

Judicial Caseload Indicators
12-Month Periods Ending March 31, 1994, 1999, 2002, and 2003

Judicial Workload	1994	1999	2002	2003	% Change Since 1994	% Change Since 1999	% Change Since 2002
U.S. Courts of Appeals ¹							
Cases Filed	49,784	53,895	56,534	60,661	21.8	12.6	7.3
Cases Terminated	48,541	53,222	57,607	56,284	16.0	5.8	-2.3
Cases Pending	37,639	41,435	39,242 ²	43,619	15.9	5.3	11.2
U.S. District Courts							
Criminal (Includes Transfers)							
Cases Filed	45,986	59,191	63,515	70,353	53.0	18.9	10.8
Defendants Filed	64,136	80,325	84,389	92,352	44.0	15.0	9.4
Cases Terminated	45,618	54,701	58,844	64,134	40.6	17.2	9.0
Cases Pending	29,812	40,851	52,044 ²	58,263	95.4	42.6	11.9
Civil							
Cases Filed	233,132	249,245	265,091	256,858	10.2	3.1	-3.1
Cases Terminated	227,198	270,874	248,886	267,580	17.8	-1.2	7.5
Cases Pending	216,712	247,873	266,998 ²	256,276	18.3	3.4	-4.0
U.S. Bankruptcy Courts							
Cases Filed	858,482	1,419,199	1,504,806	1,611,268	87.7	13.5	7.1
Cases Terminated	921,540	1,385,503	1,395,967	1,508,798	63.7	8.9	8.1
Cases Pending	1,123,406	1,374,911	1,559,915 ²	1,662,385	48.0	20.9	6.6
Federal Probation System							
Persons Under Supervision	88,398	96,401	106,760	109,889	24.3	14.0	2.9
Pretrial Services							
Total Cases Activated	58,994	82,163	87,249	96,135	63.0	17.0	10.2
Pretrial Services Cases Activated	56,657	79,942	85,324	94,325	66.5	18.0	10.5
Pretrial Diversion Cases Activated	2,337	2,221 ²	1,925	1,810	-22.6	-18.5	-6.0
Total Released on Supervision	30,802	32,748	34,565	35,547	15.4	8.5	2.8
Pretrial Supervision	28,270	30,323 ²	32,459	33,636	19.0	10.9	3.6
Diversion Supervision	2,532	2,425 ²	2,106	1,911	-24.5	-21.2	-9.3

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

²Revised.

Judicial Business

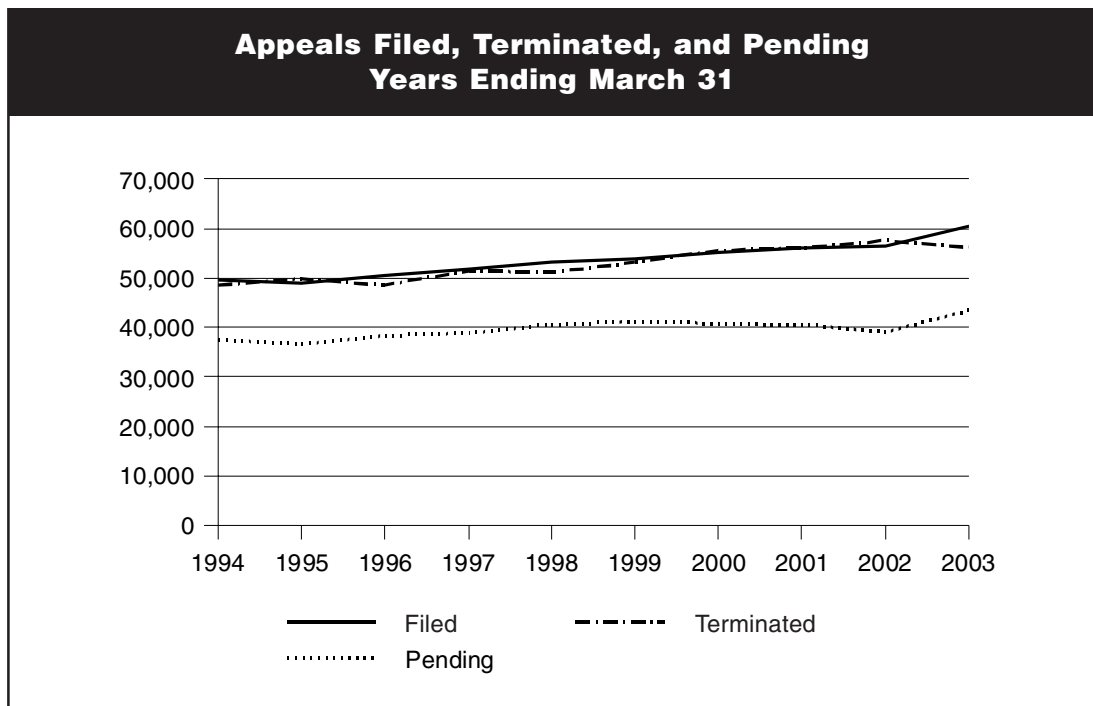
This report provides statistical information on the caseload of the federal Judiciary for the 12-month period ending March 31, 2003. Prepared pursuant to 28 U.S.C. 604(a)(2), this report presents data on the work of the appellate, district, and bankruptcy courts and on the work of the probation and pretrial services system.

Bankruptcy filings exceeded 1.6 million to achieve a new record, growing 7 percent above the previous year's number and 88 percent above the total reported 10 years ago. The U.S. courts of appeals also saw filings increase 7 percent. In the U.S. district courts, an 11 percent rise in criminal case filings nearly offset a 3 percent reduction in civil filings. Three percent more persons were under the supervision of the federal probation system on March 31, 2003, compared to one year earlier, and the number of pretrial services cases activated climbed 11 percent.

U.S. Courts of Appeals

Filings in the 12 regional courts of appeals increased 7 percent in 2003 to 60,661, following seven years of growth between 1 and 3 percent per year.

- The overall rise in filings resulted from a 199 percent surge in appeals of administrative agency decisions and a 2 percent increase in criminal appeals.
- Filings of original proceedings dropped 32 percent, civil appeals fell 2 percent, and bankruptcy appeals decreased by five appeals.
- A 2 percent reduction in terminations of appeals caused the number of appeals terminated per three-judge panel to decline from 1,035 to 1,011. Appeals terminations have increased 6 percent since 1999 and 16 percent since 1994.

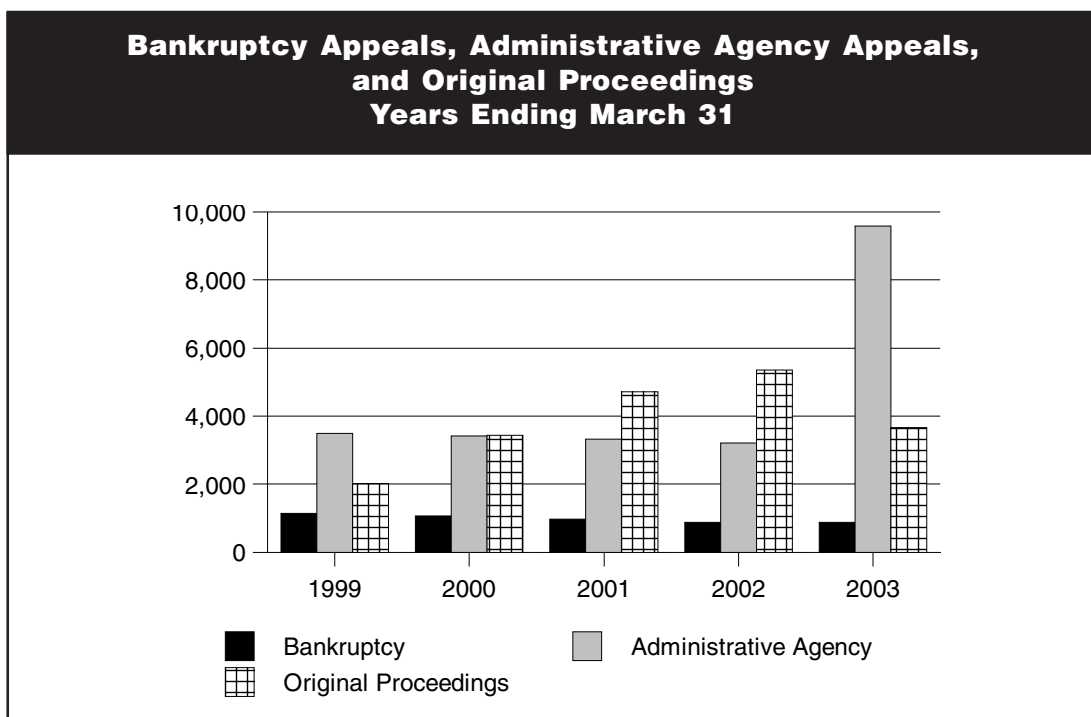


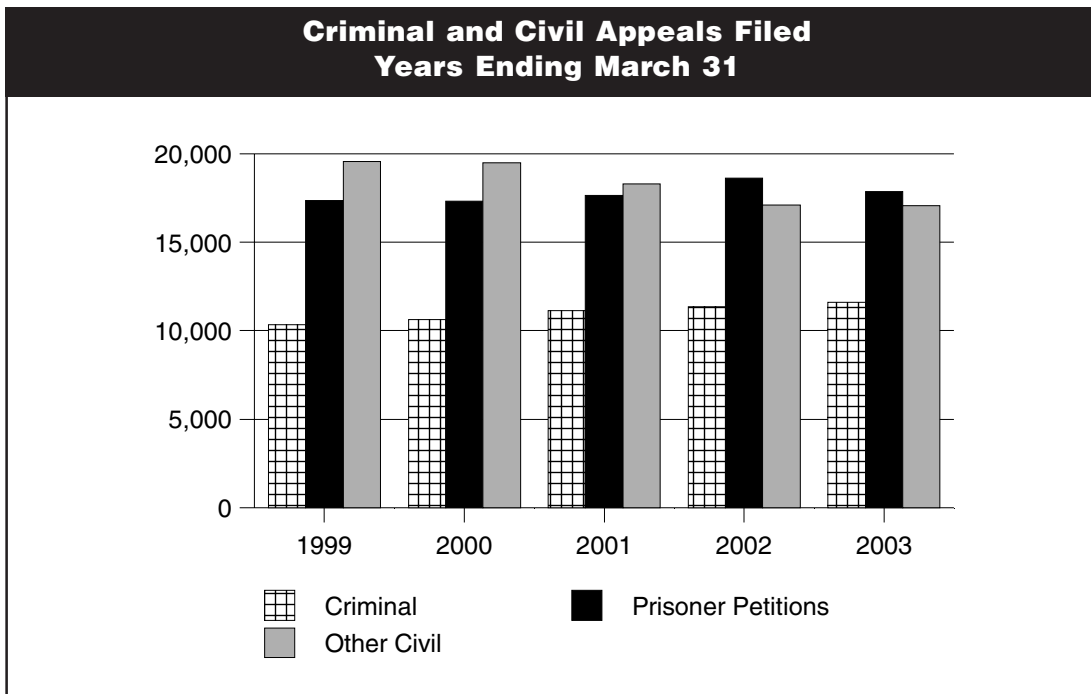
- The surge in filings combined with the drop in terminations caused pending appeals to grow 11 percent to 43,619. This total was 16 percent greater than that for 1994.
- Appeals filings have climbed 13 percent since 1999 and 22 percent since 1994.
- Despite the steady increase in filings, no additional judgeships have been authorized for the courts of appeals since 1990. Since that year, appeals filings per panel have risen 38 percent.

The 199 percent rise in administrative agency appeals (up 6,377 appeals) occurred mainly because appeals of decisions of the Board of Immigration Appeals (BIA) climbed 379 percent (up 6,682 appeals). Excluding appeals of BIA decisions, filings of administrative agency appeals declined 21 percent (down 305 appeals), with the largest reductions involving decisions of the National Labor Relations Board (down 187 appeals) and the Federal Energy Regulatory Commission (down 94 appeals).

- In February 2002, Attorney General Ashcroft ordered the BIA to clear its backlog of cases as part of the Department of Justice’s effort to prevent terrorist attacks and enforce the nation’s laws. As a direct result, immigration administrative agency appeals soared during this reporting period. The greatest numerical increases in these filings were rises of 3,614 appeals in the Ninth Circuit (up 374 percent) and 1,317 appeals in the Second Circuit (up 655 percent).
- The jump in BIA case closures caused appeals of administrative agency decisions to grow 175 percent (up 6,100 appeals) over the number reported for 1999 and 160 percent (up 5,898 appeals) over that for 1994. Cases involving immigration accounted for approximately half of all administrative agency appeals filed between 1999 and 2002, but constituted nearly 90 percent of those filed in 2003.

Criminal appeals filings rose 2 percent, largely because appeals involving drugs grew 4 percent (up 166 appeals), firearms appeals climbed 12 percent (up 153 appeals), and appeals related to immigration laws increased 6 percent (up 101 appeals).





- The most notable growth in drug-related appeals was reported by the First Circuit, where filings rose 36 percent (up 99 appeals), and the Eighth Circuit, where filings rose 27 percent (up 74 appeals).
- The greatest increases in firearms appeals were reported by the First, Eighth, and Ninth Circuits.
- The rise in immigration appeals occurred primarily because filings in the Fifth Circuit jumped 28 percent (up 183 appeals). Nine of the 12 courts of appeals reported declines in criminal immigration appeals. Immigration appeals have climbed 105 percent since 1999 and have soared 605 percent since 1994.
- Total criminal appeals filings were 19 percent above the 1999 total, but only 1 percent above the 1994 total.

Filings of civil appeals declined 2 percent.

- Civil rights appeals not related to employment rose 2 percent (up 94 appeals), but widespread declines in other categories drove the overall reduction in total civil filings.
- Prisoner petition filings fell 4 percent, due mainly to a 16 percent drop in motions to vacate sentence (down 580 appeals), a 4 percent decline in prison condition petitions (down 124 appeals), and a 1 percent decrease in habeas corpus prisoner petitions (down 102 appeals). The only category of prisoner petitions that had an increase in filings was that of petitions related to prisoner civil rights, which rose 2 percent (up 71 appeals).
- Habeas corpus prisoner petitions have grown 17 percent since 1999 and have surged 115 percent since 1994. The number of motions to vacate sentence was 19 percent below the number for 1999, but 75 percent greater than that for 1994. Prisoner civil rights petitions (including prison condition petitions) were 4 percent below the 1999 level and 17 percent below the 1994 level.

- Overall, prisoner petition appeals filings have grown 3 percent since 1999 and have risen 39 percent since 1994.
- Filings of other civil appeals have fallen 13 percent since 1999 and have declined 14 percent since 1994.

Prisoners' motions requesting permission to file second or successive habeas corpus petitions dropped 45 percent (down 1,725 appeals) in 2003, which drove the overall decline in original proceedings.

- Despite this year's decrease, the number of original proceedings filed in 2003 was 83 percent greater (up 1,658 appeals) than the total reported five years earlier. Prisoners seeking permission to file second or successive habeas corpus prisoner petitions (up 1,277 appeals) were the main cause of this growth.

Filings of bankruptcy appeals remained relatively stable, dropping by only five appeals.

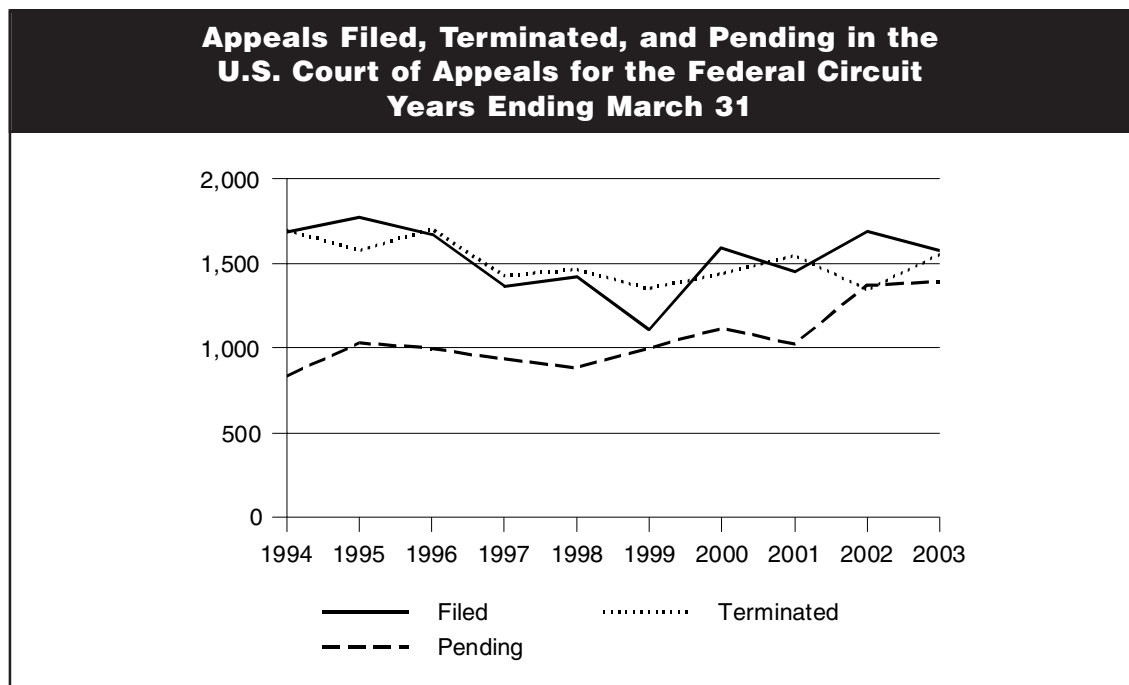
- Bankruptcy appeals filings declined for the fifth consecutive year, but have dropped only 1 percent (down 267 appeals) since 1999.

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

Filings in the U.S. Court of Appeals for the Federal Circuit fell 7 percent to 1,579, following a 17 percent increase in 2002.

- The number of filings in 2002 had been abnormally high as a result of growth in appeals of decisions by the U.S. Court of Appeals for Veterans Claims (CAVC) and the U.S. Court of International Trade (CIT). The rise in CAVC appeals stemmed from cases addressing the issue of whether remand orders conferred prevailing party status on plaintiffs seeking attorneys' fees under the Equal Access to Justice Act. CIT appeals increased when parties who had made Harbor Maintenance Tax payments before the Supreme Court declared this tax unconstitutional sought interest on the amounts to be refunded to them.



- In 2003, increases in appeals of decisions of the Merit Systems Protection Board (up 90 appeals) and the U.S. district courts (up 81 appeals) were offset by declines in appeals in other categories.
- After peaking in 1995, filings in the Federal Circuit declined between 1995 and 1999, then jumped in 2000. Filings fluctuated between 2000 and 2003, but in 2003 returned to approximately the same level reported in 2000.

Terminations of appeals in 2003 increased 15 percent to 1,557, which made the number of cases terminated per three-judge panel rise from 337 to 389.

- Since 1994, appeals terminations have fluctuated from year to year. The number of terminations in 2003 was 8 percent below the total for 1994.

The number of appeals pending on March 31, 2003, was 1,391, a rise of 2 percent over the number pending one year earlier.

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

Filings in the U.S. district courts remained relatively stable in 2003, declining less than one-half of 1 percent to 327,211 (this number does not include petty offense cases assigned to magistrate judges).

- The number of cases filed was 6 percent greater than the total for 1999 and 17 percent greater than that for 1994.
- In 2003, civil cases constituted 78.5 percent of total filings in the U.S. district courts (256,858), and criminal cases accounted for 21.5 percent (70,353).
- Filings per authorized judgeship fell from 494 to 492.
- Case terminations climbed 8 percent to 331,714.
- As terminations slightly outnumbered filings, the pending caseload remained essentially stable, shrinking 1 percent to 314,539.

Criminal Filings

Criminal case filings (including transfers) jumped 11 percent in 2003 to 70,353. The number of defendants rose 9 percent to 92,352.

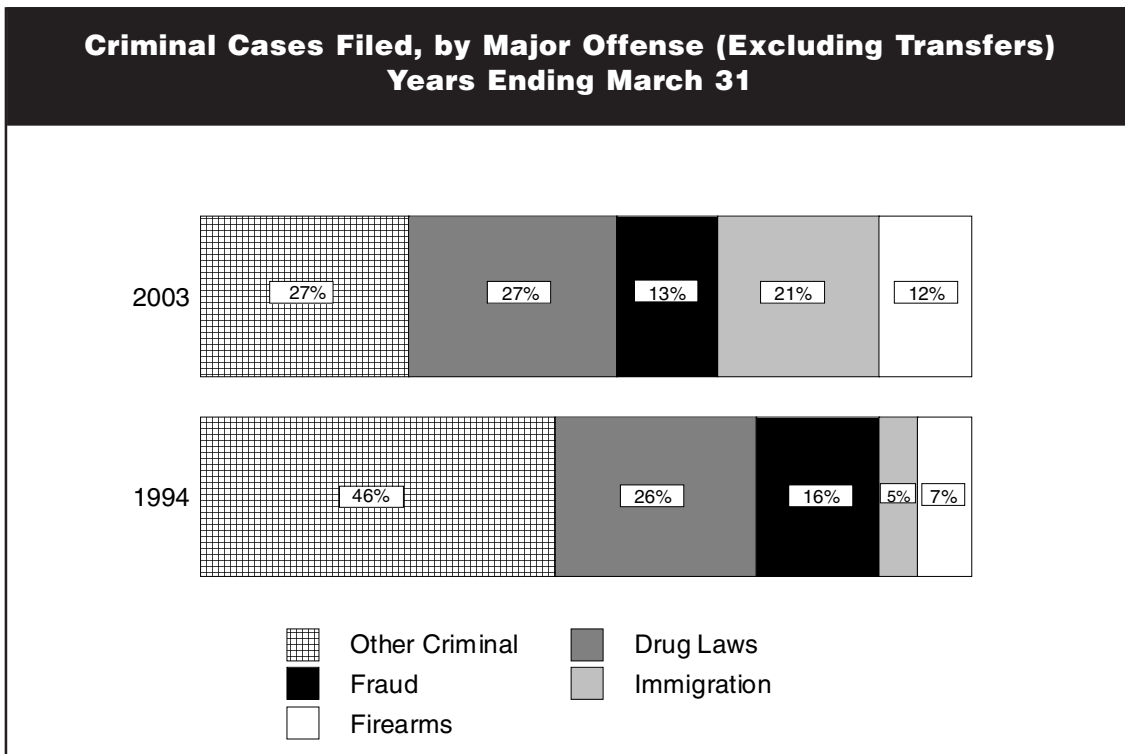
- Case filings per authorized judgeship rose from 96 to 106.
- In 2003, the district courts received 53 percent more criminal cases and 44 percent more defendants than in 1994, and received 19 percent more cases and 15 percent more defendants than in 1999.
- Criminal case filings have increased every year since 1995 because of growth in immigration, drug, and firearms filings.

Immigration cases had the largest numeric rise in filings in 2003, followed by firearms and fraud cases.

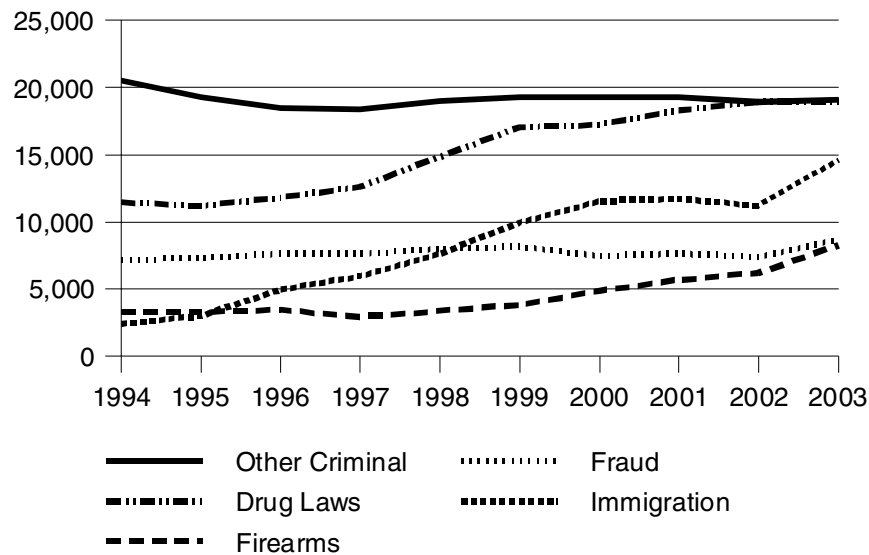
- Immigration case filings, which declined in 2002 for the first time since 1992, climbed 30 percent in 2003 to 14,600, and immigration defendants increased 31 percent to 15,705.
- Since 1994, immigration case filings have soared 489 percent, while defendants in such cases have risen 449 percent. Since 1999, filings of these cases have grown 46 percent, and immigration defendants have increased 44 percent.
- In 2003, firearms cases grew 32 percent to 8,325, and defendants in such cases rose 30 percent to 9,402.
- Since 1994, firearms case filings have jumped 148 percent, and firearms defendants have increased 133 percent. Since 1999, filings of such cases and defendants have surged 114 percent and 101 percent, respectively. The growth in these cases stemmed primarily from special programs for prosecuting cases involving unlawful firearms possession under federal laws, which may carry higher penalties than do state laws for similar crimes.
- Fraud case filings, which in recent years had been relatively stable, climbed 18 percent in 2003 to 8,761, and fraud defendants rose 15 percent to 11,812. The growth in fraud cases in 2003 primarily arose because cases involving Social Security fraud soared 114 percent to 1,254, and cases related to false claims and statements jumped 27 percent to 1,840.

Drug filings remained essentially stable, with 40 fewer cases and 19 more defendants than in 2002, even though filings of such cases increased in two-thirds of all district courts. The federal courts received 32,167 defendants in 18,931 drug cases in 2003.

- Although two-thirds of district courts experienced growth, the national total fell because of significant declines in drug filings in the Southern District of California, Southern District of Florida, Southern District of Texas, Eastern District of New York, and Western District of Texas. The reasons for these reductions include the prosecution of drug crimes at state and



Criminal Cases Filed, by Major Offense (Excluding Transfers) Years Ending March 31



local levels under cooperative partnerships led by U.S. attorneys, the shifting of resources to focus on immigration and immigration-related fraud cases, and tougher security measures at the nation's borders that may be deterring drug traffickers (or causing them to use less detectable ways of moving drugs into the country). The largest decline occurred in the Southern District of California, where drug cases dropped 43 percent to 939.

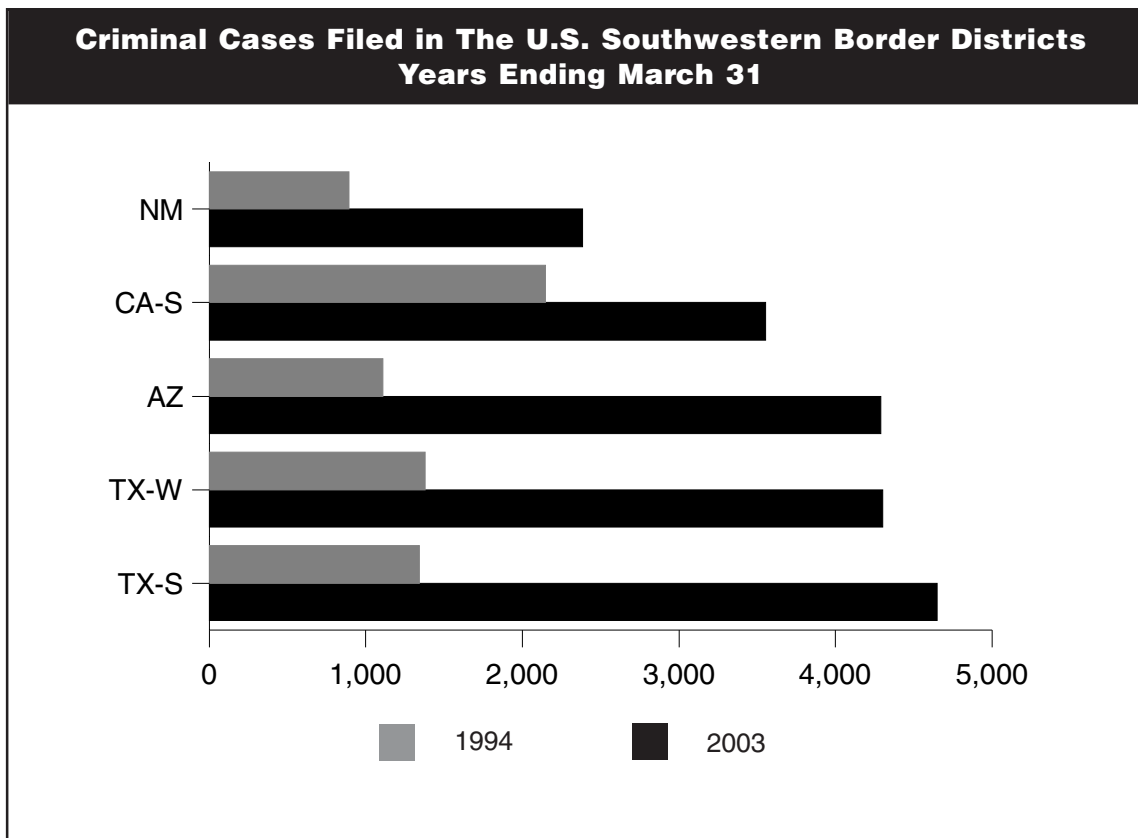
- Despite the changes in policy noted above, drug cases have climbed 64 percent since 1994, and drug defendants have risen 45 percent. Since 1999, filings of drug cases and defendants have grown 11 percent and 7 percent, respectively.

In 2003, notable increases also occurred in filings of cases involving assault and sex offenses.

- Assault filings rose 34 percent to 801 cases, but the total for 2003 is not comparable to totals for previous years. About 60 percent of this year's increase resulted from a change in coding that caused some cases that previously would have been reported as homicide cases to be reported as aggravated assault cases.
- Sex offense cases grew 8 percent to 1,236, mostly because of a rise in filings related to the sexual abuse of minors.

Declines occurred in homicide and robbery filings.

- Overall, homicide cases fell 19 percent, but—as noted above—this decline stemmed from a change in coding whereby some cases that previously would have been classified as homicide cases were reported as aggravated assault cases.
- Robbery cases dropped 9 percent to 1,191 as a greater proportion of robbery defendants were prosecuted in state courts under cooperative partnerships led by U.S. attorneys.



The number of criminal defendants terminated in 2003 grew 8 percent to 84,503. Because filings exceeded terminations, the number of pending defendants rose 11 percent to 81,126.

The D series of the appendix tables contains more detailed data on the criminal caseload by district.

Civil Filings

Civil filings in the U.S. district courts decreased 3 percent in 2003 to 256,858, after rising 4 percent in 2002.

- The overall decline in filings resulted from an 83 percent reduction in asbestos cases filed under the Constitution, laws, or treaties of the United States in which the United States was not a party.
- Civil filings per authorized judgeship fell from 399 to 386.
- Total civil filings have fluctuated over the past five years primarily because of decreases in personal injury/product liability cases involving breast implants and increases in such cases related to asbestos and the anti-cholesterol drug Baycol.
- From 1994 to 2003, civil filings climbed 10 percent, an increase of more than 23,000 cases. This growth largely comprised personal injury/product liability cases related to breast implants, prisoner petitions, civil rights cases, Social Security cases, and cases addressing defaulted student loans.
- From 1999 to 2003, civil filings rose 3 percent, primarily due to increases in cases involving personal injury/product liability, Social Security, and defaulted student loans.

The number of private personal injury/product liability cases filed declined 21 percent from the 2002 total as a result of a drop in asbestos cases filed in the Eastern District of Virginia, the Northern District of Ohio, and the Southern District of New York.

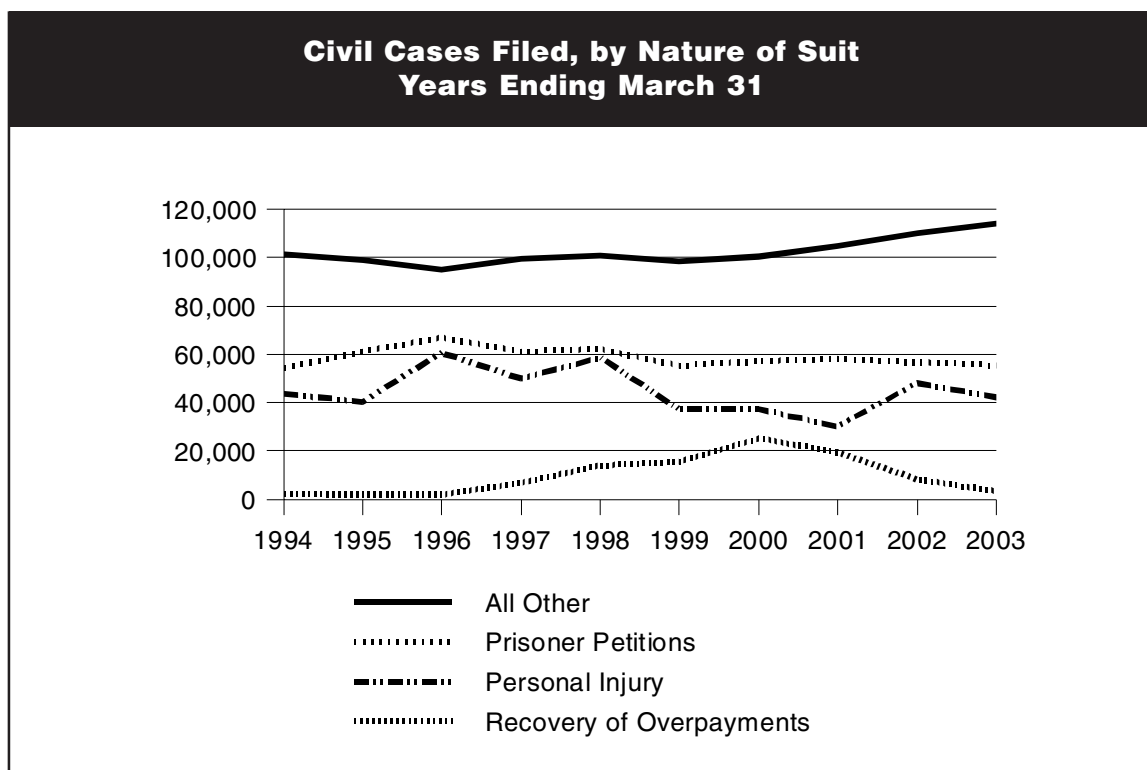
- The Northern District of Ohio reported 6,892 fewer cases; the Eastern District of Virginia reported 5,392 fewer cases; and the Southern District of New York reported 1,459 fewer cases. In 2002, asbestos cases had surged in more than half of the 94 district courts, with the majority of these cases addressing “friction products” manufactured by the “big three” auto makers (Ford, General Motors, and Daimler Chrysler) and Honeywell International, Inc.

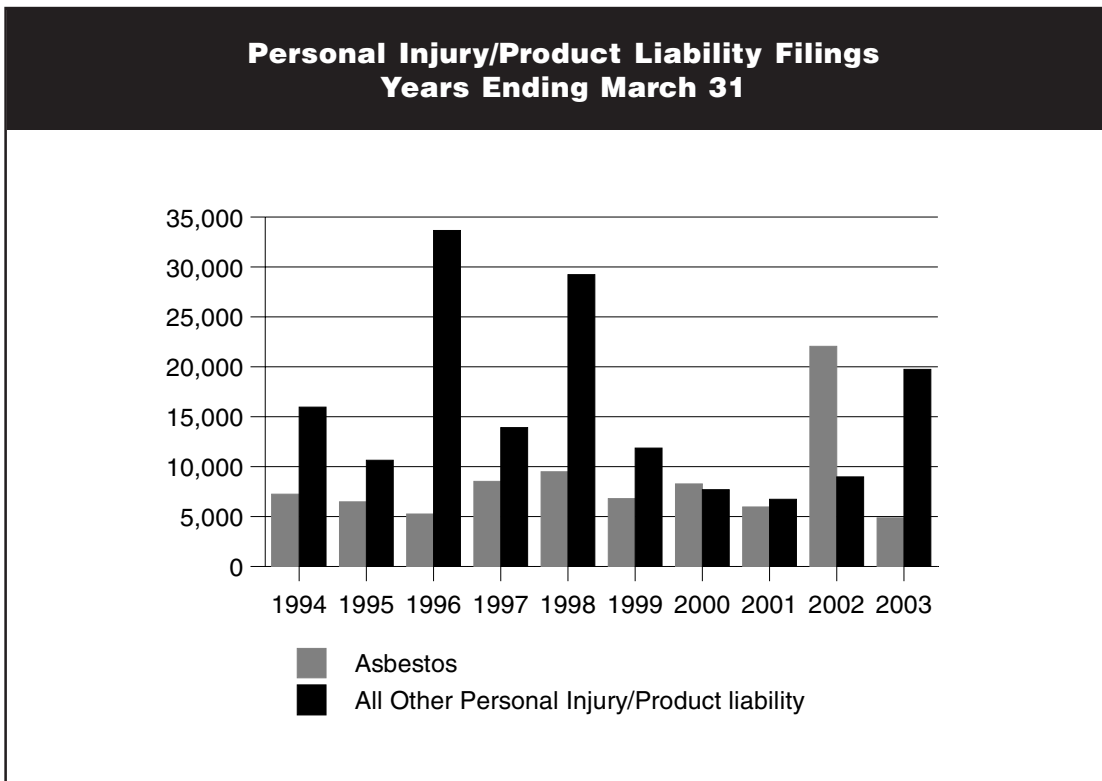
Total filings with the United States as plaintiff or defendant decreased 10 percent to 51,726.

- Cases with the United States as plaintiff declined 32 percent to 12,122 as defaulted student loan filings fell 59 percent (down by nearly 4,800 cases). This reduction stemmed, in part, from the Department of Education’s implementing new administrative measures in 2001 to collect these debts.
- Cases with the United States as defendant dropped by less than 1 percent. An 11 percent decline in federal prisoner petitions (mostly in motions to vacate sentence) was nearly offset by a 7 percent increase in Social Security cases (which largely involved supplemental security income).

Diversity of citizenship filings climbed 19 percent in 2003 as personal injury/product liability cases soared 77 percent.

- This growth largely consisted of lawsuits alleging injuries arising from Baycol. Most of these cases were filed in the Eastern District of Pennsylvania (the home state of the Bayer Company) and the District of Minnesota.





Civil case terminations increased 8 percent to 267,580.

- Most of this rise stemmed from terminations of asbestos cases in the Northern District of Ohio and Baycol cases in the Eastern District of Pennsylvania.

Pending civil cases dropped 4 percent (down 10,772 cases) to 256,276.

- The largest declines were reported by the Northern District of Ohio and the Eastern District of Virginia, whose pending asbestos caseloads decreased markedly. The remaining asbestos cases eventually will be transferred to the Eastern District of Pennsylvania under Multidistrict Litigation Docket Number 875.

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

U.S. Bankruptcy Courts

Bankruptcy filings rose 7 percent in 2003 to an all-time high of 1,611,268.

- Filings of personal bankruptcies climbed 7 percent, passing the 1.5 million mark to reach a record total of 1,573,720.
- Business bankruptcy filings declined 6 percent to 37,548.
- Eighty-four districts reported increases in filings, with 10 districts reporting growth of 15 percent or more.
- Terminations of bankruptcy cases rose 8 percent, and the number of pending cases rose 7 percent.

- Since 1994, bankruptcy filings have surged 88 percent. 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 2,633 in 1994 to 4,973 in 2003.
- Bankruptcy petition filings were 14 percent higher in 2003 than in 1999.

This year's increase in filings was attributed to high consumer debt levels combined with a weak economy.

- 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.

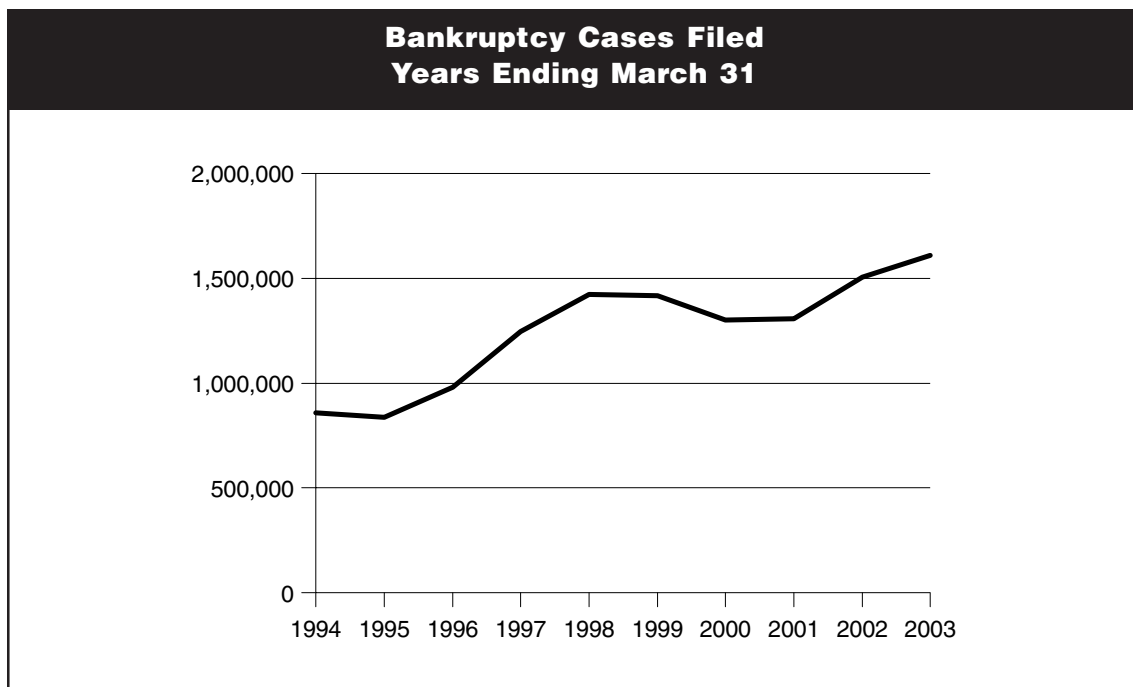
Filings of bankruptcy petitions rose under chapters 7, 12, and 13, and fell under chapter 11.

- Filings increased 7 percent under both chapter 7 and chapter 13, and surged 62 percent (up 243 cases) under chapter 12. Filings dropped 7 percent under chapter 11.
- Filings under chapter 12 have fluctuated since the authority to file under that chapter first expired in July 2000. Several times, Congress has re-authorized the filing of chapter 12 petitions retroactively for limited periods, with the most recent legislation providing that petitions could be filed under chapter 12 through June 2003.

Nonbusiness filings increased 7 percent (up 108,759 petitions).

- Growth in nonbusiness petitions occurred under all chapters.
- Nonbusiness filings climbed 12 percent under chapter 11 and rose 7 percent under both chapter 7 and chapter 13.
- Since 1994, nonbusiness petitions have accounted for an increasing proportion of total filings, rising from 93 percent of all filings in 1994 to 98 percent in 2003.

Business bankruptcy filings, which constituted 2 percent of total petitions filed, declined 6 percent to 37,548.



Bankruptcy Cases Filed, by Chapter Years Ending March 31

- A 62 percent increase in filings under chapter 12 (up 243 petitions) and a 113 percent rise in filings under section 304 (up 54 petitions), which together constituted only 2 percent of all business bankruptcy petitions filed, were not nearly enough to offset declines under all other chapters. (Section 304 cases are ancillary to foreign proceedings and generally are filed to prevent the dissipation of U.S.-based assets of a foreign bankrupt or to otherwise administer such assets for the benefit of the estate of a foreign individual or business that has filed for bankruptcy in another nation.)
- Reductions in filings of business petitions under chapter 11 (down 8 percent), chapter 7 (down 7 percent), and chapter 13 (down 10 petitions) were responsible for the overall decline.

Adversary proceedings jumped 24 percent to 86,463, after climbing 13 percent in 2002.

- The number of adversary proceedings terminated increased 13 percent.
- On March 31, 2003, the number of adversary proceedings pending was 24 percent higher than the total one year earlier.

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 the supervision of the federal probation system on March 31, 2003, was 109,889, a 3 percent increase over the number under supervision one year earlier.

- A total of 55,001 persons were received for supervision, a 5 percent rise.
- The number of persons removed from supervision climbed 7 percent to 52,098.

- A total of 4,243 persons had their supervision terminated early, an increase of 28 percent.
- The total for persons under supervision in 2003 was 14 percent higher than that for 1999 and 24 percent higher than that for 1994.

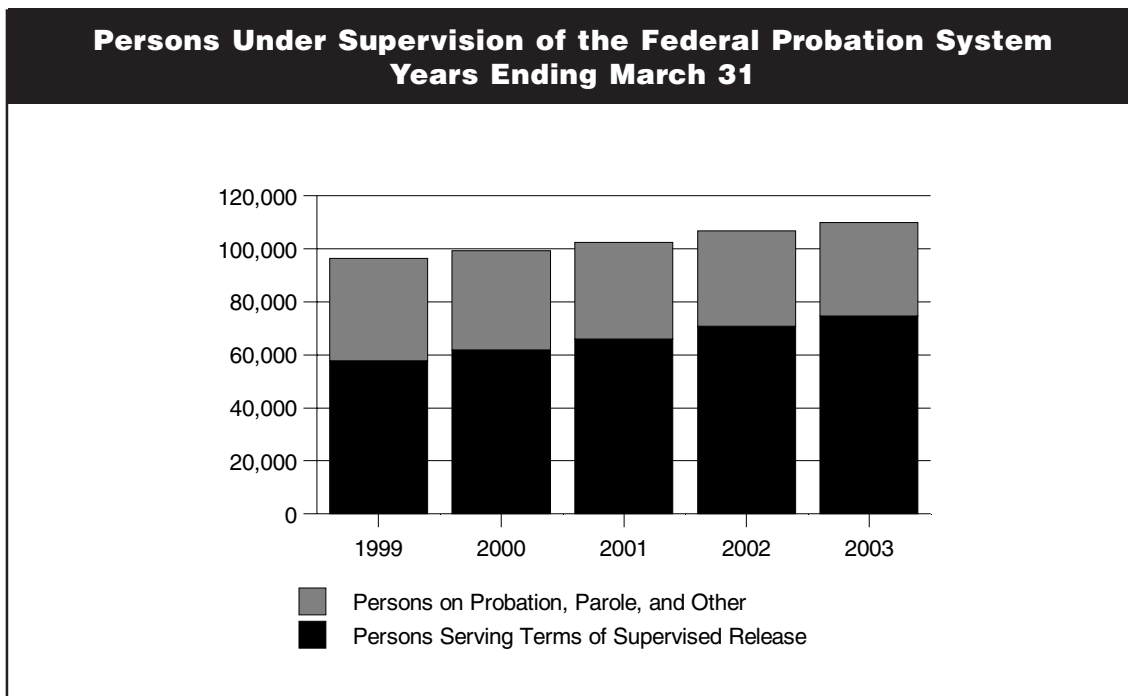
Sixty-eight percent of offenders under supervision on March 31, 2003, were serving terms of supervised release after imprisonment, 28 percent were under supervision following the imposition of a sentence of probation, and 3 percent were on parole.

- A total of 74,695 persons were serving terms of supervised release, a rise of 5 percent from those serving such terms on March 31, 2002.
- The number of persons serving terms of supervised release in 2003 was 29 percent higher than the number for 1999 and more than twice the number for 1994.
- The above totals reflect the continuing impact 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—and the effects of mandatory minimum sentencing legislation passed in the mid-1980s.

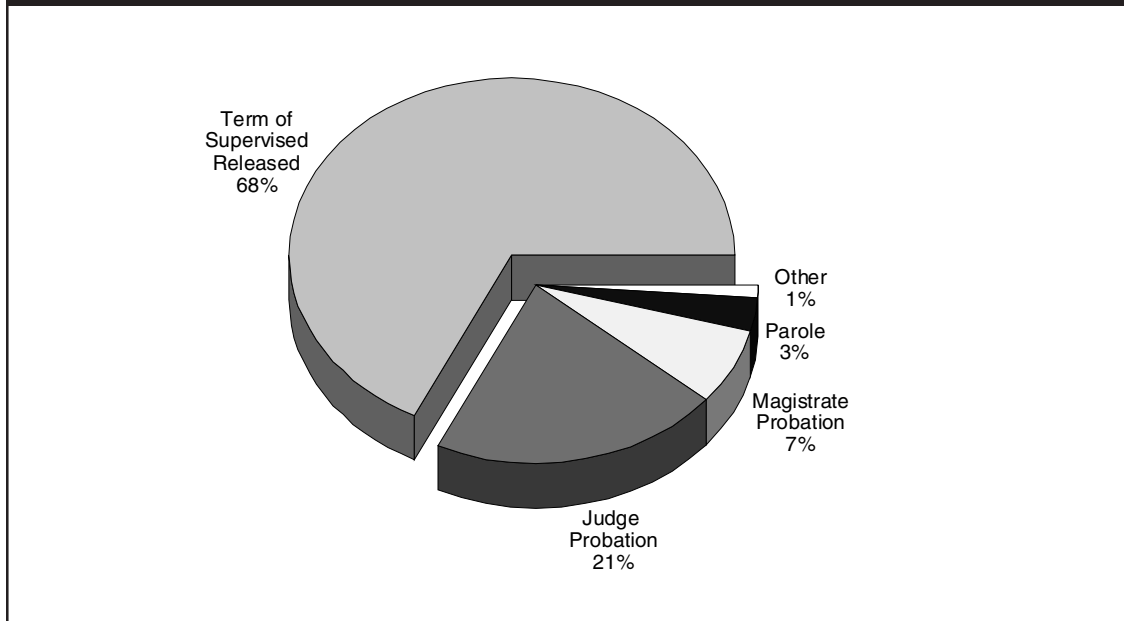
The number of persons under supervision following sentences of probation dropped 1 percent.

- Overall, 75 percent of these persons were on probation imposed by district judges, and 25 percent were on probation imposed by magistrate judges.
- The number of persons on probation imposed by district judges remained stable, rising less than one-half of 1 percent to 23,384.
- The number of persons on probation imposed by magistrate judges decreased 4 percent to 7,717.

The number of persons on parole, special parole, and military parole on March 31, 2003, fell 7 percent to 3,310.



Persons Under Supervision of the Federal Probation System March 31, 2003



- Parole accounted for 3 percent of all persons under supervision in 2003. Parole accounted for 5 percent of persons under supervision in 1999 and 15 percent of those under supervision in 1994.

In addition to their supervision duties, probation officers conduct investigations and prepare comprehensive 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.

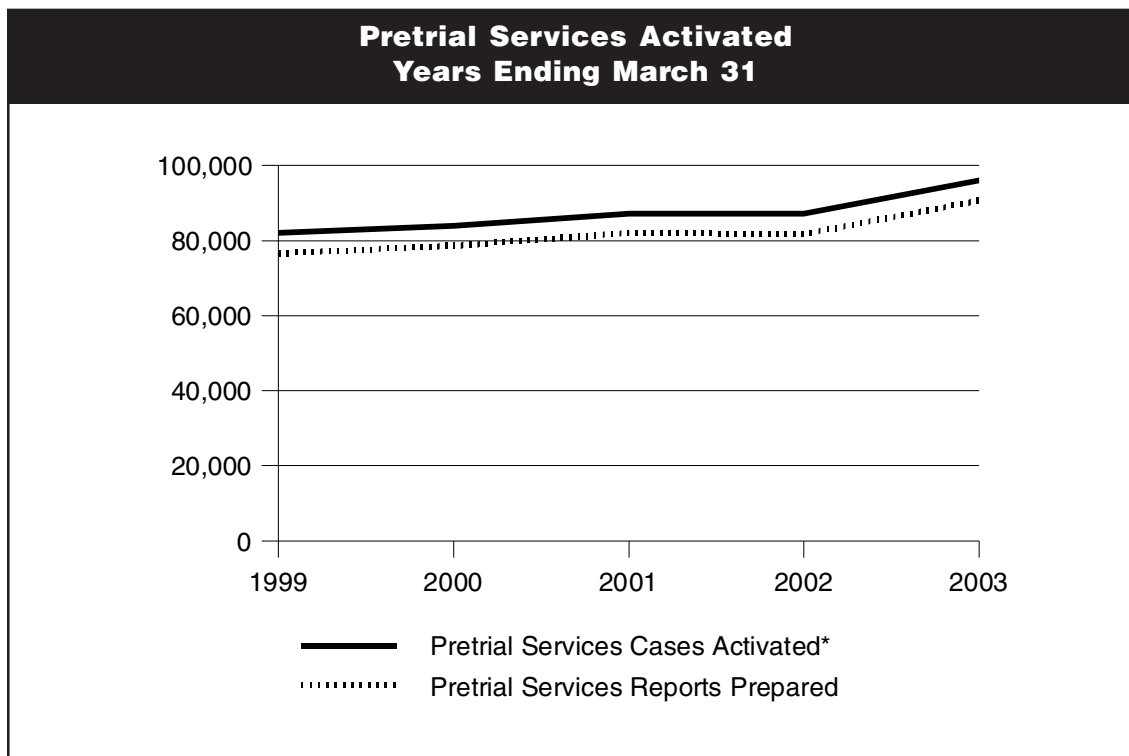
- In 2003, probation officers completed 67,148 presentence reports, 6 percent more than were written in 2002.

Detailed probation data appear in the E series of the appendix tables.

Pretrial Services

A total of 94,325 pretrial services cases were activated in 2003, an 11 percent increase over the previous year's total.

- This growth was consistent with the 9 percent rise in criminal defendants in the district courts.
- During the same period, 1,810 pretrial diversion cases were activated, 6 percent fewer than last year.
- The number of pretrial services cases closed climbed 9 percent to 87,362.
- The number of pretrial services cases activated in 2003 was 18 percent greater than the number activated in 1999 and was 66 percent greater than the number activated in 1994.



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.

- Pretrial services officers interviewed 8 percent more defendants (up 4,768) and prepared 11 percent more pretrial services reports (up 8,715) in 2003 than they did the previous year.
- The number of pretrial services reports prepared was 90,706, which was 18 percent greater than the total for 1999 and 67 percent greater than that for 1994.

The number of pretrial services defendants released this year rose 4 percent to 38,752. One of the release conditions that may be imposed is pretrial services supervision. The proportion of released defendants who were placed under the supervision of pretrial services officers remained stable at 87 percent (33,636 defendants).

- The number of defendants placed under pretrial services supervision increased 4 percent (up 1,177).

More detailed pretrial statistics appear in the H series of the appendix tables.