judgeship to increase from 377 to 413.

Criminal case filings rose 7 percent to 67,000 in 2002. About a third of the increase was due to an administrative change for counting sealed cases in which the identity of a defendant is reported only when the case is unsealed. Starting in July 2002, sealed cases were counted when filed, instead of when unsealed. The change created a one-time jump in these cases. Criminal cases filed per authorized judgeship climbed from 94 in 2001 to 101 in 2002. The overall growth in criminal cases was mainly attributable to increases in firearms (up 26 percent), immigration (up 12 percent), fraud (up 8 percent), and drug (up 4 percent) filings. Other offenses, which constituted a smaller proportion of district courts' caseload but increased significantly, included a 17 percent rise in sex offense filings, a 27 percent rise in extortion, racketeering and threats filings, and a 20 percent rise in filings under other federal statutes.

The number of defendants in criminal cases rose 6 percent to 88,354. Proceedings were concluded against 78,835 defendants, an increase of 4 percent. Of these, 70,882 were convicted, a conviction rate of 90 percent, the same as in 2001. The number of defendants imprisoned rose 5 percent to 56,686. Eighty-six percent of defendants disposed of pled guilty.

Weighted Filings per Authorized Judgeship

Weighted filings statistics account for the different amounts of time judges require to resolve various types of civil and criminal actions. In FY 2002, the total number of weighted filings per authorized judgeship rose 9 percent. Compared to FY 2001, the total number of weighted criminal felony defendants per judgeship increased 7 percent. The total number of weighted civil filings per authorized judgeship was up 8 percent from 2001.

U.S. Bankruptcy Courts

Bankruptcy filings for fiscal year 2002 reached a record level, increasing 8 percent over fiscal year 2001. Total filings of both business and nonbusiness bankruptcies increased, with overall growth due to an 8 percent rise in nonbusiness petitions. In FY 2002, nonbusiness filings rose under all chapters, climbing 32 percent under chapter 11, 10 percent under chapter 13 and 7 percent under chapter 7. Business filings rose 2 percent, with a 9 percent growth in chapter 11, but a 15 percent drop in chapter 12, and 1 percent drops in chapters 7 and 13. Although a pending bankruptcy bill in Congress may have encouraged some debtors to file bankruptcy petitions, the overriding impetus for the increase most likely was high consumer debt combined with slow economic growth.

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Probation

On September 30, 2002, the total number of persons under supervision was 108,792, a 4 percent increase over the total number reported as of September 30, 2001. Persons serving terms of supervised release following their release from prison climbed 7 percent to 73,189, and constituted 67 percent of all persons under supervision. Parole cases declined 9 percent, and those involving mandatory release dropped 21 percent. Nationally, 43 percent of persons under supervision committed drug offenses and 3 percent immigration offenses. Fifty-nine percent of offenders with conditions indicating substance abuse received federally funded substance abuse treatment.

Pretrial Services

The number of defendants in cases opened in the pretrial services system grew 4 percent in 2002 to 89,421. Higher numbers of defendants charged with immigration offenses and firearms offenses were the primary source of the increase. Pretrial services officers prepared 85,994 pretrial services reports in 2002. These reports help ensure that judicial officers have sufficient information when deciding whether to release or detain defendants and when determining the least restrictive release conditions that offer reasonable assurance that defendants will honor future court commitments and not endanger the community. Detention hearings were held for 53 percent of defendants whose cases were activated. Detention was ordered for 75 percent of defendants who had detention hearings. Pretrial services officers interviewed 63,528 defendants in 2002, at which time they identified alternatives to detention. As a result, 32,808 defendants were placed on supervised release. Of the defendants released following hearings, 92 percent were released with restrictive conditions: substance abuse testing and treatment were ordered for 19,333 of these released defendants, house arrest and electronic monitoring for 6,655 of the defendants, and mental health treatment for 2,288 defendants.

(MORE)

Judicial Caseload Indicators
Fiscal Years 1993, 1998, 2001, and 2002

| Judicial Caseload | 1993 | 1998 | 2001 | 2002 | % Change Since 1993 | % Change Since 1998 | % Change Since 2001 |
|---|-----------|---------------------|------------------------|-----------|------------------------|------------------------|------------------------|
| U.S. Courts of Appeals¹ | | | | | | | |
| Cases Filed | 50,224 | 53,805 | 57,464 | 57,555 | 14.6 | 7.0 | 0.2 |
| Cases Terminated | 47,790 | 52,002 | 57,422 | 56,586 | 18.4 | 8.8 | -1.5 |
| Cases Pending | 38,156 | 41,666 | 39,996 ² | 40,965 | 7.4 | -1.7 | 2.4 |
| U.S. District Courts | | | | | | | |
| Civil | | | | | | | |
| Cases Filed | 229,850 | 256,787 | 250,907 | 274,841 | 19.6 | 7.0 | 9.5 |
| Cases Terminated | 226,165 | 262,301 | 248,174 | 259,537 | 14.8 | -1.1 | 4.6 |
| Cases Pending | 218,041 | 262,573 | 250,622 ² | 265,926 | 22.0 | 1.3 | 6.1 |
| Criminal (Includes Transfers) | | | | | | | |
| Cases Filed | 46,786 | 57,691 | 62,708 | 67,000 | 43.2 | 16.1 | 6.8 |
| Defendants Filed | 65,653 | 79,008 | 83,252 | 88,354 | 34.6 | 11.8 | 6.1 |
| Cases Terminated | 44,800 | 51,428 | 58,718 | 60,991 | 36.1 | 18.6 | 3.9 |
| Cases Pending | 28,701 | 40,277 | 49,696 ² | 55,705 | 94.1 | 38.3 | 12.1 |
| U.S. Bankruptcy Courts | | | | | | | |
| Cases Filed | 897,231 | 1,436,964 | 1,437,354 | 1,547,669 | 72.5 | 7.7 | 7.7 |
| Cases Terminated | 958,408 | 1,377,206 | 1,301,016 | 1,445,101 | 50.8 | 4.9 | 11.1 |
| Cases Pending | 1,152,824 | 1,384,179 | 1,512,438 ² | 1,615,006 | 40.1 | 16.7 | 6.8 |
| Federal Probation System | | | | | | | |
| Persons Under Supervision | 86,823 | 93,737 | 104,715 | 108,792 | 25.3 | 16.1 | 3.9 |
| Presentence Reports | 47,454 | 57,794 | 63,028 | 65,156 | 37.3 | 12.7 | 3.4 |
| Pretrial Services | | | | | | | |
| Total Cases Activated | 59,106 | 80,882 | 88,049 | 91,314 | 54.5 | 12.9 | 3.7 |
| Pretrial Services Cases Activated | 57,036 | 78,603 | 86,140 | 89,421 | 56.8 | 13.8 | 3.8 |
| Pretrial Diversion Cases Activated | 2,070 | 2,279 ² | 1,909 | 1,893 | -8.6 | -16.9 | -0.8 |
| Total Released on Supervision | | | | | | | |
| Pretrial Supervision | 30,293 | 31,985 ² | 35,082 | 34,880 | 15.1 | 9.1 | -0.6 |
| Diversion Supervision | 28,029 | 29,474 ² | 33,033 | 32,808 | 17.1 | 11.3 | -0.7 |
| Diversion Supervision | 2,264 | 2,511 ² | 2,049 | 2,072 | -8.5 | -17.5 | 1.1 |

¹Excludes the U.S. Court of Appeals for the Federal Circuit.

²Revised.

JUDICIAL CONFERENCE OF THE UNITED STATES

March 2003

Chief Justice William H. Rehnquist, Presiding

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|--|--|
| Chief Judge Michael Boudin Judge D. Brock Hornby | First Circuit District of Maine |
| Chief Judge John M. Walker, Jr. Chief Judge Frederick J. Scullin, Jr. | Second Circuit Northern District of New York |
| Chief Judge Edward R. Becker Chief Judge Sue L. Robinson | Third Circuit District of Delaware |
| Chief Judge William W. Wilkins Judge David C. Norton | Fourth Circuit District of South Carolina |
| Chief Judge Carolyn Dineen King Judge Martin L.C. Feldman | Fifth Circuit Eastern District of Louisiana |
| Chief Judge Boyce F. Martin, Jr. Chief Judge Lawrence P. Zatkoff | Sixth Circuit Eastern District of Michigan |
| Chief Judge Joel M. Flaum Chief Judge Marvin E. Aspen | Seventh Circuit Northern District of Illinois |
| Chief Judge David R. Hansen Chief Judge James M. Rosenbaum | Eighth Circuit District of Minnesota |
| Chief Judge Mary M. Schroeder Chief Judge David Alan Ezra | Ninth Circuit District of Hawaii |
| Chief Judge Deanell R. Tacha Chief Judge Frank Howell Seay | Tenth Circuit Eastern District of Oklahoma |
| Chief Judge J. L. Edmondson Judge J. Owen Forrester | Eleventh Circuit Northern District of Georgia |
| Chief Judge Douglas H. Ginsburg Chief Judge Thomas F. Hogan | District of Columbia Circuit District of Columbia |
| Chief Judge Haldane Robert Mayer | Federal Circuit |
| Chief Judge Gregory W. Carman | Court of International Trade |

Conference Secretary:
Leonidas Ralph Mecham, Director
Administrative Office of the U.S. Courts