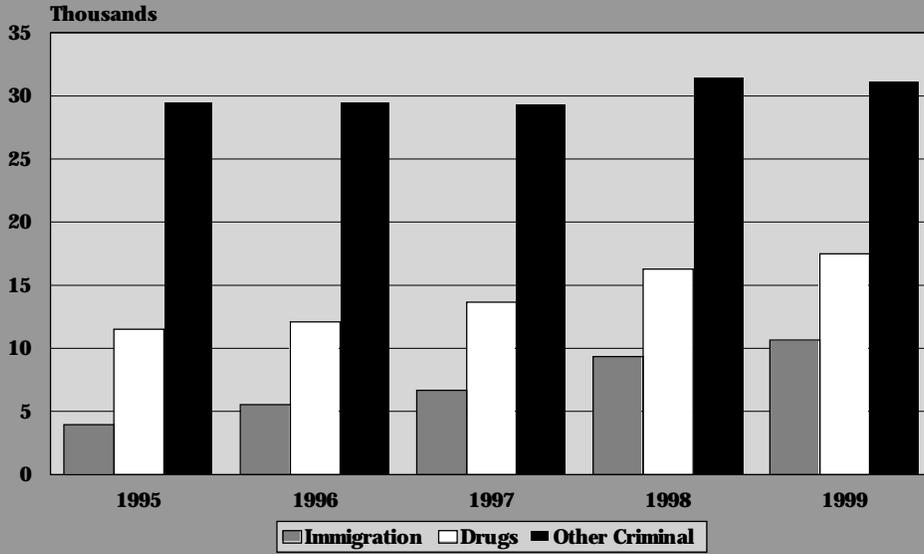
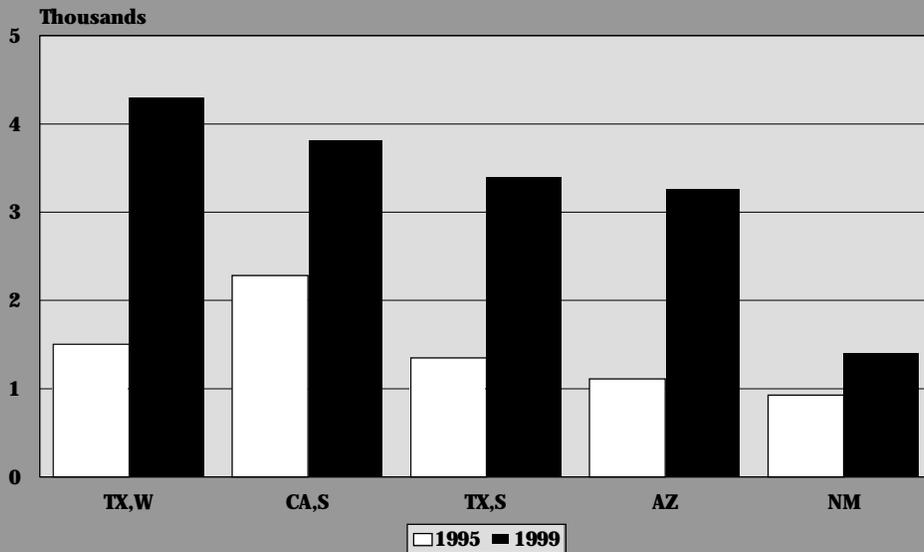


Criminal Cases Filed



Criminal Cases Filed in Five Southwestern Border Districts



defendants identified by state and local law enforcement agencies; in the past, such defendants would have been prosecuted in state courts. Aggressive federal prosecutions of firearms-related defendants, which were modeled after Project Exile underway in the Eastern District of Virginia, doubled case filings in 10 districts. Weapons and firearms case filings rose or remained stable in 56 districts across the nation.

Filings of bank and health care fraud, sex offense, and child support cases rose. However, this increase was offset by declines in filings of cases involving assault, robbery, and fraud other than bank and health care fraud. After growing for four consecutive years, overall fraud case filings declined 8 percent.

The number of criminal defendants convicted this year rose 8 percent (up 4,930) to 64,815. The conviction rate remained sta-

ble at 88 percent, and 84 percent of defendants disposed of pleaded guilty, one percentage point more than the previous year's total. The number of defendants imprisoned grew 11 percent (up 4,910) to 50,076. The rate of imprisonment increased two percentage points from 75 percent in 1998 to 77 percent in 1999 and was eight percentage points higher than in 1995. The conviction and imprisonment rates for drug and immigration defendants in the southwestern districts remained high because these defendants typically plead guilty, and defendants who are illegal aliens are imprisoned prior to deportation.

The median case disposition time for criminal defendants rose from 5.6 months in 1998 to 5.9 months in 1999, probably because of the increased workload imposed by the large number of cases courts received in 1998. That year, criminal case filings for

Table 3
U.S. District Courts
Criminal Cases Filed, Terminated, and Pending (Includes Transfers)
Fiscal Years 1995 Through 1999

Year	Authorized Judgeships	Filed			Terminated	Pending ²
		Total	Cases per Judgeship	Drugs ¹		
1995	649	45,788	71	11,520	41,527	28,738
1996	647	47,889	74	12,092	45,499	32,156
1997	647	50,363	78	13,656	46,887	37,237
1998	646	57,691	89	16,281	51,428	40,277*
1999	646	59,923	93	17,483	56,511	43,689
% Chg. 1999 Over 1998	—	3.9	3.9	7.4	9.9	8.5

¹ Excludes transfers.
² Pending totals exclude cases in which all defendants were fugitives for more than one year.
* Revised.

Summary of Five-Year Data for Civil Filings

Over the past five years, civil filings rose 5 percent (up 11,936 cases), mostly as a result of increases in U.S. cases involving recovery and enforcement of judgments, social security, and federal prisoner petitions. Since 1995, student loan recovery filings have exploded, rising from 1,142 to 21,915 because the U.S. Department of Education began employing greatly enhanced debt collection procedures during the mid-1990s to improve the overall processing of such filings. Social security case filings surged 49 percent (up 4,566 cases) during that period because of large increases in disability insurance and supplemental security income filings. Prisoner petitions filed by federal prisoners, which fluctuated yearly during this five-year period in response to significant court rulings and legislation, jumped 21 percent (up 1,908 petitions). Despite the overall rise in civil filings over the last five years, filings of private cases fell 5 percent (down 10,349 cases) as large declines occurred in federal question jurisdiction filings related to personal injury/product liability (mostly breast implant cases) and prisoner petitions filed by state prisoners (mostly civil rights petitions). Filings of these cases had grown substantially in 1995 and 1996, but 1999 marked the third consecutive year in which federal question personal injury/product liability filings fell and the second consecutive year in which state prisoner petition filings declined.

the first time since 1972 registered a double-digit percentage increase.

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

Civil Filings

Civil filings in the U.S. district courts rose 1 percent in 1999 to 260,271. This growth caused civil filings per authorized judgeship to climb from 398 to 403. The overall increase in filings of civil cases was related primarily to a rise in cases with the United States as plaintiff. Reductions occurred in private cases involving both federal question jurisdiction (i.e., actions under the Constitution, laws, or treaties of the United States) and diversity of citizenship, as well as in cases

with the United States as defendant.

Filings of breast implant cases significantly affected overall civil filings in district courts from 1995 to 1998. In 1995, more than 15,000 federal question personal injury/product liability cases were filed. Most of these consisted of breast implant cases removed from state courts to federal courts following the bankruptcy of the Dow Corning Company. Increases in breast implant filings continued in 1996, but much of that year's growth comprised cases previously removed from state courts to federal courts that subsequently were transferred to the Northern District of Alabama as part of Multidistrict Litigation Docket Number 926. In 1997, a decision by the U.S. Court of Appeals in the Sixth Circuit led to the transfer of more than 10,000 preexisting breast implant cases or claims to

the Eastern District of Michigan, where the bankruptcy case involving Dow Corning had been filed. As a result of the significant increase in breast implant cases filed or transferred during this period, total civil case filings and total personal injury/product liability filings peaked at more than 272,000 and 32,000 cases, respectively, in 1997.

In 1999, filings of cases with the United States as a party increased 13 percent from 57,852 to 65,443, up 7,591 over the total for 1998. Filings with the United States as plaintiff rose 33 percent (up 7,678 filings), largely as a result of a 54 percent jump in cases related to the recovery of overpayments and enforcement of judgments. Student loan recovery filings continued to rise sharply, growing from 14,080 filings to 21,915. This 56 percent surge reflected the continued results of intense debt collection procedures implemented by the U.S. Department of

Education in the mid-1990s. Agency officials indicated that the use of additional debt collection processing centers has resulted in the more efficient overall processing of student loan cases.

Filings with the United States as defendant remained essentially stable in 1999, dropping less than 1 percent. This decrease was related mostly to a 4 percent reduction in social security cases (down 650 filings) and a 9 percent decline in motions to vacate sentence filed by federal prisoners. Social security disability insurance and supplemental security income filings dropped 6 percent and 3 percent, respectively. Motions to vacate sentence fell by 535 cases, likely indicating the conclusion of the effects of the 1995 *Bailey v. United States* Supreme Court ruling that restricted the imposition of enhanced penalties for using firearms. This decision had produced a

Table 4
U.S. District Courts
Civil Cases Filed, Terminated, and Pending
Fiscal Years 1995 Through 1999

Year	Authorized Judgeships	Cases Filed					Terminated	Pending
		Total	Cases per Judgeship	Recovery and Enforcement Cases	Prisoner Petitions	All Other Cases		
1995	649	248,335	383	1,822	63,550	182,963	229,820	234,008
1996	647	269,132	416	5,139	68,235	195,758	250,387	250,934
1997	647	272,027	420	9,677	62,966	199,384	249,641	272,602
1998	646	256,787	398	14,577	54,715	187,495	262,301	262,573*
1999	646	260,271	403	22,403	56,603	181,265	272,526	250,318
% Chg. 1999 Over 1998		1.4	1.3	53.7	3.5	-3.3	3.9	-4.7

*Revised.

Table 5
U.S. District Courts
Civil Cases Filed, by Jurisdiction
Fiscal Years 1995 Through 1999

Year	U.S. Cases			Private Cases		
	Total	Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
1995	248,335	14,130	29,028	153,489	51,448	240
1996	269,132	15,538	33,217	159,513	60,685	179
1997	272,027	20,966	39,038	156,596	55,278	149
1998	256,787	23,389	34,463	146,827	51,992	116
1999	260,271	31,067	34,376	144,898	49,793	137
% Chg. 1999 Over 1998	1.4	32.8	-0.3	-1.3	-4.2	18.1

substantial increase in motions to vacate sentence between 1996 and 1997. A 55 percent jump in federal habeas corpus filings (up 1,261 cases) largely offset the declines in other categories of cases with the United States as defendant.

Federal question jurisdiction and diversity of citizenship filings declined 1 percent and 4 percent, respectively. Federal question jurisdiction filings dropped from 146,827 to 144,898 (down 1,929 filings), mainly because filings of personal injury cases decreased 14 percent, with product liability filings (mostly breast implant cases) declining 58 percent. However, despite the overall drop in federal question jurisdiction filings, habeas corpus petitions filed by state prisoners increased 9 percent. Diversity of citizenship filings fell from 51,992 to 49,793 (down 2,199 filings) as a result of a large reduction in personal injury/product liability

breast implant cases.

In 1999, civil case terminations increased 4 percent from 262,301 to 272,526. The major reason for this rise was the termination of more than 18,000 breast implant cases in the Northern District of Alabama. The large number of breast implant cases terminated in the Northern District of Alabama contributed to an increase in the national median time interval from filing to disposition and to a substantial decrease in civil cases pending. The national median time interval from filing to disposition for civil cases was nine months, an increase of one month over the 1998 total. The number of civil cases pending fell 5 percent to 250,318 (down 12,255 cases); the number of civil cases pending for three years or more fell 33 percent to 17,126.

Tables 4 and 5 summarize key data on civil filings in the U.S. district courts. The C

series of appendix tables provides detailed information on civil cases.

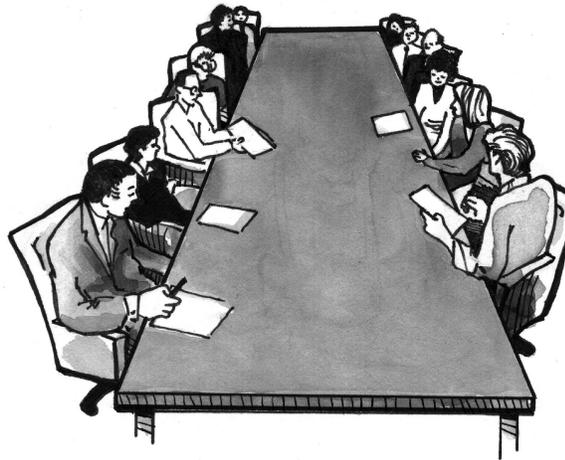
ARBITRATION CASES

In May 1989, Public Law 100-702 established a court-annexed arbitration program to settle civil disputes without resorting to trial. This program provided for the following two types of arbitration: voluntary arbitration, whereby a court refers a case to arbitration with the consent of both parties; and mandatory arbitration, whereby a court orders arbitration for a case in which the plaintiff seeks no more than \$150,000 in money damages. When a case goes to arbitration, an outside neutral party or a panel of neutral parties presents to the litigants an opinion of the likely outcome of a trial. An arbitrator's decision is not binding; within 30 days after the decision's release, the parties can file for a trial, which will cause the case to be treated as if it never went through arbitration. The first districts authorized to use mandatory and voluntary arbitration were California-Northern, Florida-Middle, Michigan-Western, New Jersey, New York-Eastern, North Carolina-Middle, Oklahoma-Western, Pennsylvania-Eastern, Missouri-Western, and Texas-Western. The Judicial Conference later authorized 10 additional districts to use voluntary arbitration only.

During 1999, the ninth year of arbitration reporting, 3,122 cases were referred to arbitration in 6 of the 10 original participating districts, a 22 percent decrease (down 862 cases) from 1998. (As discussed below, four of the original participating districts reported no referrals to arbitration in 1999.) This represents the largest decline in such referrals since the inception of mandatory and voluntary arbitration, and is the first decrease since 1995. In these six courts, 8 percent of total civil filings were referred to arbitration.

The courts that have made the greatest

use of arbitration since its inception are New Jersey, Florida-Middle, Pennsylvania-Eastern, and New York-Eastern. These four courts accounted for 99 percent of referrals to arbitration in 1999. However, of the courts that reported arbitration activity, Florida-Middle was the only one that had an increase in cases referred, a rise of 38 percent (up 199 referrals). Marked reductions in referrals to arbitration occurred in Pennsylvania-Eastern (down 60 percent), New York-Eastern (down 32 percent), Oklahoma-Western (down 96 percent), and California-Northern (down 58 percent). All participating districts'



arbitration referrals consisted mostly of filings related to contract, personal injury, civil rights, and labor suits.

For the third consecutive year, four courts—North Carolina-Middle, Texas-Western, Michigan-Western, and Missouri-Western—reported no new arbitration referrals. Three of these courts—North Carolina-Middle, Michigan-Western, and Missouri-Western—now actively use federal mediation procedures. Mediation also involves litigants' meeting with neutral parties (often subject matter experts) for discussion, but differs from arbitration in that it places a greater emphasis on reaching a settlement rather than on providing an opi-

nion of the likely outcome at trial. The continuing decline in arbitration referrals in the 10 original districts appears to have resulted from the increased use of federal mediation procedures to settle cases eligible for alternative dispute resolution programs (ADR). Currently, at least 35 districts courts use this method of ADR.

Supplemental Table S-12 summarizes the cases filed in 1998 and 1999 in the 10 districts authorized to use both voluntary and mandatory arbitration.

Savings and Loan Filings

In 1999, the U.S. Department of Justice and the Federal Deposit Insurance Corporation (FDIC) again reported low numbers of filings of savings and loan (S&L) cases in the U.S. Supreme Court and in the district, bankruptcy, federal claims, and appellate courts. The continued decline in filings of S&L cases confirms that S&L filings peaked in 1992. In 1999, criminal case filings involving financial fraud at savings and loan (S&L) institutions dropped to 5 major cases brought against 14 defendants by U.S. attorneys. This was an 18 percent reduction from the 17 defendants in major S&L cases filed in 1998. A "major case" is defined as one in which the amount of fraud or loss was \$100,000 or more; the defendant was an officer, director, owner or shareholder; the schemes involved multiple borrowers in the same institution; or other major factors were involved. The number of defendants sentenced in 1999 fell from 21 to 14.

A total of 235 new noncriminal S&L cases were filed in the federal courts during 1999, a reduction of 27 percent from the total for 1998. These filings represent all noncriminal S&L filings, as the automated reporting system at FDIC does not identify "major" noncriminal cases. Of these filings, 125 were

litigation matters (98 percent of which were filed in the district courts), 67 were bankruptcy matters (nearly one-half of last year's total, with 97 percent filed in the bankruptcy courts), 41 were appeals (80 percent of which were filed in the courts of appeals), and 2 were professional liability matters (both of which were filed in the district courts).

Given the continued significant overall decline in criminal and noncriminal S&L cases in the last seven years, such cases had little impact on the overall caseload of the U.S. courts.

Trials Completed

For statistical reporting purposes, district court trials include proceedings resulting in verdicts by juries or in final judgments by the courts, as well as other contested hearings at which evidence is presented. (Trials conducted by district or appellate judges in the district courts are included in these statistics.) During 1999, the number of



completed civil and criminal trials fell 7 percent as judges completed 14,993 trials. All 12 regional circuits experienced decreases in to-

tal trials, with 71 district courts reporting overall declines. Twenty-four districts reported reductions of 25 or more completed trials. The overall drop resulted from declines in completed civil nonjury and jury trials.

From 1995 to 1999, the total number of trials completed decreased 16 percent (2,823 fewer trials). Among the reasons for the drop in trials are: an increase in guilty pleas in criminal cases, growth in the settlement of civil cases, and greater use of alternative dispute resolution programs. Civil trials declined 18 percent over the past five years, with civil nonjury trials falling 23 percent and civil jury trials dropping 11 percent. Both criminal jury and nonjury trials decreased 13 percent.

In 1999, a 9 percent decrease in civil trials (down 817 trials) accounted for most of the decline in total trials. Drops in total civil trials occurred in all 12 circuits, with reductions reported for 53 districts. Civil nonjury trials declined 9 percent to 4,737 (down 487 trials), while civil jury trials fell 8 percent to 3,795 (down 330 trials). The overall decrease in total civil trials in 1999 was attributable mostly to the continuing increase in the numbers of parties that settled cases before trial.

Total criminal trials declined 6 percent (down 386 trials) to 6,461. Nonjury trials fell 9 percent to 2,775, with decreases occurring in 9 of the 12 circuits.

The overall decline in total trials in 1999 reflected the impact of the many other kinds of judicial proceedings included in the caseloads of federal judges. This year, judges terminated 221,962 civil cases before or during pretrial proceedings, a 3 percent increase over the total for 1998. In addition, judges accepted pleas from 52,251 felony defendants, an increase of 12 percent over 1998. Substantial growth in the acceptance of felony defendant pleas occurred in cases involving drug laws (up 2,800 pleas) and immigration (up 1,700 pleas).

Including hearings on contested motions, restraining orders, and preliminary injunctions, 44 percent of all trials were completed within a single day (down 1 percent). This rate has changed little for each of the preceding five years. In 1999, the percentage of trials lasting four days or more remained stable at 26 percent (3,947). This year, 45 civil trials took 20 days or more to reach completion, the longest being an anti-trust case lasting 73 days. In addition, 89 criminal trials required 20 or more days for completion, the longest being a drug case lasting 88 days. Appendix Tables, C-7, C-8, C-9, C-10, T-1, and T-2 provide additional data on civil and criminal trials. Appendix Table M-5 provides separate data on civil trials conducted by magistrate judges.

Weighted Filings Per Authorized Judgeship

Weighted filings per authorized judgeship account for the different amounts of time judges require to resolve various types of civil and criminal actions. The federal judiciary has employed a weighted filing system since 1946. The current weighting system, which the Federal Judicial Center (FJC) developed in 1993, assigns weights to civil cases and to criminal felony defendants, but only to those cases first filed in district courts. Thus, data on reopens, remands, appeals from magistrate judges' judgments, and multidistrict litigation are not included among the totals for weighted and unweighted filings. Average civil cases or criminal defendants each receive a weight of approximately 1.0; for more time-consuming cases, higher weights are assessed (e.g., a death penalty habeas corpus case is assigned a weight of 5.99); and cases demanding relatively little time from judges receive lower weights (e.g., a defaulted student loan case is