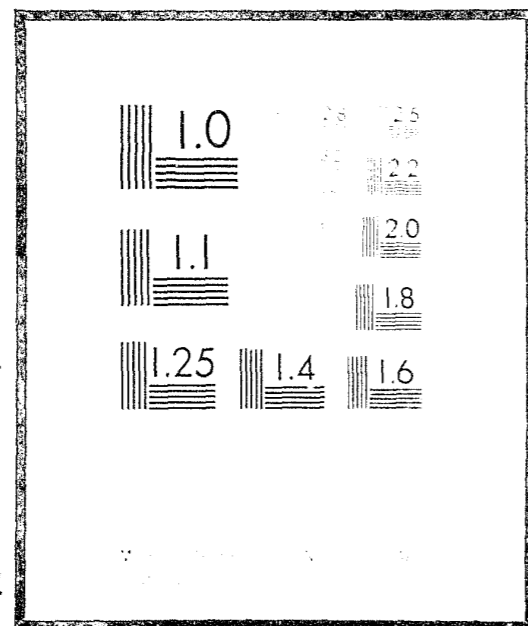


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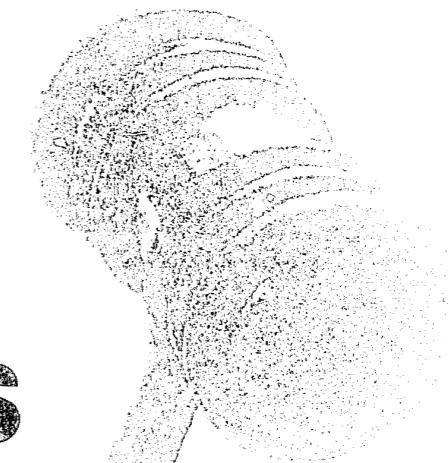
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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

2/4/77

3 a n o r i l m e d

THE UNITED STATES COURTS



a
pictorial
summary

*Published by the
Administrative Office of
the United States Courts*

**FISCAL
YEAR 1976**

37007

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OCT 19 1976

ACQUISITIONS

THE UNITED STATES COURTS

a **FISCAL**
pictorial **YEAR**
summary **1976**

*Published by the
Administrative Office of
the United States Courts*

Rowland F. Kirks, Director



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THE BUSINESS OF THE UNITED STATES COURTS

Among the many reports issued by the Administrative Office of the United States Courts this pictorial summary has received the widest attention, possibly due to its brevity and direct illustration as to the workload, accomplishments, expenditures and staffing components of the United States Judiciary. Thus, in this capsule form are provided the more significant matters observed during the 12 month period ended June 30, 1976.

UNITED STATES COURTS OF APPEALS

New appeals commenced in the eleven courts of appeals increased by 10.5% and though there was an increase in cases closed (2.7%), the June 30, 1976 pending figure reached 14,110 or 436 cases per three judge panel. This can be compared to 196 cases per three judge panel pending prior to the last omnibus judgeship bill of 1968. Thus in nine years the pending caseload per panel for the courts of appeals increased by 122%.

	<u>1975</u>	<u>1976</u>	<u>% Change</u>
Cases Filed	16,658	18,408	10.5
Cases Terminated	16,000	16,426	2.7
Cases Pending	12,128	14,110	16.3

UNITED STATES DISTRICT COURTS

CIVIL CASES

The 130,597 civil cases filed in the 12-month period was 11.3% greater than the same period a year ago. While cases closed increased by 5,392 over last year, the growth in new filings again provided a record year-end pending caseload of 140,189 or 17.1% more than the close of last year.

Contributing to the increase in new filings was a 77% rise in Social Security cases. The majority of these were cases filed by coal miners or their dependents seeking review of decisions of the Social Security Administration regarding "black lung" disabilities. Such filings reached 4,908 in 1976, 76% greater than a year ago.

Filings of real property actions brought by the Federal government increased 30.6%. These included land condemnation cases which though filed at a substantially greater pace than in previous years tended to reflect a revised method of counting such cases. The result was that tracts regarded as economic units were filed as cases. In previous years before the adoption by several districts of the Judicial Conference guidelines for filing such cases, a single declaration of taking often included numerous tracts as one case.

Civil rights cases increased by 19%. Labor suits filed climbed by 17%; and copyright, patent and trademark litigation rose by 16%.

Petitions filed by both state and federal prisoners showed a modest increase of 2.6%. State prisoners shared all of the increase since petitions filed by federal prisoners declined by 5.3%

Civil litigation which experienced declines were: Motor vehicle personal injury, down by 11%; and matters filed in regard to alleged violations of Securities, Commodities and Exchange laws dropped by 7.4%

	<u>1975</u>	<u>1976</u>	<u>% Change</u>
Cases Filed	117,320	130,597	11.3
Cases Terminated	104,783	110,175	5.1
Cases Pending	119,767	140,189	17.1

CRIMINAL CASES

Criminal cases filed in the U.S. district courts declined by 5.3% in fiscal year 1976. This decline can be attributed in part to the implementation of reporting provisions pursuant to the Speedy Trial Act of 1974 (P.L. 93-619) approved January 3, 1975. These provisions contained two factors which affect the criminal statistics; the first tends to increase the statistics and the second has a negative effect on the figures.

The first factor added minor offenses to the recording of criminal cases on the court's main docket. Such cases though handled almost exclusively by U.S. Magistrates must now be recorded as part of the criminal docket of the district court. These cases would tend to raise the count of criminal cases.

The other measure which tends to depress the count of original proceedings filed in district courts is that superseding indictments or information are no longer counted as new cases when the government moves to dismiss the earlier original criminal case. It will take a couple of years before the full impact of these changes takes effect.

Through a substantial effort by district judges, the number of criminal cases pending in the district courts declined by 11.8% over June 30, 1975. This was the lowest number of pending criminal cases recorded since the 17,770 on hand on June 30, 1969.

	1975	1976	% Change
Cases Filed*	43,282	41,020	-5.2
Cases Terminated*	43,515	43,675	0.4
Cases Pending	22,411	19,756	-11.8

*Includes Transfers.

TRIALS COMPLETED

Though the public generally regards a judge on the bench as an indication that the judicial process is being expedited, students of the courts note that matters handled on cases in chambers also move cases to final determination. Nevertheless, trials represent a substantial amount of the work of the court and the past 12-month period has been no exception.

There were 19,580 civil and criminal trials completed in the 12 month period, up 1.8% over last year. Civil trials which increased by half a percent have been overshadowed by the increase of 3.8% in criminal trials. This increase reflects the efforts of the district courts to try every defendant who requests a trial within the time limits expressed in the district's Federal Rules of Criminal Procedure Rule 50b plans.

Beginning July 1, 1976 these time limits have been recast under the provisions of the Speedy Trial Act of 1974 into the interim time limits from arrest to arraignment, to indictment and to trial. Except for 1973 when there were 8,571 criminal trials, the 1976 figure of 7,924 is the highest number of criminal trials ever recorded.

	1975	1976	% Change
Total	19,236	19,580	1.8
Civil	11,603	11,656	0.5
Criminal	7,633	7,924	3.8

JUROR USAGE

The district courts, while maintaining a good record for the utilization of petit jurors, recorded a slight increase in the national Juror Usage Index (JUI), from 19.32 last year to 19.73 during the most recent 12-month period. This means that approximately 20 jurors

were required for conducting each jury trial day. This year, 592,594 jurors were called and available for jury service - an increase of 8.4% over the 546,627 jurors called in 1975. Correspondingly, the number of jury trial days increased by 6.1%, from 28,293 jury trial days in 1975 to 30,032 days in 1976.

The collection of data on the use of grand jurors and juries in the district courts began in 1975 with 1976 being the second full year on which statistics are available. The number of grand jury sessions convened increased by 7.1% from 7,846 sessions in 1975 to 8,404 sessions convened this past year. The number of jurors involved in these sessions increased by 7.1% with 167,185 grand jurors serving in this past year as compared to 156,167 jurors in 1975.

<u>Petit Juror Utilization</u>		1975	1976	% Change
Juror Usage Index		19.32	19.73	2.1
Percent Selected or Serving		60.1	60.2	-
Percent Challenged		16.1	15.6	-
Percent Not Selected or Serving or Challenged		23.8	24.1	-
<u>Grand Jury</u>		1975	1976	% Change
Total Number in Existence in the 12 Month Period		570	605	6.1
Sessions Convened		7,846	8,404	7.1
Jurors in Session		156,167	167,185	7.1
Hours in Session		41,421	44,765	8.1

FEDERAL PROBATION SERVICE

There was a minor decrease of 1.5% in the number of persons received for supervision by the Federal Probation Service during 1976, as criminal filings declined and criminal dispositions remained at the previous year's level. There was a decline of 1.6% in new court probationers, and a decline in both parolees (down 20.3%) and mandatory releases (down 19.6%) received from federal correctional institutions. Increases of 9.7 percent in persons placed on probation by the United States magistrates and of 49.7% in the number of persons placed on deferred prosecution helped to offset the decline in court probation and institutional releases to supervision.

Persons removed from supervision increased by almost 10%. However, this high percentage accounted for little change in the number of persons under supervision on June 30, 1976. Overall, during fiscal year 1976, the Federal Probation Service provided supervision to 108,881 persons at some time during the year. With this substantial supervision workload the Probation Service also prepared 102,334 investigative reports, 11% more than in 1975. Of these reports, 32,193 were presentence investigations ordered by the court.

	1975	1976	% Change
Persons Received*	45,291	44,620	-1.5
Persons Removed*	40,645	44,635	9.8
Persons Under Supervision on June 30	64,261	64,246	-
Investigative Reports	91,863	102,334	11.4

BANKRUPTCY CASES

A downturn of 3.1% in new bankruptcy case filings reverses a two-year trend and when comparing the 1974 to 1975 increase of 34.3%, it appears that the peak in bankruptcy filings has been passed. The strong increase in case closings of 23.3% still did not keep pace with filings. The result was a 3.3% increase to a new record of pending bankruptcy cases.

	<u>1975</u>	<u>1976</u>	<u>% Change</u>
Cases Filed	254,484	246,549	-3.1
Cases Terminated	192,792	237,793	23.3
Cases Pending	262,283	271,039	3.3

U.S. MAGISTRATES

The overall duties performed by U.S. magistrates numbered 252,124 in 1976, down 1.2% from 1975. U.S. magistrates rendered more assistance to the district courts in trial jurisdiction in 1976 than in any previous year. The 90,166 trial matters handled by federal magistrates increased 6.7% over 1975 and 25.1% over 1972 when comparable statistics were first collected.

Preliminary proceedings in criminal cases dropped by 16.7% with most of the decrease accounted for by a drop of 16.4% in bail proceedings which was anticipated by the decline in criminal filings in the district courts. The 48,616 bail hearings can be compared to 64,518 such hearings in 1972. The five-year decline amounts to 24.6%.

Additional duties delegated to U.S. magistrates by the district courts under provisions of 28 U.S.C. §636(b) increased substantially. Contributing to the 16.8% increase in criminal proceedings handled by U.S. magistrates were 18,694 post-indictment arraignments, which increased 18.5%.

The continuing effort of U.S. magistrates to expedite civil litigation is reflected in the 9.6% increase in such proceedings. A major portion of this increase can be attributed to the review of discovery and other motions which climbed to 9,583 or 20.7% over 1975. Prisoner petitions handled by U.S. magistrates declined to 8,231 compared to 8,464 in 1975. This represents the first decline since 1972.

	<u>1975</u>	<u>1976</u>	<u>% Change</u>
Total Matters Handled	255,061	252,144	-1.1
Trial Jurisdiction Cases	84,505	90,166	6.7
Preliminary Proceedings in Criminal Cases	103,326	86,084	-16.7
Additional Duties			
Criminal	30,464	35,596	16.8
Civil	36,766	40,298	9.6

CRIMINAL JUSTICE ACT

In the 12 months ended June 30, 1976 the average payment to counsel appointed under provisions of the Criminal Justice Act of 1974 rose to \$355 for district courts and \$755 for representations in courts of appeals.

A total of 44,992 persons were represented in the district courts during 1976. These were divided into 29,029 representations by C.J.A. panel attorneys and 15,983 representations by 22 Federal Public Defender offices and eight Community Defender organi-

zations. In the courts of appeals the representations were respectively, 2,332 and 656.

THE JUDICIAL DOLLAR

During the 12 months ended June 30, 1976, the salaries of judges, their staffs and personnel in the offices of the clerks of court accounted for 33% of the judicial expenditures, exclusive of the Supreme Court. Nineteen cents of each dollar were required for space and facilities, including furnishings.

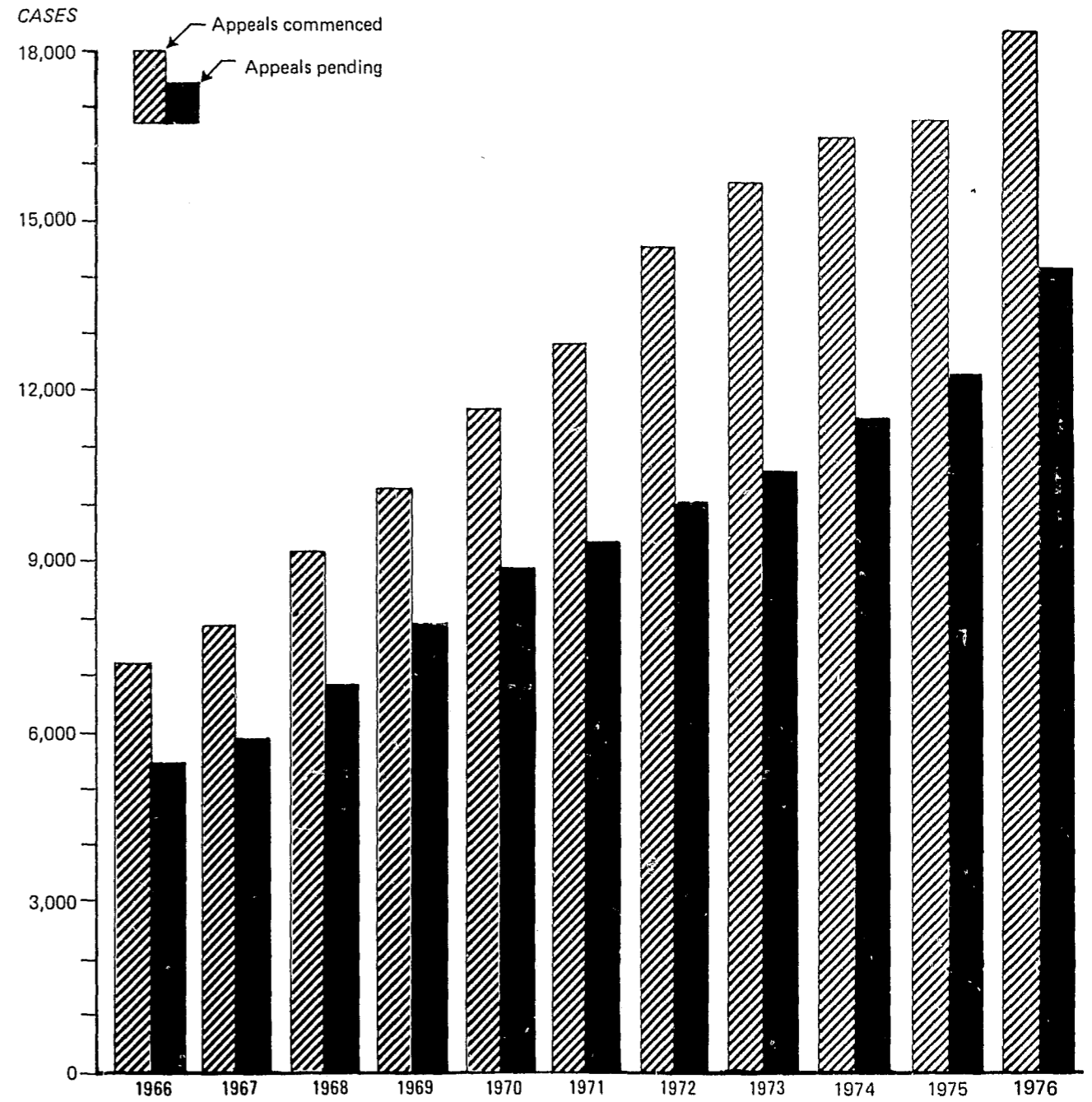
PERSONNEL IN THE UNITED STATES JUDICIARY

This past year there were 11,290 judicial personnel. Nearly half of these were comprised of judges, their staffs and personnel in the clerks' offices. Whereas there was an actual decline in the number of judges over last year, supporting personnel for the judges as well as the clerks' offices increased by 9.1%, well below the workload increase described elsewhere in this report.

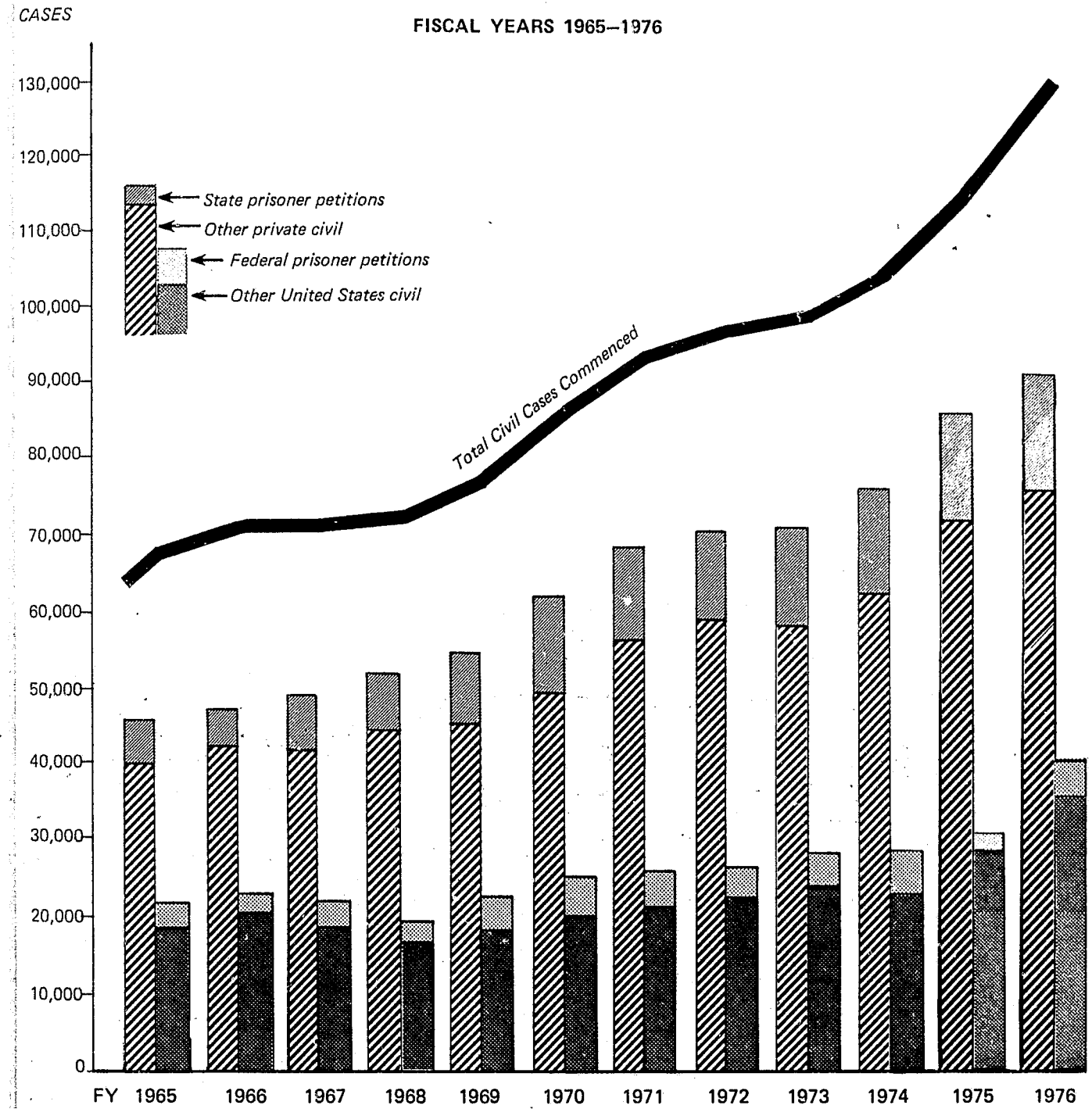
U.S. magistrates and their staffs accounted for 6.5% of the judicial personnel; bankruptcy judges and their staffs represented 11.5% and probation officers and their supporting staffs comprised 23.3% of the total personnel.

APPEALS COMMENCED AND PENDING

FISCAL YEARS 1966-1976



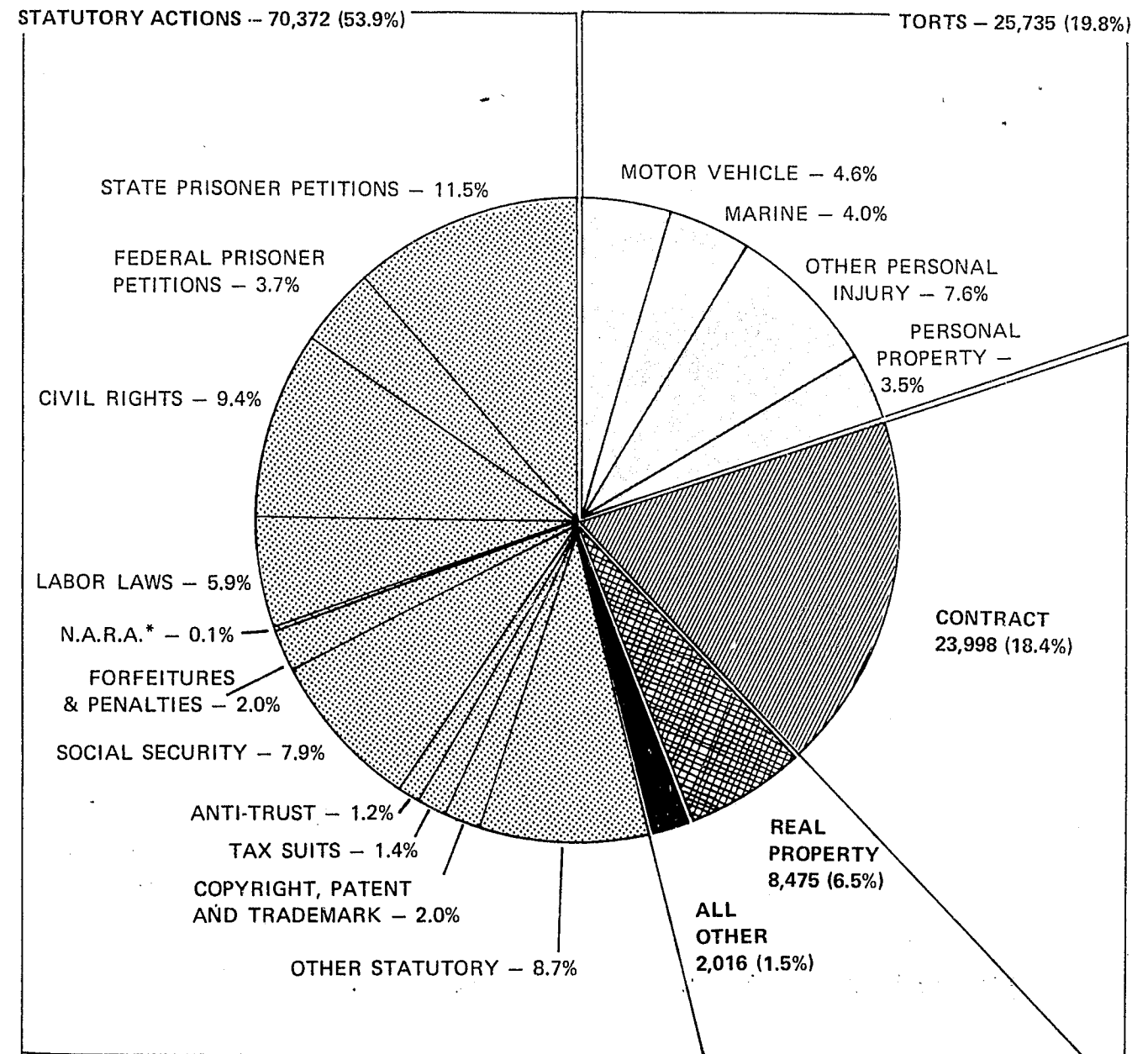
CIVIL CASES COMMENCED



CIVIL CASES COMMENCED

FISCAL YEAR 1976

TOTAL CIVIL CASES: 130,597

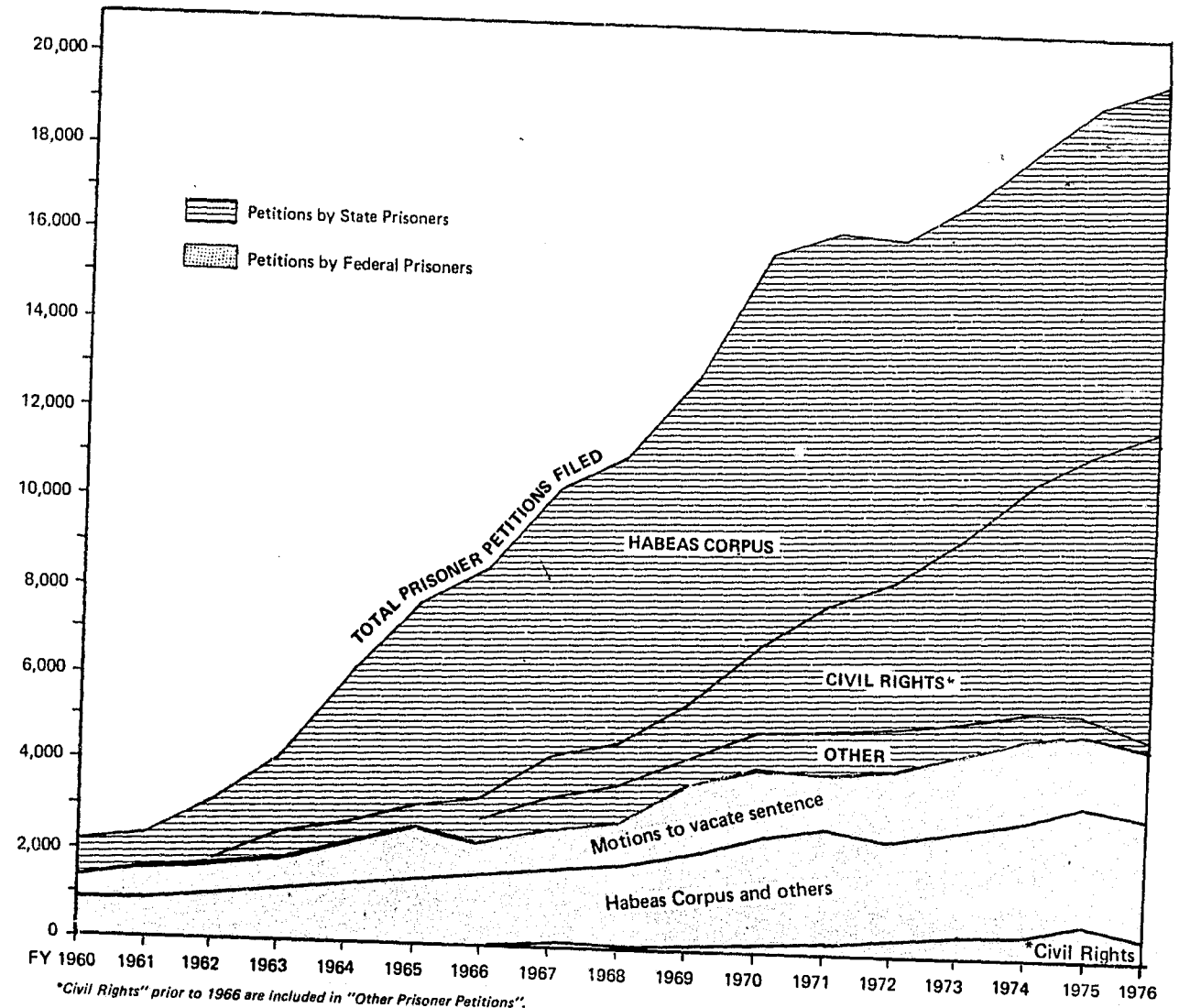


*Narcotic Addict Rehabilitation Act of 1966, Title III.

PETITIONS FILED BY STATE AND FEDERAL PRISONERS

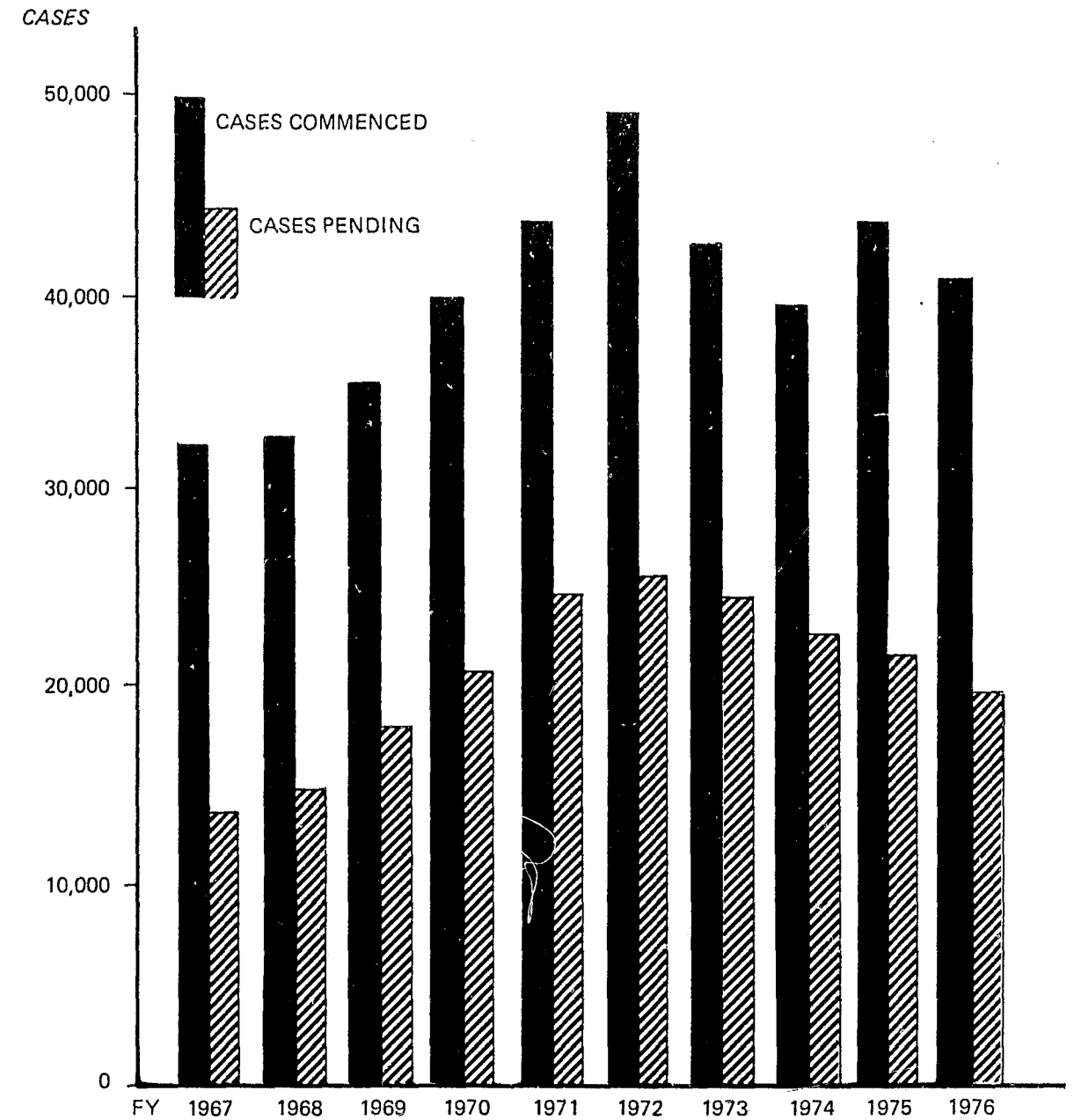
FISCAL YEARS 1960--1976

NUMBER OF PETITIONS



CRIMINAL CASES COMMENCED* AND PENDING

FISCAL YEARS 1967-1976

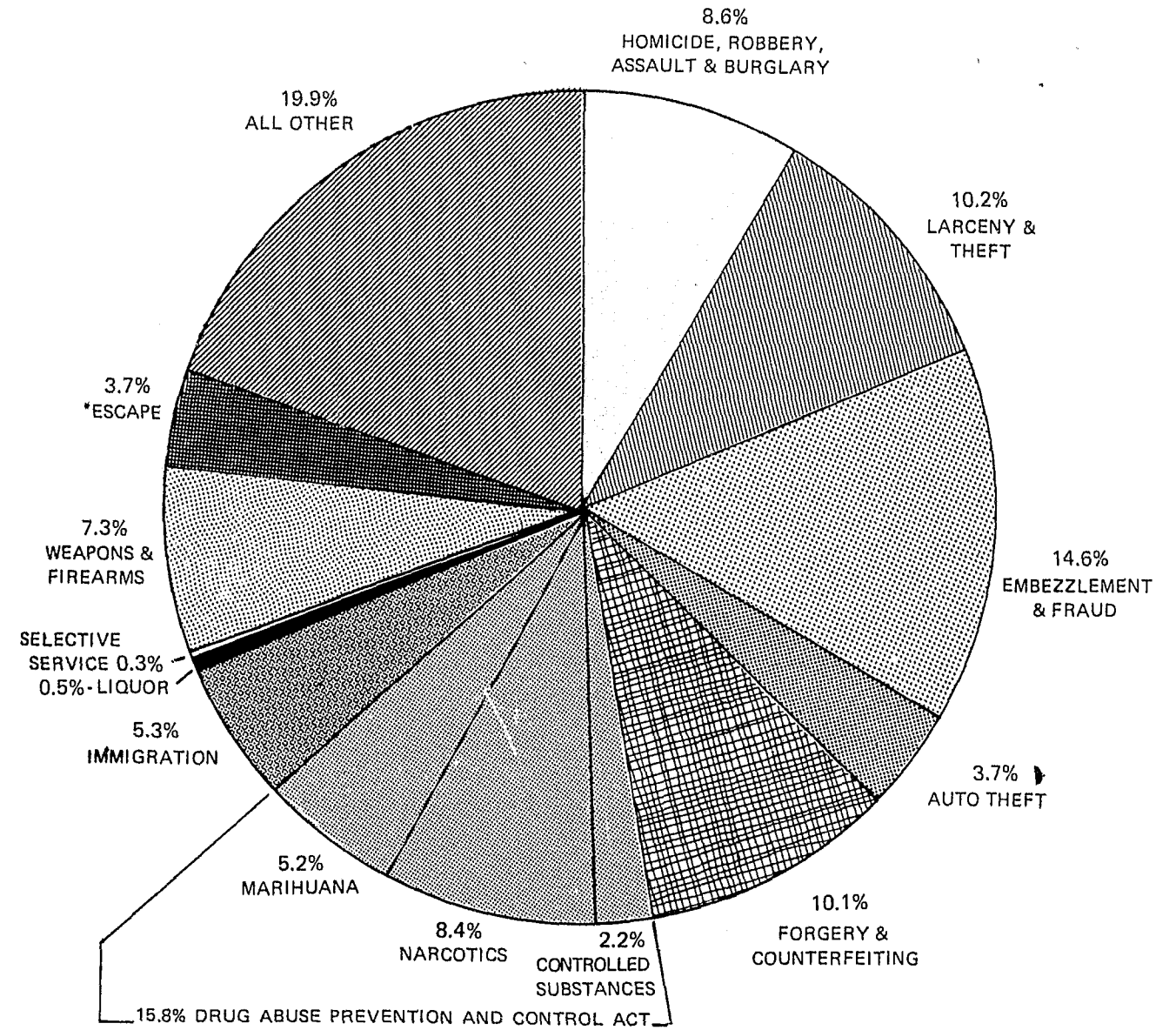


*Includes transfers.

CRIMINAL CASES COMMENCED BY OFFENSE¹

FISCAL YEAR 1976

TOTAL CRIMINAL CASES: 39,147



*Escape from custody, aiding or abetting an escape, failure to appear in court and bail jumping.

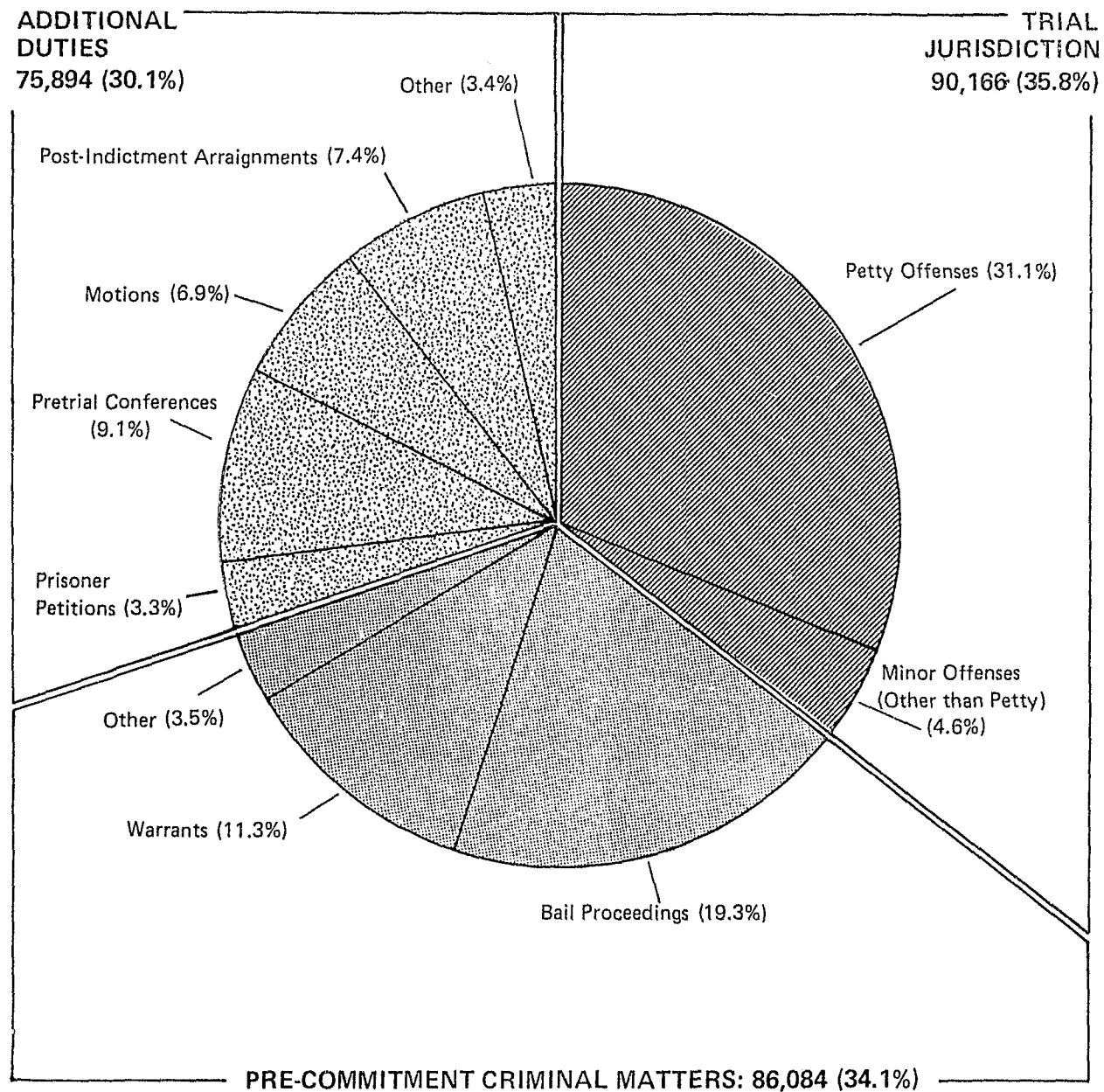
¹Includes all offenses reported filed in the federal district courts in accordance with reporting changes necessitated by the implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975).

All figures exclude transfers.

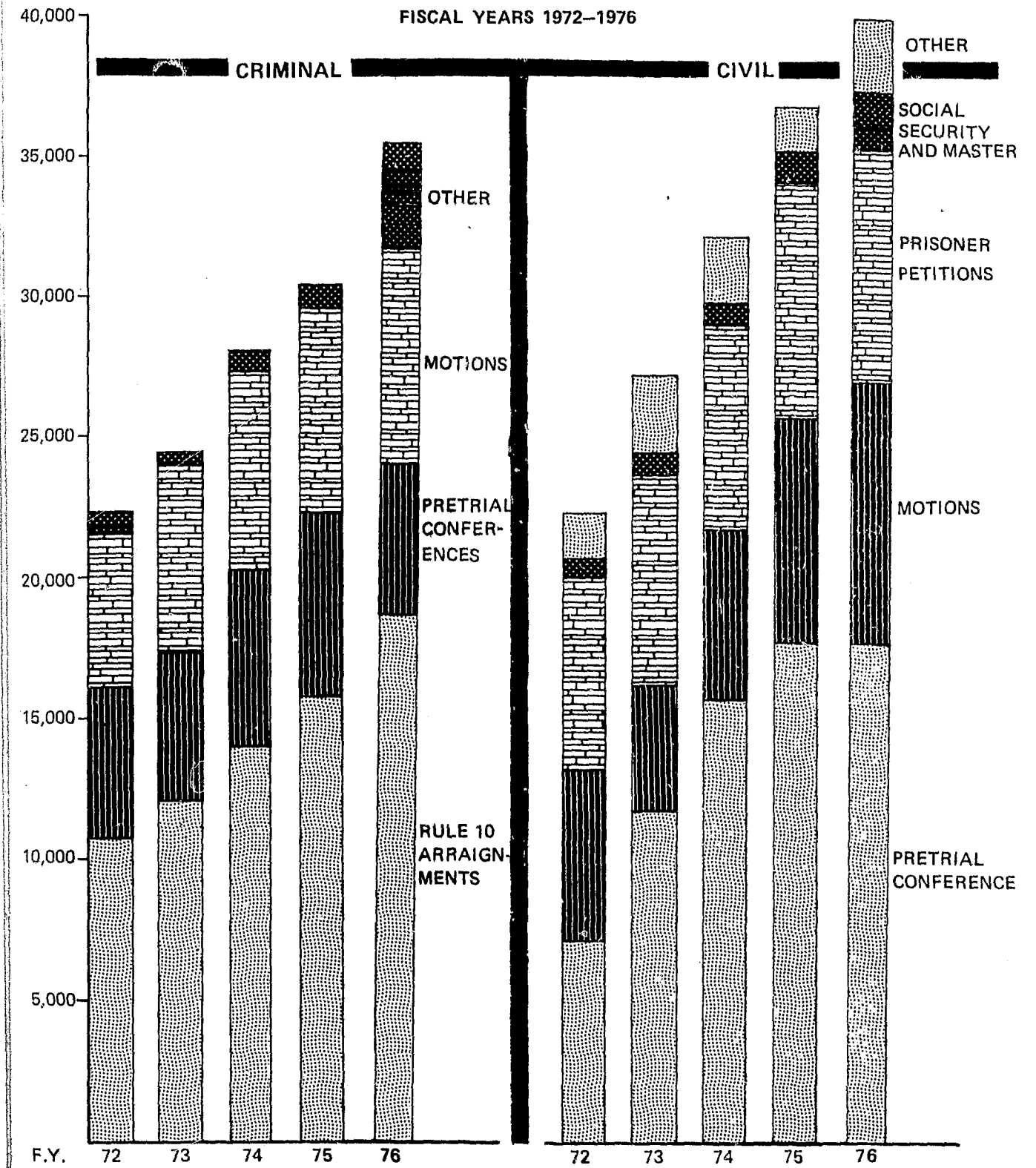
DUTIES PERFORMED BY UNITED STATES MAGISTRATES

FISCAL YEAR 1976

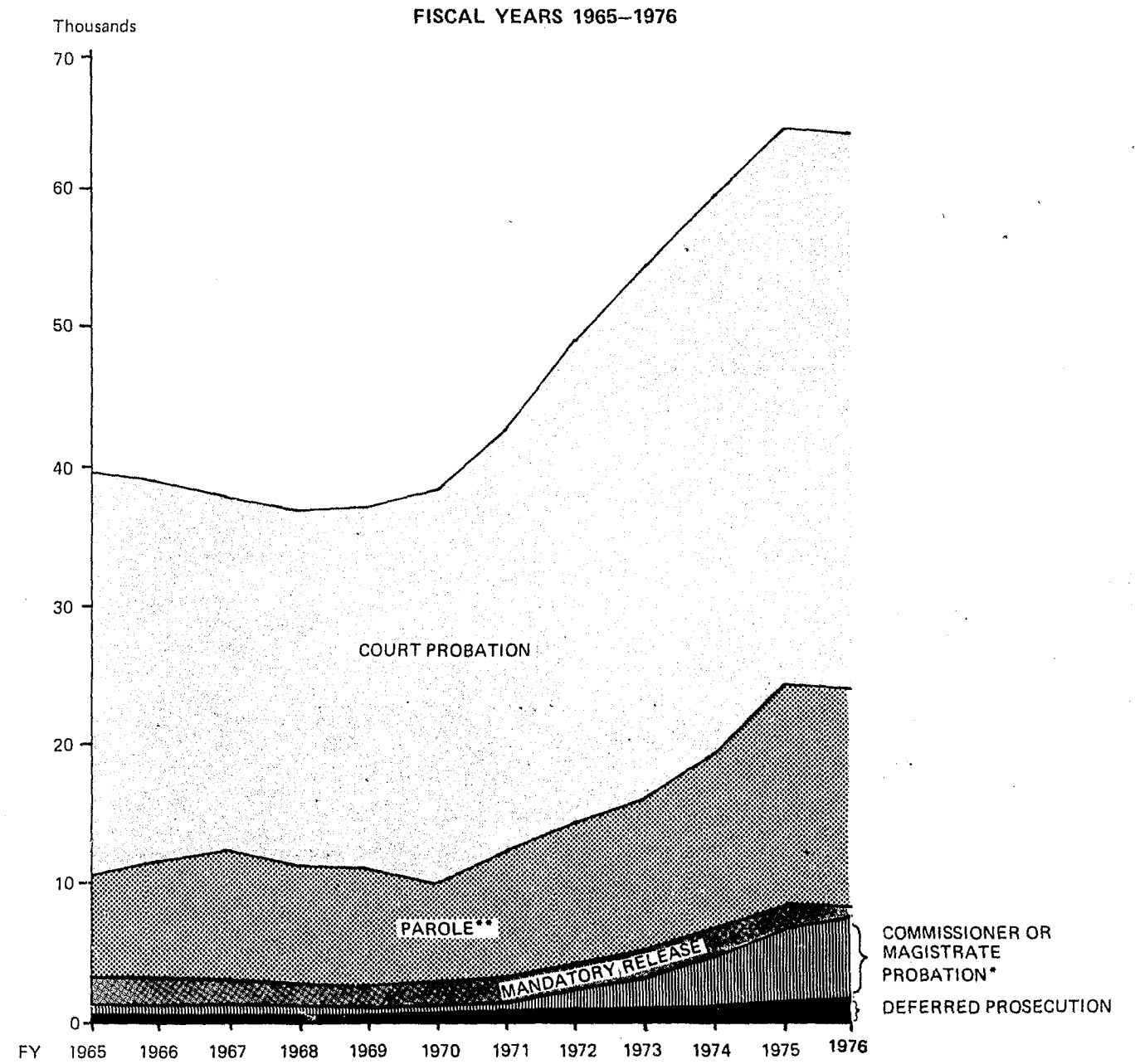
Total (all matters) = 252,144 (100%)



"ADDITIONAL DUTIES" PERFORMED BY U.S. MAGISTRATES UNDER 28 U.S.C. 636(b)



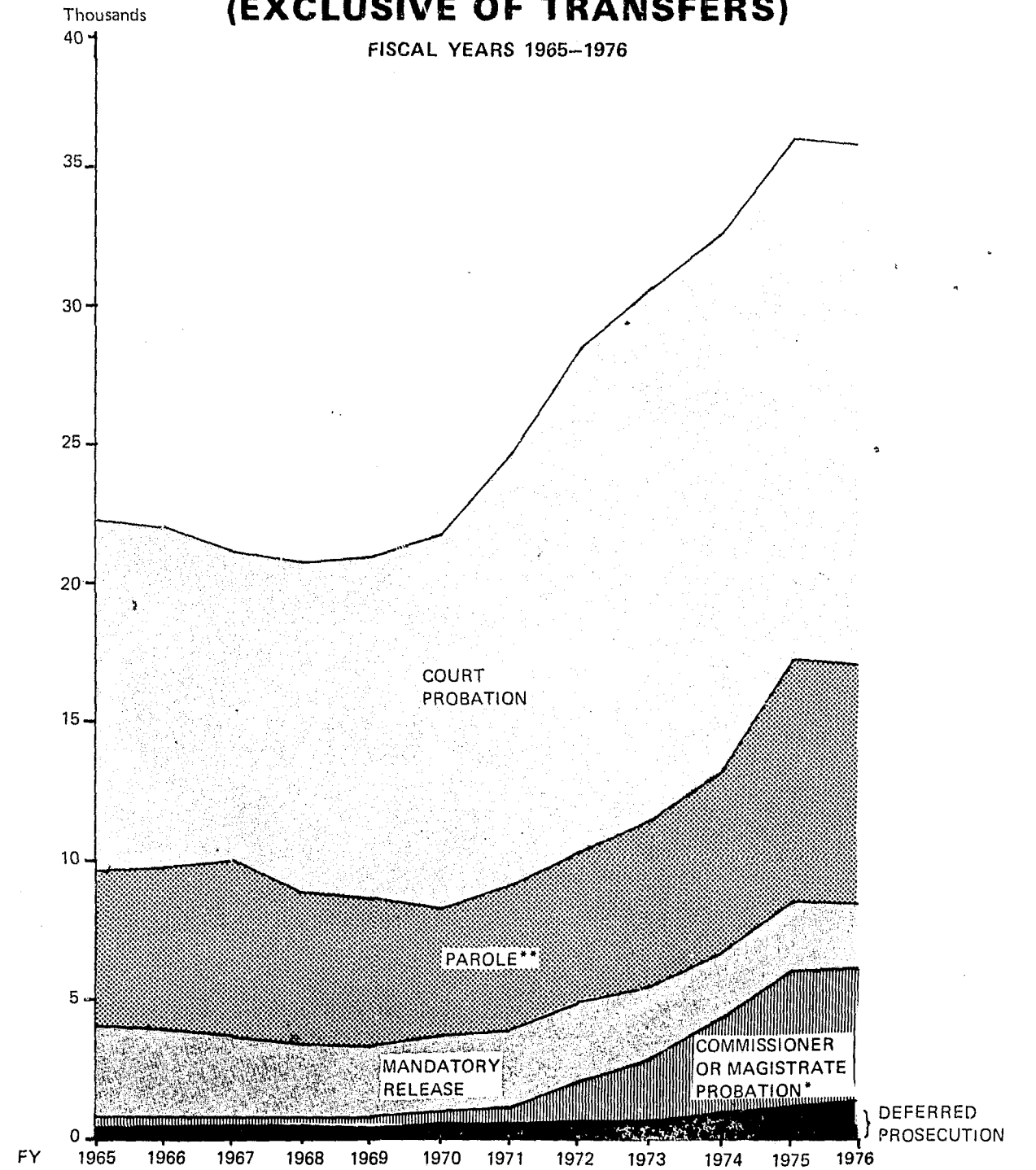
PERSONS UNDER SUPERVISION OF THE FEDERAL PROBATION SERVICE ON JUNE 30 BY TYPE OF SUPERVISION



* The Federal Magistrates Act came into full effect as of July 1, 1971.

** Includes Military Parole and Special Parole

TYPE OF SUPERVISION FOR PERSONS RECEIVED BY THE FEDERAL PROBATION SERVICE (EXCLUSIVE OF TRANSFERS)



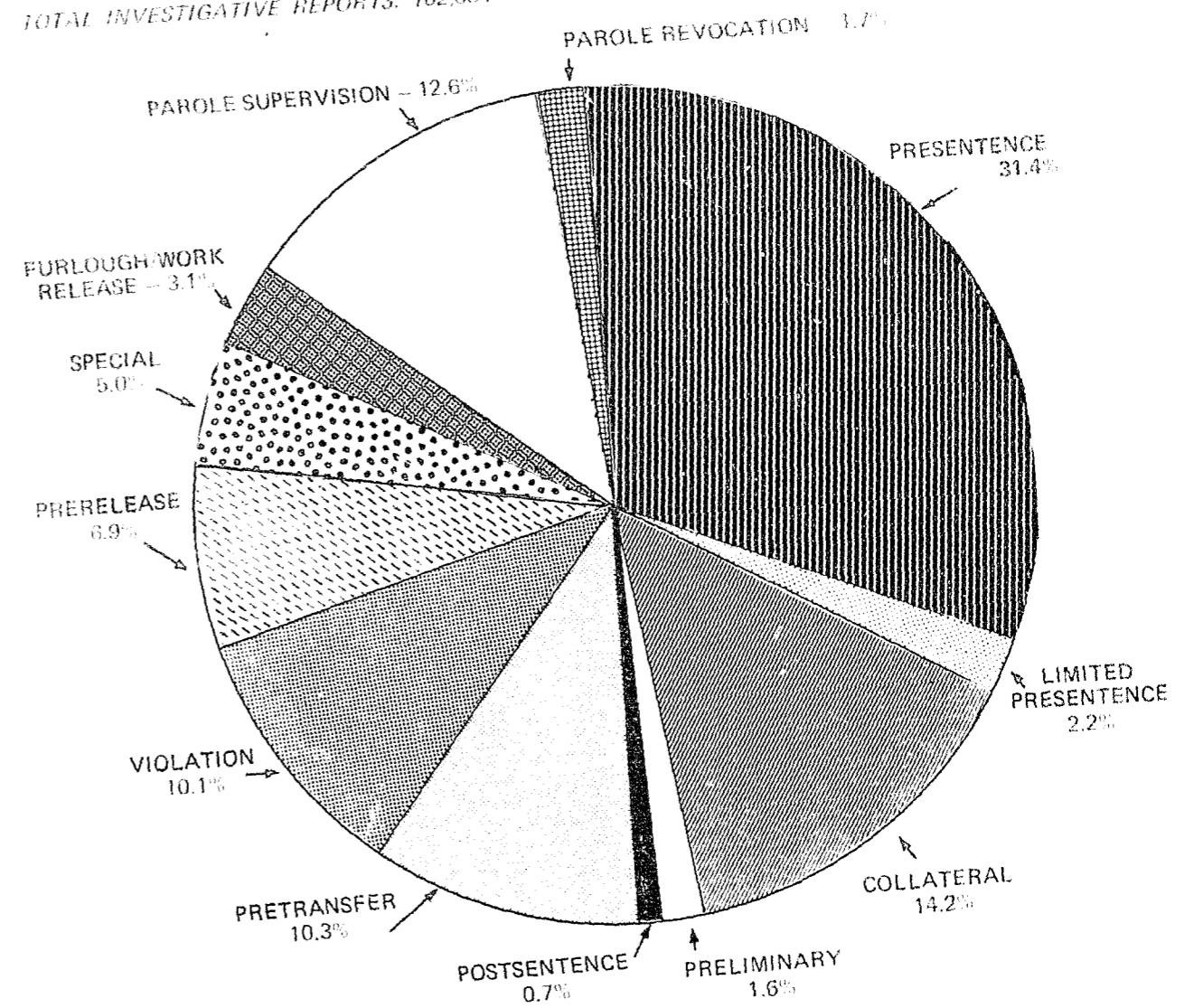
* The Federal Magistrates Act came into full effect as of July 1, 1971.

** Includes Military Parole and Special Parole.

INVESTIGATIVE REPORTS BY PROBATION OFFICERS

FISCAL YEAR 1976

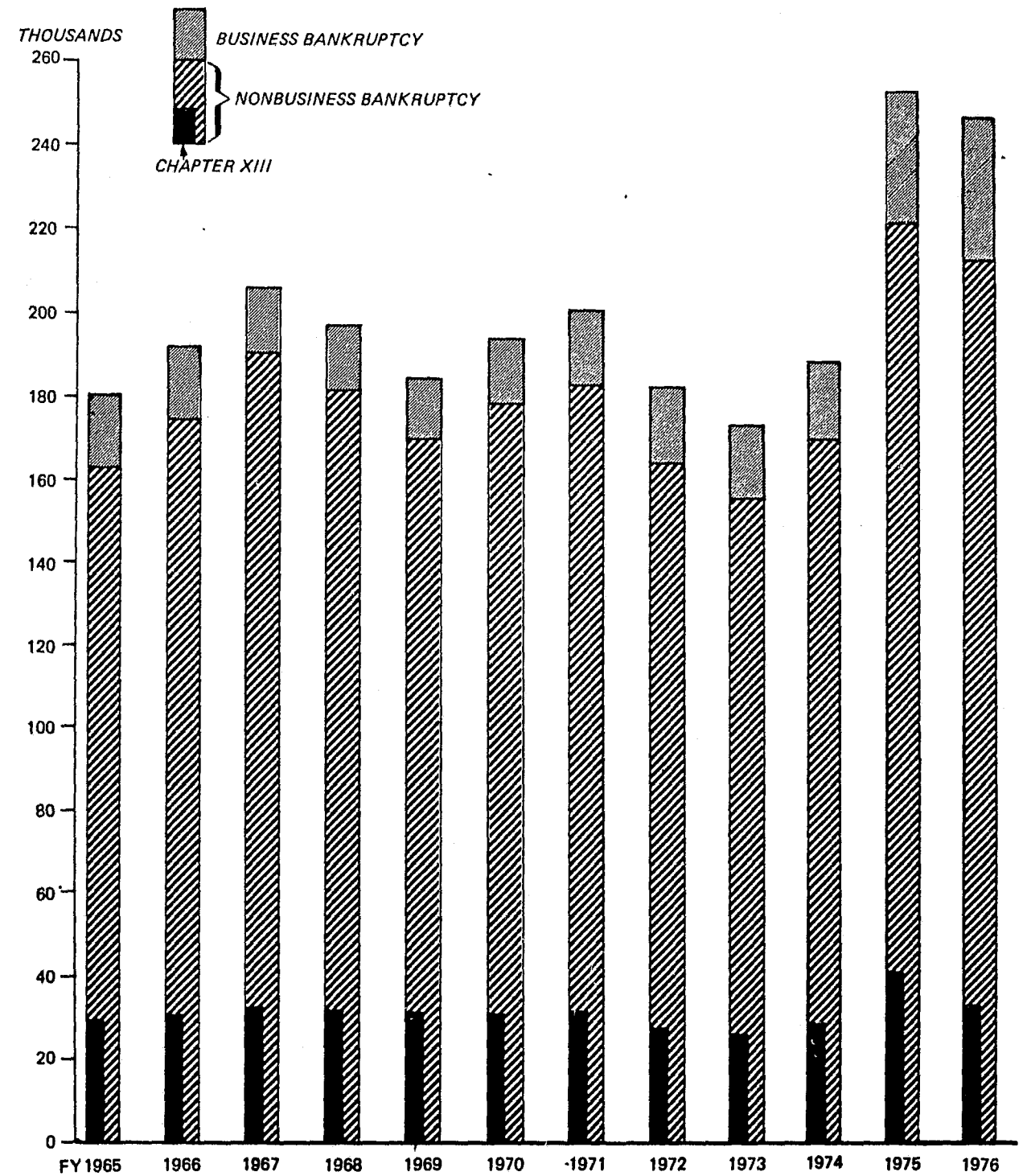
TOTAL INVESTIGATIVE REPORTS: 102,334



BANKRUPTCY CASES COMMENCED

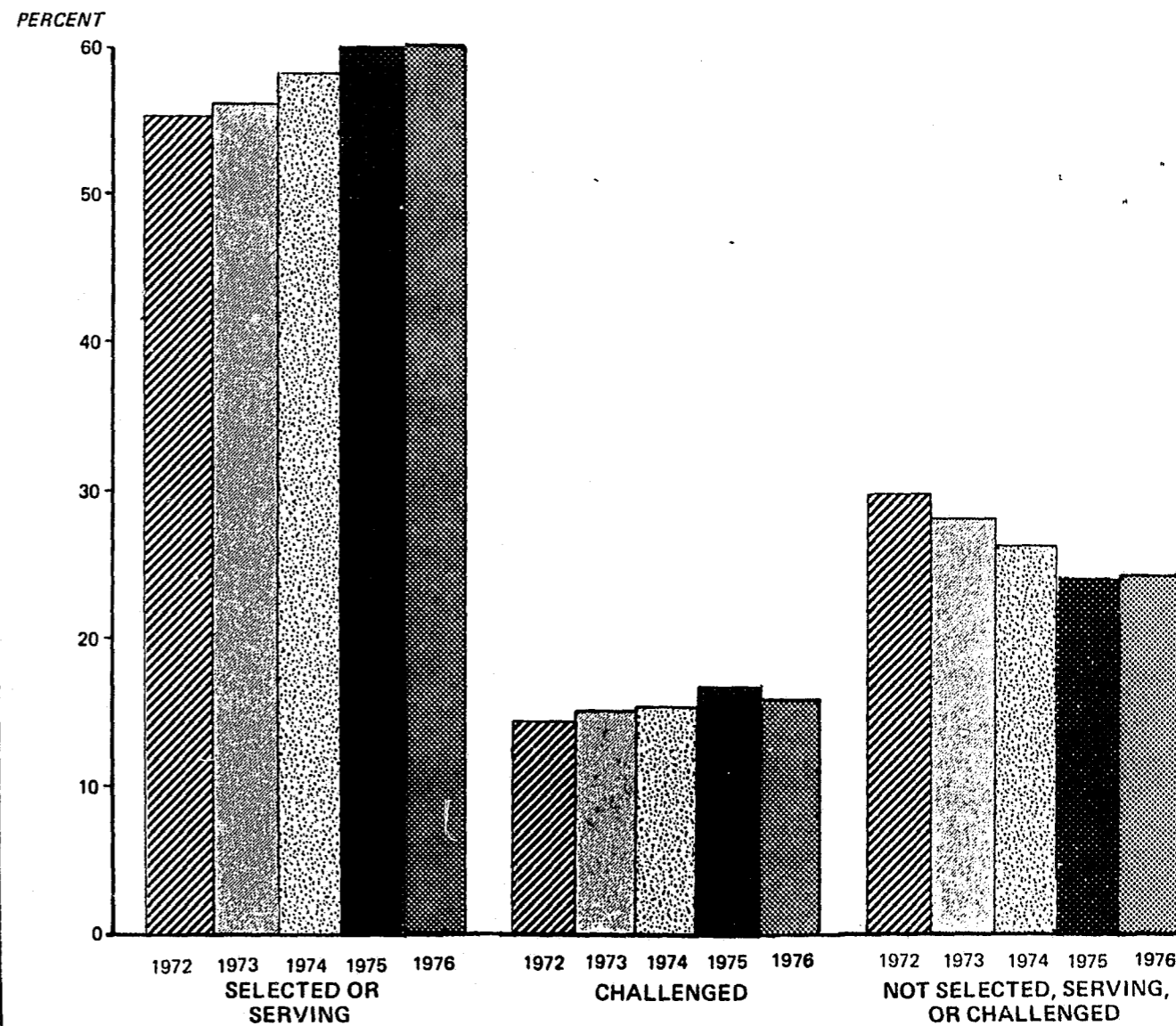
BUSINESS AND NONBUSINESS (INCL. CHAPTER XIII)

FISCAL YEARS 1965-1976



PETIT JUROR USAGE

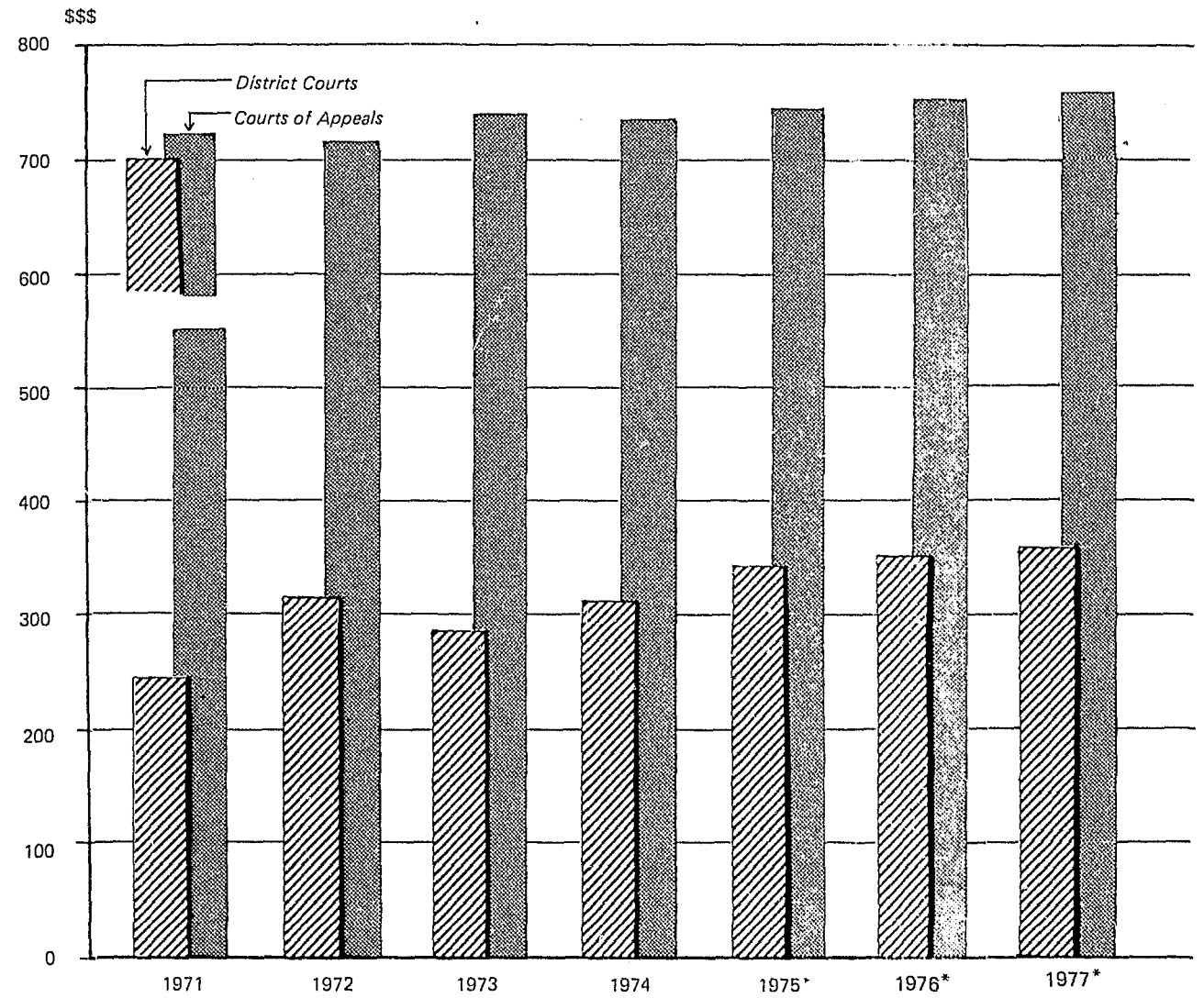
FISCAL YEARS 1972 - 1976



CRIMINAL JUSTICE ACT

FISCAL YEARS 1971-1977

AVERAGE PAYMENTS TO PRIVATE PANEL COUNSEL. (Excluding D.C. Court of Appeals and the Superior Court for the District of Columbia)

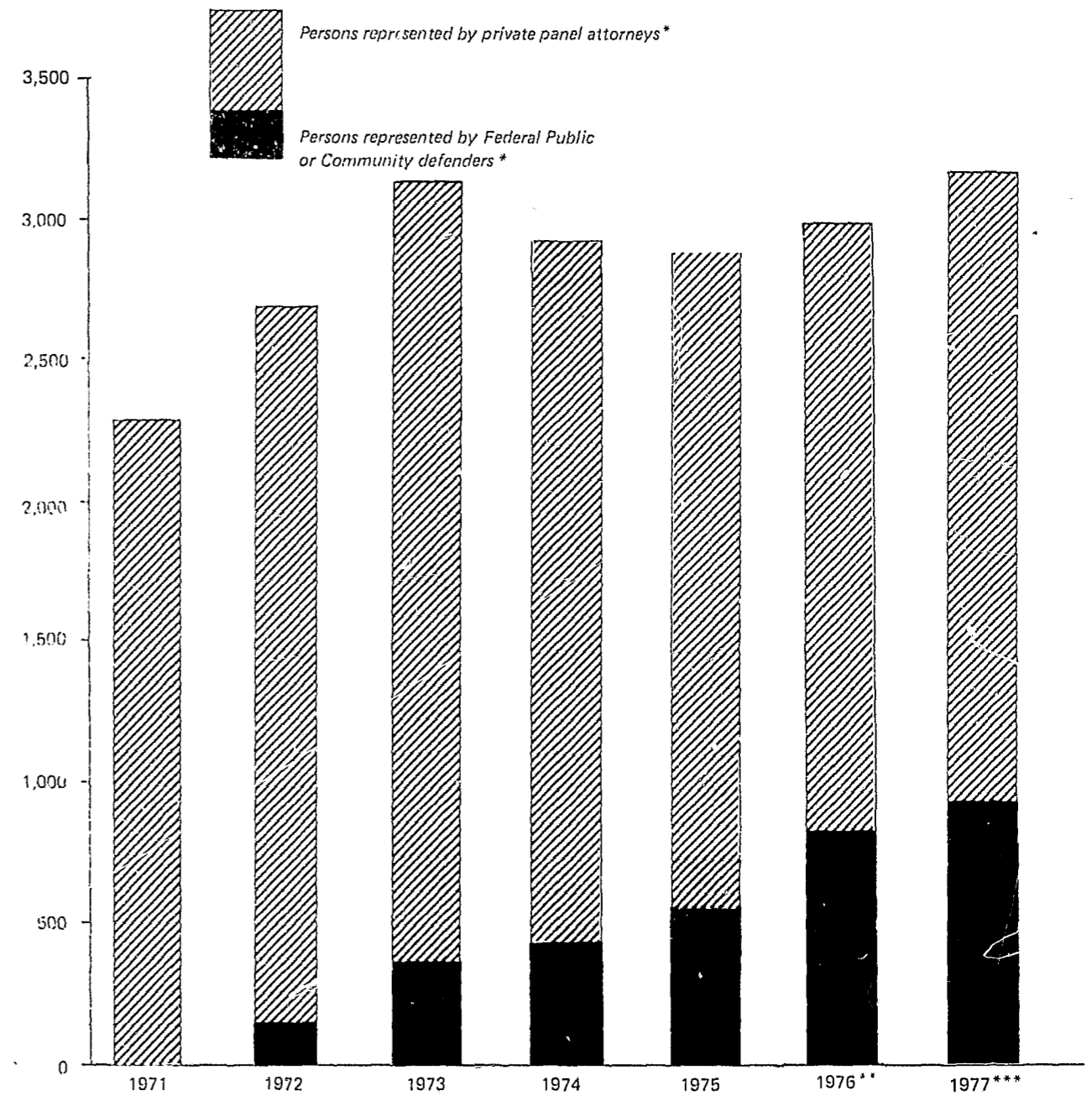


*Estimated

CRIMINAL JUSTICE ACT

UNITED STATES COURTS OF APPEALS

Number of persons represented in fiscal years 1971 through 1977



*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through FY 1976 and community defenders in FY 1977.

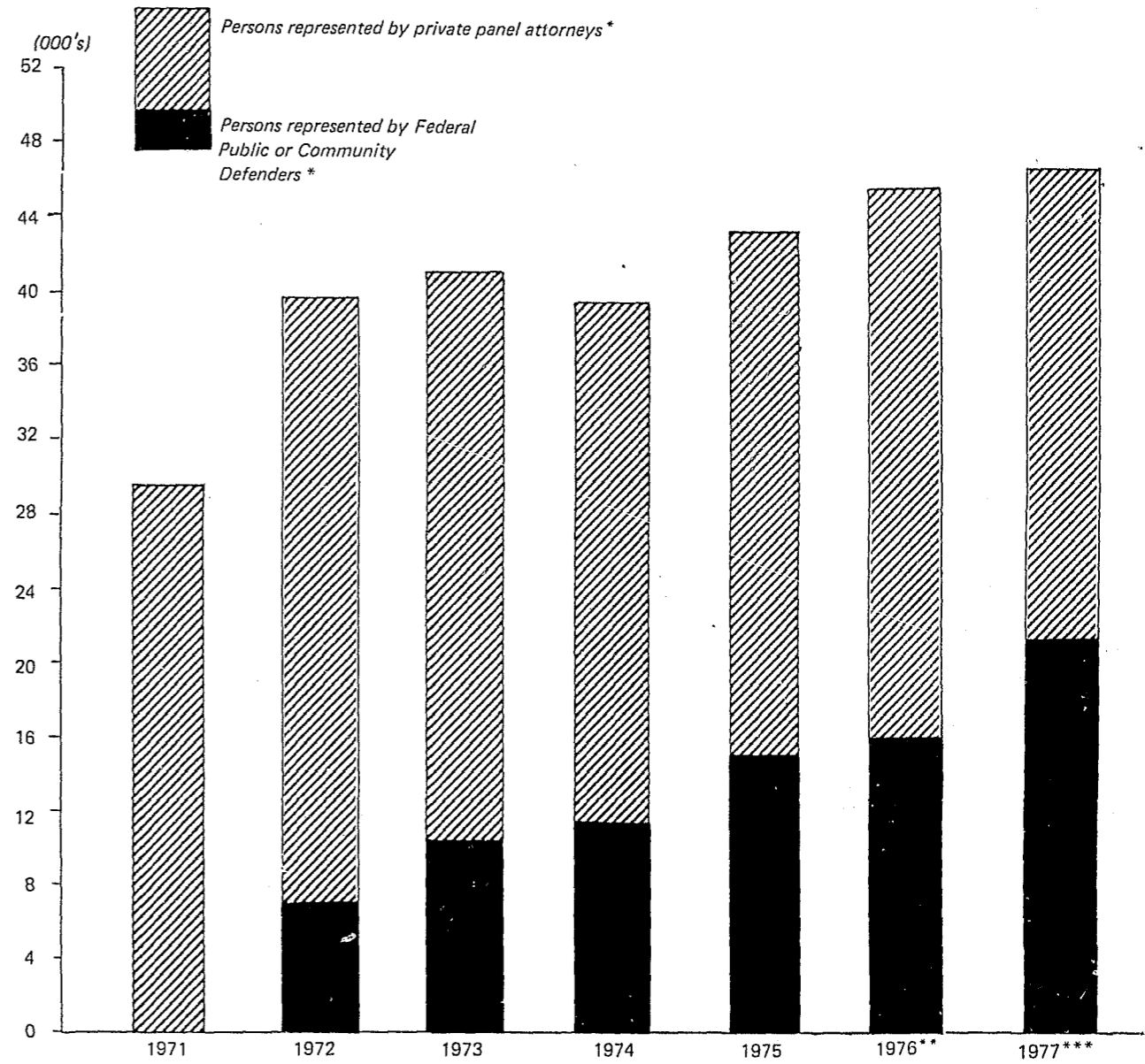
**Persons represented by private panel attorneys estimated based upon actual data through 6/30/1976.

***Estimated.

CRIMINAL JUSTICE ACT

UNITED STATES DISTRICT COURTS

Number of persons represented in fiscal years 1971 through 1977

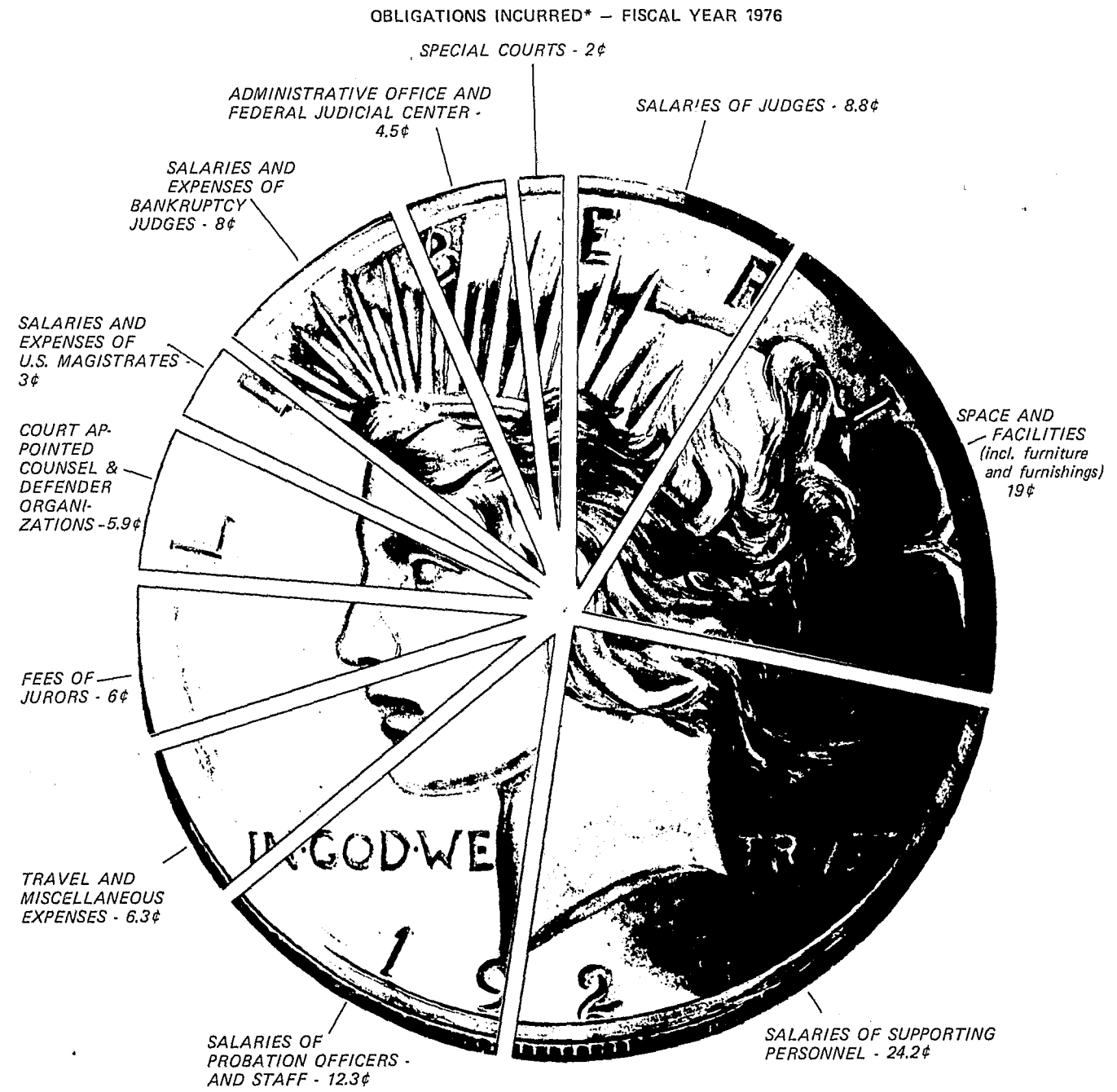


*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through FY 1976 and community defenders in FY 1977.

**Persons represented by private panel attorneys estimated based upon actual data through 6/30/1976.

***Estimated

THE JUDICIAL DOLLAR

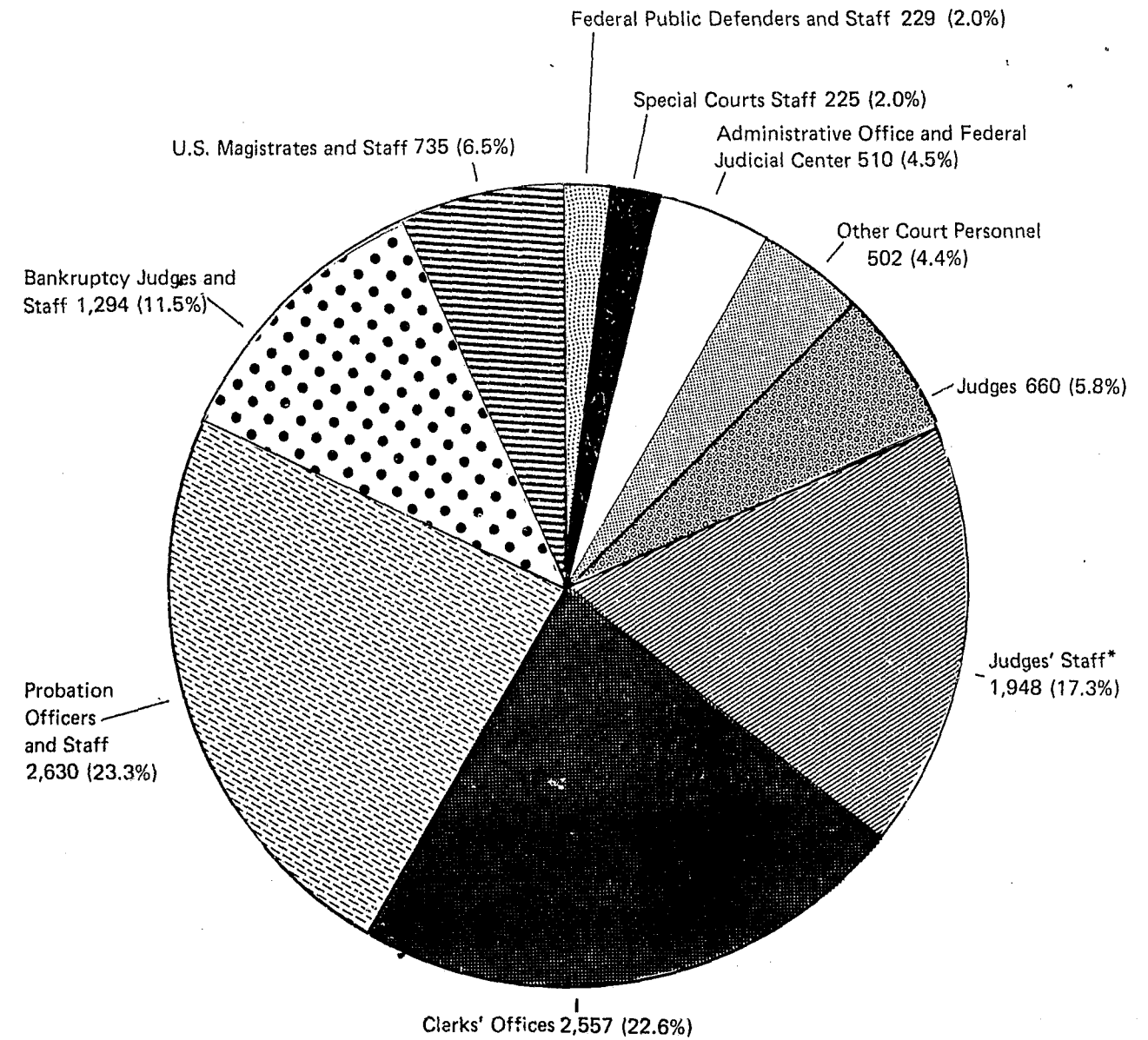


*Exclusive of the Supreme Court

PERSONNEL IN THE U.S. JUDICIARY

FISCAL YEAR 1976

TOTAL PERSONNEL: 11,290



*Secretaries, Law Clerks, and Criers

END

7 ables/ma