



# NEWS RELEASE

## Administrative Office of the U.S. Courts

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Contact: Karen Redmond

### **Judicial Business of the Federal Courts in FY 2003 Substantial Caseloads Continue to Fill Courts**

In fiscal year 2003, the federal courts continued to experience high, and in many cases record caseloads. In statistics released today, the Administrative Office of the U.S. Courts reported that the number of appeals filed grew 6 percent, reaching an historic high in fiscal year 2003. The number of criminal cases rose 5 percent, and bankruptcy cases rose 7 percent. Civil filings fell 8 percent, but when personal injury cases were excluded, filings remained relatively stable, falling just 1 percent. Both the number of persons on post-conviction supervision, up 2 percent from 2002, and the number of defendants in cases opened in the pretrial services system, up 7 percent, hit record highs in 2003. Overall, caseloads in the courts of appeals and district courts were, respectively, 26 percent higher and 13 percent higher than caseloads in 1994. The bankruptcy caseload increased 98 percent over the same time period.

The federal Judiciary's fiscal year is the 12-month period ending September 30. Complete statistics for fiscal year 2003, compiled in the publication *Judicial Business of the U.S. Courts*, can be found at [www.uscourts.gov](http://www.uscourts.gov), under Library/Statistical Reports.

#### **Courts of Appeals**

Filings in the courts of appeals have been on a steady upswing for nearly a decade and 2003 marks the eighth consecutive record-breaking year and the ninth successive year of growth. In 2003 filings rose 6 percent to 60,847, with a 73 percent increase in administrative agency appeals, a 7 percent increase in bankruptcy appeals, and a 3 percent increase in criminal appeals. A 21 percent jump in firearms appeals and an 8 percent increase in appeals related to immigration law violations fueled the increase in criminal appeals. Filings in original proceedings were down 7 percent, and civil appeals fell 3 percent. Filings per authorized three-judge panel rose to 1,093 from the 1,034 cases per panel in 2002.

Seven of the 12 regional courts of appeals reported increases in filings, with the greatest increases reported by the Second Circuit where filings rose 31 percent, and the Ninth Circuit with a 13 percent increase. The growth in these circuits consisted mainly of large numbers of administrative agency appeals involving the Bureau of Immigration Appeals. The BIA was directed in 2002 to clear its backlog of cases, and as a result, filings of appeals of BIA decisions climbed 153 percent from 2001 to 2002 and 99 percent from 2002 to 2003.

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## **District Courts**

### **Criminal Filings**

Criminal case filings set an historic record in 2003, growing 5 percent to 70,642 and exceeding the previous record set in 1932, the year preceding the repeal of the Prohibition Amendment. The number of defendants rose 5 percent to 92,714. The overall growth in the criminal caseload stemmed primarily from immigration and firearms cases. Immigration filings jumped 22 percent to 15,400 cases, and firearms filings climbed 23 percent to 9,075. Both are record highs. Sixty-eight percent of all immigration cases were filed in five district courts along the U.S. southwestern border. Together immigration and firearms offenses made up 35 percent of the caseload and 29 percent of all defendants.

In 2003, 36 percent of all criminal defendants were drug defendants. The number of drug defendants rose 1 percent to 32,786, while the number of drug cases declined 1 percent to 18,996. Although drug case filings rose in 50 districts, the national total was affected by significant declines in the Southern District of California, the Southern District of Florida, and the Eastern District of North Carolina. In these districts, the decline may be due to the prosecution of drug crimes at the state and local levels, the shifting of resources to focus on immigration and immigration-related fraud cases, and tougher security measures that may be deterring drug trafficking.

The overall total number of fraud cases fell 1 percent, but fraud cases related to nationality laws increased 26 percent to 301 cases, and passport fraud cases rose 57 percent to 411 cases. Sex offense filings increased 12 percent to 1,325 cases.

### **Civil Filings**

Civil filings were down 8 percent in 2003 to 252,962. Filings related to personal injuries, which had climbed 98 percent in 2002, dropped 33 percent, largely as a result of decreases in personal injury/product liability cases involving asbestos. In 2003, asbestos filings fell by 23,969 cases, with 33 of the 94 district courts reporting declines in cases. Excluding personal injury cases, civil filings fell only 1 percent.

Filings with the U.S. as plaintiff or defendant dropped 9 percent, down 4,797. Cases with the U.S. as plaintiff fell 24 percent, largely due to a 52 percent decrease in student loan cases, as the Department of Education improved collection of these debts. Filings with the U.S. as defendant decreased for the second consecutive year, mostly because of a 6 percent reduction in cases involving Social Security.

Diversity of citizenship filings rose 8 percent, due to an increase in personal injury cases. In 2003, filings involving federal question jurisdiction fell 13 percent because personal injury cases dropped 80 percent. Federal question jurisdiction cases are those actions under the Constitution, laws, or treaties of the U.S. in which the U.S. is not a party in the case.

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### **Completed Trials**

The number of civil and criminal trials completed in 2003 in the district courts by Article III judges grew by 1 percent to 12,948. Criminal trials climbed 5 percent to 7,118, with criminal jury trials increasing 8 percent and nonjury trials showing a 1 percent growth. Total civil trials decreased 3 percent. Civil nonjury trials fell 4 percent, and civil jury trials dropped 2 percent. In 2003, the number of trials lasting four days or longer increased 4 percent to 3,271. Thirty-nine civil trials took 20 or more days to reach completion. Sixty-seven criminal trials required 20 or more days for completion. In addition to trials conducted by Article III judges, 7,894 trials were conducted by magistrate judges in 2003.

### **Bankruptcy Cases**

Total bankruptcy filings for fiscal year 2003 reached an historic high at 1,661,996. The overall growth was due to an 8 percent rise in filings of nonbusiness petitions, which offset a 7 percent decline in business petitions. Nonbusiness petitions constituted 98 percent of filings in 2003. Increases in filings occurred under all chapters of the bankruptcy code except Chapter 11. Chapter 7 filings, which were 71 percent of all petitions filed, rose 9 percent in 2003. The largest rise in Chapter 7 filings occurred in the Northern District of Ohio, the Eastern District of Michigan, and the District of Colorado. Chapter 13 filings rose 5 percent, with the largest increases occurring in the Eastern District of Michigan and the Northern District of Texas. Chapter 11 filings dropped 13 percent. The District of Maryland reported the largest increase in Chapter 11 filings. Chapter 12 filings increased 117 percent, up 376 petitions, a growth that may be linked to retroactive extension of provisions for filing under this chapter.

For the year ending September 30, filings of adversary proceedings jumped 31 percent in 2003 to 96,809, the highest number reported in 20 years.

### **Probation**

A record number of persons are now under post-conviction supervision in the federal courts. On September 30, 2003, the number totaled 110,621, a 2 percent increase over 2002. Persons serving terms of supervised release after leaving prison grew 3 percent to 75,680 in 2003. Cases involving probation imposed by district judges declined 1 percent, and those involving probation imposed by magistrate judges fell 4 percent. Parole cases dropped 8 percent, and those involving mandatory release dropped 17 percent.

The most common offense of persons under post-conviction supervision involved illegal drugs, followed by fraud. Federal probation offices spent \$28,568,603 on federally funded substance abuse treatment in 2003.

As of September 30, 2003, the number of persons removed from post-conviction supervision, rose 6 percent to 44,819. Two-thirds of this increase resulted from the early termination of supervision for persons who had not violated their conditions of supervision.

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### **Pretrial Services**

The number of defendants in cases opened in the pretrial services system, including pretrial diversion cases, rose 7 percent in 2003, to an all-time high of 97,317. Higher numbers of defendants charged with immigration offenses and with firearms offenses were the primary sources of the increase.

Pretrial services officers prepared 7 percent more pretrial services reports. Detention hearings were held for 6 percent more defendants, a total of 49,815 defendants. The number of defendants detained following these hearings climbed 11 percent to 39,025. Detention was ordered for 78 percent of defendants who had detention hearings. Risk of nonappearance was the reason for detention in 45 percent of cases, danger to the community in 9 percent of cases, and a combination of danger and nonappearance in 46 percent of cases.

Defendants charged with offenses related to immigration are often detained because they pose a high risk of nonappearance, and immigration was the major offense charged in 19,868 pretrial services cases opened in 2003, an increase of 20 percent over 2002. The number of defendants in opened cases in which the major offense charged involved firearms jumped 26 percent in 2003.

Of the defendants released following hearings, 93 percent were released with restrictive conditions. Substance abuse testing and/or substance abuse treatment were the conditions imposed on 21 percent or 19,608 of defendants whose cases were opened in 2003. Home detention and electronic monitoring were ordered for 6,970 or 7 percent of defendants, and mental health treatment conditions were imposed on 2,367 defendants. Other restrictions may include third-party custody, travel, place of abode, firearms possession, curfew and personal association.

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**Judicial Caseload Indicators**  
**Fiscal Years 1994, 1999, 2002, and 2003**

<b>Judicial Caseload</b>	<b>1994</b>	<b>1999</b>	<b>2002</b>	<b>2003</b>	<b>% Change Since 1994</b>	<b>% Change Since 1999</b>	<b>% Change Since 2002</b>
<b>U.S. Courts of Appeals<sup>1</sup></b>							
Cases Filed	48,322	54,693	57,555	60,847	25.9	11.3	5.7
Cases Terminated	49,184	54,088	56,586	56,396	14.7	4.3	-0.3
Cases Pending	37,269	42,225	40,149 <sup>2</sup>	44,600	19.7	5.6	11.1
<b>U.S. District Courts</b>							
<b>Criminal (Includes Transfers)</b>							
Cases Filed	45,484	59,923	67,000	70,642	55.3	17.9	5.4
Defendants Filed	62,956	80,822	88,354	92,714	47.3	14.7	4.9
Cases Terminated	45,129	56,511	60,991	65,628	45.4	16.1	7.6
Cases Pending	26,328	42,966	55,518 <sup>2</sup>	60,532	129.9	40.9	9.0
<b>Civil</b>							
Cases Filed	236,391	260,271	274,841	252,962	7.0	-2.8	-8.0
Cases Terminated	228,361	272,526	259,537	253,015	10.8	-7.2	-2.5
Cases Pending	223,759	249,381	261,118	261,065	16.7	4.7	0.0
<b>U.S. Bankruptcy Courts</b>							
Cases Filed	837,797	1,354,376	1,547,669	1,661,996	98.4	22.7	7.4
Cases Terminated	869,771	1,356,026	1,445,101	1,568,087	80.3	15.6	8.5
Cases Pending	1,110,428	1,377,985	1,618,262 <sup>2</sup>	1,712,171	54.2	24.3	5.8
<b>Federal Probation System</b>							
Persons Under Supervision	89,103	97,190	108,792	110,621	24.1	13.8	1.7
Presentence Reports	44,434	61,207	63,668 <sup>2</sup>	67,744	52.5	10.7	6.4
<b>Pretrial Services</b>							
Total Cases Activated	58,343	82,172	91,314	97,317	66.8	18.4	6.6
Pretrial Services Cases	56,070	80,154	89,421	95,492	70.3	19.1	6.8
Pretrial Diversion Cases	2,273	2,018 <sup>2</sup>	1,893	1,825	-19.7	-9.6	-3.6
Total Released on Supervision	30,016	32,483	34,880	35,524	18.4	9.4	1.8
Pretrial Supervision	27,507	30,262	32,808	33,681	22.4	11.3	2.7

<sup>1</sup> Excludes the U.S. Court of Appeals for the Federal Circuit.

<sup>2</sup> Revised.