



NEWS RELEASE

Administrative Office of the U.S. Courts

March 13, 2002

Contact: Karen Redmond

Federal Courts Caseload in Fiscal Year Continues at High Levels

Caseloads in the federal courts during fiscal year 2001 continued near or exceeded FY 2000 caseload levels, according to statistics released by the Administrative Office of the U.S. Courts. The Judiciary's 2001 fiscal year, the 12-month period from October 1 to September 30, established a new high for appeals cases, and saw the overall criminal caseload dip by 0.1 percent--just 37 cases --from the highest totals reported since 1933. Bankruptcy filings grew 14 percent during the Judiciary's fiscal year. The civil caseload fell, but by only 3 percent. The complete statistical report for FY 2001 is available in *Judicial Business of the United States Courts 2001*, at <http://www.uscourts.gov/judbususc/judbus.html>.

U.S. Courts of Appeals

For the sixth consecutive year, appeals filed in the federal courts of appeals broke records. FY 2001 filings in the 12 regional courts of appeals rose 5 percent to 57,464, the seventh successive year of growth in filings. The overall growth was due to increases in original proceedings (up 48 percent), criminal appeals (up 5 percent), administrative agency appeals (up 2 percent), and civil appeals (up 1 percent). Bankruptcy appeals dropped only 5 percent.

Original proceedings have risen each year since 1998, when motions requesting authority to file second or successive habeas corpus prisoner petitions and pro se mandamus petitions for which fees were not paid at filing were first added to the general docket for the courts of appeals.

Appeals related both to immigration laws, and to weapons and firearms, fueled the second consecutive year of growth in criminal appeals. Since 1997, the number of appeals related to immigration laws has climbed a staggering 297 percent. Civil appeals filings, which had declined for two years, rose 1 percent in 2001, primarily due to a 30 percent jump in prisoner petition motions to vacate sentence. An increase in appeals of decisions by the Occupational Safety and Health Administration, National Labor Relations Board and the Immigration and Naturalization Service led to a 2 percent rise in filings of administrative agency appeals. Meanwhile, bankruptcy appeals, which accounted for less than 2 percent of all appeals filed, fell for the third consecutive year, dropping 5 percent to their lowest level since 1983.

(MORE)

U.S. District Courts

Criminal Filings

Filings of criminal cases in FY 2001 dropped just 37 cases from FY 2000 levels to 62,708. Similarly, the number of defendants decreased less than 1 percent to 83,252. This slight dip in filings follows six consecutive years of growth. Although many courts reported lower criminal filings than expected for the month of September, no clear connection to the events of September 11 has been made at this point.

Federal courts reported a record level of weapons and firearms filings, and drug cases grew 5 percent. Three of the five southwestern border districts received the highest number of drug cases in the nation. The Western District of Texas had 2,296 cases, the Southern District of California had 1,682 cases, and the Southern District of Texas had 1,499 cases. For the first time since 1992, immigration filings declined, falling 7 percent to 11,277. Fraud cases also fell, by 3 percent.

Since 1997, criminal cases (excluding transfers) have jumped 25 percent. This increase stemmed largely from growth in filings involving immigration (up 69 percent), drugs (up 35 percent), and firearms law violations (up 84 percent).

Civil Filings

Civil filings in the district courts fell 3 percent to 250,907. Filings with the U.S. as plaintiff or defendant fell 11 percent, primarily as a result of a 46 percent decrease in cases with the U.S. as plaintiff seeking the recovery of overpayments and enforcement of judgments. A 47 percent drop in student loan recovery filings was a major factor in this substantial decline. The Department of Education has implemented new administrative measures that caused fewer student loan cases to be filed in the federal courts. A 17 percent decrease in forfeiture and penalty cases, most of them involving drug-related seizures of property, also contributed to the overall reduction in cases filed with the U.S. as plaintiff. Officials at the Department of Justice have indicated that, with the passage of the Civil Asset Forfeiture Reform Act in 2000, the federal government now requires a higher standard of proof before these cases can be filed in court.

Filings with the U.S. as defendant increased 10 percent, largely due to a 23 percent surge in federal prisoner petitions and an 8 percent rise in social security filings. Motions to vacate sentence filed by federal prisoners grew 36 percent. Federal habeas corpus (excluding death penalty) prisoner petitions rose 15 percent. In 2001, social security filings related to disability insurance and supplemental security income grew 6 percent and 9 percent, respectively.

Total private cases remained stable. Filings related to federal question jurisdiction fell less than 1 percent, while diversity of citizenship and civil rights filings rose less than 1 percent.

(MORE)

Trials Completed

District court trials include proceedings resulting in jury verdicts or other final judgments, as well as other contested hearings at which evidence is presented. In 2001, the number of civil and criminal trials completed in the U.S. district courts declined 8 percent, with most of the decrease due to an 18 percent reduction in total civil trials. The number of criminal trials has increased 3 percent over the past five years, 4 percent from 2000 to 2001. Nonjury criminal trials jumped 13 percent, largely because of increases in hearings on contested proceedings.

Criminal Justice Act Appointments

In 2001, a total of 123,968 appointments of counsel were made under the Criminal Justice Act (CJA), an increase of 5 percent over the 118,494 appointments in 2000. The CJA provides funding for the representation of individuals with limited financial resources in federal criminal proceedings. Representations closed by the 70 federal or traditional community defender organizations rose 6 percent in FY 2001 to 70,703. The growth in representations occurred mainly in four districts along the southwestern border of the U.S.: the Western and Southern Districts of Texas, the District of Arizona, and the Southern District of California.

Probation and Pretrial Services

The number of persons under supervision in the federal court system on September 30, 2001, was 104,715, a 4 percent increase over the number reported on September 30, 2000. Persons serving terms of supervised release constituted 65 percent of all persons under supervision. Over the last decade, both the number and percentage of convicted defendants sentenced to prison have risen, and this has contributed to the growth in persons serving terms of supervised release. From 1991 to 2001, the number of convicted defendants sentenced to prison soared 83 percent.

The number of defendants in pretrial services cases opened in 2001 rose 1 percent to 86,140. Pretrial services officers prepared 82,709 pretrial services reports, up 1 percent. Federal judges conducted 194,693 pretrial hearings in 2001.

Fiscal Year Bankruptcy Filings

Following two years of decline, bankruptcy filings climbed 14 percent to 1,437,354, a fiscal year record. Overall, bankruptcy filings increased under all chapters of the bankruptcy code except for chapter 12. In fiscal year 2001, nonbusiness filings rose 14 percent with increases under all chapters of the bankruptcy code, while business filings increased 7 percent. Only three of the 94 districts reported declines in petitions in 2001. In 2001, cases per judgeship numbered 4,436, up 48 percent from the 2,998 cases in 1992, when the last new bankruptcy judgeships were created. Bankruptcy filings have continued to rise. The federal Judiciary recently released statistics for calendar year bankruptcy filings, showing that filings increased 19 percent in the 12-month period ending December 31, 2001.

Judicial Caseload Indicators
Fiscal Years 1992, 1997, 2000, and 2001

| Judicial Caseload | 1992 | 1997 | 2000 | 2001 | % Change Since 1992 | % Change Since 1997 | % Change Since 2000 |
|---|-----------|---------------------|------------------------|-----------|------------------------|------------------------|------------------------|
| U.S. Courts of Appeals¹ | | | | | | | |
| Cases Filed | 47,013 | 52,319 | 54,697 | 57,464 | 22.2 | 9.8 | 5.1 |
| Cases Terminated | 44,373 | 51,194 | 56,512 | 57,422 | 29.4 | 12.2 | 1.6 |
| Cases Pending | 35,799 | 39,846 | 40,261 ² | 40,303 | 12.6 | 1.1 | 0.1 |
| U.S. District Courts | | | | | | | |
| Criminal (Includes Transfers) | | | | | | | |
| Cases Filed | 48,366 | 50,363 | 62,745 | 62,708 | 29.7 | 24.5 | -0.1 |
| Defendants Filed | 68,668 | 70,201 | 83,963 | 83,252 | 21.2 | 18.6 | -0.8 |
| Cases Terminated | 44,147 | 46,887 | 58,102 | 58,718 | 33.0 | 25.2 | 1.1 |
| Cases Pending | 34,078 | 37,237 | 47,677 ² | 51,677 | 51.6 | 38.8 | 8.4 |
| Civil | | | | | | | |
| Cases Filed | 230,509 | 272,027 | 259,517 | 250,907 | 8.8 | -7.8 | -3.3 |
| Cases Terminated | 231,304 | 249,641 | 259,637 | 248,174 | 7.3 | -0.6 | -4.4 |
| Cases Pending | 218,824 | 272,602 | 250,202 ² | 252,935 | 15.6 | -7.2 | 1.1 |
| U.S. Bankruptcy Courts | | | | | | | |
| Cases Filed | 977,478 | 1,367,364 | 1,262,102 | 1,437,354 | 47.0 | 5.1 | 13.9 |
| Cases Terminated | 900,719 | 1,223,967 | 1,256,874 | 1,301,016 | 44.4 | 6.3 | 3.5 |
| Cases Pending | 1,220,102 | 1,326,136 | 1,378,139 ² | 1,514,477 | 24.1 | 14.2 | 9.9 |
| Federal Probation System | | | | | | | |
| Persons Under Supervision | 85,920 | 91,434 | 100,395 | 104,715 | 21.9 | 14.5 | 4.3 |
| Presentence Reports | 49,567 | 52,174 | 63,666 | 63,028 | 27.2 | 20.8 | -1.0 |
| Pretrial Services | | | | | | | |
| Total Cases Activated | 60,478 | 71,107 | 87,513 | 88,049 | 45.6 | 23.8 | 0.6 |
| Pretrial Services Cases | | | | | | | |
| Activated | 58,098 | 69,283 | 85,617 | 86,140 | 48.3 | 24.3 | 0.6 |
| Pretrial Diversion Cases | | | | | | | |
| Activated | 2,380 | 1,824 | 1,896 | 1,909 | -19.8 | 4.7 | 0.7 |
| Total Released on Supervision | | | | | | | |
| Total Released on Supervision | 26,255 | 28,629 ² | 34,547 | 35,082 | 33.6 | 22.5 | 1.5 |
| Pretrial Supervision | 24,013 | 26,433 ² | 32,388 | 33,033 | 37.6 | 25.0 | 2.0 |
| Diversion Supervision | 2,242 | 2,196 ² | 2,159 | 2,049 | -8.6 | -6.7 | -5.1 |

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

²Revised.