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REPORTS OF THE PROCEEDINGS
OF THE JUDICIAL CONFERENCE
OF THE UNITED STATES

HELD AT

ST. PAUL, MINNESOTA

APRIL 7, 1976

AND

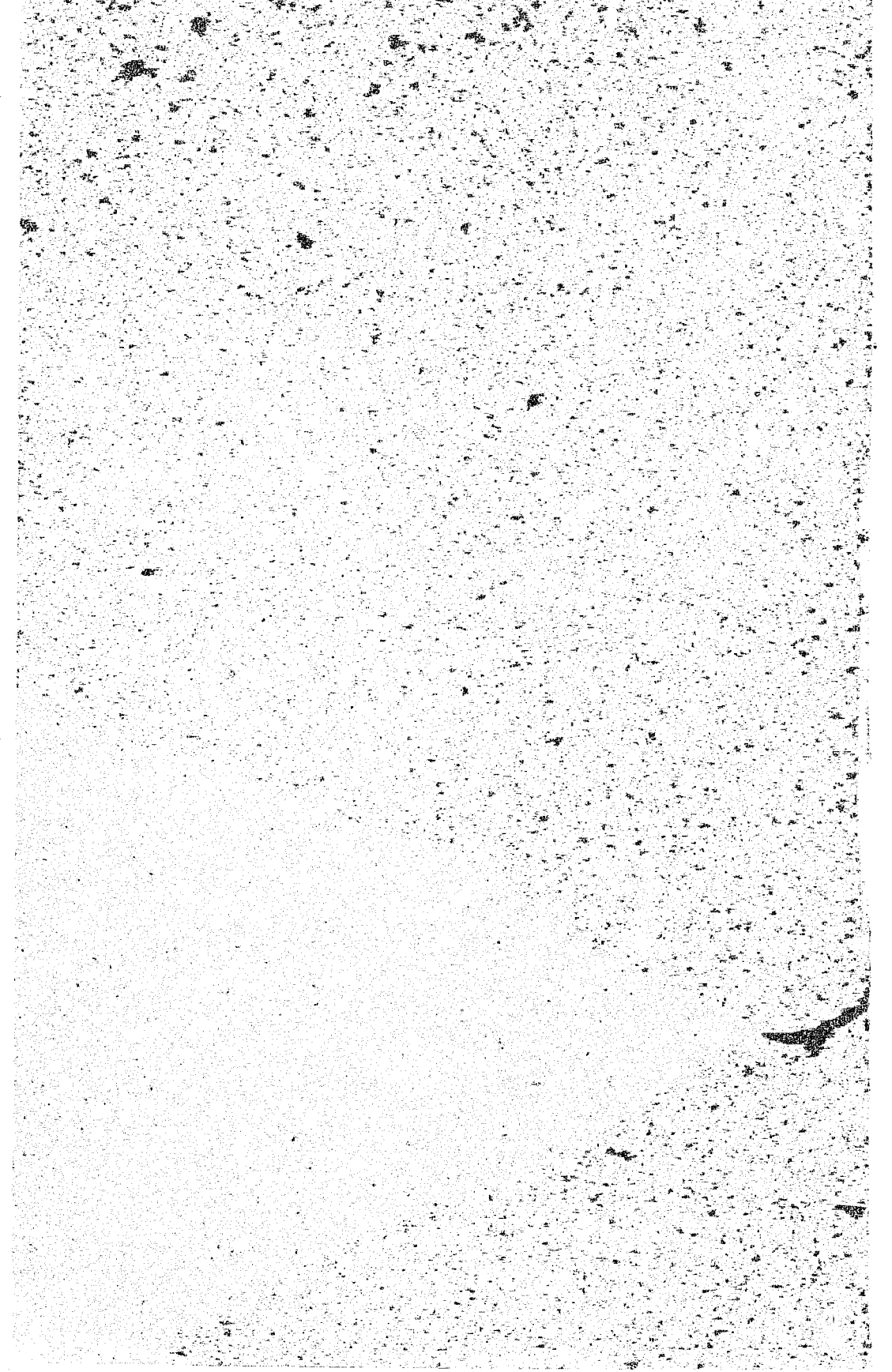
WASHINGTON, D.C.

SEPTEMBER 23-24, 1976

ANNUAL REPORT OF THE
DIRECTOR OF THE ADMINISTRATIVE
OFFICE OF THE
UNITED STATES COURTS

1976

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Administrative Office of the United States Courts
April 1975

Table of Contents

REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, APRIL 7, 1976

	Page
Call of the Conference.....	1
Report of the Director of the Administrative Office of the United States Courts.....	2
Court Administration.....	3
Places and Divisions of Holding Court.....	3
Salaries of Ungraded Employees.....	4
Fees and Costs.....	5
Annuities to Judges.....	5
Supporting Personnel—Interpreters.....	5
Legislation.....	5
Review Committee.....	7
Joint Committee on the Code of Judicial Conduct.....	8
Advisory Committee on Judicial Activities.....	9
Committee on the Operation of the Jury System.....	9
Proposed Amendments to the Jury Selection and Service Act.....	9
Juror Privacy Project.....	10
Committee on the Administration of the Criminal Law.....	10
Mandatory Minimum Sentences.....	10
Sentencing Commission.....	10
Youth Corrections Act.....	11
Persons Acquitted on Grounds of Mental Incompetency.....	11
Pattern Jury Instructions.....	11
Federal Criminal Code.....	12
Speedy Trial Act.....	12
Committee on the Administration of the Probation System.....	12
Visits to Federal Institutions.....	12
Pretrial Service Agencies.....	13
Narcotic Aftercare Programs.....	13
Probation Personnel.....	14
Committee on the Administration of the Bankruptcy System.....	15
Salaries and Arrangements for Referees.....	15
Change in Arrangements.....	18
Case Filings.....	18
Status of the Referees' Salary and Expense Fund.....	18
Legislation.....	18
Study of Procedures Followed in Bankruptcy Appeals.....	18
Committee on Intercircuit Assignments.....	19
Committee on the Administration of the Federal Magistrates System.....	19
Conflicts of Interest.....	19
Changes in Magistrates Positions.....	20
Committee to Implement the Criminal Justice Act.....	23
Appointments and Payments.....	23
Federal Public Defender Offices.....	23
Community Defender Organizations.....	24
Investigation of Assistant Federal Public Defenders.....	24
Reimbursement as a Condition of Probation.....	24

	Page.
Committee on Rules of Practice and Procedure.....	25
Bicentennial Committee.....	25
Resolution.....	26
Reports by Chief Judges.....	27
Pretermision of Terms of Courts of Appeals.....	27
Elections.....	27
Release of Conference Action.....	27

Table of Contents

REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, SEPTEMBER 23-24, 1976

	Page
Call of the Conference	31
Reports of the Director of the Administrative Office of the United States Courts	32
Committee on the Budget	34
Court Administration	35
Uniform Rules of Disciplinary Enforcement	35
Land Commissioners	35
Places of Holding Court	36
Registry Funds	36
Quadrennial Survey	37
Supporting Personnel	39
Court Reporters for Senior Judges	39
Quality Step Increases for Court Personnel	39
Judiciary Salary Plan	40
Court Reporters	40
Legislation	40
S. 3153 - Jurisdictional Amount in Federal Question and Diversity Cases	40
S. 2255 - Patent Law Revision	41
H. R. 11315 - Foreign Sovereign Immunities Act	41
Foreign Service Act of 1946	41
S. 3392 and H.R. 14016 - Judicial Review of Veterans' Claims	42
S. 2387 - Petroleum Industry Competition Act	42
S. 12 - Judicial Survivors Annuity Act	42
S. 2408 - Judicial Review of Agency Proceedings	43
Review Committee	43
Joint Committee on the Code of Judicial Conduct	44
Advisory Committee on Judicial Activities	44
Committee on the Operation of the Jury System	44
Excuse Because of Distance	44
Juror Fee and Employment Protection	45
Other Legislative Proposals	45
Free Press - Fair Trial	46
Committee on the Administration of the Criminal Law	46
Registration of Fines	46
Disclosure of Prior Statements of Defense Witnesses	46
Revision of the Federal Criminal Code	47
Committee on the Administration of the Bankruptcy System	47
Salaries and Arrangements for Referees	47
Appropriations	51
Studies of the Procedures Followed in Processing Bankruptcy Appeals	52

Committee on the Administration of the Probation System	52
Amendment to the Federal Tort Claims Act	52
Committee on Intercircuit Assignments	53
Committee on the Administration of the Federal Magistrates System	54
Salaries of Magistrates	54
Standard Salary Levels for Part-time Magistrates	54
Changes in Magistrate Positions	54
Committee to Implement the Criminal Justice Act	58
Appointments and Payments	58
Budget Requests for Federal Public Defenders	59
Community Defender Organizations	60
Parole Commission and Reorganization Act	60
Guidelines	60
Criminal Practice Manual	60
Semiannual Report of Excess Payments	60
Committee on Rules of Practice and Procedure	61
Bankruptcy Rules	61
Criminal Rules	61
Review of Sentences	62
Bicentennial Committee	62
Pacific Territories Committee	63
Pretermission of Terms of Courts of Appeals	64
Elections	64
Release of Conference Action	64

TABLE OF CONTENTS

PART TWO

ANNUAL REPORT OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS FOR THE FISCAL YEAR ENDED JUNE 30, 1976

	Page
Judicial business	75
Courts of Appeals	76
Table 1. Judgeships on June 30, 1976	76
District Courts	
Civil Cases	76
Criminal Cases	77
United States Magistrates	79
Table 2. Minor offense cases disposed of	79
Table 3. 10 Districts with largest number of minor offense cases disposed of by magistrates	82
Bankruptcy Administration	82
Table 4. Bankruptcy cases filed, 1948-1976	83
Table 5. Bankruptcy filings, by circuit 1975-1976	85
Table 6. Business and Non-business bankruptcies, 1966-1976	85
Table 7. Business and Non-business cases, by circuit	86
Table 8. Filings, by chapter of the Bankruptcy Act	87
Federal Probation Service	87
Table 9. Investigative reports by probation officers	90
Table 10. Persons received for supervision	90
Table 11. Persons under supervision	92
Table 12. Workload of federal probation officers	92
Appointment of counsel under the Criminal Justice Act	92
Juror Usage	93
Judicial Administration	
Personnel	93
Table 13. Personnel in the Federal Judiciary	94
Services	95
Probation	97
Speedy Trial Act of 1974 - Title II	98
Speedy Trial Act - Title I	99
Litigation involving court officers	99
Magistrates System	100
Referees' Salary and Expense Fund	100
Table 14. Referees' Salary and Expense Fund	101
Criminal Justice Act Division	102
Management Review	102
Clerks Division	103
Judicial Appropriations and Expenditures	
Appropriations for fiscal year 1976	103
Table 15. Preliminary statement of appropriation accounts, fiscal year 1976	105
Appropriations for Transition Quarter, July 1 - September 30, 1976	106
Table 16. Appropriations for Transition Quarter	107
Appropriations for fiscal year 1977	106
Table 17. Comparative statement of new budget (obligational) authority for fiscal year 1976 and budget estimates and amounts approved for fiscal year 1977	109

Judicial Appropriations and Expenditures (Continued)	Page
Bicentennial appropriation	110
Speedy Trial planning	110
Pretrial Services Agencies	110
Fiscal Year 1978 budget call	110
Judicial Survivors' Annuity Fund	112
Table 18. Comparative statement of Judicial participation and the number of Survivor Annuitants, 1966-1976	111
Table 19. Comparative Statement of Receipts, Disbursements, and balances in the Judicial Survivors' Annuity Fund - fiscal years 1967-1976	113
Table 20. Investment holdings as of June 30, 1976	114
Changes in fiscal procedures - Clerks offices	115
Registry funds	115
Table 21. Registry funds in the custody of the United States Courts	116
Temporary Emergency Court of Appeals	118
Table 22. Status of funds available for the Temporary Emergency Court of Appeals	118
Impact Study of Major Statutes and Events on Criminal and Civil Caseload in the U.S. District Courts During Fiscal Years 1960-1976	119
Civil caseload	122
Federal question and diversity	122
Antitrust	122
Social Security	125
Narcotic Addict Rehabilitation Act	128
Civil Rights Acts	128
National Environmental Policy Act of 1969	129
Truth in Lending Act	132
Labor	132
Prisoner petitions	132
Consumer Product Safety Act	133
Miscellaneous cases	137
Criminal Caseload	137
Civil rights	139
The Vietnam war	139
Weapons and firearms	142
Drug abuse	142
Federal Magistrates Act	143
Bank robbery, auto theft, and liquor	143
Speedy Trial	148

TABLE OF CONTENTS
FOR ANALYSIS OF THE WORKLOAD
OF THE FEDERAL COURTS

	Page
Foreword	151
Workload analysis	
United States Courts of Appeals	152
Filings increase in all circuits	152
Terminations expand slightly	157
Pending caseload skyrockets	157
Workload increase per authorized judgeship	157
Types of appeals from district courts	157
Impact of state prisoner petitions	160
Oral hearings and submissions on briefs	160
Cases disposed of after oral hearing or submission	161
Reversal rate	161
Case participations by resident, senior, and visiting judges	162
Opinions and memoranda	162
Miscellaneous proceedings filed	164
Administrative Agency cases filed	164
Railroad Reorganization Court	166
Temporary Emergency Court of Appeals	166
Cases under submission	167
United States District Courts	
Civil cases in U.S. district courts	169
Filings by origin	171
Civil cases filed	171
Civil caseload increases of 30% or more	175
Civil pending caseload increases 17%	178
Twenty-five metropolitan courts continue to increase pending caseloads	179
Pending Social Security cases continue to climb	179
Civil cases pending three years or more	182
Districts with 200 or more civil cases pending 3 years or more	184
Civil terminations in the district courts	185
Terminations by nature of suit	185
Median time to dispose of civil cases remains at 9 months	186
Prisoner petitions rise only 2.6%	187
Antitrust cases increase 7.3%	190
Interstate Commerce Commission regulation cases show increase	192
Land condemnation cases	193
Product liability suits up 28%	194
Environmental matters, Economic Stabilization Act and energy allocation litigation	197
Truth in Lending case filings decline	197
Employment civil rights litigation up 35.4%	204
Appeals against decisions of Health, Education and Welfare up 77%	204
Filings of "Black Lung" disability cases up 76%	204
Three Judge Courts decline by 22.1%	208
Class action allegations under Rule 23, F.R.C.P. up 17%	212
Transfers of cases under 28 U.S.C. 1407	221
Index to cases transferred	224

	Page
Criminal cases in U.S. district courts	225
Criminal filings	228
Type of criminal proceeding	232
Cases filed, by district	234
Disposition of criminal defendants	234
Median time intervals	236
Pending criminal cases	238
Districts with more than 500 criminal cases pending	240
Pending criminal cases with fugitive defendants	242
Status of criminal defendants	243
Trials increase	245
17% of trials take four days or more	245
Median time interval from issue to trial remains at 11 months	247
Juror utilization	250
Grand Jury	250
Petit Jury	257
Federal Public/Community Defenders	263
Federal Public Defenders	263
Activity in fiscal year 1976	263
Criminal cases	264
Other representations	264
Case dispositions	266
Community Defender Organizations	266
Activity in fiscal year 1976	266
Criminal cases	267
Other representations	267
Case dispositions	267
Cases and Motion Under Advisement	269
Passports and Naturalization	272

TEXT TABLES FOR WORKLOAD ANALYSIS
(Data for fiscal year 1976 unless otherwise shown)

Table	Page
1 Appeals filed, terminated, and pending, 1962-1976	153
2 Appeals commenced, terminated, and pending, by circuit, 1961 and 1969-1976	155
3 Appeals filed, terminated, and pending, per judgeships, fiscal years 1961, 1968, and 1976	156
4 Nature of suit or offense of appeals from the U.S. district courts filed, 1971-1976	158
5 Impact of state prisoner petitions on filings	159
6 Trend of hearings held in U.S. courts of appeals, 1971-1976	160
7 Oral hearings and submissions on briefs, 1976	161
8 Reversal rate of cases terminated after hearing or submission, 1975-1976	162
9 Case participations submitted on briefs or orally argued	163
10 Opinions and memoranda filed in cases disposed of	163
11 Miscellaneous proceedings filed, 1975-1976	164
12 Administrative Agency cases filed	165
13 Cases under submission more than three months on June 30	168
14 Cases under submission more than three months, as of June 30, 1972-1976	168
15 Civil cases filed, terminated, and pending, 1960-1976	169
16 Civil filings by origin, 1970-1976	172
17 Civil cases commenced, by nature of suit	173
18 Civil cases commenced, terminated, and pending, 1975-76	176
19 Civil cases filed and terminated in 25 large courts	180
20 Civil cases pending June 30, by nature of suit, 1968-76	181
21 Age of civil cases pending June 30, 1961-1976	183
22 Civil cases pending 3 years or more as of June 30, 1976, by jurisdiction and nature of suit, (land condemnation cases excluded)	183
23 Districts with 200 or more civil cases pending three years or more on June 30, 1976	184
24 Civil cases terminated by action taken, 1969-1976, (land condemnation cases omitted)	185
25 Prisoner petitions filed, 1968-1976	189
26 Civil cases filed in the U.S. district courts, showing prisoner petitions, 1960-1976	190
27 Antitrust cases commenced, 1960-1976	191
28 Case flow of I.C.C. cases	192
29 U.S. plaintiff land condemnation cases filed, terminated, and pending on June 30, 1962-1976	193
30 Case flow of government land condemnation cases	194
31 Product Liability cases commenced, by nature of suit	195
32 Environmental, Economic Stabilization Act and Energy Allocation Act cases commenced, 1975-1976	198
33 Truth in Lending Act cases filed, by district, 1972-76	200
34 Civil Rights Act of 1964, employment cases filed, by district, 1970-1976	202
35 Social Security Act cases filed, by district, 1968-1976	205
36 Cases filed involving "Black Lung" benefits	207
37 Three-Judge Court hearings, by nature of suit	208
38 Three-Judge Court hearings by district and nature of suit	209
39 Three Judge civil rights cases by nature of suit, 1974-1976	211
40 Civil class action cases pending, by nature of suit and district	214
41 Civil class action cases commenced, by basis of jurisdiction and nature of suit	218
42 Class action civil suits commenced in fiscal year 1976 and pending July 1, 1975 and June 30, 1976	219
43 Summary of Multidistrict Litigation	221

TEXT TABLES FOR WORKLOAD ANALYSIS
(Data for fiscal year 1976 unless otherwise shown) (Continued)

Table	Page
44 Number and types of cases transferred by order of the Judicial Panel on Multidistrict Litigation, fiscal year 1976 and cumulative from Sept. 1968	222
45 Criminal cases commenced, terminated, and pending, 1955-1976	229
46 Criminal cases filed, by nature of offense, 1968-1976	231
47 Criminal cases commenced, by nature of original proceedings	233
48 Criminal defendant dispositions, 1974-1976	235
49 Criminal defendants disposed of, median time intervals 1970-1976	237
50 Criminal cases pending, June 30, 1970-1976, by nature of offense	239
51 Narcotic drug law case flow, 1970-1976	240
52 Criminal cases pending as of June 30, 1975 and 1976	241
53 District courts having more than 500 criminal cases pending	242
54 Criminal cases pending one year or more showing proportion of cases with fugitive defendants	242
55 Status of criminal defendants pending as of June 30, 1976	244
56 Trials completed in the U.S. district courts, 1962-76	245
57 Length of trials, 1968, 1970, and 1972 through 1976	246
58 Median time intervals from issue to trial in civil cases in which trials were completed, 1962-1976	248
59 Median time intervals from issue to trial in civil cases in which trials were completed in the 25 large metropolitan district courts, 1975-1976	249
60 Grand juror statistics - national totals, 1975-1976	250
61 Number of grand juries, U.S. district courts	252
62 Grand juror usage	254
63 Proceedings by indictment and grand juror usage, 1975-76	256
64 National petit juror usage, 1972-1976	259
65 Petit juror usage reports - totals	261
66 Federal public defenders, statistical comparison of activity, 1973-1976	265
67 Community defender organizations, statistical comparison of activity, 1973-1976	268
68 District judges reporting on cases held under advisement	269
69 Cases and motions held under advisement over 60 days	270
70 Cases and motions held under advisement over 60 days, 1970-1976	271
71 Average number of matters held over 60 days as of June 30, 1970-1976	271
72 Passport applications, petitions for naturalization, and aliens naturalized, 1955-1976	272

TABLE OF CONTENTS
APPENDIX I
UNITED STATES COURTS OF APPEALS

(Data for fiscal year 1976 unless otherwise shown)

Table		Page
B-1	Cases commenced and terminated, by circuit	275
B-2	Petitions for review on writ of certiorari to the Supreme Court of the United States filed and disposed of	278
B-3	Source of appeals and original proceedings commenced during 1971-1976, by circuit	280
B-4	Median time intervals in cases terminated after hearing or submission, by circuit	283
B-4a	Median time intervals in civil and criminal cases terminated after hearing or submission, by circuit	284
B-7	Nature of suit or offense of appeals from the United States district courts filed in the United States courts of appeals	285

UNITED STATES DISTRICT COURTS

Civil Cases

C-1	Civil cases commenced and terminated, by district	289
C-2	Civil cases commenced, by basis of jurisdiction and nature of suit	293
C-3	Civil cases commenced, by nature of suit and district	296
C-3a	Civil cases pending on June 30, by nature of suit and district	304
C-4	Civil cases terminated, by nature of suit	312
C-4a	Civil cases terminated, by district and action taken	315
C-5	Time interval from filing to disposition of civil cases terminated	318
C-5a	Time interval from filing to disposition of civil cases terminated, by nature of suit and method of disposition, EXCLUDING land condemnation cases, habeas corpus cases, deportation reviews and motions to vacate sentence	322
C-5b	Time interval from filing to disposition by nature of suit and method of disposition for land condemnation cases, habeas corpus cases, deportation reviews, and motions to vacate sentence	324
C-6a	Civil cases pending on June 30, by district and length of time pending (excluding land condemnation)	326
C-6b	Land condemnation cases pending on June 30, by district and length of time pending	328
C-7	Civil and criminal trials completed, by district	330
C-8	Length of civil and criminal trials completed, by nature of suit or offense	332
C-9	Civil and criminal trials terminated requiring 20 or more days	334
C-10	Time interval from issue to trial of civil cases in which a trial was completed, by district	337

Table	Criminal	Page
D-1	Criminal cases commenced and terminated, (includes all offenses reported)	340
D-1a	Criminal defendants commenced and terminated, (includes all offenses reported)	343
D-2	Criminal cases commenced, 1972-1976, by nature of offense, (excludes transfers)	346
D-3	Criminal cases commenced (excludes transfers) (includes all offenses reported)	348
D-3a	Criminal cases commenced (excludes transfers) (includes felonies and misdemeanors only)	354
D-4	Criminal defendants disposed of, by nature of offense and type of disposition	360
D-5	Criminal defendants sentenced after conviction, by nature of offense	362
D-6	Median time intervals from filing to disposition of criminal defendants, by district	366
D-7	Disposition of defendants charged with federal offenses, showing type of sentence, by district	368
D-8	Criminal cases pending, by nature of offense and district	374
D-8a	Criminal cases pending exclusive of fugitive defendants in cases pending 6 months or more, by nature of offense and district	380
D-8b	Criminal cases pending, by district and length of time pending	386
Probation		
E-1	Persons received for and removed from supervision, Federal probation system, by district	388
E-2	Persons under the supervision of the Federal probation system, by district as of June 30	392
Bankruptcy		
F-1	Bankruptcy cases commenced and terminated, by district	394
F-2	Voluntary and involuntary cases commenced, by chapters of the Bankruptcy Act, by district	396
F-3	Voluntary bankruptcy cases commenced, by occupation of bankrupt or debtor	398
Special Courts		
G-1	U.S. Customs Court report for the fiscal years ended June 30, 1975 and 1976	400
G-2a	U.S. Court of Customs and Patent Appeals cases filed, terminated, and pending	401
G-2b	U.S. Court of Customs and Patent Appeals, average times of cases disposed of with opinions, fiscal years 1972-1976	401
G-3a	Report of the U.S. Court of Claims for the court year ended Sept. 30, 1976	402
G-3b	Report of the U.S. Court of Claims for the court year ended Sept. 30, 1976	402

Federal Public Defenders	
K-1	Statistical summary of activities, by district 404
K-2	Statistical summary of criminal cases represented by counsel, by type of offense 406
K-3	Statistical summary of cases handled by other representations 407
K-4	summary of types of dispositions 408
Community Defender Organizations	
L-1	Statistical summary of activities, by district 410
L-2	Statistical summary of criminal cases represented by counsel, by type of offense 411
L-3	Statistical summary of cases handled by other representations 412
L-4	Summary of types of dispositions 413
Magistrates	
M-1	Minor offense cases - Defendants disposed of, by nature of offense 415
M-2	Minor offense cases - Defendants disposed of, by type of disposition 419
M-3	Matters disposed of pursuant to 28 U.S.C. 636 (a) 423
M-4	Matters disposed of pursuant to 28 U.S.C. 636(b) 427
Passports and Naturalization	
P-1	Passport applications, petitions for naturalization, and aliens naturalized 431
Visiting Judges	
V-1	Service of visiting judges in the U.S. district courts 433
V-2	Visiting Judges in the U.S. Courts of Appeals 451
Other	
X-2	Civil cases commenced, 1960 and 1966-76; and civil cases pending June 30, 1976, by nature of suit 454

APPENDIX II. PAYMENTS UNDER THE CRIMINAL JUSTICE ACT DURING THE FISCAL YEAR 1976

	Page
Number of persons represented	459
Cost of representation by attorneys	460
Status of appropriations	461
Extended or complex representation	461
Investigative, expert, and other services	461
Federal public defenders	462
Community defender organizations	462

EXHIBITS

A-1. Payments for representation by private attorneys ¹ and payments for other services by category of persons represented for fiscal year 1975 as of June 30, 1976	465
A-2. Payments for representation by private attorneys ¹ and payments for other services by category of persons represented for fiscal year 1976 as of June 30, 1976	465
B-1. Number of persons represented by private attorneys in each circuit and district by category for fiscal year 1975, as of June 30, 1976	466
B-2. Number of persons represented by private attorneys in each circuit and district by category for fiscal year 1976, as of June 30, 1976	470
C-1. Cumulative payments to private attorneys out of the appropriation for fiscal year 1975, as of June 30, 1976	474
C-2. Cumulative payments to private attorneys out of the appropriation for fiscal year 1976, as of June 30, 1976	478
D. Claims for compensation in excess of \$1,000 for extended or complex representation by attorneys in felony cases during fiscal year 1976	482
E. Claims for compensation in excess of \$250 for extended or complex representation by private attorneys in connection with discretionary appointments during fiscal year 1976	487
F. Claims for compensation in excess of \$300 for expert or other services of an unusual character or duration during fiscal year 1976	489
G-1. Cumulative payments for transcripts, expert and other services out of the appropriation for fiscal year 1975, as of June 30, 1976	490
G-2. Cumulative payments for transcripts, expert and other services out of the appropriation for fiscal year 1976, as of June 30, 1976	494
H. Federal public defender organizations preliminary statement on cost of operations, fiscal year 1976	498
I. Federal public defender organizations detail of personnel compensation, fiscal year 1976	499
Criminal Justice Act:	
Number of persons represented, U.S. courts of Appeals, fiscal 1971-1977	500
Number of persons represented, U.S. district courts, fiscal year 1971-1977	501
Average payments to private counsel, fiscal year 1971-1977	502
Investigative, expert and other services estimate, fiscal year 1976	503
Cost of transcripts, fiscal year 1972-1975 and estimates for 1976 and 1977	504

REPORT
of the
PROCEEDINGS OF THE
JUDICIAL CONFERENCE OF THE
UNITED STATES

APRIL 7, 1976

ST. PAUL, MINNESOTA
1976

THE JUDICIAL CONFERENCE OF THE UNITED STATES, 28 U.S.C. 331

§ 331. JUDICIAL CONFERENCE OF THE UNITED STATES

The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of Claims, the chief judge of the Court of Customs and Patent Appeals, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States. Special sessions of the conference may be called by the Chief Justice at such times and places as he may designate.

The district judge to be summoned from each judicial circuit shall be chosen by the circuit and district judges of the circuit at the annual judicial conference of the circuit held pursuant to section 333 of this title and shall serve as a member of the conference for three successive years, except that in the year following the enactment of this amended section the judges in the first, fourth, seventh, and tenth circuits shall choose a district judge to serve one year, the judges in the second, fifth, and eighth circuits shall choose a district judge to serve for two years and the judges in the third, sixth, ninth, and District of Columbia circuits shall choose a district judge to serve for three years.

If the chief judge of any circuit or the district judge chosen by the judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. If the chief judge of the Court of Claims or the chief judge of the Court of Customs and Patent Appeals is unable to attend, the Chief Justice may summon an associate judge of such court. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved.

The conference shall make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment of judges to or from circuits or districts where necessary, and shall submit suggestions to the various courts, in the interest of uniformity and expedition of business.

The conference shall also carry on a continuous study of the operation and effect of the general rules of practice and procedure now or hereafter in use as prescribed by the Supreme Court for the other courts of the United States pursuant to law. Such changes in and additions to those rules as the conference may deem desirable to promote simplicity in procedure, fairness in administration, the just determination of litigation, and the elimination of unjustifiable expense and delay shall be recommended by the conference from time to time to the Supreme Court for its consideration and adoption, modification or rejection, in accordance with law.

The Attorney General shall, upon request of the Chief Justice, report to such conference on matters relating to the business of the several courts of the United States, with particular reference to cases to which the United States is a party.

The Chief Justice shall submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation.

Report of the Proceedings of the Judicial Conference of the United States

April 7, 1976

The Judicial Conference of the United States convened on April 7, 1976, pursuant to the call of the Chief Justice of the United States issued under 28 U.S.C. 331. The Conference met in St. Paul, Minnesota, prior to the convening of the National Conference on the Causes of Popular Dissatisfaction with the Administration of Justice, of which the Judicial Conference of the United States was a co-sponsor. The Chief Justice presided and the members of the Conference were:

District of Columbia Circuit:

Chief Judge David L. Bazelon

Chief Judge William B. Jones, District of Columbia

First Circuit:

Chief Judge Frank M. Coffin*

Chief Judge Andrew A. Caffrey, District of Massachusetts

Second Circuit:

Chief Judge Irving R. Kaufman

Chief Judge Jacob Mishler, Eastern District of New York

Third Circuit:

Chief Judge Collins J. Seitz

Chief Judge Lawrence A. Whipple, District of New Jersey

Fourth Circuit:

Chief Judge Clement F. Haynsworth, Jr.

Judge Charles E. Simons, Jr., District of South Carolina

Fifth Circuit:

Chief Judge John R. Brown

Chief Judge Alexander A. Lawrence, Southern District of Georgia

Sixth Circuit:

Chief Judge Harry Phillips

Chief Judge Damon J. Keith, Eastern District of Michigan

*On designation of the Chief Justice, Judge Edward T. Gignoux attended the Conference in place of Chief Judge Frank M. Coffin.

Seventh Circuit:

Chief Judge Thomas E. Fairchild

Chief Judge James B. Parsons, Northern District of Illinois

Eighth Circuit:

Chief Judge Floyd R. Gibson

Chief Judge James H. Meredith, Eastern District of Missouri

Ninth Circuit:

Chief Judge Richard H. Chambers**

Chief Judge Thomas J. MacBride, Eastern District of California

Tenth Circuit:

Chief Judge David T. Lewis

Chief Judge Frederick A. Daugherty, Western District of Oklahoma

Court of Claims:

Chief Judge Wilson Cowen

Court of Customs and Patent Appeals:

Chief Judge Howard T. Markey

Senior Circuit Judge Elbert P. Tuttle; Circuit Judges Robert A. Ainsworth, Jr., Wade H. McCree, Jr., Donald R. Ross, and Edward A. Tamm; Senior District Judges Arthur J. Stanley, Jr., Roszel C. Thomsen, Albert C. Wollenberg and Alfonso J. Zirpoli; and District Judges Dudley B. Bonsal, Edward J. Devitt and Edward Weinfeld attended all or some of the sessions of the Conference.

The Honorable Walter E. Hoffman, Director of the Federal Judicial Center, presented a mid-year report of the activities of the Center.

A written report of the activities of the Panel on Multidistrict Litigation was submitted by Circuit Judge John Minor Wisdom, Chairman.

William E. Foley, Deputy Director, and Joseph F. Spaniol, Assistant Director of the Administrative Office, attended all of the sessions of the Conference.

REPORT OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF U.S. COURTS

The Director of the Administrative Office, Rowland F. Kirks, submitted a mid-year report to the Conference on the business of the United States Courts for the six-month period ending December 31, 1975.

**On designation of the Chief Justice, Judge James R. Browning attended the Conference in place of Chief Judge Richard H. Chambers.

The report showed a continuation of the upward trend in case filings in every area except criminal cases where the number of filings was stabilized at approximately 20,000 for the six-month period. Filings in the courts of appeals for the six months ending December 31 showed a 13.2 percent increase over the same period in 1974. Civil case filings rose by 16.3 percent in the same period and bankruptcy filings rose 9.5 percent.

During the first six months of the current fiscal year the juror usage index rose to 19.87, a slight increase over the number recorded in the first half of fiscal year 1975. The percentage of prospective jurors selected for or serving on jury trials was 59.6 percent as compared to 58.7 percent during the same period in fiscal year 1975. This increase in selected or serving jurors, Mr. Kirks reported, is the result of the implementation of juror utilization techniques, such as multiple selection of juries, juror pooling, improved methods of communication with jurors, such as code-a-phone, and local rules permitting the use of less than 12-member civil juries.

The slow down in criminal filings and increase in such cases closed by the district courts, plus an increase in the use of probation by United States magistrates, has resulted in an all-time high of 65,568 persons under the supervision of the federal probation service on December 31, 1975. This was five percent greater than a year ago and 71 percent more than June 30, 1970.

Preliminary figures for the first six months of fiscal year 1976 showed that United States magistrates handled a total of 125,685 matters, an increase of three percent. Trial jurisdiction matters increased eight percent and precommitment matters were down 8.8 percent. These workload figures show a 15 percent increase in the number of additional duties being delegated to magistrates by the district courts.

COURT ADMINISTRATION

The report of the Committee on Court Administration was presented by the Chairman, Judge Robert A. Ainsworth, Jr.

PLACES AND DIVISIONS OF HOLDING COURT

The Conference approved S. 2412, a bill approved by the judges of the Northern District of Mississippi and the Judicial Council of the Fifth Circuit which would permit office space for a district judge in the Federal Building in Corinth, Mississippi, where the

judge now has an office, paid for by him despite the fact that space is available in the Federal Building.

The Conference also approved S. 2887 which would realign the counties in the Northwestern Division of North Dakota. The Conference was advised that the counties have been allocated in the past on the basis of railroad communications whereas the proposed realignment would accommodate highway communications. The bill was approved by the judges of the district as well as the Judicial Council of the Eighth Circuit.

The Conference disapproved S. 1423, a bill to create an additional judicial district in Alabama, to be known as the Tennessee Valley District. The bill had previously been disapproved by the judges of the districts in Alabama as well as by the Judicial Council of the Fifth Circuit.

SALARIES OF UNGRADED EMPLOYEES

The Conference noted that since the Committee on Court Administration had met the Congress had raised the salaries of full-time referees in bankruptcy and that the Senate had passed a bill raising the salaries of full-time United States magistrates which was then pending in the House of Representatives. At the September 1975 session of the Conference (Conf. Rept., p. 48) the Conference had requested the committee to study further the maximum limitations imposed on salaries of clerks of court. Because of the change in the situation relating to referees and magistrates, Chief Judge Whipple proposed and the Conference adopted a resolution which

(1) Reaffirms, but temporarily suspends, the report of the Committee on Salaries which is contained in the report of the October 1971 session of the Judicial Conference of the United States, p. 65;

(2) Authorizes an increase in the salary of the clerks of the larger courts to \$36,000 per year, the clerks of the medium courts to \$31,500 per year, the clerks of the smaller courts to \$28,200 per year and the salary of the clerk of the United States District Court for Guam to \$26,100 (the salaries of the other territorial courts are included in the first three categories), such salary increases to be effective at the beginning of the second pay period following the adoption of the resolution and subject to the availability of funds; and

(3) Asks that the report of the Committee on Salaries adopted at the October 1971 session be reviewed by the Judicial Conference at such time as Congress changes the salaries of federal judges.

FEES AND COSTS

The Conference approved a recommendation for and authorized the Director of the Administrative Office to transmit to the Congress a bill which would authorize the Judicial Conference of the United States to fix fees and costs in the United States District Court for the District of Columbia as it does for other federal district courts. This legislation, recommended by the judges of the District Court for the District of Columbia, is intended to cure an oversight in the District of Columbia Court Reorganization Act of 1970 which left in force and effect for the District Court the fees and charges set for the courts of the District of Columbia.

ANNUITIES TO JUDGES

The Conference strongly disapproved H.R. 11299 and H.R. 11738, bills to deny to federal judges any annuities under the Civil Service Commission Retirement Fund. The bill as drafted would deny any annuity payments to any federal justice or judge while he is receiving salary as a justice or judge of the United States, whether in active or senior status. It affects primarily judges who have previously served in the Congress or in the Executive Branch of the Government for an extended period.

SUPPORTING PERSONNEL—INTERPRETERS

The Conference approved two permanent full-time Spanish-speaking interpreters for the District of Arizona and authorized that the court be permitted to retain Indian dialect interpreters as needed.

LEGISLATION

(1) The Conference noted that the recommendations of the American Law Institute on diversity and federal question jurisdiction were not embodied in any legislation introduced in the 94th Congress. The Conference reaffirmed its approval in principle of such legislation and recommended further that until passage of such legislation can be accomplished and in order to provide immediate relief to the United States district courts, the

Congress enact an amendment to Section 1332(a)(1) of Title 28, United States Code, to read:

(1) Citizens of different states, if none of the parties in interest properly joined as plaintiffs is a citizen of the states in which such action is brought;

The proposal would prohibit the plaintiff from filing a diversity suit in a district court in a state in which he is a citizen. Prior studies conducted by the Administrative Office indicate that adoption of such a proposal would initially exclude from the federal courts approximately 45 percent of all diversity actions. The Director of the Administrative Office was authorized to prepare a draft bill for submission to Congress.

(2) The Conference's views were sought on H.R. 10344, a bill which would authorize the President to issue orders and regulations to provide for the establishment of priorities of use and for systematic allocation and pricing of propane in order to meet the needs of various sections of the country and to lessen anticompetitive effects resulting from shortages of natural gas. Exclusive original jurisdiction is vested in the United States district courts and exclusive appellate jurisdiction in the Temporary Emergency Court of Appeals. The Conference agreed that this proposal involved basically a matter of legislative policy but agreed that a suggestion be made to the Congress that the bill be amended to authorize the trial of cases involving violations of orders and regulations issued under the act before the United States magistrates with the consent of the defendant.

(3) The Conference considered H.R. 7826, 7827 and 7828 which would authorize the awarding of attorneys fees in certain civil actions. The Conference noted that several similar bills had been introduced in the Congress following the decision of the Supreme Court in 1975 in the Alyeska Pipeline case (421 U.S. 240) which held that absent specific Congressional authorization, attorneys fees cannot be awarded to a prevailing party to litigation except in certain circumstances. While the Conference agreed that the subject matter of these bills is a question of public policy for the determination of the Congress, two problems connected with such legislation should be brought to the attention of the Congress:

(1) The potential impact on the workload of the courts which may be small or exceedingly large, depending on the type of legislation which is passed and for which adequate judicial resources should be provided in advance of the effective date thereof; and

(2) The constitutionality of awarding attorneys fees to prevailing plaintiffs in suits against state officers due to the restrictive provisions of the Eleventh Amendment to the Constitution.

The Conference agreed that H.R. 10748, a bill to extend the warning label required on cigarette packages to advertisements as well as regulating smoking in federal facilities and on interstate carriers, embodies a matter of policy on which the Conference expresses no views but that the Congress should be advised of the potential impact of such legislation on the federal court system.

(4) The Conference agreed that H.R. 9218 relating to environmental hazards involves a policy question for legislative determination. The bill does, however, provide that upon a showing giving rise to a rebuttable presumption that a threat to public health exists, the burden of proof shifts to the person engaging in such conduct. Section 5 of the bill, however, provides that nothing in the act shall affect the burden of proof with respect to the question of whether any violation of statute administered by the administrator has been committed. The Conference agreed to the suggestion that the bill should be redrafted so as to avoid any inconsistency with rule 301 of the Federal Rules of Evidence and that Section 5 should be clarified.

(5) The Conference agreed that S. 1284 relating to the antitrust laws involves a policy question for the Congress. The Conference did, however, approve the submission to the Congress of a statement on the workload of the courts in relation to antitrust actions.

REVIEW COMMITTEE

Judge Edward A. Tamm, Chairman, presented the report of the Committee.

The Conference approved three recommendations of the Committee with respect to the public report form of extrajudicial income, as follows:

(1) That the form be revised insofar as it pertains to bequests, to state affirmatively that it is not necessary for a judicial officer to list bequests in which the devisor is a member of the judge's family within the relationships defined in Canon 3C(1)(d) and that the sections dealing with gifts and bequests be consolidated into a single section appropriately identified.

(2) That the form be revised so as to include therein in the descriptive data in Section 1 "Extrajudicial Services" a specific reference to the provisions and limitations imposed on the acceptance of honoraria by Section 616 of Title 18, U.S.C., Public Law 93-443, approved October 15, 1974, and

(3) That judicial officers who are appointed and qualify within the last sixty days of a reporting period not be required to file a public report of extrajudicial income for that period.

Judge Tamm advised the Conference that the judicial officers who have not filed reports of extrajudicial income for the period July 1 through December 31, 1975, as of March 29, 1976, are:

Listing, by Circuit, of judicial officers who have not filed reports of extrajudicial income for the period July 1 through December 31, 1975.

Second Circuit:

****Edmund L. Palmieri**

U.S. District Judge

****Sylvester J. Ryan**

U.S. District Judge

****Edward Weinfeld**

U.S. District Judge

****Inzer B. Wyatt**

U.S. District Judge

Sixth Circuit:

****Frank J. Battisti**

U.S. District Chief Judge

Ninth Circuit:

****Warren J. Ferguson**

U.S. District Judge

****Peirson M. Hall**

U.S. District Judge

****Harry Pregerson**

U.S. District Judge

****Manuel L. Real**

U.S. District Judge

****Stanley A. Weigel**

U.S. District Judge

Tenth Circuit:

Stephen S. Chandler, Jr.

U.S. District Judge

****Willis W. Ritter**

U.S. District Judge

****Judges declining to file as a matter of conscience.**

The foregoing is set forth pursuant to the resolution of the Judicial Conference at its March 1971 session (Conf. Rept., p. 24) as subsequently amended.

JOINT COMMITTEE ON THE CODE OF JUDICIAL CONDUCT

The report of the Joint Committee on the Code of Judicial Conduct of which Judge Elbert P. Tuttle and Judge Edward A. Tamm are co-Chairmen was presented to the Conference by Judge Tuttle.

At the September 1975 session of the Conference the recommendation was approved for the preparation of a document in the nature of an overview of the origin and work of the Review Committee, the Joint Committee, and the Advisory Committee on Judicial Activities. Such a document was submitted to the Conference which approved its release by the Director of the Administrative Office to all federal judges and other interested parties.

The Conference disapproved the provisions of S. 181, S. 192 and S. 2295 insofar as they require financial disclosure by federal

judges since the Conference has already developed a reporting and disclosure procedure for the federal judges.

ADVISORY COMMITTEE ON JUDICIAL ACTIVITIES

Judge Elbert P. Tuttle, Chairman, presented the report of the Advisory Committee on Judicial Activities.

Judge Tuttle reported that in the last six months the Committee has received 17 formal inquiries. To date, the Committee has considered and acted upon 97 formal submissions, resulting in the publication of 47 separate formal opinions. The two published in the last six months are:

- (1) Opinion No. 46—Acceptance by judges of public testimonials or awards, and
- (2) Opinion No. 47—Acceptance of complimentary memberships in professional and social clubs.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM

Judge Arthur J. Stanley, Chairman, presented the report of the Committee.

PROPOSED AMENDMENTS TO THE JURY SELECTION AND SERVICE ACT

The Committee recommended and the Conference approved draft legislation for transmission to the Congress which would (1) establish a presumption that names of prospective jurors contained in voter lists represent a fair cross-section of the community, and (2) require a finding by the court that voter lists for that district do not represent such a fair cross-section before the voter lists may be supplemented by other sources of juror names. This legislative proposal is a response to the increasing number of cases challenging the process of jury selection.

The Conference voted its disapproval of S. 2779, a bill which would provide for non-unanimous jury verdicts in civil cases. The Conference noted the committee's view that the requirement of unanimity in jury verdicts, besides being in accord with tradition and precedent, serves the continuing function of assuring maximum protection to the expression of minority views in jury deliberations.

JUROR PRIVACY PROJECT

The Committee advised the Conference that a subcommittee had prepared a report on this subject involving pretrial investigation of prospective jurors which concludes that it would not be advisable to suggest the adoption of any uniform rule in this area. A survey of district courts indicates that no significant problem has resulted from the present lack of a uniform practice and that local conditions and the practices of the local bar should be determinative of the procedure to be followed by the court. The Committee was also of the view that the courts at present have sufficient inherent and statutory powers to cope with any abuses or complaints which might result from such pretrial investigation and that each district court remains free to adopt a local rule. The Conference approved the transmittal of the subcommittee report to all federal district judges.

COMMITTEE ON THE ADMINISTRATION OF THE CRIMINAL LAW

The report of the Committee on the Administration of the Criminal Law was presented by the Chairman, Judge Alfonso J. Zirpoli.

MANDATORY MINIMUM SENTENCES

The Conference recommended disapproval of S. 2698 which would amend Title 18, United States Code, to impose mandatory minimum terms with respect to certain offenses. Judge Zirpoli reported to the Conference that the Committee on the Administration of the Probation System joined with his committee in recommending the disapproval of this legislation since there is no demonstrated need for it. It would unnecessarily prolong the sentencing process and engender additional appellate review and would increase the expenditure of public funds without increase in additional benefits.

SENTENCING COMMISSION

The Conference disapproved S. 2699, a bill which would establish certain guidelines for sentencing and provide for the establishment of a United States Commission on Sentencing. The Committee on the Administration of the Probation System joined

the Criminal Law Committee in this recommendation, as well as agreeing that there is no need for the creation of such a Commission; that the courts have for years been utilizing pre-sentence reports which are prepared under guidelines promulgated with the approval of the Judicial Conference and there is no reason to believe that guidelines established by a commission would prove more effective in meeting the problem of disparity of sentences; and that a straight-forward review of sentences, whether by appellate review or by a panel of three judges as provided in the proposed amendment to Rule 35(b) of the Federal Rules of Criminal Procedure, is to be preferred over the proposed legislation.

YOUTH CORRECTIONS ACT

The Conference approved a draft bill which would amend the Youth Corrections Act so that the court may as a condition of probation or as a condition for treatment for a youth offender committed to the custody of the Attorney General require the youth offender to pay a fine or make restitution to the aggrieved party of actual damages or loss caused by the offense of the youth offender. The Conference authorized the Director of the Administrative Office to submit the draft bill to the Congress.

PERSONS ACQUITTED ON GROUNDS OF MENTAL INCOMPETENCY

The Conference reaffirmed a previous recommendation twice submitted to the Conference which would amend Title 18, United States Code, to provide for a hearing to determine whether or not an accused is mentally competent to stand trial and to provide for civil commitment, after hearing with appropriate due process safeguards, of a defendant who having been charged with an offense against the United States is acquitted after raising the defense of lack of criminal responsibility and who is further found by reason of mental disease or defect to be a danger to himself or the person or property of others.

PATTERN JURY INSTRUCTIONS

Judge Zirpoli advised the Conference that his Committee and the Committee on the Operation of the Jury System have given consideration to substantial changes in jury instructions which will be required if S. 1, the bill for the codification of the criminal

code, is enacted. The bill makes such substantial changes in the substantive law of crime that it will require any group working on the project at least two or three years to prepare jury instructions to a lay jury. The Conference authorized the Chief Justice, if S. 1 should be enacted, to appoint a committee to prepare pattern jury instructions, with full authority to include not only judges but representation from the bar and the Department of Justice.

FEDERAL CRIMINAL CODE

Judge Zirpoli briefed the Conference on the provisions of S. 1, the new proposed federal criminal code, as the bill now stands before the Senate. He submitted a report to the Conference made by his committee in conjunction with the Committee on the Operation of the Jury System, the Committee on the Administration of the Probation System, the Committee on the Administration of the Federal Magistrates System and the Advisory Committee on Criminal Rules. The Conference agreed that copies of this report should be sent to the Chairmen and each member of the judiciary committees of both the Senate and the House of Representatives.

SPEEDY TRIAL ACT

The Conference approved a recommendation submitted by the Department of Justice which would amend the Speedy Trial Act of 1974 to make the exclusions (periods of delay) enumerated in Section 3161(h) applicable to the time running under Section 3164(b) for those held in continuous custody solely for the purpose of trial or designated as high risk.

COMMITTEE ON THE ADMINISTRATION OF THE PROBATION SYSTEM

Judge Albert C. Wollenberg, Chairman, presented the report of the Committee on the Administration of the Probation System.

VISITS TO FEDERAL INSTITUTIONS

Judge Wollenberg advised the Conference that his committee is concerned that the only exposure to federal correctional institutions for many district court judges is a brief visit to a medium or minimum security institution while attending a sentencing in-

stitute. This provides limited exposure to the realities of imprisonment. The committee has found that individual sentencing decisions depend in part on current understanding of the facilities, programs and problems at federal correctional institutions and that this necessary understanding can be furthered by periodic visits by the judges to the federal institutions serving their respective courts. To this end, the committee recommended and the Conference adopted the following resolution:

Whereas, the Conference notes that one of the most serious responsibilities of the judges of the district courts is that of imposing sentence in criminal cases; and

Whereas, the Conference is of the opinion that informed sentencing decisions depend in part on a current understanding of the facilities, programs, and problems at the various Federal correctional institutions; now, therefore be it

Resolved, that the judges of the district courts, as soon as feasible after their appointment and periodically thereafter, shall make every effort to visit the various Federal correctional institutions that serve their respective courts.

PRETRIAL SERVICE AGENCIES

The Committee reported that the ten pretrial service agencies have acquired their necessary space, furniture and equipment. In the five agencies administered by the Probation Division all professional staff have been selected and have entered on duty. In the five board of trustees agencies all professional staff have been selected.

At the request of the Probation Division, the committee has endorsed the establishment of Title II type programs with complete data collection in several districts willing to undertake such a program with existing probation staff. Information obtained from these districts will strengthen the required evaluation.

The Committee has advised the Probation Division that it is of the opinion that the language of Section 3154 of Title 18, United States Code, makes contract services available to all persons released under Chapter 207 of Title 18 and does not restrict such services to residential programs only.

NARCOTIC AFTERCARE PROGRAMS

Judge Wollenberg advised that his Committee has been informed that the Director of the Bureau of Prisons has formally proposed the transfer of responsibility for drug treatment from the Bureau to the Federal Probation System. The Committee noted that Con-

gress has expressed policy in this area through the passage of Title II of the Speedy Trial Act extending limited contract authority to the Probation System for drug treatment programs and other supportive services for persons on pretrial release. There is little assurance that a person participating in a drug treatment program as a condition of pretrial release can continue a treatment program once placed on probation. Accordingly, the Committee instructed the Probation Division to explore the problem and report to the Committee.

In September 1975 the White House Domestic Council Drug Abuse Task Force issued its report and recommended that funds and responsibilities be transferred from the Bureau of Prisons to the Probation Service which should be made the pay agent for treatment services for federal parolees and probationers.

The Committee is of the view that the provision of drug treatment services seems to be a function more appropriate to the Executive Branch than the Judicial Branch. The Committee recognizes, however, that the responsibility for persons on probation and parole rests with the Federal Probation System and that drug treatment services are necessary for the proper operation of the probation system. Aside from the issue of who provides them, the services must be available. The Conference was advised that the Committee has endorsed a policy position that if the Executive Branch does not provide these programs and the Congress transfers the responsibility to the Probation System, then the Probation System must do its utmost to carry out the intent of Congress.

PROBATION PERSONNEL

At its September 1975 session, the Conference on the recommendation of the Committee on the Budget instructed the Committee to review and reevaluate the formula being used to determine the staffing requirements of probation offices prior to the 1976 hearing before the House Appropriations Subcommittee. In response to the instructions the Probation Division conducted a time study which was analyzed by the Federal Judicial Center. This study involved detailed timekeeping by a random sample of 139 officers during the period October 29 to November 25, 1975. After a review of the final report of the time study, the Committee has reaffirmed its approval of the formula being used to determine staffing requirements of the probation offices.

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

Judge Edward Weinfeld, Chairman, presented the report of the Committee on the Administration of the Bankruptcy System.

SALARIES AND ARRANGEMENTS FOR REFEREES

The Conference considered the Committee's report, as well as the recommendations of the Director, the judicial councils and the district judges, and took the following actions relating to bankruptcy judge positions and changes in salaries and arrangements in the several districts concerned. The Conference agreed that its action would be effective May 1, 1976, unless otherwise indicated and subject to the availability of funds.

THIRD CIRCUIT

Western District of Pennsylvania

- (1) Authorized a third full-time referee in bankruptcy position at Pittsburgh, at an annual salary of \$37,800;
- (2) Established the place of office at Pittsburgh and the territory of both the new position and the currently authorized position to consist of fifteen counties, as follows:

1. Allegheny	9. Fayette
2. Armstrong	10. Greene
3. Beaver	11. Indiana
4. Bedford	12. Lawrence
5. Blair	13. Somerset
6. Butler	14. Washington
7. Cambria	15. Westmoreland
8. Clearfield	
- (3) Established the places of holding court away from the Pittsburgh area at Greensburg and Johnstown;
- (4) Established the territory of the present full-time referee position at Erie to consist of the remaining counties in the district, as follows:

1. Clarion	6. Jefferson
2. Crawford	7. McKean
3. Elk	8. Mercer
4. Erie	9. Venango
5. Forest	10. Warren
- (5) Established the places of holding court away from the Erie headquarters at Mercer and Warren; and
- (6) Established concurrent district-wide jurisdiction for all the full-time referees of the district.

FOURTH CIRCUIT

Eastern District of North Carolina

- (1) Changed the part-time referee in bankruptcy position at Wilson to a full-time position, at an annual salary of \$37,800;
- (2) The change to full-time service to become effective as soon as appropriated funds become available;
- (3) Continued the regular place of office and territory as at present, and designated, in addition to the headquarters office, Washington, Raleigh, New Bern, and Fayetteville as places of holding court.

Southern District of West Virginia

- (1) Authorized the continuance of the full-time referee position at Charleston to become vacant by expiration of term on May 31, 1976, for a term of six years, effective June 1, 1976, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

FIFTH CIRCUIT

Northern District of Texas

- (1) Authorized the continuance of the full-time referee position at Dallas to become vacant by expiration of term on September 30, 1976, for a term of six years, effective October 1, 1976, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

SIXTH CIRCUIT

Southern District of Ohio

- (1) Authorized a third full-time referee position at Columbus, at an annual salary of \$37,800;
- (2) Transferred the counties of Union, Logan, Madison and Fayette, currently being served by the referees at Dayton, to the referees headquartered at Columbus;
- (3) Established the regular place of office for the new position to be the same as for the other full-time referees now headquartered at Columbus;
- (4) Established the places of holding court away from the Columbus headquarters at Zanesville and Steubenville; and
- (5) Established concurrent district-wide jurisdiction for the full-time referees of the district.

SEVENTH CIRCUIT

Southern District of Indiana

- (1) Authorized the continuance of the full-time referee position at Indianapolis to become vacant by expiration of term on August 31, 1976, for a term of six years, effective September 1, 1976, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

EIGHTH CIRCUIT

Western District of Missouri

- (1) Authorized a third full-time referee position at Kansas City, at an annual salary of \$37,800;

- (2) Established the regular place of office and territory to be the same as for the other full-time referees presently headquartered at Kansas City;
- (3) Established concurrent State-wide jurisdiction for the full-time referees in the Eastern and Western Districts.

NINTH CIRCUIT

Northern District of California

- (1) Authorized a seventh full-time referee position for the district with headquarters at San Francisco, at an annual salary of \$37,800;
- (2) Established the regular place of office and territory to be the same as for the other full-time referees headquartered at San Francisco;
- (3) Established concurrent district-wide jurisdiction for all full-time referees of the district.

Eastern District of California

- (1) Authorized the continuance of the full-time referee position at Sacramento to become vacant by expiration of term on June 30, 1976, for a term of six years, effective July 1, 1976, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

District of Nevada

- (1) Authorized the continuance of the full-time referee position at Reno, which was authorized for full-time status effective October 1, 1976 and which is to become vacant by expiration of term on September 30, 1976, for a term of six years effective October 1, 1976, at the present salary, the regular place of office, territory, and places of holding court to remain as at present.

TENTH CIRCUIT

District of Kansas

- (1) Authorized a third full-time referee position for the district, at an annual salary of \$37,800, the regular place of office to be at Topeka;
- (2) Designated Wichita, Topeka, Kansas City, Salina, and Fort Scott as places of holding court for all referees in the district.
- (3) Established concurrent district-wide jurisdiction for all referees in the district over cases filed within the district.

Northern District of Oklahoma

- (1) Authorized an additional part-time referee position for the district, at an annual salary of \$16,500, for a term of six years;
- (2) Established Tulsa as the headquarters for the position, with Tulsa being the only designated place of holding court within the district.

Eastern District of Oklahoma

- (1) Increased the salary for the part-time referee position at Okmulgee from \$13,900 to \$16,500 per annum, subject to the availability of funds.

CHANGE IN ARRANGEMENTS

Upon recommendation of the Bankruptcy Committee and with the approval of the Judicial Council of the Second Circuit the Executive Committee of the Judicial Conference on December 15, 1975 approved the transfer of the headquarters of the Bankruptcy Office in Yonkers in the Southern District of New York to White Plains.

CASE FILINGS

Bankruptcy case filings increased by 9.5 percent in the first six months of fiscal year 1976, following the 34.3 percent increase of the previous year. It is now anticipated that 280,000 new bankruptcy cases will be filed in fiscal year 1976, or an increase of 26,000 cases over the 254,484 cases filed in fiscal year 1975. The percentages of business cases to the total number of cases filed continues to increase, as well as the number of business cases filed under the special relief chapters of the Act. In the first four months of fiscal year 1976 business cases made up 13.8 percent of the total filings as compared to 11.4 percent in the same period of the previous fiscal year.

STATUS OF THE REFEREES' SALARY AND EXPENSE FUND

It is estimated that receipts to the Referees' Salary and Expense Fund for fiscal year 1976 will be \$22,503,000 and that expenses of the system will be \$26,358,000. In fiscal year 1977 (October 1, 1976 to September 30, 1977), it is estimated that receipts to the Fund will be \$25,879,000 and that expenses of the system will be \$29,769,000. Expenses of the system in excess of receipts to the Fund are paid from the general funds of the Treasury.

LEGISLATION

The Conference was advised that the President on February 27, 1976 signed Public Law 94-217 making the salaries of full-time referees statutory and setting them at \$37,800 per annum, subject to future cost-of-living adjustments and the actions of the Quadrennial Salary Commission.

STUDY OF PROCEDURES FOLLOWED IN BANKRUPTCY APPEALS

Judge Weinfeld advised that his Committee has requested the Bankruptcy Division of the Administrative Office to study the

procedures followed in the courts for processing bankruptcy appeals under Part VIII of the Rules of Bankruptcy Procedure to insure that procedures will result in cases being promptly brought before the judges.

COMMITTEE ON INTERCIRCUIT ASSIGNMENTS

Judge Roy W. Harper, Chairman of the Committee on Intercircuit Assignments, submitted a written report for the consideration of the Conference covering the period from August 15, 1975 to February 15, 1976.

During this period the Committee recommended 73 assignments to be undertaken by 53 judges. Of this number, four are senior circuit judges, four are active circuit judges, 17 are district judges in active status and 23 are senior district judges. One retired Supreme Court Justice participated in seven assignments. Six assignments involved one active judge from the Court of Claims, two active judges from the Court of Customs and Patent Appeals and one active judge of the Customs Court.

Four senior circuit judges, nine senior district judges, and one retired Supreme Court Justice carried out 26 of the 43 assignments to the circuit courts of appeals which were recommended during the period. Of the 30 assignments to the district courts, 16 senior district judges participated in 17 assignments, the remaining 13 being carried out by ten active district judges and one active judge of the United States Customs Court.

COMMITTEE ON THE ADMINISTRATION OF THE FEDERAL MAGISTRATES SYSTEM

In the absence of the Chairman, Judge Charles M. Metzner, the report of the Committee on the Administration of the Federal Magistrates System was presented by Judge Donald R. Ross.

CONFLICTS OF INTEREST

Pursuant to the request of the Judicial Conference at its September 1975 session, the Committee obtained the views of the judiciary on the proposal to preclude a part-time magistrate from accepting fees for services performed as a special master, whether or not such service is rendered in the magistrate's official capacity. The proposal would also preclude the taxing of fees against liti-

gants for the magistrate's service. The assessment of costs for other expenses of the referees would not be covered by the resolution.

In the light of the responses received from the questionnaires sent to all federal judges, the Committee reconsidered its proposal and again recommended to the Conference that as a matter of policy a part-time magistrate be precluded from accepting fees, in addition to the salary set for his position by the Conference, for services performed as a special master, whether or not the service is rendered in the magistrate's official capacity. The Conference agreed to this policy statement and also to the recommendation that no fees should be taxed against litigants for such service.

CHANGES IN MAGISTRATES POSITIONS

Prior to the meeting of the Conference, the Executive Committee authorized, upon recommendation of the Administrative Office and the Magistrates Committee, the conversion of the part-time magistrate position at Charlotte in the Western District of North Carolina to a combination deputy clerk-magistrate position at no change in the currently authorized \$8,000 annual compensation. The Conference ratified the action of its Executive Committee.

After full consideration of the survey reports of the Director of the Administrative Office regarding changes in magistrates positions and salaries, together with the views of the district courts and the circuit councils concerned, as well as the Committee recommendations, the Conference approved the following changes which, unless otherwise indicated, are to be effective when appropriated funds are available.

FIRST CIRCUIT

District of Massachusetts

- (1) Increased the salary of the part-time magistrate position at Ayer from \$9,500 to \$13,959 per annum.

District of Rhode Island

- (1) Authorized a full-time magistrate position at Providence at a salary of \$31,500 per annum;
- (2) Discontinued the authority of the clerk of court at Providence to perform the duties of a part-time magistrate, effective upon the appointment of the full-time magistrate;
- (3) Discontinued the part-time magistrate position at Providence, effective upon the appointment of the full-time magistrate.

SECOND CIRCUIT

Northern District of New York

- (1) Increased the salary of the part-time magistrate position at Syracuse from \$1,661 to \$1,993 per annum.

Eastern District of New York

- (1) Increased the salary of the part-time magistrate position at Patchogue from \$1,329 to \$3,323 per annum.

THIRD CIRCUIT

Middle and Western Districts of Pennsylvania

- (1) Authorized jurisdiction for the full-time magistrate at Harrisburg over the entire area of Raystown Lake National Recreation Area, including the portions thereof lying within the Western District of Pennsylvania.

FOURTH CIRCUIT

District of Maryland

- (1) Authorized an additional full-time magistrate position at Baltimore at a salary of \$31,500 per annum.

Eastern District of North Carolina

- (1) Increased the salary of the part-time magistrate position at New Bern from \$2,658 to \$5,539 per annum.

Western District of Virginia

- (1) Increased the salary of the part-time magistrate position at Lynchburg from \$1,661 to \$3,323 per annum.

Northern District of West Virginia

- (1) Authorized a part-time magistrate position at Parkersburg at a salary of \$387 per annum.

Southern District of West Virginia

- (1) Converted the part-time magistrate position at Huntington to a full-time position at a salary of \$31,500 per annum.

FIFTH CIRCUIT

Northern District of Georgia

- (1) Continued the part-time magistrate position at Newnan for the remainder of the current term, with no change in salary.

Western District of Louisiana

- (1) Increased the salary of the part-time magistrate position at Alexandria from \$9,417 to \$13,959 per annum.

Southern District of Texas

- (1) Increased the salary of the part-time magistrate position at Edinburg-McAllen from \$11,079 to \$15,000 per annum.

SIXTH CIRCUIT

Southern District of Ohio

- (1) Increased the salary of the part-time magistrate position at Dayton from \$11,079 to \$15,000.
- (2) Discontinued the part-time magistrate positions at Springfield and Chillicothe.

EIGHTH CIRCUIT

Western District of Arkansas

- (1) Increased the salary of the part-time magistrate position at Fort Smith from \$1,993 to \$3,323 per annum.

Eastern District of Missouri

- (1) Authorized an additional full-time magistrate position at St. Louis at a salary of \$31,500 per annum.
- (2) Discontinued the authority of the clerk of court at St. Louis to perform the duties of a part-time magistrate, effective upon the appointment of the new full-time magistrate.

Western District of Missouri

- (1) Authorized an additional full-time magistrate position at Kansas City at a salary of \$31,500 per annum.
- (2) Discontinued the part-time magistrate position at Jefferson City, effective upon the appointment of the new full-time magistrate at Kansas City.

NINTH CIRCUIT

Eastern District of California

- (1) Authorized a full-time magistrate position at Fresno at a salary of \$31,500 per annum.
- (2) Discontinued the two part-time magistrate positions at Fresno, effective upon the appointment of the full-time magistrate at that location.

Eastern and Central Districts of California

- (1) Increased the salary of the part-time magistrate position at Lancaster from \$1,329 to \$2,658 per annum.

District of Oregon

- (1) Authorized an additional full-time magistrate position at Portland at a salary of \$31,500 per annum.
- (2) Increased the compensation paid to the referee in bankruptcy at Eugene for the performance of duties as a part-time magistrate from \$13,959 to \$15,090 per annum.

TENTH CIRCUIT

District of New Mexico

- (1) Increased the salary of the part-time magistrate position at Albuquerque from \$664 to \$11,079 per annum.

District of Wyoming

- (1) Increased the salary of the part-time magistrate position at Cheyenne from \$3,323 to \$6,647 per annum.

COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT

The report of the Committee to Implement the Criminal Justice Act was presented by the Chairman, Judge Dudley B. Bonsal.

APPOINTMENTS AND PAYMENTS

The Conference authorized the Director of the Administrative Office to disseminate to the chief judges of all United States district courts, to all defender organizations and to any other interested parties the report of the Administrative Office on appointments and payments made under the Criminal Justice Act for the period ending December 31, 1975.

This report showed that during the first half of fiscal year 1976 there were 19,613 persons represented under the Criminal Justice Act, a 5.8 percent increase over the number represented during the first half of fiscal year 1975. Private attorneys were appointed to represent 11,756 persons and federal defender organizations were assigned 7,857 cases, the latter representing an increase of 17 percent.

Judge Bonsal reported that since the last session of the Conference a new federal public defender organization has become operational in the Western District of Texas.

Congress appropriated \$18,890,000 for fiscal year 1976 which includes a supplemental of \$2.3 million. For fiscal year 1977 an appropriation request was made for \$20,686,000.

FEDERAL PUBLIC DEFENDER OFFICES

In accordance with the requirements of the Criminal Justice Act the Conference approved a proposed budget for the remainder of fiscal year 1976, the transition period, and for fiscal year 1977 for the new public defender office established in the Western District of Texas in the amounts of \$188,500 for fiscal year 1976, \$69,700 for the transition quarter and \$294,900 for fiscal year 1977, with an eventual staff of seven attorneys, two investigators and five secretaries.

COMMUNITY DEFENDER ORGANIZATIONS

The Federal Defenders of San Diego, Inc., which operated on an initial grant approved by the Judicial Conference and since that time has been submitting vouchers for individual cases only, has now submitted a request for sustaining grants for the transition quarter, commencing July 1, 1976, and for fiscal year 1977 in the amounts of \$150,000 and \$612,000. On recommendation of the Committee, the Conference approved the grants in the amounts requested.

The Conference likewise approved sustaining grants for other community defender organizations for the fiscal year ending September 30, 1977, as follows:

Atlanta, Georgia-----	\$158,941	New York, New York-----	863,295
Chicago, Illinois-----	293,000	Portland, Oregon-----	130,000
Detroit, Michigan-----	575,000	Philadelphia, Pennsylvania--	291,500
Minneapolis, Minnesota-----	33,185		

The Conference also approved a supplemental grant in the amount of \$5,000 for the Community Defender Organization in Portland, Oregon, for the fiscal year ending June 30, 1976.

INVESTIGATION OF ASSISTANT FEDERAL PUBLIC DEFENDERS

Upon recommendation of the Committee, the Conference agreed to rescind its requirement that all prospective assistant federal public defenders be subject to a full-field investigation by the Federal Bureau of Investigation prior to employment. In lieu thereof, the Conference agreed that only a name check will be required unless the federal public defender concerned requests a full-field investigation. The report of any investigation made of an assistant federal public defender shall be transmitted to the federal public defender concerned since by statute he is the appointing officer.

REIMBURSEMENT AS A CONDITION OF PROBATION

Judge Bonsal advised that his Committee had noted that some judicial officers are requiring as a condition of probation reimbursement by the defendant of funds expended under the Criminal Justice Act by the government for his defense. He advised that the Committee has reaffirmed the current guideline which reads that:

Subsection (f) of the Act does not authorize a judicial officer to require reimbursement as a condition of probation.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

The report of the Committee on Rules of Practice and Procedure was presented by the Chairman, Judge Roszel C. Thomsen.

At the September 1975 session of the Conference there were approved for transmittal to the Supreme Court, with an endorsement for favorable action, proposed rules under Chapter IX of the Bankruptcy Act relating to Composition of Indebtedness of Certain Taxing Agencies. On March 25, 1976, the Congress approved for transmittal to the President for signature a bill amending Chapter IX which when signed became Public Law 94-260. Anticipating the passage of this bill, the Committee had arranged with the Advisory Committee on Bankruptcy Rules to prepare an amended set of Chapter IX rules to conform to the proposed new statute. These rules were submitted to the standing Committee and approved, with minor modifications. The Conference approved these new Chapter IX rules, as amended, for immediate transmittal to the Supreme Court in place of the Chapter IX rules approved at the September 1975 session.

BICENTENNIAL COMMITTEE

Judge Clement F. Haynsworth, Jr., and Judge Edward J. Devitt, co-Chairmen, submitted a report to the Judicial Conference on the work of the Bicentennial Committee.

The report stated that the Committee is completing negotiations with Metropolitan Pittsburgh Public Broadcasting, Inc., for the production of five films available to the general public for use in the classroom and at group meetings, and a ninety minute special feature film, formed of excerpts of the movies, to be shown on prime time on public broadcasting stations. The movies will focus on early decisions that were significant in the development of this country's federal system. The movies are expected to be available for distribution in the fall of 1976.

The Committee's projected popular book, intended for use primarily by the lay public and focusing on the role of our courts, is being written by Professor Sidney Hyman of the University of Illinois at Chicago and should be available for distribution during the summer of 1976.

In furthering the biographical directory project the Committee has distributed biographical questionnaires to all members of the federal judiciary. Similar questionnaires are being completed about each deceased judge by a subcommittee of the Bicentennial Committee.

The report stated that the circuits have the option of preparing a history of the courts in their geographic area and the Committee is considering providing up to \$5,000 to each circuit for the writing of its history, upon submission of justification thereof.

The Committee further noted that it has been working closely with the planners of the National Conference on the Causes of Popular Dissatisfaction with the Administration of Justice, of which the Judicial Conference is a co-sponsor, as a very important part of the Judiciary's Bicentennial celebration.

RESOLUTION

Noting with deep regret the death of its long-time member and Director of the Federal Judicial Center, the Honorable Alfred P. Murrah, the Conference adopted the following resolution:

The Judicial Conference of the United States mourns the passing of Alfred P. Murrah on October 30, 1975. Truly one of the great men of his time, he has made a profound and lasting impression on the Judiciary.

Born in Indian country in 1904, Judge Murrah worked his way through the School of Law at the University of Oklahoma. He practiced law in Seminole and Oklahoma City, until he was appointed to the United States District Court at the age of 32, one of the youngest men ever appointed to the Federal Bench. Only three years later he was elevated to the Court of Appeals for the Tenth Circuit. In 1959 he became Chief Judge, a position he held until 1970 when he took senior status to succeed Justice Tom Clark as the second Director of the Federal Judicial Center. Resigning from this position in 1974, he returned to his beloved Oklahoma but continued to hear cases even though he was suffering from cancer.

This bare skeletal outline does not begin to suggest the service he rendered to the judicial and legal professions, as well as to the community as a whole. He was not only a member of this Conference for many years but served on many of its Committees. Because of his great capacity as a leader, he usually became Chairman of whatever group or committee he served. He held many posts in the American Bar Association and the American Judicature Society, receiving the Justice Award from the latter organization in September, 1973. His many accomplishments, services rendered and honors received would fill many pages.

We looked to him for leadership and depended upon him for his advice. We will miss his delightful wit, his warm handshake and friendly smile. As Reverend Doctor Hinchley, Pastor of the Crown Heights United Methodist Church in

Oklahoma City, said in concluding his remarks at Judge Murrah's funeral service, "This world and the next are richer—oh so richer—because we have been blessed to have lived with him."

REPORTS BY CHIEF JUDGES

The Conference agreed to dispense in the future with the requirement of the reports on the disposition of cases pending in the district courts for more than three years and the disposition of cases under submission in the courts of appeals and cases and motions under advisement in the district courts heretofore required by sections (a) and (b) of Agenda Item H.

PRETERMISSION OF TERMS OF COURTS OF APPEALS

The Conference approved the pretermission of terms of courts of appeals, pursuant to 28 U.S.C. 48, for the session of court to be held by the Fourth Circuit at Asheville, North Carolina, the sessions of the Court of Appeals for the Fifth Circuit to be held outside of New Orleans, Louisiana, for the sessions of the Eighth Circuit Court of Appeals to be held at Kansas City, Missouri, and Omaha, Nebraska, and for all sessions of the Tenth Circuit Court of Appeals to be held at Oklahoma City, Oklahoma, prior to the next session of the Conference.

ELECTIONS

The Conference noting that the term as a member of the Board of Certification for Circuit Executives of Chief Judge Howard T. Markey would expire on July 1, 1976, unanimously elected Judge Markey to serve for another term, commencing July 1, 1976, in accordance with the provisions of 28 U.S.C. 332(f).

RELEASE OF CONFERENCE ACTION

The Conference authorized the immediate release of its action on matters considered at this session where necessary for legislative or administrative action.

WARREN E. BURGER,
Chief Justice of the United States.

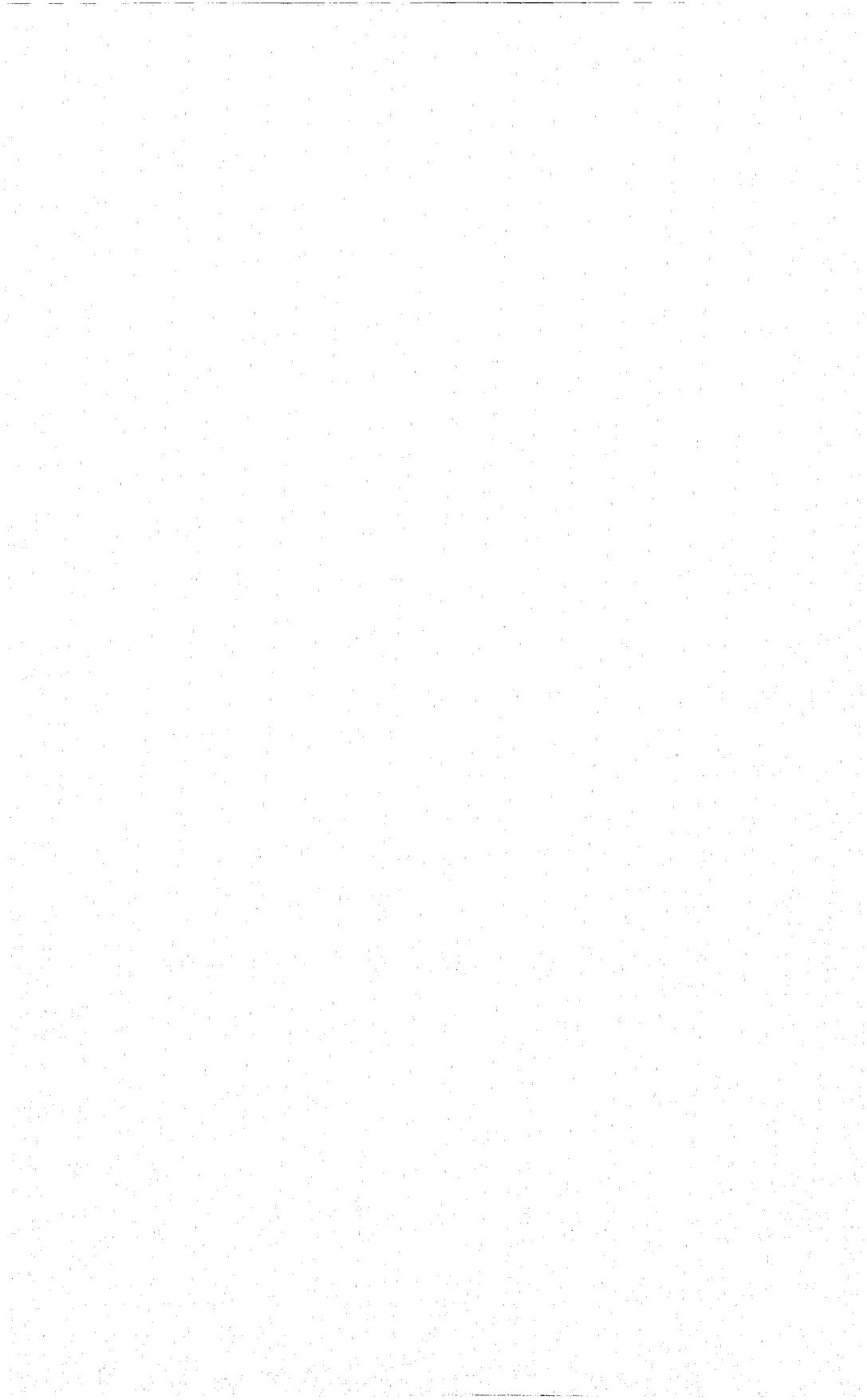
JUNE 8, 1976.

REPORT
of the
PROCEEDINGS OF THE
JUDICIAL CONFERENCE OF THE
UNITED STATES

September 23-24, 1976

Washington, D.C.

1976



Report of the Proceedings of the Judicial Conference of the United States

September 23-24, 1976

The Judicial Conference of the United States convened on September 23, 1976, pursuant to the call of the Chief Justice of the United States issued under 28 U.S.C. 331. The following members of the Conference were present:

District of Columbia Circuit:

Chief Judge David L. Bazelon
Chief Judge William B. Jones, District of Columbia

First Circuit:

Chief Judge Frank M. Coffin
Chief Judge Andrew A. Caffrey, District of Massachusetts

Second Circuit:

Chief Judge Irving R. Kaufman
Chief Judge Jacob Mishler, Eastern District of New York

Third Circuit:

Chief Judge Collins J. Seitz
Chief Judge-Lawrence A. Whipple*, District of New Jersey

Fourth Circuit:

Chief Judge Clement F. Haynsworth, Jr.
Judge Charles E. Simons, Jr., District of South Carolina

Fifth Circuit:

Chief Judge John R. Brown
Chief Judge Alexander A. Lawrence, Southern District of Georgia

Sixth Circuit:

Chief Judge Harry Phillips
Chief Judge Damon J. Keith, Eastern District of Michigan

Seventh Circuit:

Chief Judge Thomas E. Fairchild
Chief Judge James B. Parsons, Northern District of Illinois

Eighth Circuit:

Chief Judge Floyd R. Gibson
Chief Judge James H. Meredith, Eastern District of Missouri

Ninth Circuit:

Chief Judge James R. Browning
Chief Judge Thomas J. MacBride, Eastern District of Calif.

* Chief Judge Whipple was unable to attend the Conference because of illness.

Tenth Circuit:

Chief Judge David T. Lewis

Chief Judge Wesley E. Brown, District of Kansas

Court of Claims:

Chief Judge Wilson Cowen

Court of Customs and Patent Appeals:

Chief Judge Howard T. Markey

Senior Circuit Judge Elbert P. Tuttle; Circuit Judges Robert A. Ainsworth, Jr., Richard H. Chambers and Edward A. Tamm; Senior District Judges Roy W. Harper, Arthur J. Stanley, Jr., Roszel C. Thomsen, Carl A. Weinman, Albert C. Wollenberg and Alfonso J. Zirpoli; and District Judges Dudley B. Bonsal, Edward J. Devitt, Charles M. Metzner and Edward Weinfield attended all or some of the sessions of the Conference.

At the opening of the first session Deputy Attorney General Harold R. Tyler and Solicitor General Robert H. Bork addressed the Conference on matters of mutual interest to the Department of Justice and the judiciary.

The Honorable Walter E. Hoffman, Director of the Federal Judicial Center, presented the year-end report of the activities of the Center and commented thereon.

A written report of the activities of the Panel on Multidistrict Litigation was submitted by the Honorable John Minor Wisdom, Chairman.

The Director of the Administrative Office of the United States Courts, Rowland F. Kirks, the Deputy Director, William E. Foley, and Assistant Director Joseph F. Spaniol, Jr., attended all of the sessions of the Conference, as did Mark Cannon, Administrative Assistant to the Chief Justice.

REPORTS OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

The Director of the Administrative Office, Mr. Rowland F. Kirks, presented to the Conference the report on the business of the United States courts for the twelve-month period, ending June 30, 1976. The Conference agreed to the release of this report.

The Annual Report of the Director showed that the workload

of the courts continued to increase in 1976. Filings in the courts of appeals rose almost 11 percent over a year ago to a new all-time high of 18,408. Terminations also increased but were almost 2,000 less than the number filed. As a result the pending caseload increased more than 16 percent to a new all-time high of 14,110 appeals. The backlog of pending cases is now more than double what it was in 1968 when the last increase in the number of judgeships occurred.

In the district courts civil case filings increased more than 11 percent; terminations rose by approximately 5,400 cases over a year ago, but the pending caseload continued to increase to a record 140,189 as of June 30th. This was a record increase of 17 percent over the 119,767 civil cases pending a year ago. From 1960 to 1976 the pending caseload increased 129 percent.

Criminal case filings in the district courts declined more than five percent to 41,020. The comparison of this year's filings with last year's, however, is not entirely appropriate because of a change in the method of statistical case accounting required as a result of the Speedy Trial Act of 1974. Superseding indictments are no longer being counted as separate cases, which tends to reduce the number of filings. On the other hand, certain misdemeanor cases, falling within the minor offense trial jurisdiction of United States magistrates and carried on their dockets, are now being carried on the criminal dockets of the district courts so that they may be accounted for under the requirements of speedy trial.

Bankruptcy case filings were 246,549, a decrease of almost 8,000 from the record number of filings last year - constituting a decrease of three percent.

The Director also submitted and the Conference approved the release to the Congress of the first annual report required to be submitted pursuant to the provisions of the Speedy Trial Act of 1974.

The report, in two parts, summarized in general terms the speedy trial plans submitted by the district courts pursuant to Title I of the Act and the accomplishments of the pretrial service agencies established during the year in ten district courts on a demonstration basis pursuant to Title II of the Act. The report contained very little statistical information inasmuch as the time limitations imposed by speedy trial were for the most part not in effect during the year and the pretrial service agencies were in operation only during the last six months of the statistical year.

COMMITTEE ON THE BUDGET

Judge Carl A. Weinman, Chairman, presented the report of the Committee on the Budget.

The Conference approved the proposed budget estimates for the fiscal year 1978 which, exclusive of the Supreme Court, the Customs Court and the Federal Judicial Center, were in the aggregate amount of \$411,670,000. This represents a proposed increase in budget authority over fiscal year 1977 of \$41,020,000. The estimates were based on the assumption of a general pay increase average of 4.83 percent, commencing October 1, 1976, and also took into account the recommendations of the respective committees of the Judicial Conference. The Director of the Administrative Office was authorized to submit supplemental requests for 1977 and to amend the budget for 1978 if required as a result of new legislation, actions of the Judicial Conference or for any other purpose he considers necessary and appropriate.

Included in the proposed budget for 1978 under the heading "Salaries of Supporting Personnel," are requests for 595 new positions, as follows:

	<i>Positions</i>
Supporting personnel for circuit executives	12
Deputy clerks for courts of appeals	37
Deputy clerks for district courts	299
Probation officers	108
Probation clerk-stenographers	65
Probation assistants	10
Special Court, Regional Rail Reorganization Act	7
Staff (court) law clerks and secretaries for courts of appeals	33
Secretaries and law clerks for senior judges	<u>24</u>
Total	595

The request for 12 new positions for circuit executives is in lieu of the prior request thrice denied by the Congress for deputy circuit executives and carries out a resolution of the chief judges of the courts of appeals for staff assistants for the circuit executives.

Provision has been made for the first time for the payment of the compensation of land commissioners appointed pursuant to Rule 71A(h) of the Federal Rules of Civil Procedure. Previously land commissioners have been paid by the Department of Justice.

The Director also was authorized to submit a draft bill to the Congress to amend the Court Reports Act so as to authorize the

expenditure of appropriated funds for the procurement of equipment and other expenses incident to the implementation of a program for computerized transcripts.

COURT ADMINISTRATION

The report of the Committee on Court Administration was presented by the Chairman, Judge Robert A. Ainsworth, Jr.

UNIFORM RULES OF DISCIPLINARY ENFORCEMENT

Immediately following the April 1976 session of the Conference, the Committee, through its Subcommittee on Judicial Improvements, undertook consideration of the American Bar Association committee's proposed guidelines for Uniform Rules of Disciplinary Enforcement as to lawyers in the federal courts. The guidelines in the form in which they were proposed to the states were circulated to every federal judge for an expression of views. As a result of the Subcommittee's deliberations, Judge Ainsworth reported to the Conference that it was his Committee's view that the guidelines for the discipline of attorneys are not properly rules of practice and procedure and, accordingly, would recommend that it would be proper for the Judicial Conference to approve proposed guidelines and urge each of the Federal courts in the nation to adopt them. Inasmuch as this subject affects intimately the authority of the courts, the Committee advised the Conference that the guidelines would not be submitted for approval until the Spring 1977 session and that meanwhile the guidelines as approved by the Subcommittee and the Committee would be circulated to all members of the federal judiciary for comment prior to the next meeting of the Conference.

LAND COMMISSIONERS

The Conference approved the recommendation of the Committee, as well as the proposed budgetary estimates of the Committee on the Budget, for the transfer of the appropriation for fees of land commissioners from the Department of Justice to the federal judiciary. In budget submissions for fiscal year 1977 the Department of Justice did not request an appropriation for the fees of land commissioners. When the matter was brought to the Appropriations Subcommittee of the House of Representatives an appropriation for fees for land commissioners was made to the Department of Justice through the fiscal year 1977. In its report

the Appropriation Subcommittee stated, however, that prior to requesting the appropriation for the fiscal year ending September 30, 1978 it would expect the Judicial Conference of the United States and the Department of Justice to come to an agreement concerning this appropriation. Judge Ainsworth reported that his Committee had explored the possibility of imposing upon the condemning agency the payment of the fees of land commissioners but the legality of this procedure appeared questionable.

PLACES OF HOLDING COURT

The Conference disapproved H. R. 11003, a bill which would authorize the holding of court in Houma in the Eastern District of Louisiana. The Conference noted that the judges of the district court involved and of the judicial council of the circuit all recommended against approval of the proposed legislation.

REGISTRY FUNDS

The Conference noted that there are four options open to the courts with regard to the deposit of registry funds: (1) to deposit in Treasury accounts pursuant to 31 USC 725V; (2) to deposit in private banks in checking accounts at no interest by specific order of the courts; (3) to deposit in private banks or savings and loan associations in interest-bearing accounts by specific order of the courts and (4) to order the parties themselves to make arrangements for the purchase of securities or bonds which are then placed in the custody of the courts.

Depositing these funds in Treasury account, has presented difficulties because of the problem of obtaining prompt and easy withdrawals of portions of the deposited funds as needed by the courts and because of the difficulty in obtaining a government record which adequately reflects the current status of the account.

The Conference was in agreement that since the situations involving the deposit of funds in the registry of the court are diverse, no hard and fast rule can be established. The Conference did, however, approve a general policy statement and broad guidelines to aid particular district courts, as follows:

1. Where it is reasonably predictable that the particular registry funds or substantially all of them will remain with the United States, or that the United States has the substantial beneficial interest therein, or that the interest of justice so requires, such funds should be deposited in Treasury accounts pursuant to Title 31, United States Code §725V.

2. Whenever practical and feasible all substantial sums of registry funds not

deposited in Treasury accounts pursuant to Title 31, United States Code, §725V should be placed in some form of (substantial) interest-bearing accounts (which will earn interest at approximately the existing market rate).

3. Courts should avoid the unnecessary placing of substantial sums, interest-free, in private banks.

QUADRENNIAL SURVEY

The quadrennial survey of judgeship needs in the district courts was conducted during 1976 by the Subcommittee on Judicial Statistics with assistance and support from the staff of the Administrative Office. In conducting this survey the Subcommittee considered the recommendations of the district courts and the judicial councils of the circuits, as well as the statistical information available in the Administrative Office.

Upon completion of this survey, the recommendations resulting therefrom were again submitted to the courts concerned for further comment. Upon the basis of the work of the Subcommittee, the Committee recommended and the Judicial Conference approved a recommendation to the Congress for the creation of 106 additional United States district judgeships, as follows:

<i>Court</i>	<i>Number of Judgeships</i>
First Circuit:	
Massachusetts	4
New Hampshire	1
Puerto Rico	4
Second Circuit:	
Connecticut	1
New York:	
Northern	1
Eastern	1
Third Circuit:	
New Jersey	1
Pennsylvania:	
Middle	2
Fourth Circuit:	
Maryland	2
North Carolina:	
Eastern	1
Middle	1
South Carolina	3
Virginia:	
Eastern	2
Western	2
West Virginia:	
Southern	1
Fifth Circuit:	
Alabama:	
Northern	2
Middle	1

<i>Court</i>	<i>Number of Judgeships</i>
Florida:	
Northern	1
Middle	3
Southern	6
Georgia:	
Northern	5
Southern	1
Louisiana:	
Eastern	4
Middle	1
Western	1
Texas:	
Northern	3
Eastern	1
Southern	5
Western	1
Sixth Circuit:	
Kentucky:	
Eastern	2
Michigan:	
Eastern	3
Western	2
Ohio:	
Northern	1
Southern	1
Tennessee:	
Middle	1
Seventh Circuit:	
Illinois:	
Northern	2
Eastern	1
Indiana:	
Northern	1
Southern	1
Wisconsin:	
Western	1
Eighth Circuit:	
Arkansas:	
Eastern	2
Iowa:	
Southern	1
Minnesota	1
Missouri:	
Eastern	1
Western	2
South Dakota	1
Ninth Circuit:	
Arizona	3
California:	
Eastern	3
Central	1
Southern	2
Nevada	1

<i>Court</i>	<i>Number of Judgeships</i>
Oregon	2
Washington:	
Eastern	$\frac{1}{2}$
Western	$1\frac{1}{2}$
Tenth Circuit:	
Colorado	2
Kansas	1
New Mexico	1
Oklahoma:	
Northern Eastern Western	2

The Conference further approved as an emergency measure the recommendation to the Congress for the creation of three additional circuit judgeships in the District of Columbia Circuit. In so doing, the Conference noted the sharp rise in the number of appeals filed per judgeship in the first six months of fiscal year 1976, with the largest increase occurring in the number of appeals from administrative agencies which rose by more than 100 percent.

SUPPORTING PERSONNEL

Court Reporters for Senior Judges

The Conference approved the following policy statement with regard to court reporters for senior judges:

Any time an active district judge takes senior status and expects to continue to render substantial service to his court and a request is made on his behalf by the court that he will continue to need the service of a reporter, such a request will be granted for whatever type of service is appropriate under title 28, United States Code, §753, on a temporary rather than a permanent basis.

When a request is made by the court for the pretrial reportorial service for a senior judge who requires a reporter only on an intermittent basis, such a request will be granted.

Regular review of the continued need for reportorial service is expected to be made.

Quality Step Increases for Court Personnel

In order to adopt a plan such as all government departments and agencies have to award superior performance, the Conference approved the following resolution:

The Conference notes that the federal judiciary is the only branch of the federal government which does not provide for rewarding superior performance by its graded employees through a quality within-grade step increase plan or similar administrative mechanism. Therefore, it is the feeling of the Conference that such a plan should be budgeted for and implemented and that the plan should, initially, take the form of the plan submitted for its consideration by the

Committee on Court Administration. This plan supersedes the provisions in effect heretofore for career law clerks.

It is the sense of the Conference that the provisions in future amendments to the plan may be implemented by the authority of the Director of the Administrative Office under Title 28, United States Code, §604, and that, therefore, any further changes in the plan need not be passed upon by the Conference unless the Committee on Court Administration feels that such Conference action would be necessary.

Judiciary Salary Plan

In 1960 the Judicial Conference approved the Judiciary Salary Plan covering positions in clerks' offices, probation offices and bankruptcy offices. Technically, the qualification and classification standards for other positions such as the judge's personal staff, other court staff and magistrate's staff are not part of the plan. In order that all supporting personnel positions in the judiciary may be known as and be part of the judiciary salary plan the Conference approved the following resolution:

That the entire compensation system for positions in the judicial branch of the federal government, established by the Director of the Administrative Office, under the supervision and guidance of the Judicial Conference of the United States under title 28, United States Code §604(a)(5) and any future similar statutes shall be known as and part of the Judiciary Salary Plan.

Court Reporters

The Conference approved a recommendation made in the course of the presentation of the Budget Committee report that the Court Administration Committee study the broad question of court reporter needs in the district courts, including the current limitation of one reporter for each judge regardless of certain situations created by exceptionally long trials.

LEGISLATION

S. 3153 - Jurisdictional Amount in Federal Question and Diversity Cases

The Conference noted that the Senate Judiciary Committee had requested its views on S. 3153, a bill "to amend Sections 1331 and 1332 of title 28, United States Code, to increase the jurisdictional amount in federal question and diversity cases from \$10,000 to \$25,000." The Conference approved the proposal to increase the jurisdictional amount in diversity cases to \$25,000 and, if the jurisdictional amount in federal question cases is to be retained, that the amount should also be increased to \$25,000 as a matter of consistency.

S. 2255 - Patent Law Revision

The Conference noted that a Senate-passed bill, S. 2255, relating to the revision of the patent laws, would affect the jurisdiction of the United States Court of Customs and Patent Appeals and the United States District Court for the District of Columbia. The Conference is of the view that passage of such legislation would not only increase the volume of litigation regarding the decisions of the Patent Office but would transfer cases from the docket of the Court of Customs and Patent Appeals, a court which is current and fully qualified to process this type of litigation, to the District Court and the Court of Appeals in the District of Columbia which are already burdened with other litigation. The Conference, therefore, agreed to recommend to the Congress that the legislation be amended to assure that the Court of Customs and Patent Appeals will continue to handle most patent appeal cases. Should the bill not be so amended, the Conference agreed to recommend to the Congress that the appropriate judicial and supporting resources to process this litigation be provided forthwith to the United States District Court and the United States Court of Appeals in the District of Columbia.

H.R. 11315 - Foreign Sovereign Immunities Act

The Conference noted that H.R. 11315, a bill to define the jurisdiction of the United States courts in suits against foreign states, in Section 2 would amend Chapter 85 of title 28, United States Code, by adding at the beginning thereof a new section 1330 pertaining to the jurisdiction of the district courts in actions against foreign states. The Conference agreed that this section might more appropriately be placed at the end of the chapter so that it would not precede the general grant of jurisdiction in federal question and diversity cases. The Conference was further of the view that the proposed new subsection (f) of Section 1391 should be similar to the language contained in Section 1391(a).

Foreign Service Act of 1946

The Office of Management and Budget requested the views of the Conference on a draft bill to amend the Foreign Service Act to provide protection to medical personnel of the State Department against certain malpractice suits. After reviewing the proposed legislation, the Conference agreed with the view of its Committee that the bill would have no impact on the federal judiciary.

S. 3392 and H.R. 14016 - Judicial Review of Veterans' Claims

The Conference voted its disapproval of S. 3392 and H.R. 14016, identical bills to provide for the judicial review of administrative determinations of the Veterans Administration. The Conference noted that in the period from 1962 to 1967 it had considered various proposals to provide judicial review of decisions involving the claims of veterans and had consistently disapproved such legislation. The Conference was advised that approximately 45,000 notices of disagreement with awards of veterans' benefits are now filed annually with the Veterans Administration and that the Board of Veterans Appeals processes 26,000 cases each year. The Conference agreed that this legislation would have a substantial impact on the workload of the federal courts.

S. 2387 - Petroleum Industry Competition Act

The Conference expressed no view on the substantive provisions of this legislation but was in agreement in opposing the creation of a new court to be known as the Temporary Petroleum Industry Divestiture Court composed of three or more judges to be designated by the Chief Justice from the courts of appeals and the district courts. The Conference was of the view that it would be preferable to provide adequate resources for the district courts and courts of appeals so that litigation arising under legislation of this type may be processed in the normal way. Experience in the assignment of judges to serve on special courts has shown how disruptive and time-consuming this procedure can be. The Conference suggested that the Congress undertake to ascertain the impact of this legislation on the courts from persons familiar with the scope of the bill and to provide the necessary resources to the judiciary to cope with the anticipated caseload in advance of its effective date.

S. 12 - Judicial Survivors Annuity Act

Subsequent to the last session of the Conference which had endorsed amendments to the Judicial Survivors Annuity Act as reported by the Senate Subcommittee, several provisions of the bill were amended, one of which would require an increase in the contribution of judges from three percent to 4.5 percent of their salaries. As so amended, the bill passed the Senate on June 22, 1976. The Conference agreed that the bill as passed would materially strengthen the Judicial Survivors Annuity System by

placing the fund on a sound actuarial basis and would substantially increase the benefits accruing to widows and surviving dependent children of judges. Through its Executive Committee the Conference approved several amendments proposed by the House Judiciary Committee. The Conference endorsed this action and requested the Chief Justice to urge upon the Judiciary Committee prompt action in the House of Representatives to assure passage of this legislation in the 94th Congress.

S. 2408 - Judicial Review of Agency Proceedings

The Conference noted a request by Senator Kennedy for an early expression of its views on S. 2408, a bill "to improve the administrative process by making federal agencies more responsive to the will of the people as expressed by their elected representatives in Congress." The Conference noted that the bill would provide *de novo* review by the court of all relevant questions of law and would provide that the court in review shall interpret constitutional and statutory provisions and determine the meaning or applicability of the terms of agency action. The Conference agreed that this legislation would have a serious impact upon the workload of the federal courts and voted its disapproval thereof.

REVIEW COMMITTEE

Judge Edward A. Tamm, Chairman, presented the report of the Review Committee.

Judge Tamm gave the Conference a summary of the Committee's review of the reports of circuit and district judges, bankruptcy judges and United States magistrates. Pursuant to the Conference resolution at its March 1976 session (Conf. Rept., p. 24), as subsequently amended, Judge Tamm advised the Conference that ten district judges have not filed reports of extra-judicial income for the period January 1 through June 30, 1976, as follows:

Listing, by Circuit, of Judicial Officers Who Have Not, as of August 30, 1976, Filed Reports of Extra-Judicial Income for the Reporting Period Ending June 30, 1976:

Second Circuit:

**Edmund L. Palmieri
U.S. District Judge
**Sylvester J. Ryan
U.S. District Judge

**Edward Weinfeld
U.S. District Judge
**Inzer B. Wyatt
U.S. District Judge

**Judges declining to file as a matter of conscience

Sixth Circuit:

**Frank J. Battisti
U.S. District Judge

Ninth Circuit:

**Warren J. Ferguson
U.S. District Judge
**Peirson M. Hall
U.S. District Judge

**Manuel L. Real
U.S. District Judge

Tenth Circuit:

Stephen S. Chandler, Jr.
U.S. District Judge
**Willis W. Ritter
U.S. District Judge

JOINT COMMITTEE ON THE CODE OF JUDICIAL CONDUCT

The Report of the Joint Committee was presented by Judge Edward A. Tamm, who with Judge Elbert P. Tuttle is co-Chairman of the Committee.

The Conference considered the request of the Radio Television News Directors Association that the photographing and broadcasting of ceremonial matters and naturalization proceedings be permitted in federal courtrooms and voted against a change in Canons of Judicial Ethics to permit such photographing and broadcasting.

ADVISORY COMMITTEE ON JUDICIAL ACTIVITIES

Judge Elbert P. Tuttle, Chairman, reported that in the last six months the Committee had received eighteen formal inquiries compared with seventeen in the prior six-month period. At its summer meeting the Committee considered eleven inquiries which could not be resolved through correspondence or which were received just prior to the meeting. Judge Tuttle also reported that, pursuant to an earlier resolution of the Conference, the Federal Judicial Center has included the subject of judicial ethics in its seminars for newly-appointed judges.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM

The report of the Committee on the Operation of the Jury System was presented by the Chairman, Judge Arthur J. Stanley, Jr.

EXCUSE BECAUSE OF DISTANCE

The Conference approved draft legislation for transmittal to the 95th Congress which would repeal 28 U.S.C. 1863 (b) (7), removing the authority to excuse prospective jurors from service automatically on the basis of a given distance from their residence

to the court and thus requiring the determination of requests for excuse based upon distance to be made on an individual case-by-case basis. The Conference agreed with the view of the Committee that the district courts should not single out residents of certain portions of the district for prospective avoidance of jury service by establishing in their jury selection plans specific mileage or travel distances as a basis for automatic excuse from service. While the Conference agreed that the adoption of this proposal might cause some increase in cost, it was not believed that this increase would have more than a minor impact upon the over-all annual financial outlay for fees and expenses of jurors.

JUROR FEE INCREASE AND EMPLOYMENT PROTECTION

The Conference reaffirmed its support of legislation which would raise the daily jury attendance fee from \$20 to \$30 and which would equate the allowable travel and necessary subsistence expenses of jurors to the rates established by the Director of the Administrative Office for supporting court personnel in travel status. The Conference further reaffirmed its support of legislation to provide statutory protection for the employment rights of federal jurors against termination because of their jury service. The Director of the Administrative Office was authorized to retransmit these proposals to the 95th Congress.

OTHER LEGISLATIVE PROPOSALS

The Conference further noted that several bills which it had previously endorsed relating to jury administration had failed of action in the 94th Congress, and the Director of the Administrative Office was authorized to transmit these proposals to the 95th Congress in the form of an omnibus bill encompassing the following proposals.

- (1) A bill to establish a presumption that the use of voter registration lists as the source of juror names is consistent with the policies of community cross-sectionality and nondiscrimination in the selection of federal juries (transmitted in draft form on May 21, 1976);
- (2) A bill to provide in civil cases for juries of six persons and to reduce the allowable peremptory challenges from three to two (pending as H.R. 6039 and S. 237);
- (3) A bill to amend the Federal Employees' Compensation Act by adding a new section providing for work injury coverage of federal petit and grand jurors in the performance of their duties (transmitted in draft form on March 24, 1975);
- (4) A bill to clarify the qualification section of the Jury Selection and Service Act, 28 U.S.C. §1865(b) (5), with regard to service by persons whose civil rights

have been restored, by deleting the phrase "by pardon or amnesty" (pending as H.R. 6050);

- (5) A bill to add to the Jury Selection and Service Act further definitions relating to jury selection by electronic data processing (pending as H.R. 6051).

FREE PRESS - FAIR TRIAL

The Conference agreed that the subject of guidelines is properly within the cognizance of the Jury Committee and authorized the Committee to continue its study of the existing guidelines with a view to determining whether there is a need for further revision in light of their differences from the recommendations of the American Bar Association, as well as the decision of the Court of Appeals for the Seventh Circuit in *Chicago Council of Lawyers v. Bauer*, 522 F.2d 242, which invalidated certain district court local rules limiting attorney comment.

COMMITTEE ON THE ADMINISTRATION OF THE CRIMINAL LAW

Judge Alfonso J. Zirpoli, Chairman, presented the report of the Committee on the Administration of the Criminal Law.

REGISTRATION OF FINES

The Conference approved a draft bill to amend Section 1963 of title 28, United States Code, to make it clear that a judgment of fine in a sum certain entered in any district may be registered in any other district. The Conference was advised that at present there is a conflict in the district courts as to the applicability of Section 1963 - some district courts view the statute as applying to only civil judgments and others apply it to both civil and criminal judgments.

DISCLOSURE OF PRIOR STATEMENTS OF DEFENSE WITNESSES

The Conference approved proposed legislation transmitted by the Office of Management and Budget which would amend title 18, United States Code, to provide for disclosure at trial of prior statements of defense witnesses in the hands of the defense. The Conference agreed with the members of the Committee who regarded the disclosure of prior statements of defense witnesses as promoting the concept of the trial as a search for the truth and thus better serve the ends of justice.

REVISION OF THE FEDERAL CRIMINAL CODE

Since it is expected that proposals for the revision of the Federal Criminal Code such as was embodied in S. 1 and substantially similar bills in the House of Representatives in the 94th Congress will be reintroduced in the 95th Congress, the Conference agreed to empower the Chairman of the Committee and such members as he may designate with full authority to speak for the Committee and the Conference at any Congressional committee hearings which may be heard on this subject matter in the 95th Congress.

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

Judge Edward Weinfeld, Chairman, presented the report of the Committee on the Administration of the Bankruptcy System

The Conference considered the Committee's report, as well as the recommendations of the Director of the Administrative Office, the judicial councils and the district judges, and took the following actions relating to bankruptcy judge positions and changes in salaries and arrangements in the several districts concerned. The Conference agreed that its actions would be effective October 1, 1976, unless otherwise indicated in the report and subject to the availability of funds.

FIRST CIRCUIT

District of Massachusetts

- (1) Authorized the establishment of a fourth full-time referee position for the district with headquarters at Boston at an annual salary of \$37,800;
- (2) Designated Boston, Worcester, Springfield, Pittsfield and Taunton as places of holding court for the referees of the district;
- (3) Authorized the discontinuance of Fall River, Northampton, Salem, Brockton and Greenfield as places of holding court for the referees of the district;
- (4) Transferred the headquarters of the referee position now occupied by Paul W. Glennon from Boston to Worcester concurrent with the effective date of the new referee position; and
- (5) Established district-wide jurisdiction for the new position with the other full-time referees of the district.

SECOND CIRCUIT

Southern District of New York

- (1) Authorized the continuance of the full-time referee position at New York City to become vacant by expiration of term on December 20, 1976, for a term of six years, effective December 21, 1976, at the present salary, the regular place of office, territory and places of holding court to remain as at present;
- (2) Authorized the continuance of the full-time referee position at White Plains to become vacant by expiration of term on April 18, 1977, for a term of six years, effective April 19, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Western District of New York

- (1) Authorized the establishment of a third full-time referee position for the district with headquarters at Buffalo, at an annual salary of \$37,800;
- (2) Established concurrent district-wide jurisdiction for the new position with the other full-time referees of the district;
- (3) Authorized the discontinuance of Geneva and Lockport as places of holding court for the referees of the district;
- (4) Designated Buffalo, Rochester, Batavia, Niagara Falls, Dunkirk, Olean, Jamestown and Elmira as places of holding court for all referees of the district.

FOURTH CIRCUIT

Middle District of North Carolina

- (1) Authorized the establishment of a second full-time referee position for the district with headquarters at Greensboro, at an annual salary of \$37,800;
- (2) Designated the places of holding court away from the Greensboro headquarters as Winston-Salem and Durham, and eliminated Salisbury as a designated place of holding bankruptcy court, effective October 1, 1976;
- (3) Established concurrent district-wide jurisdiction for the new position with the established position in the district.

Eastern District of Virginia

- (1) Authorized the continuance of the full-time referee position at Norfolk to become vacant by expiration of term on December 31, 1976, for a term of six years, effective January 1, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Western District of Virginia

- (1) Increased the salary of the part-time referee position at Harrisonburg from \$16,300 to \$18,900 per annum.

Southern District of West Virginia

- (1) Designated Beckley as an additional place of holding court for the full-time referee for the district, effective October 1, 1976, all other arrangements in the district to remain as at present.

FIFTH CIRCUIT

Southern District of Florida

- (1) Authorized the continuance of the full-time referee position at Miami to become vacant by expiration of term on January 11, 1977, for a term of six years, effective January 12, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present;
- (2) Authorized the establishment of a third full-time referee position for the district, with headquarters at Miami, at an annual salary of \$37,800;
- (3) Designated the territory and places of holding court to be the same as for the other full-time referees now headquartered at Miami;
- (4) Established concurrent district-wide jurisdiction for the new position with the other full-time referees of the district.

Northern District of Georgia

- (1) Designated Rome as an additional place of holding court for the referees of the district.

Western District of Louisiana

- (1) Changed the part-time position at Opelousas to a full-time referee position, at a salary of \$37,800 per annum, to be effective as soon as funds become available;
- (2) Designated Shreveport, Opelousas, Monroe, Alexandria, Lake Charles and Lafayette as places of holding court for the referees of the district;
- (3) Established concurrent district-wide jurisdiction for the full-time referees of the district.

Northern District of Mississippi

- (1) Increased the salary for the part-time referee position at Greenville from \$17,400 to \$18,900 per annum.

Eastern District of Texas

- (1) Authorized the continuance of the part-time referee position at Tyler to become vacant by expiration of term on December 31, 1976, for a term of six years, effective January 16, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Western District of Texas

- (1) Authorized the continuance of the full-time referee position at San Antonio to become vacant by expiration of term on February 8, 1977, for a term of six years, effective February 9, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present;
- (2) Changed the part-time referee position at San Antonio to a full-time referee position, at a salary of \$37,800 per annum;
- (3) Designated the regular place of office, territory and places of holding court to remain as at present.

SIXTH CIRCUIT

Western District of Kentucky

- (1) Authorized the continuance of the full-time referee position at Louisville to become vacant by expiration of term on January 15, 1977, for a term of six years, effective January 16, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Eastern District of Michigan

- (1) Authorized the continuance of the full-time referee position at Detroit to become vacant by expiration of term on March 25, 1977, for a term of six years, effective March 26, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present;
- (2) Established a combination referee-federal magistrate position for the district pursuant to Sections 34a and b of the Bankruptcy Act;
- (3) Established the salary for the bankruptcy service of the combination position at \$16,300 per annum;
- (4) Established Bay City as the headquarters for the combined referee federal magistrate position, designating Bay City as the only place of holding court for the part-time referee position;
- (5) Designated the territory for the new part-time referee position to be comprised of Alcona, Alpena, Arenac, Bay, Cheboygan, Clare, Crawford, Gladwin, Gratiot, Huron, Iosco, Isabella, Midland, Montmorency, Ogenaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw and Tuscola Counties.

Northern District of Ohio

- (1) Authorized the continuance of the full-time referee position at Youngstown to become vacant by expiration of term on January 21, 1977, for a term of six years, effective January 22, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Western District of Tennessee

- (1) Authorized the continuance of the full-time referee position at Memphis to become vacant by expiration of term on March 18, 1977, for a term of six years, effective March 19, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

SEVENTH CIRCUIT

Eastern District of Illinois

- (1) Increased the salary of the part-time referee position at Danville from \$18,800 to \$18,900 per annum.

EIGHTH CIRCUIT

Eastern and Western Districts of Arkansas

- (1) Changed the part-time referee position at Little Rock to a full-time referee position, at a salary of \$37,800 per annum;
- (2) Designated the regular place of office in the Eastern District of Arkansas and the territories and places of holding court in the Eastern and Western Districts of Arkansas to remain as at present.

Northern District of Iowa

- (1) Authorized the continuance of the full-time referee position at Cedar Rapids to become vacant by expiration of term on March 26, 1977, for a term of six years, effective March 27, 1977, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

District of Minnesota

- (1) Authorized the continuance of the full-time referee position at Minneapolis to become vacant by expiration of term on November 30, 1976, for a term of six years, effective December 1, 1976, the regular place of office, territory and places of holding court to remain as at present;
- (2) Designated Minneapolis, St. Paul, Duluth, Fergus Falls, Mankato, St. Cloud and Rochester as places of holding court for all full-time referees of the district;
- (3) Established concurrent district-wide jurisdiction for all full-time referees of the district.

District of South Dakota

- (1) Increased the salary of the part-time referee position at Sioux Falls from \$17,400 to \$18,900 per annum

NINTH CIRCUIT

District of Arizona

- (1) Authorized the continuance of the full-time referee position at Phoenix to become vacant by expiration of term on November 30, 1976, for a term of six years, effective December 1, 1976, the regular place of office, territory and places of holding court to remain as at present.

- (2) Authorized the establishment of a fourth full-time referee position for the district with headquarters at Phoenix, at an annual salary of \$37,800;
- (3) Designated Tucson, Yuma and Prescott as the territory and places of holding court away from the headquarters office;
- (4) Established concurrent district-wide jurisdiction for the new position with the other full-time referees of the district.

Northern District of California

- (1) Authorized the continuance of the full-time referee position at Eureka to become vacant by expiration of term on December 31, 1976, for a term of six years, effective January 1, 1977, the regular place of office, territory and places of holding court to remain as at present.

Central District of California

- (1) Authorized the continuance of the full-time referee position at Santa Ana to become vacant by expiration of term on December 31, 1976, for a term of six years, effective January 1, 1977, the regular place of office, territory and places of holding court to remain as at present.

District of Hawaii

- (1) Changed the part-time referee position at Honolulu to a full-time referee position, at a salary of \$37,800 per annum;
- (2) Established the regular place of office at Honolulu, the territory to include the District of Hawaii, with places of holding court at Honolulu, Wailuku, Hilo, and Lihue (Kauai), and the District Court of Guam, with the place of holding court at Agana.

TENTH CIRCUIT

District of Utah

- (1) Authorized the continuance of the full-time referee position at Salt Lake City to become vacant by expiration of term on March 16, 1977, for a term of six years, effective March 17, 1977, the regular place of office, territory and places of holding court to remain as at present.

District of Wyoming

- (1) Authorized the continuance of the part-time referee position at Cheyenne to become vacant by expiration of term on February 2, 1977, for a term of six years, effective February 3, 1977, the regular place of office and territory to remain as at present;
- (2) Designated Worland as a place of holding court for the district in addition to Cheyenne and Casper;
- (3) Changed the part-time referee position at Cheyenne to a full-time referee position, at a salary of \$37,800 per annum, to become effective as soon as funds become available;
- (4) The regular place of office and territory to remain as at present;
- (5) Designated Sheridan and Green River as places of holding court for the district in addition to Cheyenne, Casper and Worland.

APPROPRIATIONS

The Conference was advised that in the last half of fiscal year 1976 bankruptcy filings began to drop. As a result of this decline 72 additional clerical positions to perform bankruptcy work were

eliminated from the Administrative Office budget. As a result of Conference approval of new positions there will be 210 full-time and 25 part-time referees or a total of 235 positions.

STUDIES OF THE PROCEDURES FOLLOWED IN PROCESSING BANKRUPTCY APPEALS

The Conference was advised that at the request of the Committee, the Bankruptcy Division of the Administrative Office had inquired into the manner in which district courts scheduled hearings of appeals from Judgments or Orders from bankruptcy judges. The majority of replies explained specific procedures such as whether appeals were assigned to the district judges by lot, alternately between judges or by sealed packet. The only variations were:

(1) Bankruptcy appeals assigned first to motion judge, who determines whether greater judicial effort is required; if so, under local rule he assigns the matter to a district judge and, if not, decides the appeal as a motion.

(2) In four districts, all bankruptcy cases are assigned to a United States district judge when filed. That judge then gets the appeal. This practice is contrary to the intent of Bankruptcy Rule of Procedure 102, which provides that, on the filing of a bankruptcy case, the district court clerk should refer the case forthwith to a referee, and thereafter all procedures shall be before the referee. The second paragraph of this rule provides that a district judge may, for the convenience of the parties or for cause, withdraw a case or part of a case from the referee.

(3) The clerk assigns a civil number to the bankruptcy appeal and processes the case accordingly. This also is contrary to instructions issued by the Administrative Office.

COMMITTEE ON THE ADMINISTRATION OF THE PROBATION SYSTEM

The report of the Committee on the Administration of the Probation System was presented by the Chairman, Judge Albert C. Wollenberg.

AMENDMENT TO THE FEDERAL TORT CLAIMS ACT

The Conference approved a draft bill to amend the Federal Tort Claims Act to include pretrial services officers within the definition of law enforcement officer, thereby providing an administrative route for resolution of claims against such officers in the areas of assault, false imprisonment, and the like. Judge Wollenberg reported that the 10 pretrial service agencies have processed approximately 5,000 cases, and that the staffs of the 10 agencies now include 94 professional and 37 clerical positions. The

Committee has endorsed the establishment of a petty cash fund of \$150 to \$300 depending on the size of the agency to cover minor cash expenses of released defendants.

At its March 1975 meeting the Conference approved guidelines for the carrying of firearms by probation officers. The Committee has advised the Director of the Administrative Office he should not be required to purchase firearms, however, he should purchase ammunition necessary for required training.

COMMITTEE ON INTERCIRCUIT ASSIGNMENTS

Judge Roy W. Harper, Chairman of the Committee on Intercircuit Assignments, reported to the Conference on assignments covering the period from February 15 to August 15, 1976.

During this period the Committee recommended 47 assignments to be undertaken by 39 judges. Of this number, four are senior circuit judges, seven are active circuit judges, six are district judges in active status and 16 are senior district judges. One retired Supreme Court Justice participated in four assignments. Eight assignments involved one active judge from the Court of Claims, two active judges from the Court of Customs and Patent Appeals and two active judges of the Customs Court.

Four senior circuit judges, seven senior district judges, and one retired Supreme Court Justice carried out 16 of the 30 assignments to the circuit courts of appeals which were recommended during this period. Seven active circuit judges, two active district judges, two active judges of the Court of Customs and Patent Appeals and one active judge of the Court of Claims participated in the other 14 assignments to the courts of appeals.

Of the 17 assignments to the district courts, nine senior district judges participated in ten assignments, the remaining seven being carried out by four active district judges and two active judges of the United States Customs Court.

In addition to the foregoing, the Committee recommended and the Chief Justice approved an interchange of assignments between the seven active judges of the United States Court of Claims and the five active judges of the United States Court of Customs and Patent Appeals to cover any emergency which might arise during the period April 1, 1976 and March 31, 1977.

COMMITTEE ON THE ADMINISTRATION OF THE FEDERAL MAGISTRATES SYSTEM

The report of the Committee on the Administration of the Federal Magistrates System was presented by its Chairman, Judge Charles M. Metzner.

SALARIES OF MAGISTRATES

The Conference reaffirmed its support of S. 2923, a bill to amend the statutory ceiling on the salaries of magistrates, and authorized, subject to the enactment of S. 2923, an increase in the salaries of those full-time magistrate positions now fixed at \$31,500 to \$37,800.

STANDARD SALARY LEVELS FOR PART-TIME MAGISTRATES

In order to achieve consistency among magistrates having similar caseloads both within a district and nationally, the Conference in March 1975 (Conf. Rept., p. 31) approved a schedule of standard salary levels for part-time magistrates. The Conference agreed to the recommendations of the Committee to adopt the following changes in the existing schedule of salary levels, as follows:

1. Eliminate the present levels of \$387, \$996, \$1,661 and \$2,325 and adjust the salaries of the part-time magistrates who are now at those levels to the next higher respective levels, effective December 1, 1976;
2. Add a new level of \$12,500 to fill the gap between the present \$11,079 and \$13,959 levels;
3. Add new levels at \$17,300 and \$18,900, subject to the enactment of S. 2923.

CHANGES IN MAGISTRATE POSITIONS

The Conference approved the recommendations of the Committee for the authorization of five new full-time positions, the conversion of four part-time positions to full-time positions, authorization of one new combination position, conversion of one part-time position to a combination position, discontinuance of five part-time positions, the increase in salaries of 12 part-time positions and one combination position and continuation of two full-time positions, two combination positions and 25 part-time positions for new terms of office.

The Conference approved the following changes in magistrate positions and salaries after receiving the recommendations of the Administrative Office, the district courts, the judicial councils of the circuits, as well as the Committee, to be made effective when appropriated funds are available:

FIRST CIRCUIT

District of Massachusetts

- (1) Continued the part-time magistrate position at Pittsfield for an additional four-year term at the currently authorized salary of \$387 per annum.

SECOND CIRCUIT

Northern District of New York

- (1) Continued the part-time magistrate position at Troy for an additional four-year term at the currently authorized salary of \$387 per annum;
- (2) Authorized the clerk of court at Albany to perform the duties of a part-time magistrate for a four-year period at no additional compensation.

Eastern District of New York

- (1) Authorized a third full-time magistrate position for appointment at Brooklyn at a salary of \$31,500 per annum.

THIRD CIRCUIT

District of New Jersey

- (1) Continued the part-time magistrate position at Atlantic City for an additional four-year term at the currently authorized salary of \$1,329 per annum.

Western District of Pennsylvania

- (1) Continued the part-time magistrate position at Johnstown for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Johnstown from \$664 to \$1,329 per annum.

FOURTH CIRCUIT

Eastern District of North Carolina

- (1) Continued the part-time magistrate position at Fayetteville for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Fayetteville from \$13,959 to \$15,750 per annum;
- (3) Continued the part-time magistrate position at New Bern for an additional four-year term at the currently authorized salary of \$5,539 per annum.

Eastern District of Virginia

- (1) Continued the full-time magistrate position at Norfolk for an additional eight-year term at the current authorized salary of \$31,500 per annum.

Western District of Virginia

- (1) Continued the part-time magistrate position at Winchester for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Winchester from \$996 to \$1,329 per annum.

FIFTH CIRCUIT

Southern District of Florida

- (1) Converted the part-time magistrate position at West Palm Beach to a full-time position at a salary of \$31,500 per annum;

- (2) Discontinued the part-time magistrate position at Fort Pierce, effective upon the appointment of a full-time magistrate at West Palm Beach.

Middle District of Georgia

- (1) Continued the part-time magistrate position at Athens for an additional four-year term at the currently authorized salary of \$2,658 per annum.

Eastern District of Louisiana

- (1) Authorized two additional full-time magistrate positions for appointment at New Orleans, each at a salary of \$31,500 per annum.

Eastern District of Texas

- (1) Increased the salary of the part-time magistrate position at Sherman from \$1,993 to \$6,647 per annum.

SIXTH CIRCUIT

Western District of Kentucky

- (1) Continued the part-time magistrate position at Paducah for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Paducah from \$2,325 to \$3,323 per annum.

Eastern District of Michigan

- (1) Converted the part-time magistrate position at Bay City to a combination bankruptcy judge-magistrate position at a salary of \$15,750 for the performance of magistrate duties;
- (2) Discontinued the part-time magistrate position at Flint, effective upon the appointment of a bankruptcy judge-magistrate at Bay City.

Northern District of Ohio

- (1) Converted the part-time magistrate position at Akron to a full-time position at a salary of \$31,500 per annum;
- (2) Discontinued the part-time magistrate position at Youngstown, effective upon the appointment of a full-time magistrate at Akron.

Southern District of Ohio

- (1) Converted the part-time magistrate position at Dayton to a full-time position at a salary of \$31,500 per annum.

SEVENTH CIRCUIT

Eastern District of Illinois

- (1) Authorized the bankruptcy judge-magistrate at Danville to perform the duties of a part-time magistrate for an additional four-year term;
- (2) Increased the compensation of the bankruptcy judge at Danville for the performance of magistrate duties from \$1,993 to \$2,658 per annum.

EIGHTH CIRCUIT

Northern District of Iowa

- (1) Continued the part-time magistrate position at Sioux City for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Sioux City from \$387 to \$1,329 per annum.

District of Minnesota

- (1) Authorized a new full-time magistrate position for appointment at St. Paul or Minneapolis at a salary of \$31,500 per annum.

District of North Dakota

- (1) Increased the salary of the part-time magistrate position at Rolla from \$664 to \$1,329 per annum, effective December 1, 1976.

NINTH CIRCUIT

District of Alaska

- (1) Converted the part-time magistrate position at Anchorage to a full-time position at a salary of \$31,500 per annum;
- (2) Increased the salary of the part-time magistrate position at Fairbanks from \$6,647 to \$13,959 per annum.

Eastern District of California

- (1) Continued the part-time magistrate position at Redding for an additional four-year term at the currently authorized salary of \$7,976 per annum;
- (2) Continued the part-time magistrate position at Susanville for an additional four-year term at the currently authorized salary of \$1,394 per annum.

Central District of California

- (1) Continued the part-time magistrate position at Santa Barbara for an additional four-year term;
- (2) Increased the salary of the part-time magistrate position at Santa Barbara from \$5,539 to \$6,647 per annum;
- (3) Continued the part-time magistrate position at Oxnard/Ventura for an additional four-year term at the currently authorized salary of \$3,987 per annum.

District of Montana

- (1) Continued the part-time magistrate position at Billings for an additional four-year term at the currently authorized salary of \$1,661 per annum;
- (2) Continued the part-time magistrate position at Bozeman for an additional four-year term;
- (3) Increased the salary of the part-time magistrate position at Bozeman from \$387 to \$664 per annum.

District of Oregon

- (1) Authorized the bankruptcy judge at Eugene to perform magistrate duties for an additional four-year term at the currently authorized salary of \$15,750 per annum;
- (2) Continued the part-time magistrate position at Klamath Falls for an additional four-year term;
- (3) Increased the salary of the part-time magistrate position at Klamath Falls from \$733 to \$1,329.

Western District of Washington

- (1) Authorized an additional full-time magistrate position for appointment at Seattle at a salary of \$31,500 per annum.

TENTH CIRCUIT

District of Kansas

- (1) Continued the full-time magistrate position at Wichita for an additional eight-year term at the currently authorized salary of \$31,500 per annum;
- (2) Continued the part-time magistrate positions at Parsons, Colby and Leavenworth for additional four-year terms, each at the currently authorized salary of \$387 per annum;
- (3) Continued the part-time magistrate position at Junction City for an additional four-year term at the currently authorized salary of \$996 per annum;
- (4) Continued the part-time magistrate position at Garden City for an additional four-year term at the currently authorized salary of \$400 per annum;
- (5) Discontinued the part-time magistrate position at Salina upon the expiration of the current term of office.

District of New Mexico

- (1) Continued the part-time magistrate position at Farmington for an additional four-year term at the currently authorized salary of \$696 per annum.

Western District of Oklahoma

- (1) Continued the part-time magistrate position at Altus for an additional four-year term at the currently authorized salary of \$442 per annum.

District of Wyoming

- (1) Continued the part-time magistrate position at Sheridan for an additional four-year term at the currently authorized salary of \$387 per annum;
- (2) Discontinued the part-time magistrate position at Torrington upon the expiration of the current term of office;
- (3) Increased the salary of the part-time magistrate position at Cheyenne from \$6,647 to \$7,976 per annum.

COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE
ACT

The report of the Committee to Implement the Criminal Justice Act was presented by the Chairman, Judge Dudley B. Bonsal.

APPOINTMENTS AND PAYMENTS

The Conference received and authorized the release by the Administrative Office of the report on appointments and payments made under the Criminal Justice Act. The report shows that during fiscal year 1976 approximately 48,000 persons were represented by assigned counsel or by defender organizations established pursuant to the Criminal Justice Act. The sum of \$19,046,000 was appropriated for implementation of the Act in fiscal year 1976.

During the year the chief judges of the courts of appeals approved 196 claims for compensation in excess of the statutory limitation of \$1,000 in felony cases. The largest single factor in

the costs of transcripts, expert and other services has been in the cost of transcripts. The cost of operating the 22 federal defender offices during fiscal year 1975 was approximately 4.8 million dollars. In that period the federal public defenders were assigned to 11,751 cases at an overall average cost of \$407 per case, including appeals, as compared with an average cost of \$385 per case for services rendered by private panel attorneys and \$417 per case for community defenders.

BUDGET REQUESTS FOR FEDERAL PUBLIC DEFENDERS

The Conference approved requests for supplemental appropriations for fiscal year 1977, as follows:

<i>Federal Public Defender Office</i>	<i>Amount Approved</i>
Arizona	\$28,484
California, Eastern	3,000
California, Central	40,000
Connecticut	29,000
Maryland	12,283
Missouri	2,427
New Mexico	22,232
Virgin Islands	17,510
Washington, Western	22,032

For fiscal year 1978 the Conference approved the following budget requests:

<i>Federal Public Defender Office</i>	<i>Amount Approved</i>
Arizona	\$517,000
California, Northern	382,904
California, Eastern	254,177
California, Central	927,000
Colorado	157,000
Connecticut	172,000
Florida, Southern	348,000
Kansas	204,000
Kentucky, Eastern	154,374
Louisiana, Eastern	220,761
Maryland	336,672
Missouri	356,413
Nevada	193,000
New Jersey	347,000
New Mexico	147,586
Ohio, Northern	214,727
Pennsylvania, Western	194,942
Tennessee, Western	85,737
Texas, Southern	333,461
Texas, Western	315,830
Virgin Islands	206,500
Washington, Western	224,788

COMMUNITY DEFENDER ORGANIZATIONS

The Conference approved a supplemental grant to the Community Defender Organization for the Eastern District of Pennsylvania for fiscal year 1977 in the amount of \$4,000 to cover additional unanticipated rental expenses.

PAROLE COMMISSION AND REORGANIZATION ACT

The Conference was advised that it was the Committee's opinion that financially eligible parolees in parole revocation proceedings are entitled to counsel under the Criminal Justice Act. As to counsel appointed in parole termination proceedings under 18 U.S.C. 4211(c) an opinion has been sought from the Comptroller General to resolve the existing doubt as to the applicability of the Act.

GUIDELINES

The Conference approved an addition to Chapter II, A, 1, d, of the Guidelines for the Administration of the Criminal Justice Act in order to provide clearly for the appointment of counsel for persons proposed by the United States Attorney for placement in a pretrial diversion program, as follows:

- (3) Counsel may be appointed for financially eligible persons proposed by the U.S. Attorney for processing under a "pretrial diversion" program. Such an appointment is deemed to be under the general terms of the Act rather than subsection (g), and should be considered an appointment in a felony or misdemeanor case in accordance with the offense alleged by the U.S. Attorney to have been violated.

CRIMINAL PRACTICE MANUAL

The Conference was advised that an advisory committee consisting of experienced public defenders had completed a basic federal criminal practice manual for use by all who represent defendants under the Criminal Justice Act. The Administrative Office will assume responsibility for the printing and distribution of the manual. It is intended that the manual will be provided at no cost to each federal judge and to all attorneys, including federal defenders, who are subject to appointment under the Criminal Justice Act. Copies will also be made available to others on request at a cost not to exceed \$5.00.

SEMIANNUAL REPORT OF EXCESS PAYMENTS

At the April 1972 session of the Judicial Conference (Conf. Rept., p. 21) a motion was made and carried requiring the

Administrative Office to determine on a quarterly basis the names of attorneys appointed under the Act who during that quarter were paid more than \$1,000 and report such facts to the chief judges of the circuits involved. At the October 1972 session this resolution was modified to require a report to the chief judges of both the circuit and district courts on a semiannual basis of attorneys receiving more than \$6,000 (Conf. Rept., p. 54). This requirement was imposed in order to test the adequate functioning of the rotation system for the appointment of counsel. Experience has indicated that the chief judges of the circuits are aware of the appointments made since they must personally approve excess compensation and that few districts appear to assign a large number of cases to the same attorney. Accordingly, the Conference approved a further modification of the 1972 resolution to provide for an annual report to the chief judges of the circuit and district courts of attorneys appointed under the Act who receive in excess of \$12,000 during the reporting year.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

The report of the Committee on Rules of Practice and Procedure was presented by the Chairman, Judge Roszel C. Thomsen.

BANKRUPTCY RULES

The Conference was advised that on April 26, 1976, the Supreme Court, pursuant to the recommendation made at the September 1975 session (Conf. Rept., p. 76), approved the rules and forms governing proceedings under Chapter VIII and IX of the Bankruptcy Act and rules and forms amending certain rules and forms previously prescribed pursuant to Chapters I through VII, XI and XIII of the Bankruptcy Act. These rules became effective on August 1, 1976 and thus completed the work of the Advisory Committee on Bankruptcy Rules which has been discharged with an expression of appreciation by the Conference for the Committee's achievement.

CRIMINAL RULES

On April 26, 1976, the Supreme Court also approved and transmitted to the Congress amendments to certain of the rules of criminal procedure, as well as the rules and forms governing Section 2254 cases in the United States district courts and the rules

and forms governing Section 2255 proceedings in the United States district courts.

Judge Thomsen advised that the Congress subsequently enacted legislation approved by the President on July 8, 1976, as Public Law 94-349, changing the effective date of certain of the rules and amendments as follows:

1. The amendments to Rules 6(e), 23, 24, 40.1 and 41(c)(2) of the Rules of Criminal Procedure shall not take effect until August 1, 1977, or until and to the extent approved by Act of Congress, whichever is earlier;

2. The remaining amendments to Rules of Criminal Procedure, namely amendments to Rules 6(f), 41(a), 41(c)(1), and 50(b) are not changed by Public Law 94-349 and hence shall become effective August 1, 1976, as set forth in the Order of the Supreme Court of April 26, 1976.

On September 28, 1976, the President signed as Public Law 94-426 legislation changing in certain respects rules and forms relating to 2254 and 2255 proceedings as embraced in the Order of the Supreme Court of April 26, 1976, and stipulated that these rules shall become effective on February 1, 1977.

REVIEW OF SENTENCES

Judge Thomsen advised the Conference that the Advisory Committee on Criminal Rules and the Standing Committee had approved a proposed Rule 35.1 of the Federal Rules of Criminal Procedure which is to be circulated to the bench and bar on or about October 1, 1976, for further comment.

The rule proposes, in general, review of sentences in the court of appeals involving (a) the filing of a petition for leave to appeal; (b) the screening of such petitions by a three-judge panel of the court of appeals, which panel may include one or two district judges as each circuit may decide and (c) if the screening panel decides that a showing has been made of a substantial basis for believing that the sentence is clearly unreasonable, the panel shall grant a petition and the court of appeals shall thereafter determine whether the sentence is clearly unreasonable.

BICENTENNIAL COMMITTEE

Judge Clement F. Haynsworth, Jr., Chairman, submitted a written report to the Conference outlining the four ongoing projects of the Bicentennial Committee, as follows:

(1) The Committee has contracted with Metropolitan Pittsburgh Public Broadcasting, Inc., for the production of five 30-minute films and a 90-minute special feature film, focusing on early decisions that were significant in the development of this

country's federal system. The Committee has approved the five scripts for the short films. After some delay, production begins next week and the movies are expected to be available for distribution in the spring of 1977. The special film will be shown during prime time on the Public Broadcasting Stations at approximately the same time;

(2) Professor Sidney Hyman of the University of Illinois is working on a projected popular book intended for use primarily by the lay people and focusing on the roles of the courts in the federal system.

(3) In February the Committee distributed biographical questionnaires to all members of the federal judiciary as one step in the production of a biographical directory of all federal judges, past and present. As of this time, over 400 judges have returned their completed questionnaires and questionnaires continue to arrive daily at the Bicentennial Committee's offices.

(4) The circuits have the option of preparing a history of the courts in their geographic area. The Committee will consider providing up to \$5,000 to each circuit for the writing of its history, upon submission of justification therefor. Thus far, the Committee has authorized varying amounts for preparation of histories of the Third, Fifth, Sixth, Seventh, Eighth, Ninth, and D.C. Circuits. The Bicentennial Committee is also aware that the Second Circuit, the Court of Customs and Patent Appeals, the Court of Claims, and the Customs Court are preparing such histories without requests for funds.

PACIFIC TERRITORIES COMMITTEE

In August 1976 the Chief Justice appointed Judge Richard H. Chambers of the Ninth Circuit Court of Appeals as Chairman of an ad hoc committee to study and make such recommendations as may be appropriate on the question of the court structure in the Pacific Territories, with particular reference to the Territory of American Samoa, the Territory of Guam, the incoming Commonwealth of Northern Mariana and the Trust Territory of the Pacific Islands as it will exist after the establishment of the Commonwealth of Northern Mariana.

Judge Chambers outlined to the Conference the historical background and some of the problems that will be encountered in the judicial systems of these four islands, particularly with relation to the matter of appeal, either to the Supreme Court of the United States or the Court of Appeals for the Ninth Circuit.

Judge Chambers pointed out that H.R. 4580, a bill pending in the 94th Congress relating to the Organic Act of Guam, requires further study insofar as the judiciary is concerned and the Conference agreed to request the Congress to defer consideration of these problems until the 95th Congress so that the Committee will have a further opportunity to report to the Conference at its next session recommendations as to the structure of the judiciary in Guam.

It was agreed that further reports of this Committee will be made through the Committee on Court Administration.

PRETERMISSION OF TERMS OF COURTS OF APPEALS

The Conference approved the pretermission of terms of courts of appeals, pursuant to 28 U.S.C. 48, for all sessions of the Court of Appeals for the Fifth Circuit to be held outside of New Orleans, Louisiana, and for the sessions of the Eighth Circuit Court of Appeals to be held in Omaha, Nebraska, and Kansas City, Missouri.

ELECTIONS

The Conference noted that the Executive Committee, subsequent to the April session of the Conference, exercising the plenary authority given by the Conference approved the election of the Honorable John C. Godbold of the Court of Appeals for the Fifth Circuit to be a member of the Board of the Federal Judicial Center to fill the unexpired term of Griffin Bell who resigned and the election of the Honorable Frank J. McGarr of the Northern District of Illinois for a four-year term as a member of the Board of the Federal Judicial Center, succeeding the Honorable Alfred A. Arraj whose term had expired.

RELEASE OF CONFERENCE ACTION

The Conference authorized the immediate release of its action on matters considered at this session where necessary for legislative action.

WARREN E. BURGER
Chief Justice of the United States

November 3, 1976

INDEX

	Page
Additional judgeships	37
Additional personnel	34, 51
Administrative office of the United States courts:	
Reports of the director	2, 32
Agency proceedings, judicial review of	51
Annuities to judges	5
Antitrust laws	7
Appeals, bankruptcy	18
Appointments and payments under the criminal justice act	23, 58
Assistant federal public defenders, investigations of	24
Attorneys fees in certain civil actions, award of	6
Bankruptcy:	
Appeals	18
Rules	25, 61
Statistics	3, 33
Bankruptcy system:	
Appropriations	51
Case filings	18
Changes in arrangements	18, 47
Committee on, report of	15, 47
Legislation:	
Public law 94-217, making salaries of full-time referees statutory	18
Referees:	
New positions	51
Public law 94-217, making salaries of full-time referees statutory	18
Salaries and arrangements for	15, 47
Status of referees' salary and expense fund	18
Salaries and arrangements for referees	15, 47
Status of the referees' salary and expense fund	18
Studies of procedure followed in bankruptcy appeals	18, 52
Bankruptcy appeals, studies of the procedures followed in processing	18, 52
Bicentennial committee:	
Biographical directory	26, 63
Committee on, report of	25, 62
Films	25, 63
Histories of the circuits	26, 62
Role of our courts, book on	25, 63
Budget:	
Bankruptcy	51
Committee on, report of	34
Criminal justice act	59
Cigarette packages, expand the warning label on	7
Circuit executive, board of certification for:	
Election of member	27
Circuits, histories of the	26, 62
Clerks of court, salaries of	4
Community defender organizations	24
Supplemental grant	60
Conference:	
Call of	1, 31
Release of action	27, 64

	Page
Conflicts of interest	19
Correctional institutions, federal	12
Court administration:	
Annuities to judges	5
Committee on, report of	3, 35
Fees and costs	5
Land commissioners	35
Legislation:	
Authorized the awarding of attorneys fees in civil actions -	
H.R. 7826, 7827 and 7828	6
Create an additional judicial district in Alabama	4
Deny annuities under the civil service commission	
retirement fund to judges	5
Diversity and federal question jurisdiction	5
Establish priorities of use and for systematic	
allocation and pricing of propane	6
Expand the warning label required on cigarette packages, etc.	7
Foreign service act of 1946 (draft)	41
Foreign sovereign immunities act (H.R. 11315)	41
Judicial review of veterans' claims (S. 3392 & H.R. 14016)	42
Judicial Survivors Annuity Act	42
Jurisdictional amount in federal question and diversity cases (S. 3153)	40
Patent law revision (S. 2255)	41
Permit office space in Corinth, Miss.	3
Petroleum industry competition act (S. 2387)	42
Realign counties in the Northwestern division of North Dakota	4
Relating to antitrust laws	7
Relating to environmental hazards	7
Places and divisions of holding court ..	3, 36
Quadrennial survey	37
Registry funds	36
Salaries of ungraded employees	4
Supporting personnel:	
Court reporters	40
Court reporters for senior judges	39
Interpreters	5
Judiciary salary plan	40
Quality step increases for court personnel	39
Uniform rules of disciplinary enforcement	35
Court reporters:	
For senior judges	39
Needs in the district courts	40
Courts:	
Courts of appeals:	
Additional judgeships	39
Dispense with reports on disposition of cases under submission	27
Judiciary salary plan	40
Pretermission of terms of courts	27, 64
Quality step increases for personnel	39
Statistics	3, 33
District courts:	
Dispense with reports on disposition of cases under submission	27
Interpreters for Arizona	5

	Page
Judiciary salary plan	40
Needs for court reporters	40
Places of holding court	3, 36
Quadrennial survey	37
Quality step increases for personnel	39
Registry funds	36
Statistics	3, 33
Courts, role of our	25, 63
Criminal code, federal:	
Report on	12
Revision of	47
Criminal Justice Act:	
Appointments and payments	23, 58
Budget requests for federal public defenders	59
Committee on, report of	23, 58
Community defender organizations	24, 60
Criminal practice manual	60
Federal public defenders	23
Guidelines	60
Investigations of assistant federal public defenders	24
Parole commission and reorganization act	60
Reimbursement as a condition of probation	24
Semi-annual report of excess payments	60
Criminal law:	
Committee on, report of	10, 46
Disclosure of prior statements of defense witnesses	46
Disclosure of prior statements of defense witnesses	46
Federal criminal code	12
Revision of	47
Legislation:	
Amend youth corrections act (draft bill)	11
Establish certain guidelines for sentencing and establish	
U.S. commission on sentencing	10
Impose mandatory minimum sentences	10
Mandatory minimum sentences	10
Pattern jury instructions	11
Persons acquitted on grounds of mental incompetency	11
Registration of fines	46
Sentencing commission	10
Speedy trial act	12
Youth corrections act	11
Criminal practice manual	60
Criminal rules	35
Directory of judges, biographical	26
Disciplinary enforcement, uniform rules of	35
Diversity of federal question jurisdiction	5
Document on origin of work of review, joint and advisory committees	8
Drug treatment programs	13
Elections:	
Board of certification for circuit executives	27
Board of the federal judicial center	64
Environmental hazards	7
Excess payments under the criminal justice act, semi-annual report of	60

	Page
F.B.I. investigations of assistant federal public defenders	24
Federal judicial center:	
Elections	64
Report of	2, 32
Federal public defenders:	
Budget requests for	59
Texas office, new	23
Federal question and diversity cases, jurisdictional amount in	40
Fees and costs	5
Films on early decisions of the country	25, 63
Foreign service act of 1946	41
Foreign sovereign immunities act	41
Free press - fair trial	46
Grants for community defender organizations, sustaining	24
Guidelines:	
Criminal justice act	60
Free press - fair trial	46
Registry funds	36
Uniform rules of disciplinary enforcement	35
Intercircuit assignments:	
Committee on, report of	19, 53
Judicial acts:	
Acceptance of complimentary memberships in professional and social clubs, opinion No. 47	9
Acceptance of public testimonials or awards, opinion No. 46	9
Annuities to	5
Court reporters for senior	39
Failure to report income	8, 43
Financial disclosure by	8
Judicial ethics for newly appointed	44
Judicial survivors annuity act	42
Need for court reporters	40
Judicial activities:	
Committee on, report of	9, 44
Opinions of	9
Judicial conduct:	
Document on origin of review, joint and activities committees	8
Joint committee, report of	8, 44
Legislation:	
Relating to financial disclosure by federal judges (S. 181, S. 192 and S. 2295)	8
Photographing and broadcasting of ceremonial matters and naturalization procedures, request for	44
Judicial review of agency proceedings	43
Judicial review of veterans' claims	42
Judicial survivors annuity act	42
Judiciary salary plan	40
Juror privacy project	10
Jurors:	
Attendance fee	45
Excuse because of distance	44
Protection for	45

	Page
Jury:	
Pattern instructions	11
Selection and service act, proposed amendments to	9
Statistics	3
Jury selection and service act, proposed amendments to	9
Jury system:	
Committee on, report of	9, 44
Excuse because of distance	44
Free press - fair trial	46
Juror fee and employment protection	45
Juror privacy project	10
Legislation:	
Authorization for director to transmit to the 95th Congress an omnibus bill encompassing the following proposals: (1) to establish a presumption that the use of voter registration lists is consistent with the policies of community cross sectionality and nondiscrimination; (2) to provide for six person juries in civil cases and reduce the allowable peremptory challenges from three to two; (3) to amend the federal employees compensation act by adding a new section providing for work injury coverage of federal petit and grand jurors; (4) to clarify the qualification section of the jury selection and service act with regard to service by persons whose civil rights have been restored; and (5) to add to the jury selection and service act further definitions relating to jury selection by electronic data processing	45
Proposed amendments to the jury selection and service act (draft legislation)	9
Proposed amendments to the jury selection and service act	9
Land commissioners	35
Legislation:	
Amend the federal tort claims act (draft)	52
Amend section 1963 of title 28 U.S.C. to make it clear that a judgment of fine in a sum certain entered in any district may be registered in any other district (draft)	46
Amend the statutory ceiling on the salaries of magistrates (S. 2923)	54
Amend title 18 U.S.C. to provide for disclosure at trial of prior statement of defense witnesses in the hands of the defense (OMB draft)	46
Amendments to the jury selection and service act, proposed (draft legislation)	9
Antitrust laws, relating to (S. 1284)	7
Awarding of attorneys fees in certain civil actions, authorize the (H.R. 7826, H.R. 7827 and H.R. 7828)	6
Change effective date of certain of the rules of criminal procedure (P.L. 94-349)	62
Change rules and forms relating to 2254 and 2255 proceedings in certain respects (P.L. 94-426)	62
Create additional judicial district in Alabama (S. 1423)	6
Deny annuities under civil service commission retirement fund to judges (H.R. 11299 and H.R. 11738)	5
Diversity and federal question jurisdiction	5
Empower the chairman of the criminal law committee with authority to speak for the conference at hearings in the 95th Congress on revision of federal criminal code (S. 12)	47
Environmental hazards, relating to (H.R. 9218)	7
Establish certain guidelines for sentencing and establish a U.S. commission on sentencing (S. 2699)	10
Establish priorities of use and for systematic allocation and pricing of propane, etc. (H.R. 10344)	6

	Page
Expand the warning label required on cigarette packages, etc. (H.R. 10748)	7
Financial disclosure by federal judges, relating to (S. 181, S. 192 and S. 2295)	8
Foreign service act of 1946 (draft)	41
Foreign sovereign immunities act (H.R. 11315)	41
Impose mandatory minimum sentences (S. 2698)	10
Judicial review of agency proceedings (S. 2408)	43
Judicial review of veterans' claims (S. 3392 and H.R. 14016)	42
Judicial survivors annuity act (S. 12)	42
Jurisdictional amount in federal question and diversity cases (S. 3153)	40
Omnibus jury bill (1) to establish presumption that the use of voter registration lists is consistent with the policies of community cross sectionality and nondiscrimination; (2) to provide for six person juries in civil cases and reduce the allowable peremptory challenges from three to two; (3) to amend the federal employees compensation act by adding a new section providing for work injury coverage of federal petit and grand jurors; (4) to clarify the qualification section of the jury selectin and service act with regard to service by persons whose civil rights have been restored; and (5) to add to the jury selection and service act further definitions relating to jury selection by electronic data processing	45
Organic act of Guam (H.R. 4580) - request congress to defer consideration until the 95th congress	64
Patent law revision (S. 2255)	41
Permit office space in Corinth, Miss. (S. 2412)	3
Petroleum industry competition act (S. 2387)	42
Raise the daily jury attendance fee from \$20 to \$30 (H.R. 6048)	45
Realign the counties in the northwestern division of North Dakota (S. 2887)	4
Remove the authority to excuse prospective jurors from service on the basis of distance (draft)	44
Salaries of full-time referees statutory, making (Public Law 94-217)	18
Statutory protection for the employment rights of federal jurors (H.R. 6043)	45
Youth corrections act, amend (draft bill)	11
Magistrates:	
Changes in positions	20, 54
Fees of part-time as special master	19
Salaries of	54
Standard salary levels for part-time	54
Statistics	3
Magistrates system:	
Changes in magistrate positions	20, 54
Committee on, report of	19, 54
Conflicts of interest	19
Salaries of magistrates	54
Standard salary levels for part-time magistrates	54
Mental incompetency, persons acquitted on grounds of	11
Multidistrict litigation, panel on:	
Report of	2, 32
Murrah, Honorable Alfred P.	
Resolution on the death of	26
Narcotic aftercare programs	13
Opinion No. 46, advisory - acceptance by judges of public testimonials or awards	9
Opinion No. 47, advisory - acceptance by judges of complimentary memberships in professional and social clubs	9
Pacific territories:	
Committee on, report of	54

	Page
Organic act of Guam	64
Patent law revision	41
Pattern jury instructions	11
Petroleum industry competition act	42
Photographing and broadcasting of ceremonial and naturalization proceedings	44
Places and divisions of holding court	3, 36
Pretermission of terms of courts of appeals	27, 64
Pretrial service agencies	13
Probation personnel	14
Probation, reimbursement as a condition or, in criminal justice act cases	24
Probation system:	
Amendments to the federal tort claims Act	52
Committee on, report of	12, 52
Narcotic aftercare programs	13
Parole commission and reorganization act	60
Pretrial service agencies	13
Probation personnel	14
Visits to federal institutions	12
Propane, priorities of use and for systematic allocation and pricing of	6
Public report for, of extrajudicial income, changes in	7
Quadrennial survey	37
Quality step increases for court personnel	39
Registry of fines	46
Registry funds	36
Release of conference action	27, 64
Reports by chief judges, dispense with	27
Resolutions:	
Judiciary salary plan - to bring all supporting personnel positions in the judiciary within the plan	40
Murrah, Honorable Alfred P. - on the death of	26
Quality step increases for court personnel to award superior performance	39
Review committee:	
Changes in reporting form	7
Committee on, report of	7, 43
Official officers who have not reported	8, 43
Review of sentences	62
Rules of practice and procedure:	
Bankruptcy rules	25, 61
Committee on, report of	25, 61
Criminal rules	61
Review of sentences	62
Salaries:	
Clerks of court	4
Ungraded employees	4
Sentencing:	
Establish certain guidelines and establish a U.S. commission	10
Mandatory minimum	10
Review of	62
Speedy Trial Act of 1974:	
Amendment of	10
Pretrial service agencies	52
Report	33
Staffing requirements of probation offices	14

	Page
Statements of defense witnesses, prior	46
Statistics:	
Bankruptcy	3, 18, 33
Courts of appeals	3, 33
Criminal justice act	23, 58
District courts	3, 58
Jury	3
Magistrates	3
Supporting personnel:	
Court reporters	40
Court reporters for senior judges	39
Interpreters for Arizona	5
Judiciary salary plan	40
Quality step increases for court personnel	39
Tort claims act, amendment to the federal	52
Veterans' claims act, amendment to the federal	42
Youth correction act, draft bill to amend	11

PART TWO

**ANNUAL REPORT
ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS
1976**

**Rowland F. Kirks
Director**

**ANNUAL REPORT OF THE DIRECTOR OF THE
ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS
FOR THE FISCAL YEAR ENDED JUNE 30, 1976**

WASHINGTON, D.C. AUGUST 20, 1976

*TO THE CHIEF JUSTICE OF THE UNITED STATES, CHAIRMAN; AND
MEMBERS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES:*

Pursuant to the provisions of section 604(a)(3) of title 28, United States Code, I have the honor to report herewith on the activities of the Administrative Office of the United States Courts and on the business of the courts for the twelve-month period ending June 30, 1976.

JUDICIAL BUSINESS

The collection and analysis of detailed statistical data of the business of the federal courts are the basic responsibilities of the Division of Information Systems. The division's report for the 12 months ending June 30, 1976, containing detailed tables and charts and analysis thereof, is appended to this report. The statistics which reflect the workload of the federal courts are here set forth in summary for each of the component parts of the federal judicial system.

CONTINUED

1 OF 6

Courts of Appeals

During the 12 months ending June 30, 1976 the appellate courts continued to show the burden of filings, which rose by almost 11 percent over a year ago. Terminations in the courts of appeals surpassed last year's figure but were short 2,000 of the 18,408 cases filed. This resulted in another record year-end pending increase of 16.3 percent, for a total of 14,110 pending appeals cases. Therefore, for each of the 97 authorized judgeships in the courts of appeals, there were 145 pending cases.

Significantly, the number of appellate judges has not changed since 1968, when nine additional judgeships were authorized, bringing the total authorized judgeships to 97. At the close of fiscal year 1968, there were 6,615 cases pending in the 11 courts of appeals. Now, eight years later, the pending caseload has increased by 113.3 percent, but there has been no increase in appellate judgeships.

Table 1
Judgeships On June 30, 1976

	Authorized	Filled	Vacant	Senior Judges*
Courts of Appeals	97	94	3	43
District Courts	399	375	24	109

* Senior judges are not included in the number of authorized judgeships.

District Courts - Civil Cases

Civil cases filed in the 94 district courts increased by 11.3 percent. While the number of civil cases terminated rose by approximately 5,400 over a year ago, the 140,189 pending cases represented another record increase of 17.1 percent. Thus, as of June 30, 1976, there were 351 civil cases pending per judgeship, 52 more than a year ago.

Social security cases have increased markedly, by 77 percent, with the largest proportion due to the sharp rise in the number of "black lung" cases filed by coal miners, or their dependents, who are seeking reviews of decisions of the Social Security Administration. In the past 12 months filings of "black lung" cases reached 4,908, a 76 percent increase over the previous fiscal year.

Filings of real property actions, including land condemnation suits brought by the federal government, increased by 30.6 percent from 6,488 in 1975 to 8,475 in the year ending June 30, 1976. Land condemnation suits

rose sharply, from 1,391 in 1975 to 3,037 in 1976. This increase can be attributed in part to the adoption by over 30 districts of the Judicial Conference guidelines for the filings of such cases. In these districts tracts comprising separate ownerships or economic units must now be filed as separate cases, thereby increasing the number of cases filed. In previous years, several tracts might be included in a single case. For example, large declarations of taking in the Southern District of Florida accounted for 1,051 cases or 35 percent of the total 1976 land condemnation filings workload.

Civil rights suits filed in federal district courts continue their upward trend. With a 19 percent increase over last year, these cases accounted for more than 9 percent of the civil filings in the past 12 months. The number of labor suits filed increased by 17 percent and antitrust filings, which had been experiencing a gradual increase over the previous four years, climbed by 9 percent. Copyright, patent, and trademark litigation increased by almost 16 percent.

Prisoner petitions, continuing their increasing trend of the past few years, rose a modest 2.6 percent, from 19,307 in 1975 to 19,809 in 1976. Generally, prisoner petitions filed represent about 15 percent of total civil filings. Petitions by federal prisoners dropped by 5.3 percent; whereas, state prisoner petitions increased by approximately the same percentage. Since the ratio of state prisoner petitions to federal prisoner petitions is three to one, the results are an overall increase in prisoner petitions filed during 1976.

Of considerable interest is the continuing decline in motor vehicle personal injury litigation, which experienced a decrease of almost 11 percent over last year.

The number of requests for civil commitment under the provisions of the Narcotic Addict Rehabilitation Act (N.A.R.A.) declined to 150. This can be compared to the 1970 high figure of 3,268 filings under N.A.R.A.

District Courts - Criminal Cases

The 41,020 criminal case filings for the 12 months ending June 30, 1976, declined by 5.2 percent over the previous year.

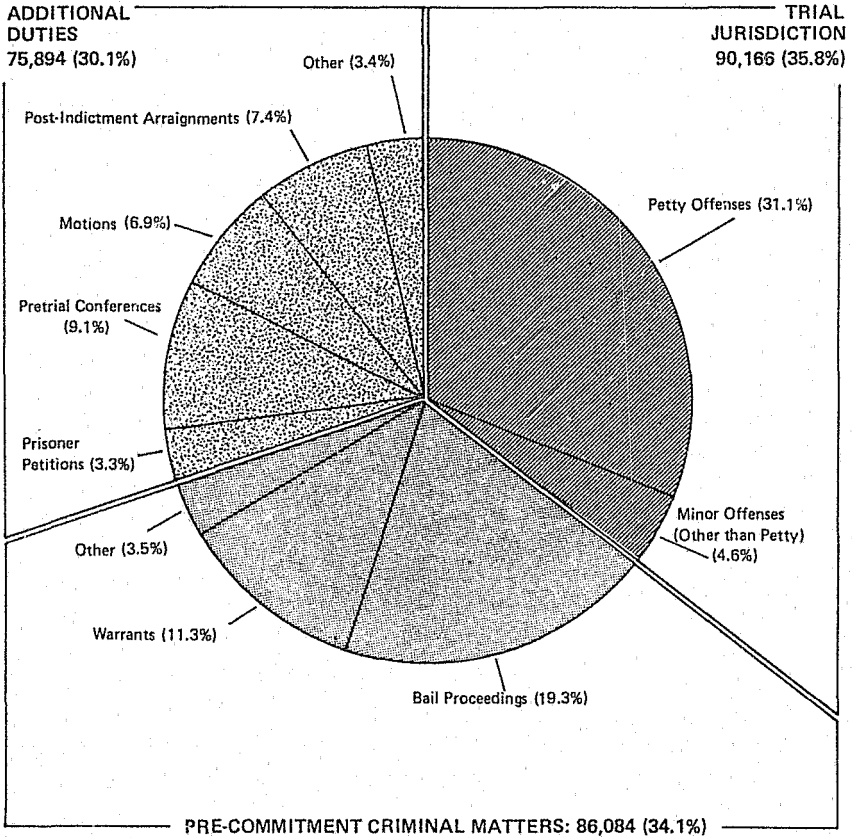
Pursuant to the requirement of the Speedy Trial Act of 1974 (P.L. 93-619), a new criminal docket, which included statistical forms as a part of the docket sheet, was implemented in October, 1975. These forms provide means by which the Administrative Office can meet the reporting requirements established by the Congress. This new system will take time to develop but will provide the ability to report accurately how the courts are handling the criminal caseload and the time limits adopted by each district pursuant to the Speedy Trial Act.

UNITED STATES DISTRICT COURTS

DUTIES PERFORMED BY UNITED STATES MAGISTRATES

FISCAL YEAR 1976

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



United States Magistrates

During the 12-month period which ended on June 30, 1976, the overall workload of United States Magistrates continued to increase in most areas. The more time-consuming "additional duties" performed by magistrates under authority of Title 28, United States Code, Section 636(b) increased by nearly 13 percent, from 67,230 to 75,894. The volume of such proceedings, moreover, was 26 percent above the 60,072 conducted during the fiscal year 1974, 47 percent above the 51,517 conducted during the fiscal year 1973, and nearly 70 percent above the 44,717 of fiscal year 1972, the first year of nationwide operation of the magistrates system.

The 90,166 petty and minor offense cases disposed of by magistrates in the past year were 6.7 percent more than the 84,505 handled during fiscal year 1975. Despite stricter statistical requirements, which tend to reduce the number of trial cases counted, the total minor offense cases disposed of by magistrates surpassed the peak of 84,580 minor offense cases reached in fiscal year 1973, and is 25 percent higher than the 72,082 handled in fiscal year 1972.

The following table shows the number of minor offense cases disposed of by United States magistrates during the last five fiscal years, classified by nature of offense:

Table 2
Minor Offense Cases Disposed of

	Fiscal Years				
	1972	1973	1974	1975	1976
<u>Total Offenses</u>	72,082	84,580	82,705	84,505	90,166
<u>Minor Offenses</u> <u>other than petty:</u>					
Traffic	4,972	6,999	5,651	5,164	6,399
Theft	1,928	1,849	2,449	2,770	2,661
Food and Drug	397	825	884	938	602
Other	1,870	2,161	2,258	2,531	2,030
Total	9,167	11,834	11,242	11,403	11,692

TABLE 2
Minor Offense Cases Disposed of (continued)

	Fiscal Years				
	1972	1973	1974	1975	1976
<u>Petty Offenses:</u>					
Traffic.	41,997	48,889	44,164	49,896	50,988
Immigration.	9,798	13,986	15,824	11,147	13,273
Hunting, fishing and Camping	6,223	4,771	5,633	4,637	5,837
Mail	N/A	N/A	N/A	N/A	1,754
Drunk/Disorderly. . .	N/A	N/A	N/A	N/A	1,368
Other.	4,897	5,100	5,842	7,422	5,254
Total	62,915	72,746	71,463	73,102	78,474

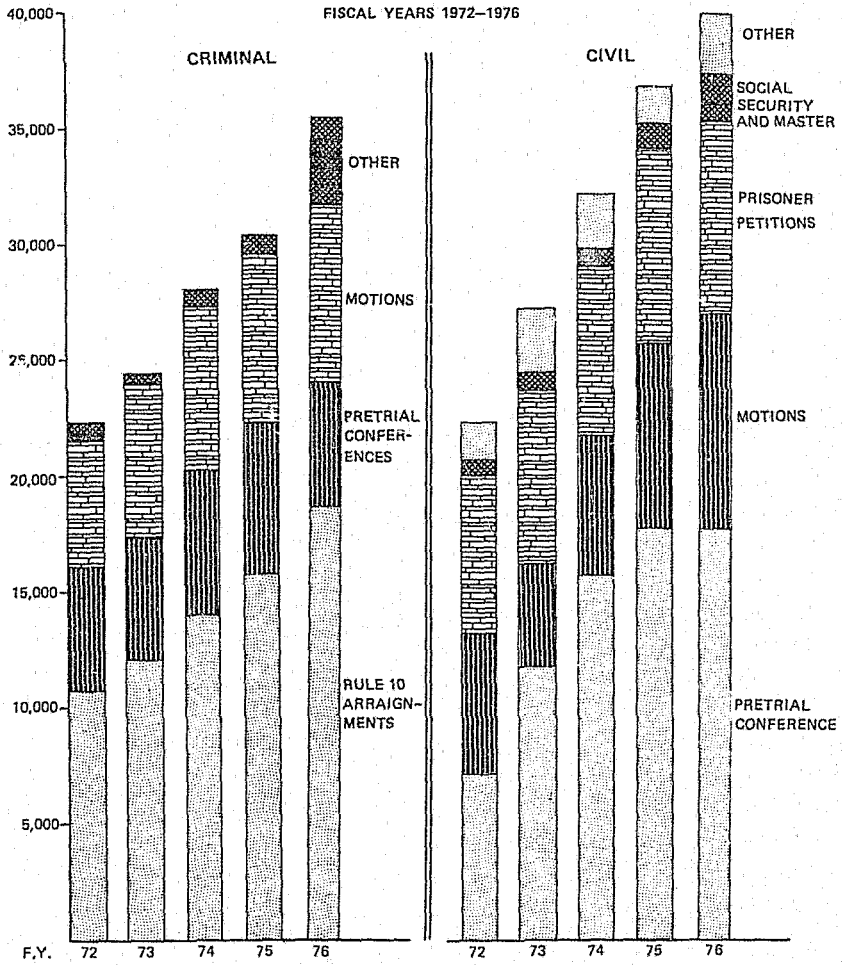
The number of preliminary proceedings conducted by magistrates in felony criminal cases during the past year declined by nearly 17 percent to 86,084 from 103,326 in fiscal year 1975, due largely to the overall nationwide decrease in felony prosecutions in the district courts in 1976. The fluctuation in the number of preliminary proceedings conducted by magistrates can also be attributed to changes in court procedures and continuing refinements in the magistrates statistical reporting system. The 48,616 bail hearings can be compared to 64,518 such hearings in 1972. The five-year decline amounts to 24.6 percent.

The continuing effort of United States magistrates to expedite civil litigation is reflected in the 9.6 percent 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 percent over 1975. Prisoner petitions handled by magistrates declines to 8,231 compared to 8,464 in 1975. This represents the first decline since 1972.

As noted, the volume of "additional duties" delegated to United States magistrates by the district courts under authority of title 28, United States Code, section 636(b) has risen steadily since the inception of the magistrates system. United States magistrates now assist the district judges in expediting civil and criminal litigation in the great majority of the 91 district courts served by magistrates. During the past year for example, magistrates in 61 districts filed written reports and recommendations for disposition of 8,231 prisoner petitions. Magistrates conducted 17,559 civil pretrial conferences for the judges in 61 district courts. In 57 districts they reviewed 9,583 motions in civil cases. During the year magistrates in 54 districts submitted 684

UNITED STATES DISTRICT COURTS

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



special master reports under Rule 53 of the Federal Rules of Civil Procedure. They filed reports and recommendations on 1,480 social security appeals in 52 districts.

In criminal cases magistrates conducted 18,694 arraignments following indictment under Rule 10 of the Federal Rules of Criminal Procedure in 68 districts. They conducted 5,397 pretrial conferences or omnibus hearings in 40 districts and reviewed 7,861 motions in 67 districts.

Of the total number of minor offenses disposed of by magistrates during the fiscal year, 11,692 were above the level of petty offenses, more than the 11,403 handled in 1975 and the 11,242 terminated in 1974. While this volume was still slightly less than the 11,834 cases handled during fiscal year 1973, it was 28 percent more than the 9,167 handled in 1972. About 55 percent, or 6,399, of the minor offense cases involved serious traffic violation charges such as driving while intoxicated. The other categories of minor offense cases above petty offenses experienced a general decrease during fiscal year 1976.

The 10 districts with the largest number of minor offense cases disposed of by magistrates during fiscal year 1976 are set out below:

Table 3
10 Districts with Largest Number of Minor Offense
Cases Disposed of by Magistrates

Districts	Traffic	Immi- gration	Other	Total
Virginia, Eastern	9,964	---	1,568	11,532
Texas, Western	3,080	3,149	702	6,931
Texas, Southern	142	5,941	358	6,441
Maryland	4,397	---	557	4,954
Georgia, Southern	4,275	---	537	4,812
California, Northern	3,634	60	734	4,428
Washington, Western	3,992	3	360	4,355
California, Southern	651	2,638	412	3,701
Oklahoma, Western	2,544	---	280	2,824
California, Eastern	855	309	1,545	2,709

Bankruptcy Administration

In the 12 months ending June 30, 1976, 246,549 persons or businesses filed petitions for relief under the various sections of the Bankruptcy Act. This is the second largest number of filings under the Act, the largest coming in fiscal year 1975 when 254,484 cases were filed. The current year's filings represents a decrease of 7,935 cases or 3.1 percent.

The following table shows the total number of bankruptcy cases filed each year since the start of the salary system:

Table 4
Bankruptcy Cases Filed, 1948-1976

Fiscal Year	Number	Numerical Increase (+) or Decrease (-)	Rate of Change
1948	18,510	+ 5,340	+ 40.5%
1949	26,021	+ 7,511	+ 40.5
1950	33,392	+ 7,371	+ 28.3
1951	35,193	+ 1,801	+ 5.4
1952	34,873	- 320	- .9
1953	40,087	+ 5,214	+ 15.0
1954	53,136	+ 13,049	+ 32.6
1955	59,404	+ 6,268	+ 11.8
1956	62,086	+ 2,682	+ 4.5
1957	73,761	+ 11,675	+ 18.8
1958	91,668	+ 17,907	+ 24.3
1959	100,672	+ 9,004	+ 9.8
1960	110,034	+ 9,362	+ 9.3
1961	146,643	+ 36,309	+ 33.2
1962	147,730	+ 1,137	+ .8
1963	155,493	+ 7,713	+ 5.2
1964	171,719	+ 16,226	+ 10.4
1965	180,323	+ 8,604	+ 5.0
1966	192,354	+ 12,031	+ 6.7
1967	208,329	+ 15,975	+ 8.3
1968	197,811	- 10,518	- 5.0
1969	184,930	- 12,881	- 6.5
1970	194,399	+ 9,469	+ 5.1
1971	201,352	+ 6,953	+ 3.6
1972	182,869	- 18,483	- 9.2
1973	173,197	- 9,672	- 5.3
1974	189,513	+ 16,316	+ 9.4
1975	254,484	+ 64,971	+ 34.3
1976	246,549	- 7,935	- 3.1

The foregoing table shows that the biennial cycle of increased and decreased bankruptcy case filings that has existed for the last 10 years has continued through the year ending June 30, 1976. The filing pattern is not typical, however, in that the greater number of case filings came in the first half of the year rather than the last half as normally occurs. The greatest number of cases was filed in October 1975 when 25,115 cases were filed, which is the second largest number of cases ever filed in one month.

Increases in case filings were registered in one-third (31) of the judicial districts in spite of the overall decrease. The largest increases were in the Eastern and Southern Districts of New York, New Jersey, Eastern Pennsylvania and the Middle District of Florida.

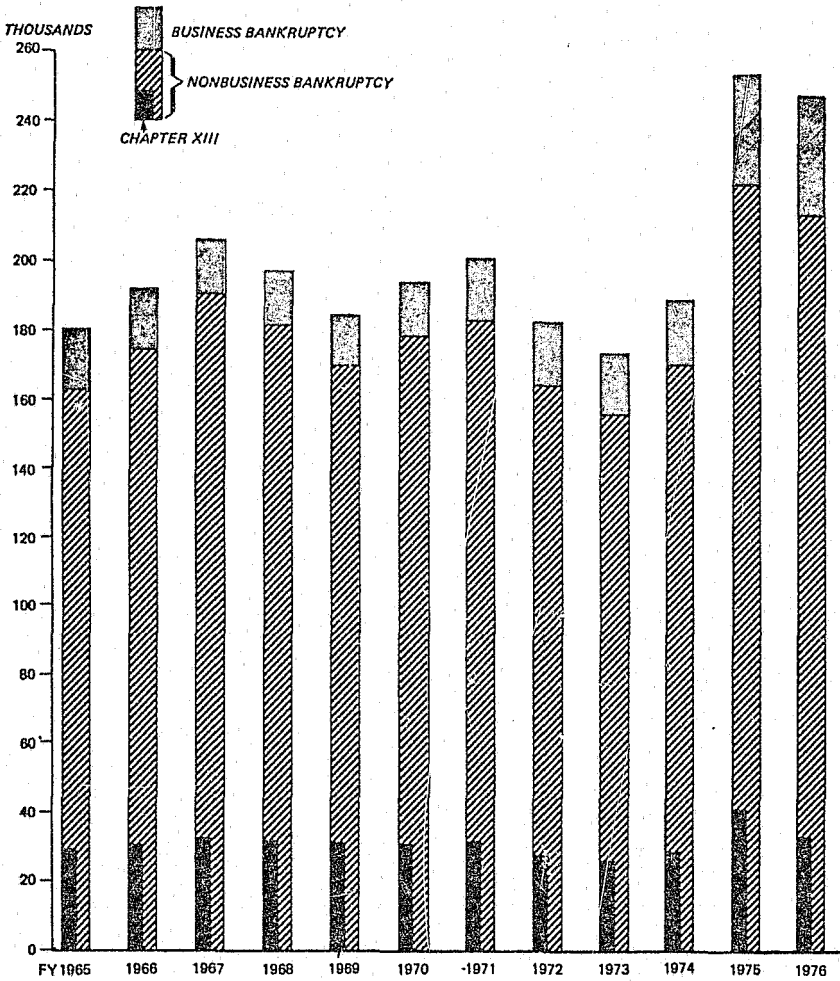
The First, Second, Third and District of Columbia Circuits registered percentage increases in filings while all others showed decreases. The

UNITED STATES DISTRICT COURTS

BANKRUPTCY CASES COMMENCED

BUSINESS AND NONBUSINESS (INCL. CHAPTER XIII)

FISCAL YEARS 1965-1976



largest increase came in the Third Circuit.

The greatest numerical decreases came in the Sixth and Ninth Circuits (3,853 and 3,116 cases respectively). These two circuits posted the greatest increases in fiscal year 1975.

The following table shows total bankruptcy case filings by circuit for fiscal year 1975 and the year ending June 30, 1976, with the numerical and percentage changes for each circuit:

Table 5
Bankruptcy Filings, by Circuit 1975-1976

Circuit	1975	1976	Numerical Increase (+) Decrease (-)	Percentage Increase (+) Decrease (-)
District of Columbia	214	238	+ 24	+ 11.2%
First	6,534	6,630	+ 96	+ 1.5
Second	14,623	17,093	+ 2,470	+ 16.9
Third	7,484	10,090	+ 2,606	+ 34.8
Fourth	16,759	16,162	- 597	- 3.6
Fifth	36,504	34,950	- 1,554	- 4.3
Sixth	41,856	38,003	- 3,853	- 9.2
Seventh	32,925	31,637	- 1,288	- 3.9
Eighth	19,886	17,915	- 1,971	- 9.9
Ninth	60,564	57,448	- 3,116	- 5.1
Tenth	17,135	16,383	- 752	- 4.4
Totals	254,484	246,549	- 7,935	- 3.1

The table below shows the number of business and non-business bankruptcies* and the percent each group bears to the total cases filed during the past 11 fiscal years.

Table 6
Business and Non-Business Bankruptcies, 1966-1976

Fiscal Year	Non- Business	% of Total	Business	% of Total	Total Filings
1966	175,924	91.5%	16,430	8.5%	192,354
1967	191,729	92.0	16,600	8.0	208,329
1968	181,266	91.6	16,545	8.4	197,811
1969	169,500	91.7	15,430	8.3	184,930
1970	178,202	91.7	16,197	8.3	194,399
1971	182,249	90.5	19,103	9.5	201,352
1972	164,737	90.1	18,132	9.9	182,869
1973	155,707	89.9	17,490	10.1	173,197
1974	168,767	89.1	20,746	10.9	189,513
1975	224,354	88.2	30,130	11.8	254,484
1976	211,348	85.7	35,201	14.3	246,549

* The business cases include farmers, professionals, merchants, manufacturers, and others in business. The non-business cases include employees and others not in business.

The number of business bankruptcies in 1976 reached an all-time high. The 35,201 business cases represent an increase of 16.8 percent, or 5,071 cases over 1975. It is significant that in the past six years the percent of business cases to total filed has continued to increase. The 14.3 percentage is the greatest proportion of business cases to total filings since 1958. The business cases shown for 1976 include 1,045 involuntary petitions. While the number of non-business cases filed in 1976 declined by 13,006 cases, it still represents the second largest number of cases in this category ever filed.

The higher proportion of business cases filed relative to the total workload in the northeastern section of the United States is shown by the following table of business and non-business cases by circuit.

Table 7
Business and Non-Business Filings, by Circuit

Circuit	Non-Business	% of Total	Business	% of Total	Total Filings
District of Columbia	209	87.8%	29	12.2%	238
First	5,257	79.3	1,373	20.7	6,630
Second	13,658	79.9	3,435	20.1	17,093
Third	7,634	75.7	2,456	24.3	10,090
Fourth	14,394	89.1	1,768	10.9	16,162
Fifth	29,319	83.9	5,631	16.1	34,950
Sixth	34,884	91.8	3,119	8.2	38,003
Seventh	28,785	91.0	2,852	9.0	31,637
Eighth	15,319	85.5	2,596	14.5	17,915
Ninth	48,171	83.9	9,277	16.1	57,448
Tenth	13,718	83.7	2,665	16.3	16,383
Totals	211,348	85.7	35,201	14.3	246,549

In 1976, there were decreases in straight bankruptcy, Chapter X, Reorganizations, Chapter XI, Arrangements, and Chapter XIII, Wage Earner Proceedings. A large increase (87.5 percent) was registered in Chapter XII, Real Property Arrangements, bringing the total to 525, and two cases were filed in Chapter IX dealing with the composition of indebtedness of local taxing agencies or instrumentalities. Both of these cases were filed after the April 8, 1976 amendment of the chapter.

It is significant that of the total decrease of 7,935 cases, 7,599 were Chapter XIII cases. Straight bankruptcy cases declined by only 263 cases.

Filings by chapter of the Bankruptcy Act for the past 10 years are shown below:

Table 8
Filings, by Chapter of the Bankruptcy Act

Fiscal Year	Total	Voluntary straight bankruptcy	Involuntary straight bankruptcy	CHAPTER					
				Ch IX	Ch X	Ch XI	Ch XII	Ch XIII	Sec 77
1967	208,329	173,884	1,241	1	138	1,033	68	31,963	1
1968	197,811	164,592	1,001	3	128	953	69	31,065	0
1969	184,930	154,054	946	0	87	867	66	28,910	0
1970	194,399	161,366	1,085	0	115	1,262	58	30,510	3
1971	201,352	167,149	1,215	2	179	1,782	120	30,904	1
1972	182,869	152,840	1,094	1	105	1,361	92	27,373	3
1973	173,197	144,929	985	0	101	1,458	92	25,632	0
1974	189,513	156,962	1,009	2	163	2,171	172	29,019	15
1975	254,484	208,064	1,266	0	189*	3,506	230	41,178	1
1976	246,549	207,926	1,141	2	141	3,235	525	33,579	0
Percent increase (+) or decrease (-), 1976:									
	- 3.1	-	- 9.9	-	-25.4	- 7.7	+87.5	-18.4	-

* Includes 25 involuntary petitions.

A total of 237,793 cases was closed in 1976. This is 44,995 more cases than closed in 1975 and is the largest number of cases ever closed in a year. The pending caseload at the close of 1975 was 262,283. Despite the large number of cases closed in 1976, the pending caseload increased to a record 271,039.

Federal Probation Service

There was a minor decrease of 1.5 percent 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 percent in new court probationers, and a decline in both parolees (down 20.3 percent) and mandatory releases (down 19.6 percent) received from federal correctional institutions. Increases of 9.7 percent in persons placed on probation by the United States magistrates and of 49.7 percent in the number of persons placed on deferred prosecution helped to offset the decline in court probation and institutional releases to supervision.

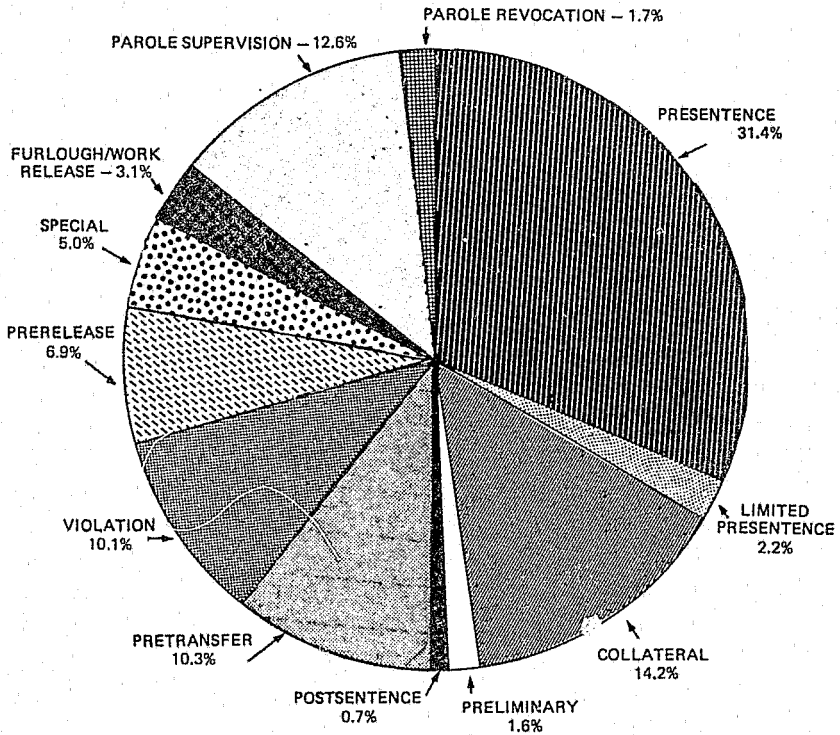
Persons removed from supervision increased by almost 10 percent. However, this high percentage accounted for little change in the number of persons under supervision on June 30, 1976. Overall, during fiscal year 1976, the Federal Probation Service provided supervision to 108,881 persons at some time during the year. With this substantial supervision workload the probation service also prepared 102,334 investigative reports, 11.4 per-

UNITED STATES DISTRICT COURTS

INVESTIGATIVE REPORTS BY PROBATION OFFICERS

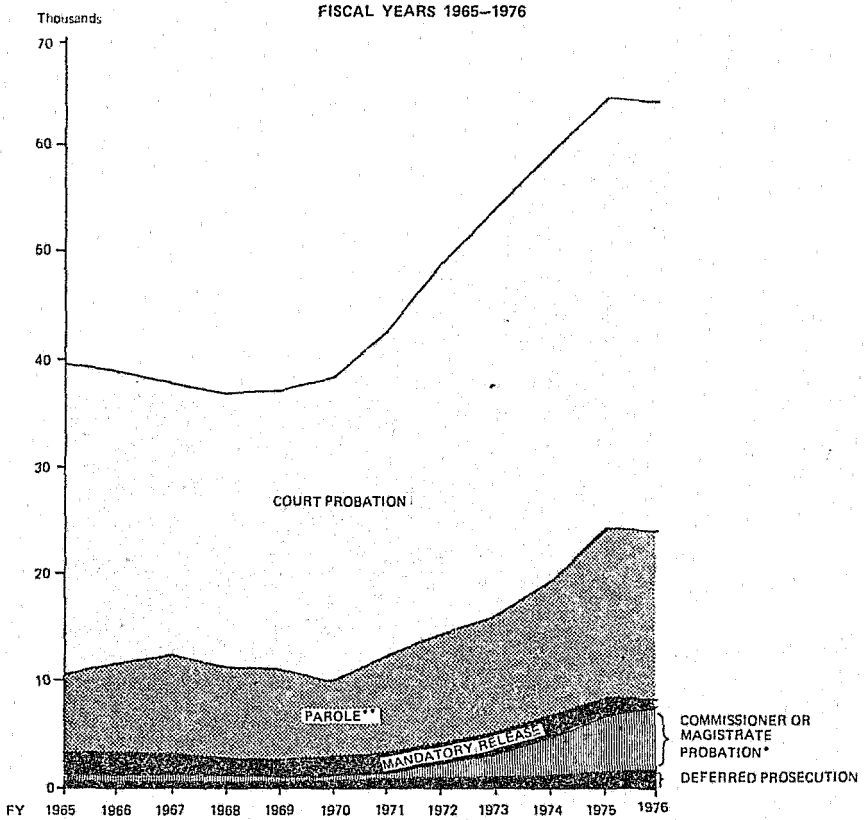
FISCAL YEAR 1976

TOTAL INVESTIGATIVE REPORTS: 102,334



UNITED STATES DISTRICT COURTS

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

cent more than in 1975. Of these reports, 32,193 were presentence investigations ordered by the court.

The following tables illustrate graphically the statistical breakdown of the work of the probation system:

Table 9
Investigative Reports by Probation Officers

Type of Investigation	Total	
	1975	1976
Total	91,863	102,334
Presentence investigation	31,740	32,193
Selective presentence investigation . . .	2,202	2,255
Collateral investigation for another district	11,932	14,526
Preliminary investigation to assist U. S. Attorney.	953	1,645
Postsentence investigation for institution.	650	746
Pretransfer investigation (probation and parole)	9,870	10,583
Alleged violation investigation (probation and parole)	8,581	10,351
Prerelease investigation for a federal or military institution.	8,805	7,112
Special investigation regarding a prisoner in confinement.	6,010	5,085
Furlough and work-release reports for Bureau of Prisons institutions . . .	2,770	3,175
Parole supervision reports	7,030	12,931
Parole revocation hearing reports	1,320	1,732

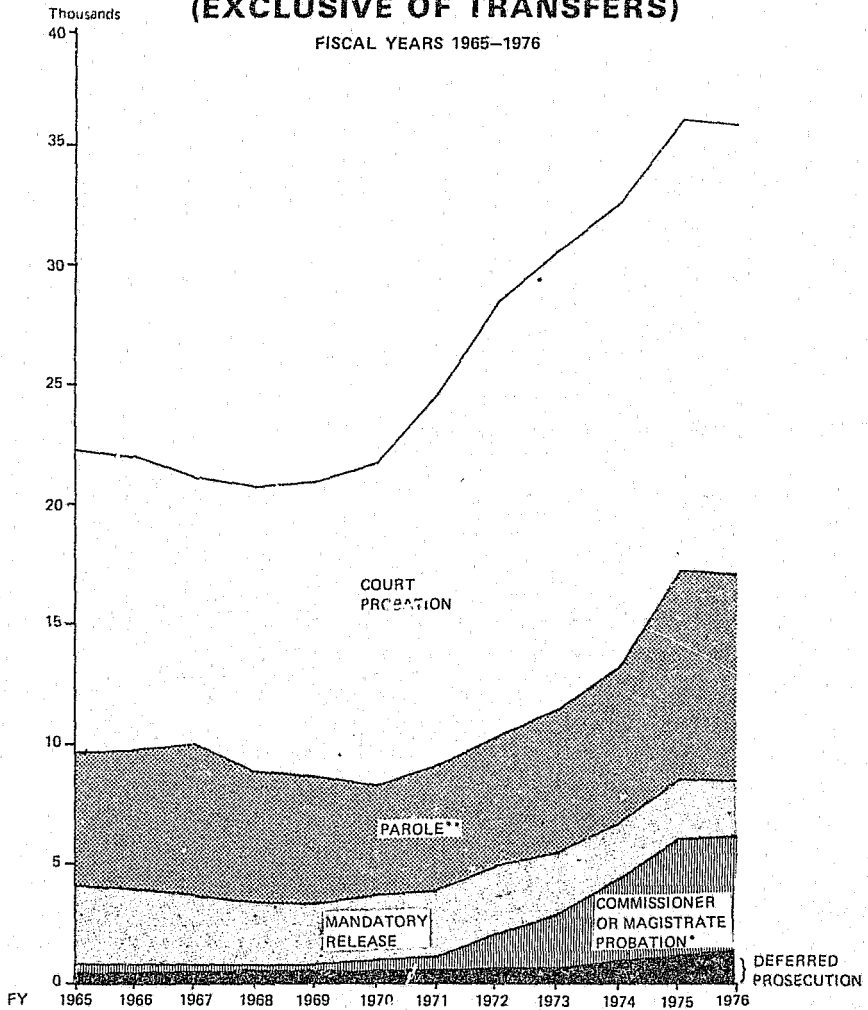
Table 10
Persons Received for Supervision

Type of Supervision	1975		1976		% of Change in Total
	Total	% of Total	Total	% of Total	
All cases ¹	36,061	100.0%	35,102	100.0%	- 2.7%
Probation (court)	18,665	51.8	18,375	52.3	- 1.6
Probation (U. S. magistrate)	4,884	13.5	5,358	15.3	9.7
Deferred prosecution Parole	1,143	3.2	1,711	4.9	49.7
Mandatory release	7,888	21.9	6,286	17.9	- 20.3
Military parole	2,408	6.7	1,935	5.5	- 19.6
Special parole	200	.6	232	.7	16.0
	873	2.4	1,205	3.4	38.0

¹Excludes Canal Zone, Guam and the Virgin Islands.

UNITED STATES DISTRICT COURTS

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.

Table 11
Persons Under Supervision

Type of Supervision	Under Supervision		Increase or Decrease	Percent Increase or Decrease
	July 1, 1975	June 30, 1976		
Total. . . .	64,261	64,246	- 15	---
Probation by courts. . . .	40,274	39,234	-1,040	- 2.6%
Probation, U. S. magistrates . .	5,388	6,038	650	12.1
Deferred prosecution . .	1,259	1,763	504	40.0
Parole.	14,591	14,099	- 501	- 3.4
Mandatory release	1,754	1,352	- 402	- 22.9
Military parole . .	302	339	37	12.3
Special parole. .	693	1,430	737	106.4

Table 12
Workload of Federal Probation Officers

Fiscal Year	Number of Probation Officer Positions	Per Officer Workload		
		Supervision Cases	Presentence Investigations	Other Investigative Reports ^{1/}
1967	584	65	39	--
1968	614	60	35	61
1969	614	60	34	62
1970	614	63	35	61
1971	614	69	38	62
1972	640	77	43	63
1973	808	67	37	51
1974	1,148	52	26	42
1975	1,468	44	22	41
1976	1,543	42	21	45

Appointment of Counsel under the Criminal Justice Act

During the year ending June 30, 1976, operating with a budget of \$19,046,000, an estimated 48,000 defendants received appointed counsel under the Criminal Justice Act. Of this total, 28,532 were represented by private panel attorneys and 19,468 by defender organizations.

As previous years, the rise in cases handled by defender organizations is partially due to the increase in the number of such organizations, a fact which makes comparisons difficult. By the end of June 1976, there were 22

federal public defender offices compared to 20 in 1975 and 15 in 1974. Community defender organizations numbered eight in both 1975 and 1976 and seven in 1974.

The 1976 incoming caseload for federal public defenders rose by 14.1 percent and closings increased by 22.8 percent.

For community defender organizations there was a decline in appointments and closings, 6.1 percent and 4.7 percent respectively. The actual number of cases pending was 2,510, an 8.3 percent increase over 1975.

Juror Usage

The districts courts, while maintaining a good record for the utilization of petit jurors, recorded a slight increase in the national Juror Usage Index (JUI) from a JUI of 19.32 in fiscal year 1975 to the JUI of 19.73 recorded this past year. This means that in the year ending June 30, 1976, approximately 20 jurors were required for conducting each jury trial day. In the same period, 592,594 jurors were called and available for jury service, an increase of 8.4 percent over the 546,627 jurors called in fiscal year 1975. Correspondingly, the number of jury trial days increased by 6.1 percent, from 28,293 jury trial days in fiscal year 1975 to 30,032 days in the 12 months ending June 30, 1976.

The collection of data on the use of grand jurors and juries in the district courts began in fiscal year 1975, with the 12 months ending June 30, 1976 being the second full year on which statistics are available. The number of grand jury sessions convened increased by 7.1 percent from 7,846 sessions in fiscal year 1975 to 8,404 sessions convened this past year. The number of jurors involved in these sessions also increased by 7.1 percent with 167,185 grand jurors serving in this past year as compared to 156,167 jurors in fiscal year 1975.

JUDICIAL ADMINISTRATION

Personnel

There were 660 judges in active or senior status on the rolls on June 30, 1976, as compared with 667 a year earlier. All other areas within the federal judiciary showed increases as reflected in the following table.

Table 13
Personnel in the Federal Judiciary

	1975	1976
Judges:		
Circuit	96	94
District	383	375
Special courts	21	21
Territorial courts	4	4
Retired-resigned	<u>163</u>	<u>166</u>
Total	<u>667</u>	<u>660</u>
 Circuit executives	9	9
Staff to circuit executives	10	15
Secretaries to judges	568	533
Secretary-law clerks to judges	1	1
Secretaries to retired judges	128	155
Court (Staff) secretaries	--- ¹	41
Law clerks to judges	638	607
Law clerks to retired judges	105	124
Senior law clerks	--- ¹	32
Court (Staff) law clerks	--- ¹	20
Total personnel for clerks office	<u>2,246</u>	<u>2,557</u>
 Members of probation staffs:		
Probation officers	1,423 ¹	1,522
Probation officers assistants	--- ²	19
Pre-trial services officers	---	79
Clerks	<u>952</u>	<u>1,010</u>
Total	<u>2,375</u>	<u>2,630</u>
 Members of bankruptcy staffs:		
Referees	210	224
Clerks	<u>796</u>	<u>1,070</u>
Total	<u>1,006</u>	<u>1,294</u>

TABLE 13
Personnel in the Federal Judiciary (continued)

	1975	1976
U. S. magistrates	452	450
Staff to U. S. magistrates	211	285
Federal public defenders and assistants	94	111
Staff to Federal public defenders	90	118
Court criers (incl. court crier-law clerks)	442	435
Court reporters	394	390
Court reporter-secretaries	1	1
Supporting personnel of the special courts	216	220
Miscellaneous personnel in the District of Columbia	30	23
Messengers	10	9
Librarians	39	40
Nurses	3	3
Interpreters	10 ¹	12
Temp. emergency court of appeals	---	5
Members of the staff of the Administrative Office	337	437
Total*	10,082	11,217

*Permanent and temporary personnel are included in the above totals.

¹ Positions were not counted separately in previous years.

² Positions created by Speedy Trial Act.

During the year the Administrative Office continued efforts toward an improved personnel administration for Administrative Office employees; including an automated leave system, reorganized headquarter services, a summer intern program, and greater involvements with the Equal Employment Opportunity Unit.

Services

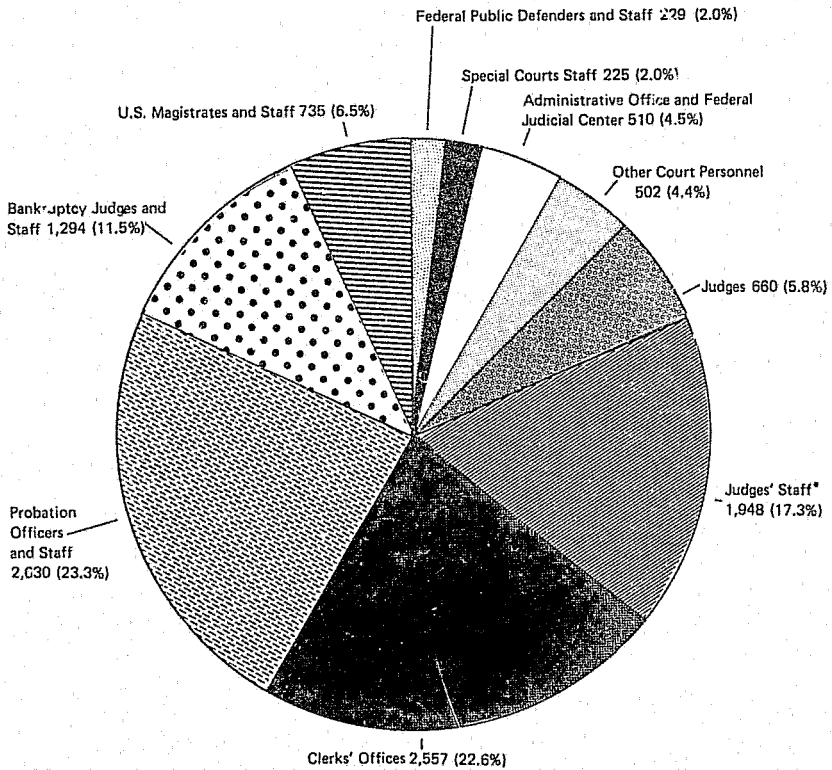
Procurement was further decentralized during the past year with the termination of limitations on the use of General Services Administration shopping plates. This action enables courts to obtain supplies without delay, reduces paperwork and minimizes the amount of cupboard stock that must be maintained.

UNITED STATES COURTS

PERSONNEL IN THE U.S. JUDICIARY

FISCAL YEAR 1976

TOTAL PERSONNEL: 11,290



*Secretaries, Law Clerks, and Criers

Working in cooperation with the courts, the judiciary's annual rental bill was reduced by \$360,000 due to the release of infrequently used space to the General Services Administration. As of June 30, 1976, there were 35 circuit court rooms and 709 district courtrooms, of which 15 were limited to non-jury use.

As of June 30, 1976, new buildings containing court facilities were under construction or construction contracts had been awarded at Anchorage and Fairbanks, Alaska; Fort Lauderdale, Florida; Atlanta, Georgia; Honolulu, Hawaii; Topeka, Kansas; Baltimore, Maryland; Syracuse, New York; Williamsport, Pennsylvania; Columbia, South Carolina; and Charlotte Amalie, Virgin Islands.

Eleven new courthouses were completed at San Diego, California; Orlando, Florida; Waycross, Georgia; New Orleans, Louisiana; Lincoln, Nebraska; Winston-Salem, North Carolina; Dayton, Ohio; Philadelphia, Pennsylvania; San Juan, Puerto Rico; San Antonio, Texas; Roanoke, Virginia; and Elkins, West Virginia.

New facilities have been approved by the Public Works Committee of Congress at Jonesboro, Arkansas; Maimi, Florida (annex); East St. Louis, Illinois; and Madison, Wisconsin.

Court Security Program

It is estimated that the judiciary will expend approximately \$7,000,000 for protection purposes which includes reimbursable security officers, installations of security systems and equipment, and maintenance of existing security systems.

To provide the courts with adequate protection, a program is being developed to implement the inspection of the court security arrangements at all court locations on a periodic basis. Where security is deemed inadequate, measures will be taken to correct the deficiencies subject to the availability of funds. Generally, security systems and equipment being installed under the court security program consist of closed circuit television, door entry control systems, panic buttons, and protective material on the judges' benches.

Probation

The most important new legislation affecting probation this year is the Parole Commission and Reorganization Act. Effective May 14, 1976, the Act established a nine-member Parole Commission as an independent agency within the Department of Justice. The commission is organized into five regions with a National Appeals Board in Washington, D. C. Many provisions of the Act directly affect the Federal Probation System. Parole is

now available for individuals who are serving a sentence of more than one year. In addition, the court, in ordering a six-month to one-year sentence, may provide for parole after service of one-third of that sentence. Institutional documents utilized by the Commission in parole determination hearings, including the presentence report or a summary of the report, now must be disclosed to the inmate prior to his or her hearing.

The Act follows case law in providing full due process to any releasee facing return to prison for technical violations of parole. The person on parole is given credit for "street time" if parole is revoked on technical grounds. Revocation procedures have added duties and responsibilities for the U. S. probation officer. The length of time served to achieve parole eligibility on long term sentences has been reduced from 10 to 15 years. Once a prisoner serves two-thirds of a sentence of five years or longer, the Act creates a presumption for parole. Statutory provisions for modification of the conditions of parole have been established. At least two years after release on parole and each year thereafter, the Commission will review the person's status to determine if there is a need for continued supervision. Parole must be terminated after five years of supervision unless, after a due process hearing, the Commission determines that there is a likelihood of future criminal conduct. Termination of parole supervision results automatically in termination of jurisdiction.

Speedy Trial Act of 1974 - Title II

Following Chief Justice Burger's designation of the 10 demonstration districts, the Pretrial Services Branch of the Probation Division initiated a series of meetings in each district to discuss the formation of the new agencies. During July and August of 1975 the staff conferred in each district with all participating chief judges, chief probation officers, United States magistrates, federal public defenders, United States attorneys and United States marshals.

Boards of Trustees agencies were established in Detroit, Baltimore, Kansas City, Brooklyn, and Philadelphia. Their first task was the appointment of board members. As mandated in Title II of the Speedy Trial Act, a district judge, U. S. attorney, public defender, chief probation officer, defense attorney, and two community representatives must be members of the board. The second task was the selection of a chief pretrial services officer. Responsibility for selecting the pretrial services officers was then delegated by the boards to the chiefs. All five agencies had selected their staffs by January 1976.

The five agencies established within federal probation offices are in Dallas, Los Angeles, Chicago, New York City, and Atlanta. These agencies had completed their staff selections by December 1975. As of June 30, 1976,

there were 125 offices and clerical employees in the 10 districts, 60 of whom are in board agencies and 65 in probation officers. In four districts, U.S. probation officers serve as part-time pretrial services officers in outlying areas

All the agencies have been operational since February. More than 4,500 defendants have been interviewed, of whom approximately one-third have been released on pretrial supervision. To date, nearly 700 cases have been closed and the case data forwarded to the Pretrial Services Branch for evaluation. This evaluation will be a four-year longitudinal study using both historical and current data. Two computer terminals have been installed in the division offices to facilitate the evaluation.

As of June 30, 1976, the 10 pretrial services agencies had spent slightly over \$1,000,000 of the \$10,000,000 appropriation. A small increase in staff is anticipated throughout the life of the project. Four training seminars for pretrial services staff were conducted by the Federal Judicial Center. One seminar was held for the chiefs and supervisors and two were held for the line officers. A two-day seminar was held for the chief clerks to explain procedures for utilizing and compiling data for the evaluation.

The pretrial services agencies provide information to judicial officers, prosecutors, and defense counsel. Prior to making a bail recommendation, pretrial services officers investigate the personal history and present circumstances of a defendant. The investigation often reveals that a defendant has critical psychological, legal, medical, and economic needs. If bail is granted, the officer assists the releasee in reducing these pressing needs. The officer may refer the individual to a variety of sources: job training programs, legal aid, community health clinics, and alcoholic and narcotic rehabilitative programs, to name a few.

Speedy Trial Act - Title I

Pursuant to the statutory mandate, the report to the Judicial Conference and the Congress on the accomplishments under Title I of the Speedy Trial Act as well as under Title II providing for pretrial service agencies in 10 demonstration districts, is submitted as a separate document.

Litigation Involving Court Officers

The General Counsel of the Administrative Office is charged with responsibility of assuring that legal representation is provided for federal judges and other court officers and employees who are sued civilly for actions taken in the discharge of their judicial or official duties. The volume of such litigation against judges and court officials has been increasing in recent years. During the past year, 44 lawsuits were referred to this office with the request that arrangements be made for the legal defense of the

judge or official named as defendant. Under a 1973 decision of the Comptroller General of the United States, 53 Comp. Gen. 301, the judiciary is obligated in the first instance to refer such cases to the Department of Justice for representation in accordance with the department's statutory role as the litigator for the federal government and its officers in their official roles. If the Justice Department declines representation because of conflict of interest, or for any other reason, the Comptroller General has authorized the expenditure of appropriated funds to retain private counsel for judges and other judicial officials who are sued in their official capacities. While many of the lawsuits filed against the federal judiciary are actions for personal damages against judges on account of their judicial decisions and other official acts, and are therefore subject to dismissal on the grounds of judicial immunity from such legal process, some of these cases also raise more substantial legal issues affecting the administration of the federal courts.

Magistrates System

The Federal Magistrates System completed its fifth year of nationwide operation on June 30, 1976. As of that date the Judicial Conference had authorized 482 United States magistrate positions, including 150 full-time positions, 316 part-time positions and 16 combination positions whereby clerks of court, deputy clerks of court, or part-time bankruptcy judges perform magistrate duties.

Appropriated funds were made available by the Congress during the fiscal year to fill 143 of the 150 full-time positions authorized. Funds to implement the remaining seven full-time positions were included in the appropriations request for the judiciary for the fiscal year beginning October 1, 1976.

The number of full-time magistrate positions has been increasing steadily as the district courts continue to delegate a greater variety and volume of judicial duties to United States magistrates. At the same time, there has been a significant reduction in the number of part-time magistrate positions in the last four years, as many of these positions have been consolidated with other part-time positions or converted to full-time status.

Referees' Salary and Expense Fund

The table set forth below shows the status of the Referees' Salary and Expense Fund for the 10-year period ending June 30, 1976 and the current status of the fund.

Obligations have exceeded receipts into the Referees' Salary and Expense Fund every year since 1965. In 1969 and again in 1970, the percentage charges which are assessed against the net proceeds realized in asset cases and amounts paid to unsecured creditors in arrangement proceedings were increased by the Judicial Conference.

In the expectation that it will be impossible for the bankruptcy system again to be self-sustaining without placing an inordinate burden on bankrupts through increased filing fees and on the assets of estates through increased charges, the Judicial Conference has authorized the drafting and introduction of legislation which would abolish the self-supporting system. The bill, H.R. 6187, is pending in the House Judiciary committee.

Table 14
Referees' Salary and Expense Fund

Fiscal Year	Receipts	Obligations	Surplus
1967	\$10,578,782	\$11,241,727	-\$ 662,945
1968	10,381,669	11,879,379	- 997,710
1969	11,028,819	13,295,643	- 2,266,824
1970	11,041,534	15,514,950	- 4,473,416
1971	12,141,854	16,584,603	- 4,442,749
1972	13,080,483	17,620,025	- 4,539,542
1973	14,252,107	19,619,143	- 5,367,036
1974	14,984,446	20,506,000	- 5,521,554
1975	18,383,954	20,878,414	- 2,494,460
1976	22,096,948	25,677,000*	- 3,580,052
Surplus as of June 30, 1966			9,935,809
Deficit as of June 30, 1976			24,112,934*

* Estimated.

Bankruptcy Rules of Procedure

Rules of Bankruptcy Procedure have now been adopted for all proceedings brought under the Act. This was completed with final approval by the Supreme Court without objection from the Congress, of rules covering Chapter VIII, Railroad Reorganization, and Chapter IX, Adjustment of Debts of Political Subdivisions and Public Agencies and Instrumentalities.

Bankruptcy Legislation

In the past year, two bills directly affecting bankruptcy were enacted into law. Public Law 94-217, effective February 27, 1976, amended section 40 of the Bankruptcy Act by providing that Congress rather than the Judicial Conference fix the salaries of full-time bankruptcy judges. The law fixed the salaries at \$37,800 subject to future cost-of-living adjustments and actions of the quadrennial Salary Commission.

Public Law 94-260, effective April 8, 1976, substantially amended Chapter IX of the Bankruptcy Act to accommodate the problems of large cities in default on their obligations.

Criminal Justice Act Division

The Criminal Justice Act Division was formed in November 1975 and charged with the mission of directing, implementing and coordinating the Administrative Office's responsibilities under the Criminal Justice Act (18 USC 3006A). By early 1976 staffing of its three authorized positions was completed. From its inception, the division has responded to numerous inquiries from the courts, defender offices and private attorneys on various aspects of the system of providing counsel to financially eligible federal criminal defendants.

The division provides staff support for the Judicial Conference Committee to Implement the Criminal Justice Act, reporting to the committee on the operation of the appointed counsel system and legislation affecting the system, providing recommendations for implementing the Act, and assisting in the formulation of budgets and review of grant requests to fund the defender system.

The first federal public defender offices were formed in 1971. With the establishment in 1976 of a federal defender office in the Western District of Texas, the number of defender organizations totaled 30, 22 federal public defenders and eight community defender offices. On-site visitation of defender offices began immediately after the formation of this division with the dual purpose of studying the operations and determining the needs of the various offices, as well as the federal defender system as a whole.

With the advent of the Speedy Trial Act, many district courts considered establishment of defender offices or an increase in size of existent offices as a means to assist the court in meeting the time limits imposed by the Act. With guidance from this division, several additional federal defender offices are now being organized.

During the year, the Federal Judicial Center, with assistance from this division, initiated a continuing legal education program for federal public defender attorneys. Three such seminars were held during the fiscal year and planning commenced for additional sessions in the coming fiscal year.

Management Review

The first full year of operation for the Division of Management Review was completed on June 30, 1976. The division was established in fiscal year 1975 when the judicial examination function was transferred from the Department of Justice to the Administrative Office. This division is responsible for reviewing and reporting on the management and operations of all offices of each district, circuit and special federal court. In the past year 10 positions were added to the initial 10 authorized in the previous year, for a total staff of 20. During this year, emphasis was placed on the recruitment, staffing and training of these staff. In addition, the division completed re-

views of the management and operations of nine district courts.

In its on-site reviews of the offices of the federal courts, the division measures the business of the courts against requirements and standards set by statute, Judicial Conference policy, plans and procedures, and Administrative Office directives; evaluates the effectiveness of management controls over operations and resources in individual courts; determines the reliability of statistical data and reports submitted by each court pursuant to Administrative Office requirements; examines the integrity of financial records and adequacy of internal controls in each court studied; identifies and reports on areas where the efficiency and effectiveness of the day-to-day management and operations of the courts could be improved and recommends actions to bring about those improvements; and provides follow-up assistance in implementing recommendations. Through the reviews of the courts, the division also provides up-to-date and timely information to the Administrative Office to strengthen its capability and understanding in responding to the day-to-day problems and requirements of the judiciary.

Clerks Division

This is the third of the new divisions of the Administrative Office which completed its first year of operations on June 30, 1976. Although part of the year was necessarily devoted to recruiting of staff, the division has begun its tasks of coordinating within the Administrative Office all functions relating to the offices of the clerks of court and providing organizational, management and training assistance to these offices. Twenty-two district courts and three circuit court clerks offices were visited in an effort to solve procedural problems and to afford suggestions for better management techniques. This division is expected to provide a most useful link between the Administrative Office and the offices of the clerks of court.

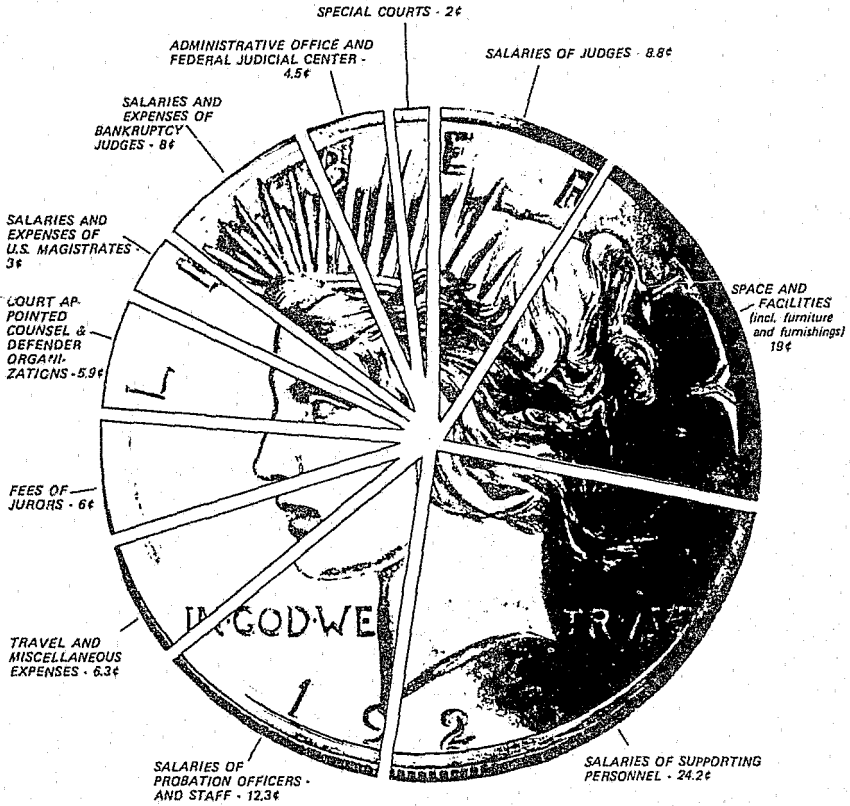
JUDICIAL APPROPRIATIONS AND EXPENDITURES

Appropriations for Fiscal Year 1976

The annual Appropriation Act for 1976, P.L. 94-121, approved October 21, 1975, included for the Judiciary, exclusive of the Supreme Court, budget authority in the amount of \$325,298,000. The Congress in the Supplemental Appropriation Act for 1976, Public Law 94-157, approved December 18, 1975, appropriated an additional \$5,970,000; \$404,000 for "Salaries and Expenses of U.S. Magistrates," \$1,466,000 for "Salaries and Expenses of Referees," and \$4,100,000 for "Representation by Court-Appointed Counsel and Operation of Defender Organizations," of which \$1,800,000 was made available for the liquidation of obligations incurred in prior years. In the Second Supplemental Appropriation Act for 1976, Public Law 94-303,

THE JUDICIAL DOLLAR

OBLIGATIONS INCURRED* — FISCAL YEAR 1976



*Exclusive of the Supreme Court

TABLE 15
The Judiciary (Exclusive of the Supreme Court)
Preliminary Statement of Appropriation Accounts,
Fiscal Year 1976

	Annual Appropriation	Supplemental Appropriations		Transfers	Available	Obligations Incurred	Unobligated Balance
		Pay Costs	Other				
Court of Customs and Patent Appeals: Salaries and Expenses.....	\$ 853,000	\$	\$	\$	\$ 853,000	\$ 818,000	\$ 35,000
Customs Court: Salaries and Expenses.....	2,587,000	42,500	.....	.....	2,629,500	2,568,000	61,500
Court of Claims: Salaries and Expenses.....	2,429,000	25,000	.....	.....	2,454,000	2,451,000	3,000
Courts of Appeals, District Courts, and Other Judicial Services:							
Salaries of Judges.....	28,750,000	.....	.....	.....	28,750,000	28,085,000	665,000
Salaries of Supporting Personnel.....	117,075,000	2,400,000	.....	.....	119,475,000	117,029,000	2,446,000
Representation by Court-Appointed Counsel and Operation of Defender Organizations.	16,590,000	156,000	2,300,000	.....	19,046,000 ²	19,046,000	.....
Fees of Jurors.....	18,000,000	.....	2,000,000	.....	20,000,000	19,600,000	400,000
Travel and Miscellaneous Expenses.....	20,040,000	.....	.....	.....	20,040,000	19,628,000	412,000
Salaries and Expenses of U.S. Magistrates	10,510,000	.....	404,000	.....	10,914,000	10,092,000	822,000
Salaries and Expenses of Referees.....	24,096,000	796,000	1,779,000	-600,000	26,071,000	25,677,000	394,000
Subtotal.....	235,061,000	3,352,000	6,483,000	-600,000	244,296,000	239,157,000	5,139,000
Administrative Office, U.S. Courts: Salaries and Expenses.....	7,233,000	198,000	.....	600,000	8,031,000	7,982,000	49,000
Federal Judicial Center: Salaries and Expenses.....	6,565,000	.....	.....	.....	6,565,000	6,385,000	180,000
Space and Facilities, The Judiciary: Space and Facilities.....	64,000,000	.....	.....	.....	64,000,000	56,587,000	7,413,000
Expenses, U.S. Court Facilities: Furniture and Furnishings.....	4,570,000	.....	.....	.....	4,570,000	4,558,000	12,000
Bicentennial Expenses, The Judiciary: Bicentennial Activities.....	2,000,000 ¹	.....	.....	.....	2,000,000 ¹	502,000	1,498,000
Grand Total: The Judiciary (exclusive of the Supreme Court).....	<u>\$325,298,000</u>	<u>\$ 3,617,500</u>	<u>\$ 6,483,000</u>	<u>\$</u>	<u>\$335,398,500²</u>	<u>\$321,008,000</u>	<u>\$ 14,390,500</u>

¹Funds were appropriated in fiscal year 1976 to remain available until expended.

²Excludes the sum of \$1,800,000 available for the liquidation of obligations incurred in prior years.

approved June 1, 1976, an additional \$5,930,500 was appropriated to cover general pay increases and program costs including \$2 million for "Fees of Jurors" and \$313,000 for "Salaries and Expenses of Referees."

As displayed on Table 15, the total amount available in 1976, taking into account the above referred to supplemental appropriations, was \$335,398,500. The actual cost of operations was \$321,008,000, leaving an unobligated balance of \$14,390,500, which remains available for the transition quarter, July 1 through September 30, 1976.

More than one-half of the unobligated balance represents a savings in the appropriation for "Space and Facilities." The actual requirements relating to tenant alterations and other reimbursable services for SA fell far short of the original estimates. A savings of over \$2.4 million was realized in the appropriation for "Salaries of Supporting Personnel" primarily as a result of judgeship vacancies and delays in recruitment and filling of newly authorized positions.

The Judicial Dollar graphically reflects the expenditures in fiscal year 1976 with respect to the various programs and activities of the judiciary.

Appropriations for Transition Quarter, July 1 - September 30, 1976

Initially the Congress appropriated the sum of \$80,487,000 for the transition quarter considering the change in the fiscal year which, for 1977, will commence on October 1, 1976. Subsequently, supplemental appropriations of \$1,387,000 (P.L. 94-157) and \$2,841,500 (P.L. 94-303) were made available for the transition quarter to cover "pay costs" and program increases authorized in fiscal year 1976. Taking into account the supplemental appropriations, the total authorized for the transition quarter (exclusive of the Supreme Court) is \$84,715,500. Table 16 shows the amounts appropriated for each of the appropriation accounts. In addition, as previously indicated, the unobligated balances in the appropriations for fiscal year 1976 will be available during the transition quarter. Taking into account these unobligated balances, the aggregate amount available is approximately \$99 million.

Appropriations for Fiscal Year 1977

The budget estimates submitted to the Congress for fiscal year 1977 (exclusive of the Supreme Court) initially were in the amount of \$383,340,000. On March 11, 1976, the budget was amended (House Document 94-423) to include an additional \$964,000 to fund the statutory increase in the salaries of full-time bankruptcy judges authorized by the Act of February 27, 1976, P.L. 94-217. Subsequently, the budget was again amended by Senate Document 94-192 to include an additional \$479,000 for

TABLE 16
Appropriations for Transition Quarter
July 1 Thru September 30, 1976
(Exclusive of the Supreme Court)

	PL 94-121	PL 94-157	PL 94-303	TOTAL
Court of Customs & Patent Appeals	\$ 213,000	\$	\$ 11,000	\$ 224,000
Customs Court	645,000		32,500	677,500
Court of Claims	597,000		26,000	623,000
Salaries of Judges	7,230,000			7,230,000
Salaries of Supporting Personnel	29,700,000		1,498,000	31,198,000
Represent. of Ct-Appt. Counsel	4,148,000	575,000	52,000	4,775,000
Fees of Jurors	4,500,000		500,000	5,000,000
Travel & Misc. Exp.	4,883,000			4,883,000
Sal. & Exp. of Mag.	2,594,000	151,000	112,000	2,857,000
Sal. & Exp. of Ref.	6,008,000	661,000	510,000	7,179,000
Administrative Office	1,823,000		82,000	1,905,000
Federal Judicial Center	1,721,000		18,000	1,739,000
Space & Facilities	16,000,000			16,000,000
Expenses, U. S. Court Facilities	<u>425,000</u>	<u> </u>	<u> </u>	<u>425,000</u>
GRAND TOTAL	\$80,487,000	\$1,387,000	\$2,841,500	\$84,715,500

"Salaries and Expenses of the United States Magistrates" and \$377,000 for "Salaries and Expenses of Referees." These amendments were necessary for the implementation of actions of the Judicial Conference in April 1976.

Taking into account these amendments, the total amount requested for the judiciary for fiscal year 1977 (exclusive of the Supreme Court) was \$385,160,000. The Appropriation Act for 1977 approved on July 14, 1976, (P.L. 94-362) was for \$368,019,000; \$17,141,000 less than the amount requested but \$30,820,500 more than the total appropriated for fiscal year 1976. The increase, 1977 over 1976, is approximately 9 percent. Table 17 is a comparative statement of new budget (obligational) authority for fiscal year 1976 and budget estimates and amounts approved for fiscal year 1977.

The Congress approved the full amounts requested for "Salaries of Judges," "Court-Appointed Counsel," "Fees of Jurors," and "Salaries and Expenses of Magistrates." Under the heading, "Salaries of Supporting Personnel," the House approved 476 new positions as follows:

	<u>Requested</u>	<u>Allowed</u>
Deputy Circuit Executives for the Courts of Appeals	9	---
Deputy Clerks for Courts of Appeals	18	18
Deputy Clerks for District Courts	210	210
Personnel to establish Central Violations Bureaus	20	20
Probation Officers	379	126
Stenographers for Probation Service	234	74
Assistants for Probation Service	20	10
Library Assistants, Courts of Appeals	3	3
Staff Law Clerks, Courts of Appeals	13	13
Secretaries, Courts of Appeals	<u>2</u>	<u>2</u>
Total	908	476

Regarding the appropriation, "Salaries and Expenses of Referees," a request for 258 clerical positions was denied in view of a levelling off of the bankruptcy case filings. The 18 bankruptcy judges and supporting staff positions requested were approved. Additional funds requested to adjust salaries of court reporters based on classification and qualification standards were denied.

With respect to the Administrative Office, the Congress approved 35 new positions out of a request for 61, and \$8,320,000, an increase of \$899,000 over fiscal year 1976. The Federal Judicial Center was granted budget authority of \$7,650,000 of which \$1,046,000 was earmarked for the accelerated implementation of COURTRAN II a computerized information management system designed, among other things, to assist courts in meeting objectives of the Speedy Trial Act.

Table 17
Comparative Statement of New Budget (obligational)
Authority for Fiscal Year 1976 and Budget Estimates and
Amounts Approved for Fiscal Year 1977

	1976 Appropriation	Budget Estimate 1977	Appropriated 1977	Increase (+) or decrease (-) compared with	
				1976 Appropriation	Budget Estimate
Court of Customs and Patent Appeals ..	\$ 853,000	\$ 898,000	\$ 898,000	\$ +45,000	\$
Customs Court	2,629,500	2,705,000	2,705,000	+75,500	.....
Court of Claims	2,454,000	2,536,000	2,536,000	+82,000	.....
Courts of Appeals, District Courts, and Other Judicial Services;					
Salaries of Judges	28,750,000	30,182,000	29,782,000	+1,032,000	-400,000
Salaries of Supporting Personnel ...	119,475,000	138,145,000	132,250,000	+12,775,000	-5,895,000
Court-Appointed Counsel and Defender Organizations	20,846,000 ¹	20,686,000	20,686,000	-160,000	.....
Fees of Jurors	20,000,000	19,350,000	19,350,000	-650,000	.....
Travel and Miscellaneous Expenses ..	20,040,000	26,550,000	24,380,000	+4,340,000	-2,170,000
Salaries and Expenses of U.S. Magistrates	10,914,000	12,341,000	12,341,000	+1,427,000	.....
Salaries and Expenses of Referees ..	26,671,000	33,446,000	30,201,000	+3,530,000	-3,245,000
Administrative Office, U. S. Courts ..	7,431,000	8,957,000	8,320,000	+889,000	-637,000
Federal Judicial Center	6,565,000	7,720,000	7,650,000	+1,085,000	-70,000
Space and Facilities	64,000,000	75,969,000	71,980,000	+7,980,000	-3,989,000
Expenses, U. S. Court Facilities	4,570,000	5,675,000	4,940,000	+370,000	-735,000
Bicentennial Activities	2,000,000	.....	.....	-2,000,000	.....
TOTAL	<u>\$337,198,500¹</u>	<u>\$385,160,000</u>	<u>\$368,019,000</u>	<u>\$+30,820,500</u>	<u>\$-17,141,000</u>

¹Includes the sum of \$1,800,000 for the liquidation of obligations incurred in prior years.

The bill includes \$71,980,000 for "Space and Facilities," and \$4,940,000 for "Furniture and Furnishings." The committee imposed a reduction of \$640,000 on the "Space and Facilities" appropriation to be accomplished by the release of excess or little used courtroom space.

The bill also includes a language change in the "Fees of Jurors" and the Criminal Justice Act ("Representation by Court-Appointed Counsel and Operation of Defender Organizations") appropriations to make the monies available until expended. Provision was also made for a post-differential for secretaries and law clerks stationed outside the continental United States and Alaska.

Bicentennial Appropriation

Total obligations as of June 30, 1976, of the Bicentennial appropriation were \$501,865. The total amount of \$2 million was appropriated by Congress for programs and projects to be conducted on a national level in observance of the American Revolution Bicentennial. The Bicentennial Committee of the Judicial Conference is completing negotiations for the production of several films which will deal with early decisions of the courts which had significant impact on the development of this country's judicial system. In addition, the committee is having a book written on the role of the courts in development of the United States Judiciary System.

Speedy Trial Planning

As reflected in the report on Title I of the Speedy Trial Act, shortly after the beginning of the program on July 1, 1975, Speedy Trial planning groups were established in all districts. In September and October 1975, the Administrative Office and the Federal Judicial Center conducted seminars in six locations around the country which were attended by representative members of the district planning groups, including judges, magistrates, U. S. attorneys, public defenders, clerks and planning group reporters. All of the planning groups had prepared Speedy Trial plans for the "prompt disposition of criminal cases" in accordance with provisions of the Act. Of the \$2.5 million appropriated, \$872,300 was allocated to the planning groups as of June 30, 1976. These groups have expended \$339,000 of that amount.

Pretrial Services Agencies

During the first year of operation ending June 30, 1976, \$1,319,000 was obligated of the \$10 million no-year appropriation. By the end of this period, as reflected earlier in this report, 10 Pretrial Services Agencies were established and training seminars had been held at the Federal Judicial Center for the new agency personnel.

Fiscal Year 1978 Budget Call

For the first time, circuit courts of appeals and district courts submitted five-year projections of staffing and workload requirements. The five-year

Table 18
Comparative Statement of Judicial Participation and the
Number of Survivor Annuitants, 1966-1976

Fiscal Year	Judicial participation			Survivor annuitants	
	Judges on the roll	Judges participating	Percentage	Number of annuitants	Average award
1966-----	486	442	91	154	\$3,403
1967-----	527	479	91	154	3,668
1968-----	539	488	91	148	3,921
1969-----	552	503	91	148	4,077
1970-----	554	506	91	155	4,477
1971-----	605	543	90	157	4,976
1972-----	652	586	90	163	5,465
1973-----	669	612	91	163	5,888
1974-----	674	611	91	167	5,935
1975-----	673	614	91	172	6,433
1976-----	669	603	90	177	7,133

projections which were requested in the fiscal year 1978 Budget Call reflect the additional budgetary information made mandatory by Congress in the Congressional Budget and Impoundment Control Act (P.L. 93-344) requirements of 1974.

In the fiscal year 1978 Budget Call, the courts were asked for their estimates of furniture replacement costs beginning with fiscal year 1977. Until September 30, 1976, GSA is managing the "Court Facilities Furniture and Furnishings" appropriation which totals \$4,940,000 for fiscal year 1977. Since GSA has not responded adequately to court requirements relative to replacement and rehabilitation of furniture, the Administrative Office is planning to allocate funds to the districts for furniture replacement beginning with 1977. Procedures for managing the allotments and ordering furniture will be sent to the courts prior to the beginning of the new fiscal year on October 1, 1976. Monthly, GSA will report furniture allotments and expenditures on a district-by-district basis both to the districts and to the Administrative Office. The improved reporting system, together with the new procedure of allotting funds to circuit and district courts, will permit more efficient utilization of the present furniture appropriation and the establishment of an historical basis for more accurately projecting furniture replacement requirements in the future.

Judicial Survivors Annuity Fund

Hearings were held on the Judicial Conference sponsored bill, S.12, before the Senate Subcommittee on Improvements in Judicial Machinery on July 17 and September 10, 1975. The bill proposes to reform and improve the benefits of the Judicial Survivors Annuity System. The bill, as recommended by the Senate Committee on the Judiciary, passed the Senate by voice vote on June 22, 1976. It is presently being considered by the House Subcommittee on Courts, Civil Liberties and Administration of Justice. Hearings were held on May 20, 1976. One of the purposes of the bill is to make the Judicial Survivors Annuity Fund actuarially sound.

The balance of the fund on June 30, 1976, was \$10,746,664, an increase of \$862,085 over the balance at the beginning of the fiscal year. Investments as of June 30, 1976, consisting of U. S. Treasury bonds and notes, had an aggregate par value of \$10,691,000. The number of justices and judges on the roll eligible to participate in the system decreased during the fiscal year from 673 to 669. On June 30, 1976, there were 603 judges participating in the system.

As of June 30, 1976, there were 177 survivor annuitants, an increase of five over the number of annuitants on the roll as of June 30, 1975. Payments to annuitants during the year aggregated \$1,211,056, an increase of

Table 19
Comparative Statement of Receipts, Disbursements, and
Balances in the Judicial Survivors Annuity Fund
Fiscal Years 1967-1976

	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976
Balance July 1:										
Investments (face amount)	\$3,111,500	\$3,583,000	\$4,132,000	\$4,725,000	\$5,510,500	\$6,339,000	\$7,234,000	\$8,148,000	\$9,055,000	\$9,956,000
Undisbursed balance-----	743	1,860	3,708	1,994	-8,502 ¹	11,716	8,625	219	1,388	-71,421 ³
Balance July 1-----	3,112,243	3,584,860	4,135,708	4,726,994	5,501,998	6,350,716	7,242,625	8,148,219	9,056,388	9,884,579
Receipts:										
Salary deductions-----	424,908	451,072	502,478	620,109	643,946	706,627	743,128	751,500	751,408	774,048
Agency contributions-----	424,908	451,072	502,478	620,109	643,946	706,627	743,128	751,500	751,408	774,048
Service credit payments-----	33,981	18,484	63,954	24,396	23,059	34,798	102,913	17,292	25,139	15,106
Interest on investments	128,628	142,638	171,030	206,852	242,183	301,764	359,867	427,684	593,814	652,382
Discounts on investments (net)-----	36,271	80,034	16,215	106,766	91,938	-17,547	6,813	-26,379	-5,133	-6,656
Repayments of accrued interest-----	1,137	6,869	8,385	6,290	10,213	9,597	9,125	26,392	-	-
Total receipts-----	1,049,833	1,150,169	1,264,540	1,584,522	1,655,285	1,741,866	1,964,974	1,947,989	2,116,636	2,208,928
Disbursements:										
Payments to annuitants-----	548,676	575,920	609,096	726,557	765,424	841,847	933,223	975,393	1,081,324	1,211,057
Death claims-----	24,157	12,712	36,341	52,079	31,388	2,625	115,033	34,667	141,236	82,753
Refunds-----	-	5,784	17,449	25,543	-	-	-	18,159	35,096	35,368
Accrued interest purchases-	4,384	4,904	10,367	5,338	9,755	5,485	11,125	11,601	30,790	17,665
Total disbursements	577,217	599,320	673,253	809,517	806,567	849,957	1,059,381	1,039,820	1,288,446	1,346,843
Balance June 30:										
Investments (face amount)--	3,583,000	4,132,000	4,725,000	5,510,500	6,339,000	7,234,000	8,148,000	9,055,000	9,956,000	10,691,000
Undisbursed balance-----	1,860	3,708	1,994	-8,502	11,716	8,625	219	1,388	-71,421 ³	55,664
Balance June 30 ² -----	3,584,860	4,135,708	4,726,994	5,501,998	6,350,716	7,242,625	8,148,219	9,056,388	9,884,579	10,746,664

¹Offset by undeposited withholdings and agency contributions for June 1970, paid on July 1, 1970.

²May not add due to rounding.

³Offset by undeposited withholdings and agency contributions for June 1975, paid on July 1, 1975, and accrued interest on investments as of June 30, 1975.

\$129,732 over the total paid in fiscal year 1975. The average award to annuitants increased during fiscal year 1976 by \$700, from \$6,433 to \$7,133. Tables 18 and 19 show judicial participation, the number and amounts paid survivor annuitants, and the financial status of the fund during the preceding 10 years. Table 20 shows the amounts invested in Treasury Notes and Bonds.

TABLE 20
Judicial Survivors Annuity Fund
Investment Holdings as of June 30, 1976

Interest Rate	Type of Interest	Amount
7-1/2%	U.S. Treasury Notes 8/15/76-----	\$ 40,000
8%	U.S. Treasury Notes 2/15/77-----	395,000
7-3/4%	U.S. Treasury Notes 8/15/77-----	155,000
4-1/4%	U.S. Treasury Bonds 5/15/75-85-----	755,000
6-1/4%	U.S. Treasury Notes 2/15/78-----	146,000
6%	U.S. Treasury Notes 11/15/78-----	359,000
6-1/4%	U.S. Treasury Notes 8/15/79-----	191,000
3-1/4%	U.S. Treasury Bonds 6/15/78-83-----	545,500
4%	U.S. Treasury Bonds 2/15/80-----	664,000
3-1/2%	U.S. Treasury Bonds 11/15/80-----	306,500
6-3/8%	U.S. Treasury Bonds 2/15/82-----	236,000
6-3/8%	U.S. Treasury Bonds 8/15/84-----	416,000
6-1/8%	U.S. Treasury Bonds 11/15/86-----	239,000
4-1/4%	U.S. Treasury Bonds 8/15/87-92-----	722,000
4-1/8%	U.S. Treasury Bonds 5/15/89-94-----	167,000
3-1/2%	U.S. Treasury Bonds 2/15/90-----	188,500
6-3/4%	U.S. Treasury Bonds 2/15/93-----	281,000
7-1/2%	U.S. Treasury Bonds 8/15/93-----	1,054,000
8-1/2%	U.S. Treasury Bonds 5/15/94-99-----	1,738,000
3%	U.S. Treasury Bonds 2/15/95-----	51,000
7%	U.S. Treasury Bonds 5/15/93-98-----	195,000
3-1/2%	U.S. Treasury Bonds 11/15/98-----	113,500
8-1/2%	MK Bonds 5/15/94-99-----	324,000
8-3/8%	MK Bonds 8/15/95-00-----	203,000
8-1/4%	MK Bonds 5/15/2000-05-----	1,206,000
	Total Investment Holdings (Par Value)-----	\$10,691,000

Changes in Fiscal Procedures - Clerks Offices

As reported in last year's Annual Report, the United States Treasury Department effective July 1, 1975, revised the reporting requirements for disbursing officers utilizing funded checking accounts. The change allowed the clerks to report general and special fund receipts and deposit fund collections on a single certificate of deposit. After a year of operation in which no problems were noted, the procedure has resulted in a reduction of clerical effort and there have been no associated accounting problems with the procedure.

The Internal Revenue Code of 1954 (sections 6041 and 6049) requires information returns to be filed by the United States Government when payments of income of \$600 or more are made to an individual in a calendar year. "Payment" is defined as when the funds are actually or constructively released from the jurisdiction of the court.

Because of the requirement cited in the preceding paragraph, this office issued a memorandum to all clerks of courts instructing them to obtain and use the social security number or an employer identification number issued by the Internal Revenue Service for reporting income to recipients of interest-bearing registry funds with further instructions that returns, statements and other documents required to be filed by each court should be filed with the IRS Service Center serving the region in which the court is located.

Registry Funds

In keeping with the recommendations of the General Accounting Office that registry funds be deposited either in interest-bearing accounts in commercial banks or be deposited in the United States Treasury, the Administrative Office through three regional financial deputy seminars continued to recommend that courts do not place registry funds in non-interest-bearing commercial accounts. During the fiscal year 1976, deposits in non-interest-bearing accounts increased from \$18.6 million to \$20.2 million. However, deposits in interest-bearing accounts increased from \$34.3 million to \$50.7 million and registry funds on deposit in the United States Treasury increased from \$40.4 million to \$66.4 million. Table 21 depicts registry funds in the custody of United States courts as of June 30, 1976, by the respective district courts.

TABLE 2
Registry Funds in the Custody of United States Courts
as of June 30, 1976

District	U.S. Trsy.	Local Depositories	
	Non-Interest Bearing	Non-Interest Bearing	Interest Bearing
Alabama, N.	\$ -----	\$ 17,728.85	\$ 747,344.43
Alabama, M.	83,335.84	-----	6,468,989.65
Alabama, S.	-----	42,966.77	254,925.32
Alaska	875,305.86	14,248.13	50,000.00
Arizona	956,813.87	-----	1,253,972.60
Arkansas, E.	-----	353,538.46	134,675.73
Arkansas, W.	708,427.62	27,471.48	-----
California, N.	5,348,025.77	16,701.30	355,951.42
California, E.	538,741.16	26,017.14	159,706.79
California, C.	1,377,409.05	40,512.36	2,372,007.59
California, S.	856,938.75	14,930.01	966,429.42
Colorado	1,371,603.47	-----	3,021,081.56
Connecticut	-----	291,113.51	-----
Delaware	84,695.35	-----	13,113.40
District of Columbia	1,817,339.61	-----	189,980.69
Florida, N.	433,775.44	-----	-----
Florida, M.	-----	1,341,343.52	453,966.48
Florida, S.	-----	1,916,630.08	-----
Georgia, N.	664,828.55	-----	768,184.23
Georgia, M.	137,917.68	-----	-----
Georgia, S.	-----	309,770.97	208,755.29
Hawaii	191,206.79	-----	7,597,025.95
Idaho	-----	311,800.74	-----
Illinois, N.	1,995,826.26	2,522.97	1,773,100.00
Illinois, E.	-----	307,593.21	-----
Illinois, S.	289,872.29	-----	-----
Indiana, N.	572,358.55	185,706.52	-----
Indiana, S.	-----	463,589.73	20,326.90
Iowa, N.	140,940.19	-----	-----
Iowa, S.	72,311.29	-----	46,513.20
Kansas	-----	1,235,694.08	3,611,258.42
Kentucky, E.	-----	1,583,439.48	-----
Kentucky, W.	-----	153,145.14	28,403.14
Louisiana, E.	-----	1,026,663.24	-----
Louisiana, M.	-----	155,494.30	-----
Louisiana, W.	613,490.03	-----	-----
Maine	253,134.66	-----	30,000.00
Maryland	821,851.70	-----	895,393.39
Massachusetts	2,633,387.79	-----	1,212,363.24
Michigan, E.	708,562.44	-----	866,323.37
Michigan, W.	144,866.22	-----	-----
Minnesota	352,752.62	-----	295,034.98
Mississippi, N.	-----	480,022.99	201,159.35
Mississippi, S.	-----	-----	-----
Missouri, E.	1,062,923.59	177,993.89	288,129.98
Missouri, W.	1,102,233.31	495,143.92	1,442,618.34

TABLE 21
Registry Funds in the Custody of United States Courts
as of June 30, 1976 (continued)

District	U. S. Trsy.	Local Depositories	
	Non-Interest Bearing	Non-Interest Bearing	Interest Bearing
Montana	\$ 130,629.64	\$ -----	\$ 101,656.04
Nebraska	-----	364,827.82	-----
Nevada	293,766.41	-----	-----
New Hampshire	16,319.85	-----	6,520.44
New Jersey	3,405,813.62	-----	-----
New Mexico	809,658.54	-----	125,183.76
New York, N.	211,729.07	-----	-----
New York, E.	1,000,000.00	391,798.31	57,241.89
New York, S.	3,963,661.44	259,325.65	2,319,920.11
New York, W.	399,398.95	-----	-----
North Carolina, E.	325,065.05	-----	152,657.16
North Carolina, M.	914,997.69	-----	-----
North Carolina, W.	177,627.23	-----	73,333.34
North Dakota	46,036.31	-----	217,125.97
Ohio, N.	893,996.55	651,249.12	590,058.59
Ohio, S.	-----	543,829.54	37,923.83
Oklahoma, N.	-----	493,843.95	330,897.12
Oklahoma, E.	-----	91,704.59	-----
Oklahoma, W.	1,108,461.02	305,542.53	769,894.86
Oregon	1,726,472.89	-----	128,458.44
Pennsylvania, E.	1,133,935.55	-----	589,232.42
Pennsylvania, M.	2,034,245.80	-----	-----
Pennsylvania, W.	1,091,038.04	-----	-----
Puerto Rico	1,203,335.08	-----	-----
Rhode Island	21,591.02	-----	-----
South Carolina	564,625.10	-----	322,026.41
South Dakota	-----	246,604.28	-----
Tennessee, E.	-----	709,046.00	12,337.00
Tennessee, M.	460,133.10	45,489.62	315,779.65
Tennessee, W.	201,796.70	-----	525,520.90
Texas, N.	-----	1,319,581.13	2,171,294.49
Texas, E.	556,608.20	-----	-----
Texas, S.	2,151,316.10	2,387,816.94	2,357,216.73
Texas, W.	1,323,157.88	-----	-----
Utah	250,306.51	-----	15,591.87
Vermont	50,843.83	-----	17,500.00
Virginia, E.	629,087.57	-----	766,943.17
Virginia, W.	-----	23,763.21	463,763.93
Washington, E.	637,389.53	-----	98,370.40
Washington, W.	1,401,141.39	-----	98,789.24
West Virginia, N.	-----	117,348.26	1,410,063.96
West Virginia, S.	-----	-----	-----
Wisconsin, E.	256,101.08	-----	334,384.30
Wisconsin, W.	223,291.98	-----	94,706.75
Wyoming	-----	16,158.83	243,225.38
Virgin Islands	-----	948.91	-----
Canal Zone	-----	78,276.85	242,978.57
Guam	-----	1,120,120.61	-----
TOTALS	\$66,424,454.47	\$20,159,058.94	\$50,717,331.68

Temporary Emergency Court of Appeals

The Temporary Emergency Court of Appeals, created by P.L. 91-210 in 1971, is funded from Executive Branch rather than judicial appropriations. Funds transferred to the judiciary from the Federal Energy Administration for fiscal year 1976 totaled \$240,000 for the salaries of supporting personnel and other expenses of the court. The cost of operations for fiscal year 1976 as of June 30, 1976, was \$142,447.

Table 22 is a preliminary statement of expenditures by object classification.

TABLE 22
Status of Funds Available for the Temporary
Emergency Court of Appeals
as of June 30, 1976

	Amount Available	Obligations			Balance
		Paid	Unpaid	Total	
Personnel Compensation.....	\$124,500	\$ 80,439	\$2,749	\$83,188	\$41,312
Personnel Benefits.....	12,000	6,821	196	7,017	4,983
Travel, Judges and Staff...	49,000	6,591	1,764	8,355	40,645
Rent & Communications:					
Telephone.....	2,500	1,000	-----	1,000	1,500
Postage.....	3,500	3,500	-----	3,500	-0-
Copy Equipment.....	7,500	3,197	528	3,725	3,775
Rental of Equipment.....	30,000	25,512	3,255	28,767	1,233
Printing & Reproduction....	500	29	173	202	298
Other Services.....	500	133	7	140	360
Supplies and Materials....	5,000	1,145	-----	1,145	3,855
Equipment (including books for library).....	<u>5,000</u>	<u>5,372</u>	<u>36</u>	<u>5,408</u>	<u>(408)</u>
TOTAL FUNDS.....	\$240,000	\$133,749	\$8,708	\$142,447	\$97,553

Respectfully submitted,

Rowland F. Kirks,
Director

**IMPACT STUDY OF MAJOR STATUTES AND EVENTS
ON CRIMINAL AND CIVIL CASELOAD
IN THE U.S. DISTRICT COURTS
DURING FISCAL YEARS 1960 - 1976**

Each year the Annual Report of the Director provides analysis of the workload of the Federal courts and where possible provides historical trend data. Pursuant to a request in late 1975 from the Eighth and Tenth Circuits, the General Counsel of the Administrative Office and the Statistical Analysis and Reports Branch of the Division of Information Systems collaborated on an impact statement covering the years 1960-1975. The reception of this modest analysis made it apparent that the material should be updated to include 1976 figures and further that this analysis should be presented in the Director's Annual Report as a contribution of the understanding to the effect of legislation on the workload of the courts.

Therefore a few of the laws affecting the civil litigation in the courts as well as criminal statutes were selected to be charted and analyzed. This retrospective study beckons all of us to take a hard look at all new legislation to determine prospectively what indeed will be the future litigation workload for the Federal courts. On the other hand the Federal system, as indicated in this statement, has found ways to reduce workload. For example, auto theft and liquor law violations which once accounted for as many as 33 out 100 Federal criminal prosecutions have been reduced to 4 out of 100. This decline over several years suggests that other alternatives can be found to bring into Federal jurisdiction only that litigation which merits the majesty of the Federal judiciary.

Readers are invited to comment on the analysis. They may do so by writing the Director of the Administrative Office of the United States Courts.

Prepared by:
Division of Information Systems
Statistical Analysis and Reports Branch
and the
Office of the General Counsel
Administrative Office of
the United States Courts
April 19, 1976
Updated September 1, 1976

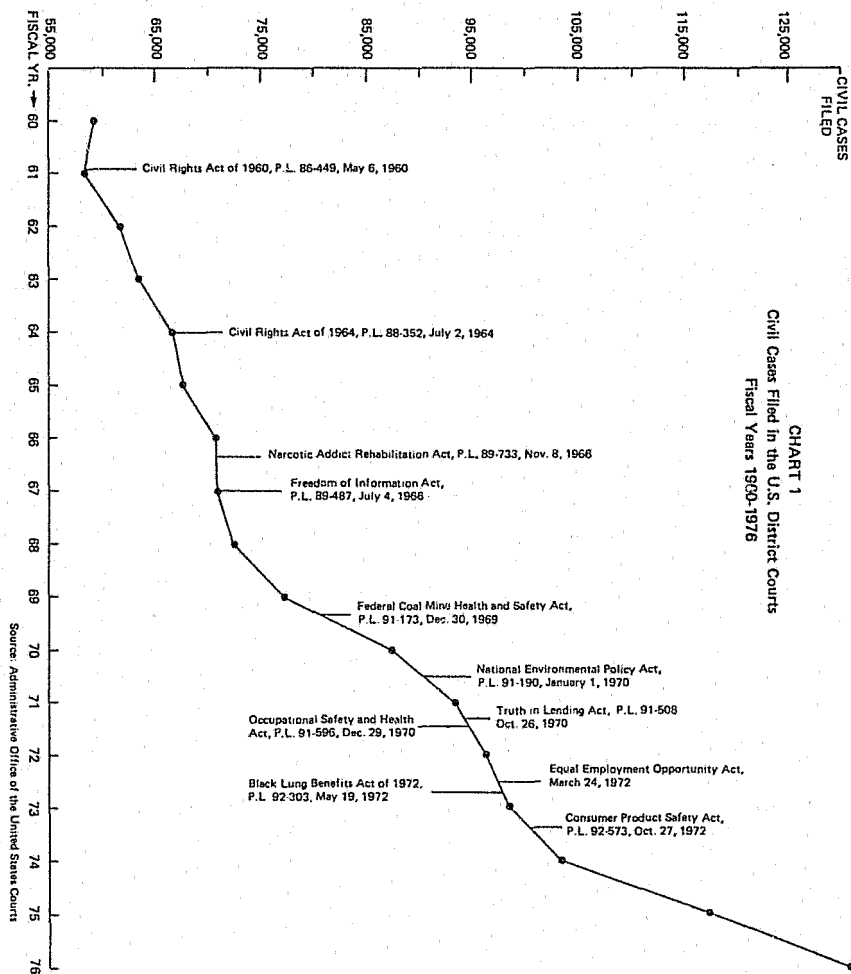
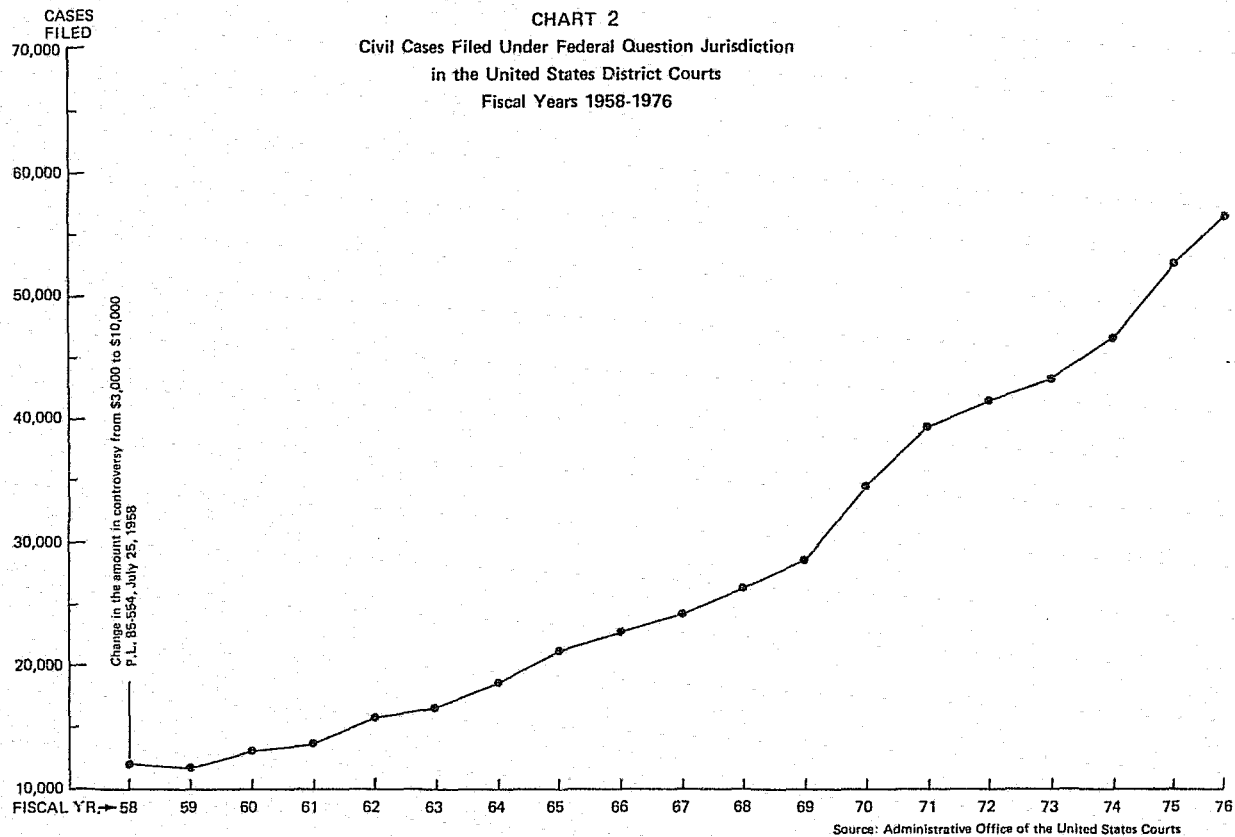


CHART 2
Civil Cases Filed Under Federal Question Jurisdiction
in the United States District Courts
Fiscal Years 1958-1976



IMPACT STUDY

I. CIVIL CASELOAD

Since 1960 the number of civil cases commenced in the district courts has increased over 100%; 57,800 cases were filed in fiscal year 1960 and 130,597 in 1976. Federal question jurisdiction cases accounted for the greater portion of this increase. Cases involving the United States as a defendant also figured in the rise. Although new statutes and amendatory acts compounded the rising volume, certain categories of cases display an unprecedented swell without apparent relationship to changes in federal law. The tremendous rise in the number of petitions filed by both state and federal prisoners presents an acute example; during the 17 years under study state inmate filings increased an astronomical 1,624% and federal 266%. Chart 1 illustrates what judges know - civil filings mount ceaselessly. Charts 2 through 9 target specific areas in which civil filings changed significantly during this period.

Federal Question and Diversity

On July 25, 1958, pursuant to P.L. 85-554, 72 Stat. 415 (codified at 28 U.S.C. 1331, 1332) the amount in controversy in cases of a Federal question and diversity of citizenship was raised from \$3,000 to \$10,000. The law provided also that for purposes of such jurisdiction a corporation is deemed a citizen of the state by which it was incorporated and of the state where it has its principal place of business.

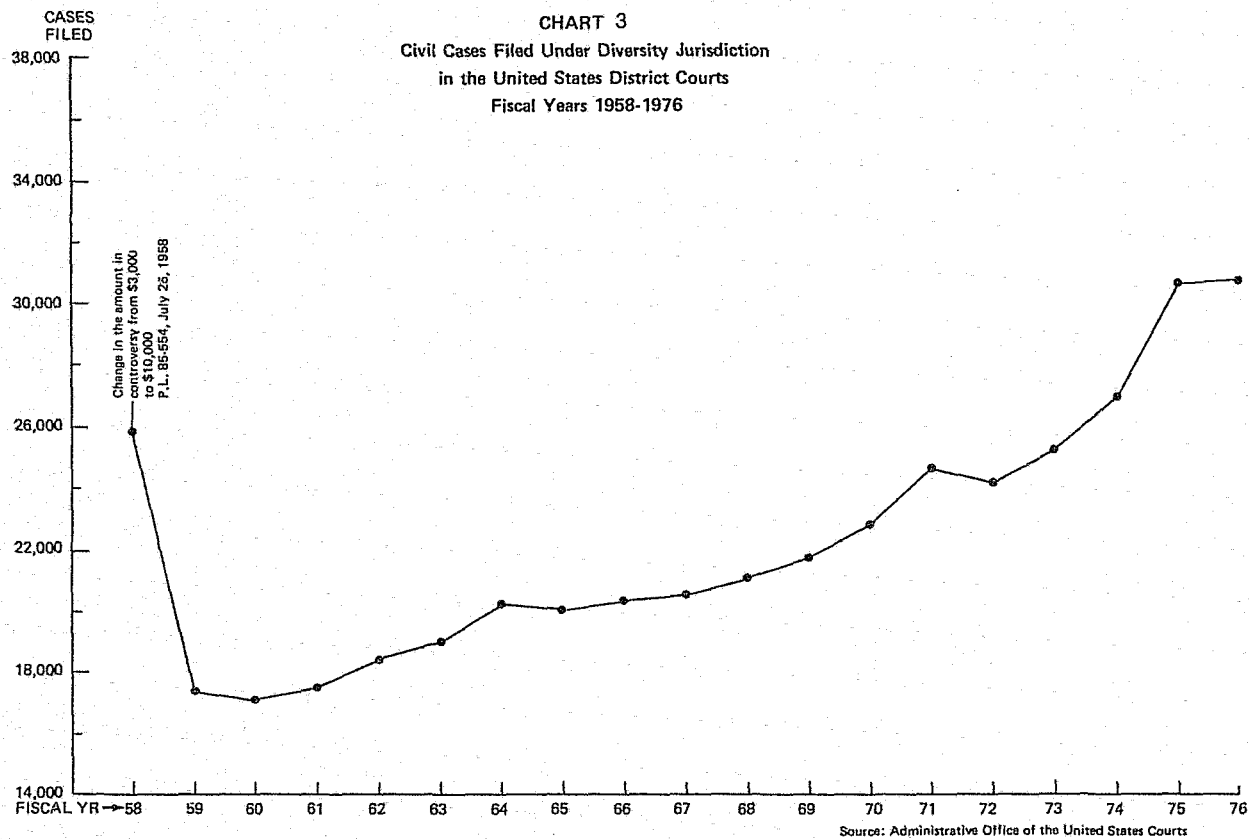
This substantial raise in jurisdictional amount was of notable impact on diversity case filings. These numbered 25,709 in fiscal 1958 but fell over 8,000 cases in each of the next years, to 17,342 in 1959 and 17,048 in 1960. From 1962 to 1973 these filings rose evenly to 25,281, an approximate return to the 1958 level. Diversity case filings in fiscal 1976 numbered 31,675, or 24.3% of total civil filings.

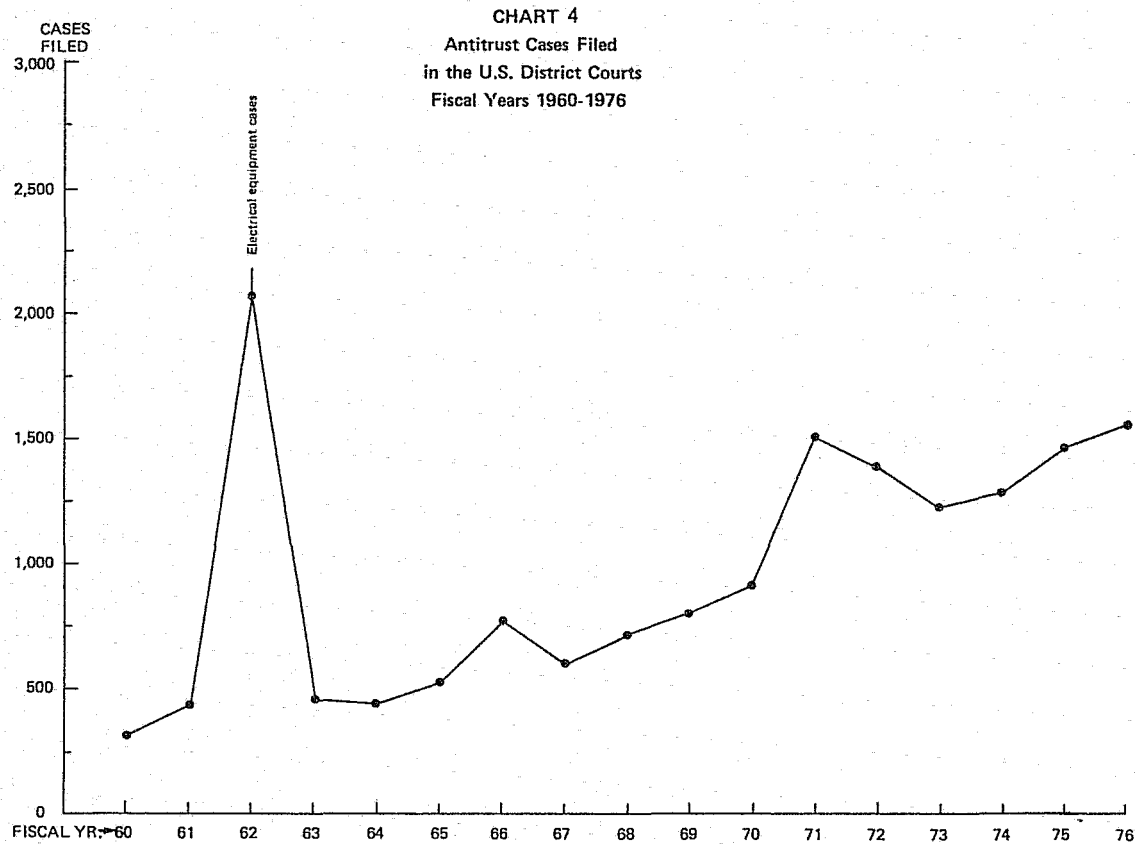
Under the raised jurisdictional amount federal question filings, by contrast, dropped inconsequentially for one year. In fiscal 1958 these totaled 12,141 and in 1959 11,889. However, for the preceeding seventeen years these have risen continuously, from 13,175 in 1960 to 56,822 in 1976.

So aggravated has the problem become that remedial legislation has been introduced in both Houses of Congress. S. 3153 would raise the jurisdictional amount to \$25,000. H.R. 13219 would abolish entirely diversity of citizenship as a basis of jurisdiction in the federal courts.

Anti-Trust

On Chart 4, spanning fiscal years 1961 to 1963, there is a pronounced "fork" in the graph. In fiscal 1962, 2,050 private anti-trust cases were





Source: Administrative Office of the United States Courts

commenced as opposed to 378 in 1961, an approximate 440% jump. This phenomenon may be laid solely to the tremendous number of treble damage cases filed against electrical equipment manufacturers subsequent to civil and criminal proceedings in Philadelphia from 1960 to 1961. Of the 2,050 private anti-trust cases initiated, 1,739 were brought against such manufacturers. By 1963 the number of private anti-trust case filings plummeted to 380, a return to their earlier range.

The following statistics were cited in a 1975 report by the General Counsel to the Committee on Court Administration:

"There has been a dramatic increase in absolute number of the civil anti-trust cases filed in the Federal Court system; 1,431 civil anti-trust actions were filed in 1975, up 54% from 929 actions in 1970. In the thirteen districts where at least thirty private anti-trust actions were filed, seven show a rise in private anti-trust filings between the years 1973 and 1975, ranging from 3% to 167%."

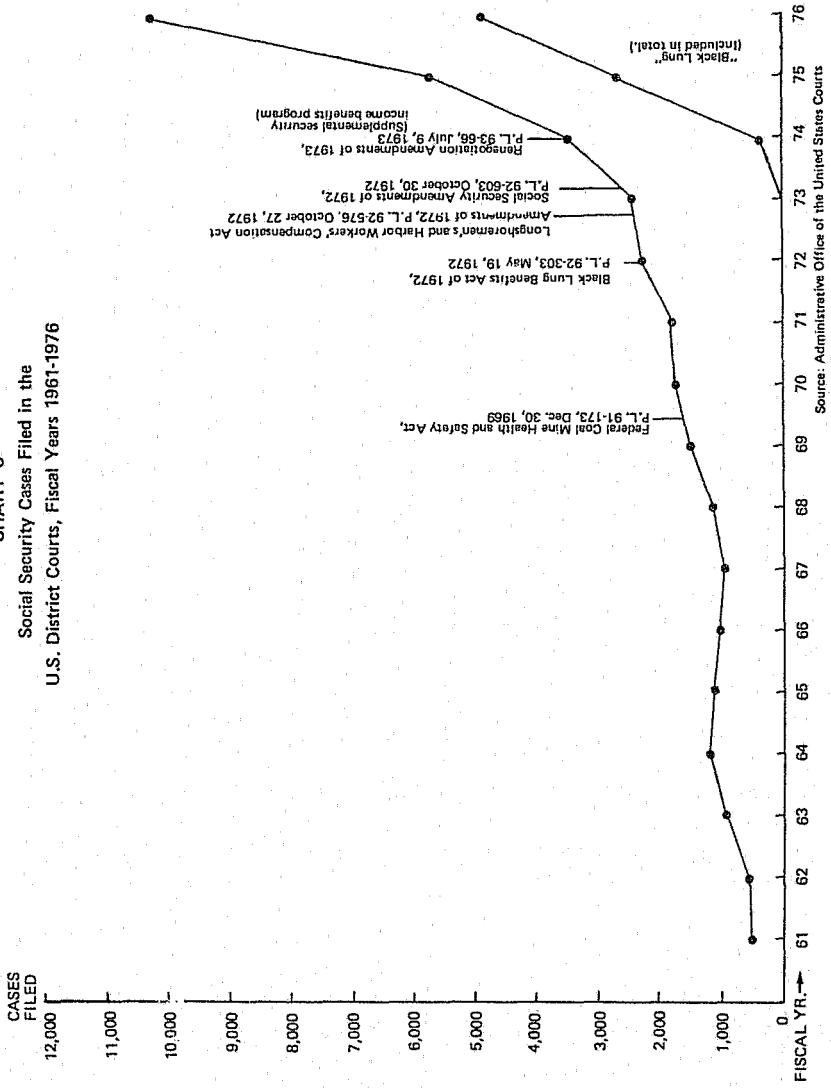
While the absolute number of class action cases filed is quite small, five of those districts have seen their class action anti-trust cases grow strikingly; rising in 1975 to three and four times the level filed in 1973. The figures of pending private anti-trust litigation are also substantial for those districts. Nine of the thirteen districts have grown sharply; seven of those districts reflect an increase in class actions pending ranging from 50% to 1,300%.

Total anti-trust filings climbed to 1,555 cases in 1976. These cases represented only 1.2% of the total civil filings in that year; however, as a class they probably represent the single most time consuming category of cases handled by the U.S. district courts.

Social Security

The number of Social Security cases filed in the United States district courts, as seen on Chart 5, rose gradually from 1962 to 1965, but subsequently dropped slightly for three years. In 1968 these cases began a second upward swing that continued through fiscal year 1976. The increase was the result of several amendments to the Social Security laws and the enactment

CHART 5
Social Security Cases Filed in the
U.S. District Courts, Fiscal Years 1961-1976



of new legislation.

The following sections of the code provided for Judicial Review of Social Security Benefits:

1. Retirement and Survivor's Insurance Benefits under Title II of the Social Security Act which are reviewable in district courts, 42 U.S.C. §405(g).
2. Disability Benefits under Title II of the Social Security Act which are reviewable in district courts, 42 U.S.C. §421(d) and 42 U.S.C. §405(g).
3. Supplemental Security Income Benefits under Title XVI of the Social Security Act which are reviewable in district courts, 42 U.S.C. §1383 (c)(3) as amended by P.L. 93-66 (July 9, 1973) and 42 U.S.C. §405(g).
4. Health Insurance Benefits under Title XVIII of the Social Security Act which are reviewable in district courts, 42 U.S.C. §1395ff(b), (c) and 42 U.S.C. §405(g).
5. Black Lung Cases under the Federal Coal Mine Health and Safety Act of 1969, as amended by P.L. 92-303 (May 19, 1972).

In fiscal 1974, following enactment of the amendatory Black Lung Benefits Act of 1972, P.L. 92-303, 86 Stat. 150 (codified at 5 U.S.C. §5315 *et. seq.*, 30 U.S.C. §901 *et. seq.*), to extend black lung benefits to orphans whose fathers died of pneumoconiosis, an abrupt rise in volume occurred. This legislation transferred primary responsibility for the "black lung" program to the Department of Labor, effective July 1, 1973.

The 1972 amendments provided that such disability claims previously denied were to be reviewed under the new law, which stipulates the following:

- (a) Claims for benefits where State's Workmen's Compensation Law on HEW's approved list are to be processed by state commissioners with state judicial review provisions, 30 U.S.C. §931. A state may appeal its inclusion or exclusion from such list to the Court of Appeals, 30 U.S.C. §931(b) (2).
- (b) Claims where State's Workmen's Compensation Law is not approved are treated under Longshoremen's and Harbor Worker's Compensation Act. These claims are reviewable in the Courts of Appeals, 30 U.S.C. §932(a) and 33 U.S.C. §921(c) (1972), as amended by P.L. 92-576 (October 27, 1972).

Since no state laws are yet approved, all cases are handled as in (b).

Pursuant to the above statutes, reviews for denials of "black lung" benefits accounted for a major portion of the Social Security (review) cases filed during fiscal year 1976. In 1976 Social Security cases numbered 10,355 or 77% above the number filed in 1975 and 189% above that filed in fiscal 1973, prior to manifestation of the Act in a higher caseload. Whereas in fiscal 1974 black lung cases comprised only 237 of the total Social Security caseload, by 1976 they reached 4,908, or 47% of all such cases filed.

Two recent decisions may affect any procedural changes in these cases. The Supreme Court in *Mathews v. Eldridge*, 44 L.W. 4224 (Feb. 24, 1976), held that the administrative process does not have to be exhausted before benefits are terminated. In *Mathews v. Weber*, 423 U.S. 261 (Jan. 14, 1976), the Court had earlier held that magistrates can be delegated the tasks of reviewing the record in similar social security cases, and of preparing a proposed written order or decision and proposed findings of fact and conclusions of law, for consideration by the district judge.

Thus provision for the termination of benefits prior to administrative hearing, plus provision for a three-tiered review procedure, may place some premium on accelerating the procedure, however that might be accomplished. As reflected in Appendix Table C-5A the median time to disposition of all social security cases in eight months, although in ten percent of the cases, the delay is eighteen months or more. When this time is added to the extended period of prior administrative review (an average of 475 days)¹ the impact on the claimants is severe.

Another recent development is the passage by the House of H.R. 10760 which would provide claimants district court review of benefit determinations.

Narcotic Addict Rehabilitation Act (No Chart)

Popularly known as the Narcotic Addict Rehabilitation Act of 1966, P.L. 89-733, 80 Stat. 1438, was signed on November 8, 1966, and became effective February 8, 1967. The effect of the Act became apparent during fiscal year 1968 when 387 cases were filed in the district courts. The number of civil commitments under the Act continued rising through 1970. In that peak year 3,268 cases were brought under the Act. From 1971 to this date case volume has declined at an even pace; in 1976 only 150 cases were filed. In total, from the date of enactment in 1966 through 1975, 13,579 cases were brought under authority of this law, a number indicative of its impact on the business of the courts.

Civil Rights Acts

The Civil Rights Act of 1960, P.L. 86-449, 74 Stat. 86, was signed into law May 6, 1960, and that of 1964, P.L. 88-352, 78 Stat. 241, on July 2, 1964. The third statute germane to this category is the Equal Employment Opportunity Act of 1972, P.L. 92-261, 86 Stat. 103 (codified at 42 U.S.C. §2000 *et. seq.*, 5108 *et. seq.*) which became law March 24, 1972.

¹ In 1975 according to the General Counsel's office of HEW, between 92,000 and 93,000 social security cases were pending before administrative law judges, and between 14,000 and 15,000 before the Appeals Council.

As Chart 6 illustrates, cases alleging civil rights violations increased at the rate of approximately 33% a year from 1960 through 1964. In fiscal 1965 the impact of recently enacted civil rights litigation is clear. In fiscal 1964, 709 civil rights cases were filed but in 1965 this jumped to 1,123, an increase of over 58%. After 1965 the number of civil rights cases remained relatively constant until 1968, in which they peaked at 1,636 cases, an increase of 37% over 1967.

Since 1968 the graph shows a stellar rise in the number of cases filed pursuant to civil rights statutes. From 1965 to 1970 a 358% rise occurred in civil rights cases filed. The number of filings after 1970 shot from 3,985 in that year to 12,329 in 1976. Civil rights cases in 1976 (excluding prisoner civil rights petitions) accounted for 9.4% of the total civil cases filed in the district courts.

Equal employment cases contributed heavily to the increased litigation. The Equal Employment Opportunity Act of 1972, amending the Civil Rights Act of the same year, stipulated legal remedies against discriminatory employment practices, and created the Equal Employment Opportunity Commission. In fiscal year 1970, the first year for which employment discrimination statistics are available, there were only 344 such cases filed in the courts. After passage of the Act, the number of employment discrimination suits increased rapidly. In 1972, 1,015 such cases were commenced and by 1976 employment discrimination allegations totaled 5,321 cases, representing almost 43% of all civil rights suits filed during the year.

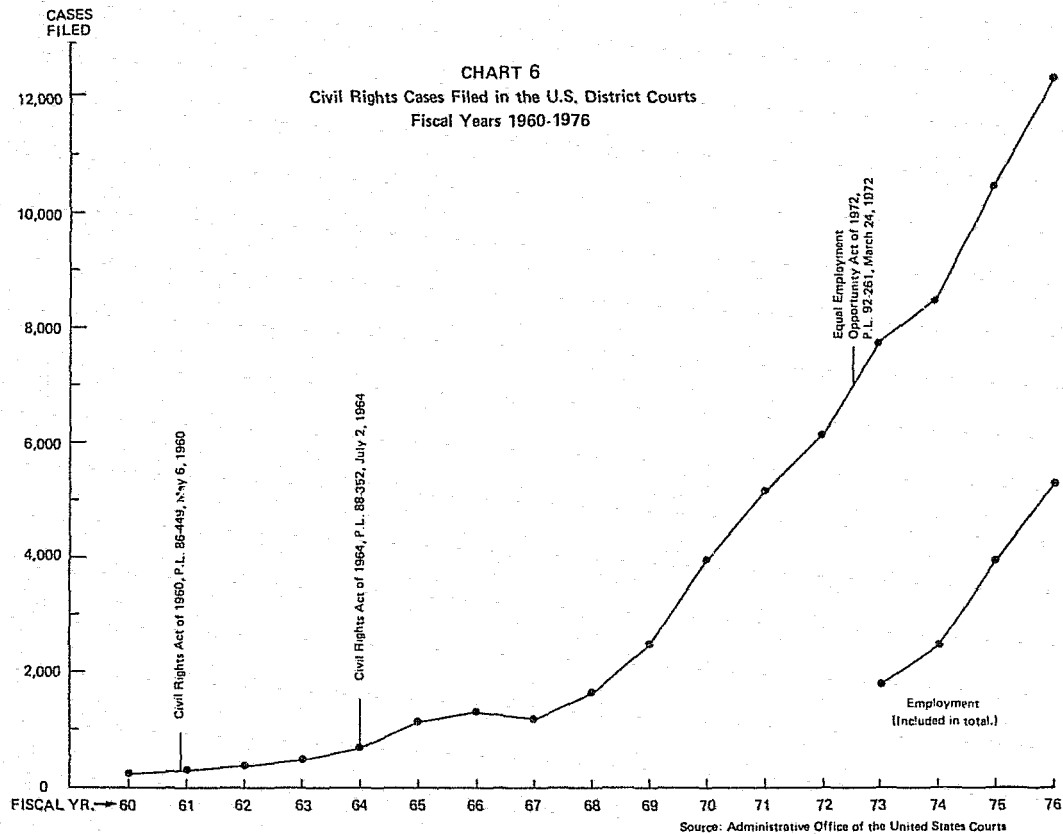
National Environmental Policy Act of 1969

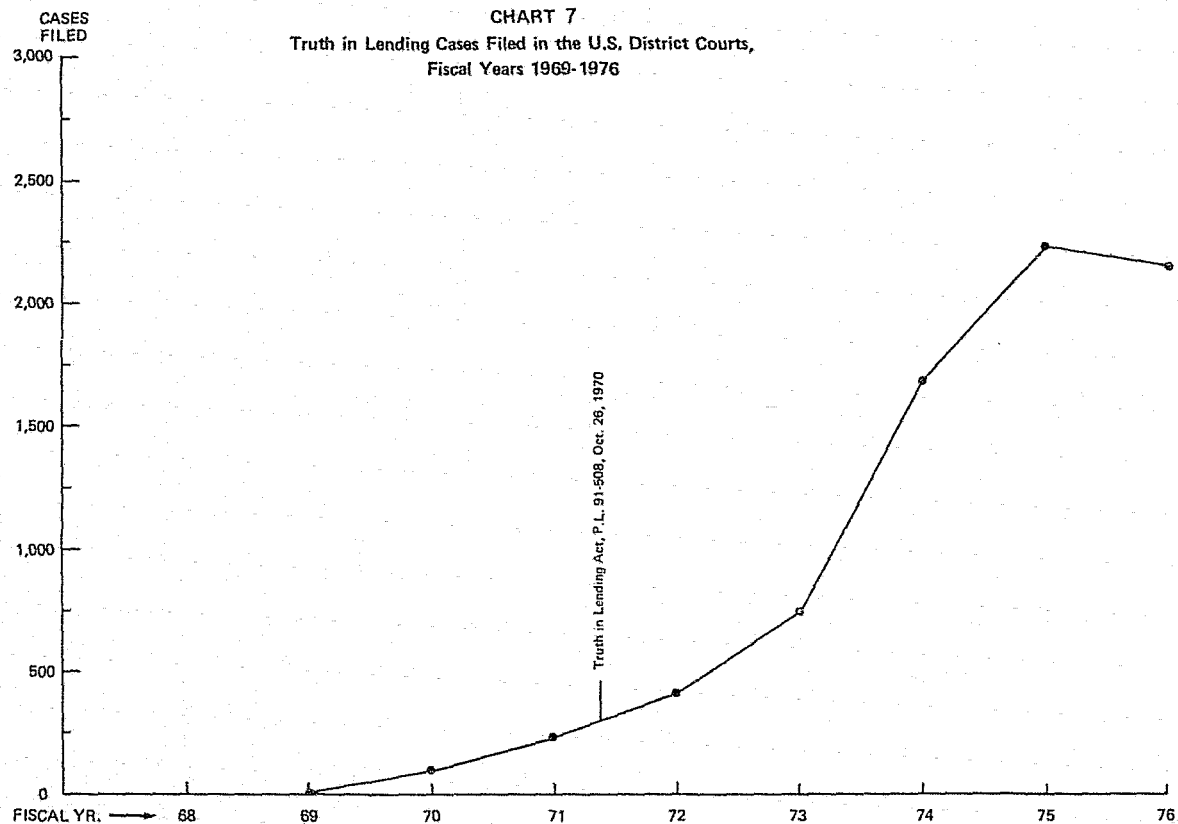
This Act, P.L. 91-190, 83 Stat. 852 (codified at 42 U.S.C. 4321 *et. seq.*) was signed on January 1, 1970. Statistics on the number of environmental cases commenced in the district courts were separately classified beginning in fiscal year 1973. In that year 270 environmental cases were filed. In 1974 the number increased to 343 and 406 in 1975. The 499 filings in 1976 represented an increase of 85% over fiscal year 1973.

Because these cases do not represent a significant volume of the total civil litigation, no chart has been prepared. However, their impact on the courts is substantial as they present complex issues, and thus consume a proportionately high number of judicial work hours. Moreover, we might anticipate a more vigorous enforcement program as the economic recession abates.

Other environmental legislation which has contributed to the number of cases filed in the courts includes the Air Pollution Control Act of 1955, the Federal Insecticide, Fungicide and Rodenticide Act of 1947 as amended, the Federal Water Pollution Control Act of 1948 as amended, the Motor Vehicle Air Pollution Control Act of 1965 and the Oil Pollution Act of 1961.

CHART 6
Civil Rights Cases Filed in the U.S. District Courts
Fiscal Years 1960-1976





Source: Administrative Office of the United States Courts

Truth in Lending Act

Two public laws are pertinent to this category of cases, P.L. 90-321, 82 Stat. 146 of May 29, 1968 and P.L. 91-508 of October 26, 1970. As is evident in Chart 7, the effect of truth in lending legislation is first apparent in fiscal 1970, then evidencing a steep ascent subsequent to 1973. Cases alleging violations of the Act are filed under federal question jurisdiction and are categorized by the Administrative Office as federal question fraud cases.² However, the majority of cases classified as federal question fraud cases are suits filed under the Truth in Lending Act. In fiscal year 1970, 101 such cases were initiated as opposed to only 1 case during the previous fiscal year. Since 1970 the number of truth in lending suits has consistently mounted. In 1971, 245 cases were filed; in 1973, 743; and in 1974, 1,682, an increase of 6% over the previous fiscal year. In 1975, the 2,237 cases begun represented the high point since the number of such filings declined to 2,147 in 1976.

Labor

The eighth chart illustrates the fluctuating but generally upward trend in labor law cases. In fiscal 1960, approximately 2,000 labor suits were filed in the district courts, the majority citing violations of the Fair Labor Standards Act of 1938, 52 Stat. 1060 (codified at 29 U.S.C. 201 *et. seq.*)

In the following 10 years, labor suits increased 85%, growing to 3,714 cases in 1970. The greatest increase was in that category of cases filed under the Labor Management Relations Act of 1947, C. 120, 61 Stat. 163 (codified at 29 U.S.C. §141 *et. seq.*). These cases increased 358% over filings in 1960, and numbered 1,475 cases in 1970.

By 1976 total labor suits numbered 7,743, a rise of 108% over 1970. In 1976 cases filed specifically under the Labor Management Relations Act totaled 4,092 or 177% more than 1970's total. The 4,092 figure represents 53% of the labor suits filed and 3.1% of all civil case filings.

Other recently enacted federal legislation which is likely to increase labor suits in the district courts includes the Occupational Safety and Health Act of 1970, P.L. 91-596, (December 29, 1970), and the Employee Retirement Income Security Act of 1974, P.L. 93-406, enacted September 2, 1974.

Prisoner Petitions

Numerically, petitions filed by federal and state prisoners over the last 17 years have consistently increased, as Chart 9 shows. In 1960, 2,177 prisoner petitions were filed; in 1965 the number of cases moved up to 7,888 and in fiscal year 1970 to 15,977. During the subsequent six year period prisoner

² Several other types of cases are also classified in this category, including suits filed under the Consumer Credit Protection Act, odometer fraud cases filed under the Motor Vehicle Information and Cost Savings Act, and cases filed under the Fair Credit Reporting Act and Interstate Land Sales Full Disclosure Act.

cases rose continuously and in 1976 19,809 cases were filed, an increase of 810% over 1960. From 1960 to 1976 the number of petitions filed by federal prisoners alone burgeoned 266%. Those incarcerated in state institutions filed 872 petitions in fiscal year 1960 and 15,029 in 1976, representing an explosive 1,624% increase. The increased filing of civil rights petitions by state prisoners, from 218 in 1966 to nearly 7,000 in 1976, contributed more than any other factor to this unprecedented tide of filings.

Since 1960 there have been a total of 192,449 prisoner petitions filed in the district courts; of this number 53,905 or 28.0%, were filed by federal prisoners and 138,544, or 72.0%, by state inmates. During this 17 year period 62% of the prisoner cases filed were habeas corpus petitions; 17% civil rights petitions; 11% motions to vacate sentence; 8% parole board reviews; and 2% mandamus petitions. For fiscal years 1960 through 1976 petitions by federal and state prisoners accounted for approximately 14% of all civil case filings, and in recent years these cases have accounted for about 1.6% of the total civil caseload.

In *Wilwording v. Swenson*, 404 U.S. 249 (1971) the Supreme Court held that state prisoners complaints even though brought as habeas corpus petitions, were entitled to be treated as claims for relief under the Civil Rights Act. Hence, exhaustion requirements were not applicable.³ This opinion may well have contributed to the general increase pictured on the petitions graph.

So great is the number of prisoner petitions in the federal courts that H.R. 12008 was introduced, "to reduce the burden on the federal courts of prisoners suits brought under section 1983 of title 42 U.S.C." The legislation would permit actions under this section only in instances where the individual first exhausted state administrative remedies, unless circumstances rendered such exhaustion ineffective.

Consumer Product Safety Act (No Chart)

P.L. 92-573, 86 Stat. 1207 (5 U.S. Code §5314 *et. seq.*) was signed October 27, 1972 and became effective two months later. The Act stipulates private remedies for those individuals injured through violations of Consumer Product Safety Rules.

On July 1, 1973, the Administrative Office began to separately identify product liability suits. In fiscal year 1974, 1,579 such cases were brought. During 1975 product liability cases increased to 2,886, and to 3,696 in 1976. Since 1974 such filings have increased by 134%. Of all product liability cases

³ Earlier the Supreme Court had held that the exhaustion principle does not apply to §1983 cases. *Houghton v. Shaper*, 392 U.S. 639 (1968).

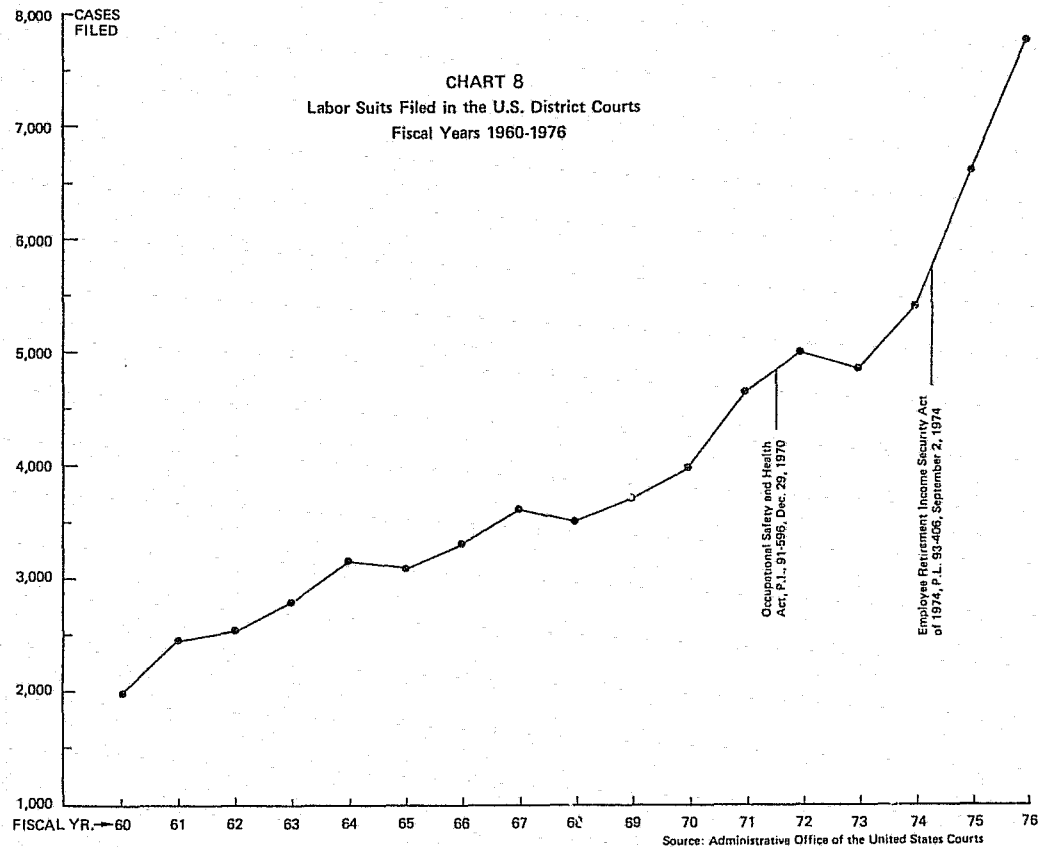


CHART 9
 Petitions Filed in the U.S. District Courts
 by State and Federal Prisoners, Fiscal Years 1960-1976

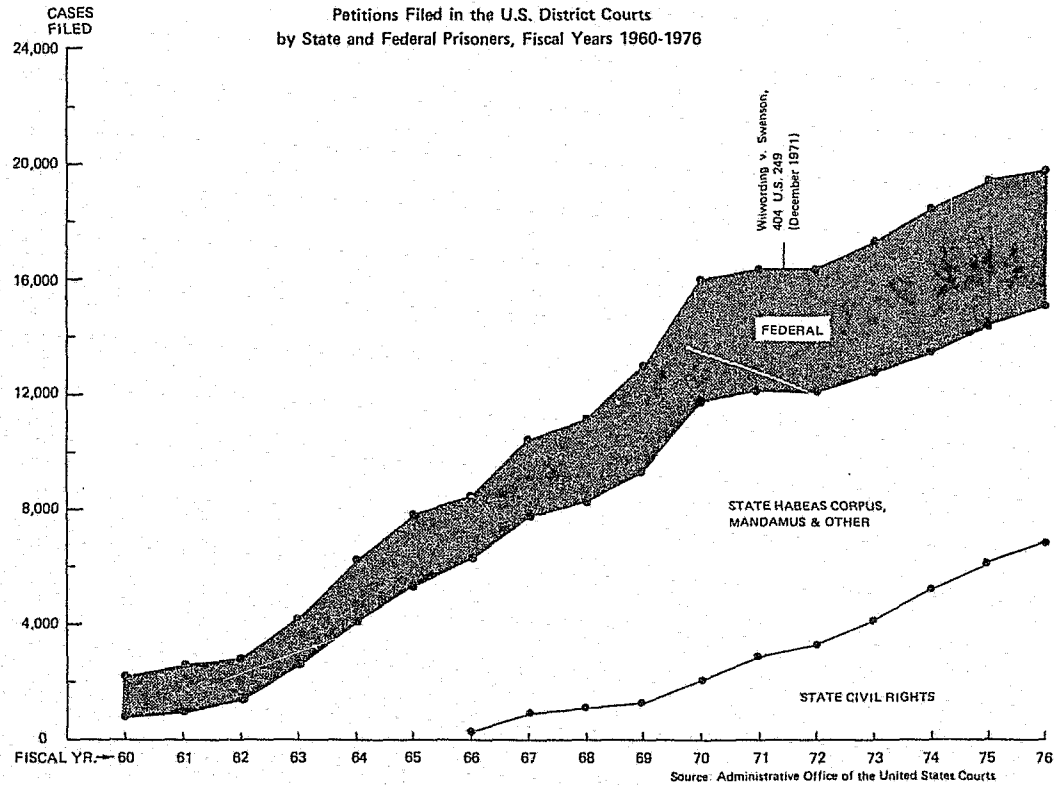
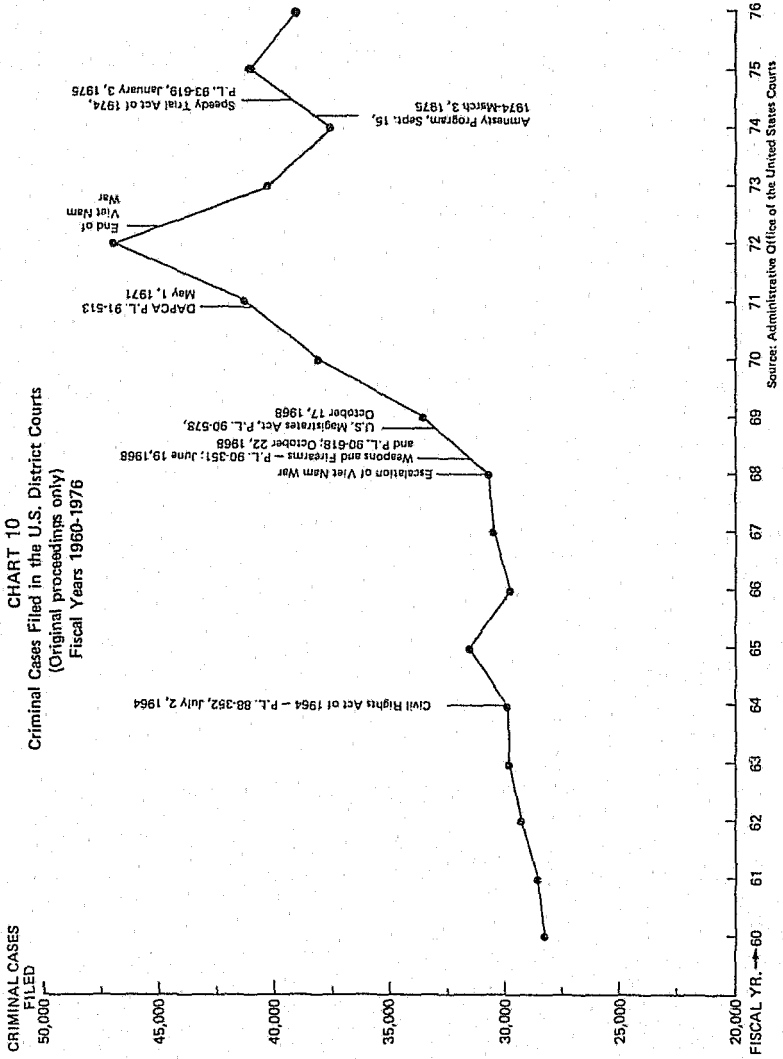


CHART 10
Criminal Cases Filed in the U.S. District Courts
(Original proceedings only)
Fiscal Years 1960-1976



filed in 1976, 82% involved personal injuries caused by defective or hazardous products. The remainder were contract actions involving breaches of warranty or personal or real property damage suits.

Miscellaneous Cases (No Chart)

Since 1960 several other categories of civil cases have significantly increased the judicial workload.

Cases classified under the rubric, "other statutory actions," include those in which violations of numerous federal statutes not otherwise separately classified by the Administrative Office are alleged. Since 1961 this category has increased markedly reaching 3,074 cases in fiscal year 1976. The greatest increase occurred in the number of cases filed against the Federal Government, its agencies and officers. In 1961 there were 147 such cases filed and by 1970, 815. From 1970 to 1976 the number of filings against the Federal Government increased 145%, numbering 1,999 in 1975.

Included among the recently enacted statutes which may be responsible for this increase are: The Freedom of Information Act, P.L. 90-23 effective June 5, 1967; The National Flood Insurance Act of 1968, P.L. 92-213, P.L. 93-234; The Motor Vehicle Information and Cost Savings Act, P.L. 92-513 of October 20, 1972; and the Equal Credit Opportunity Act amendments of 1976, P.L. 94-239, March 23, 1976 and the Consumer Leasing Act of 1976, P.L. 94-240, March 23, 1976. Neither of the latter two laws require a jurisdictional minimum amount.

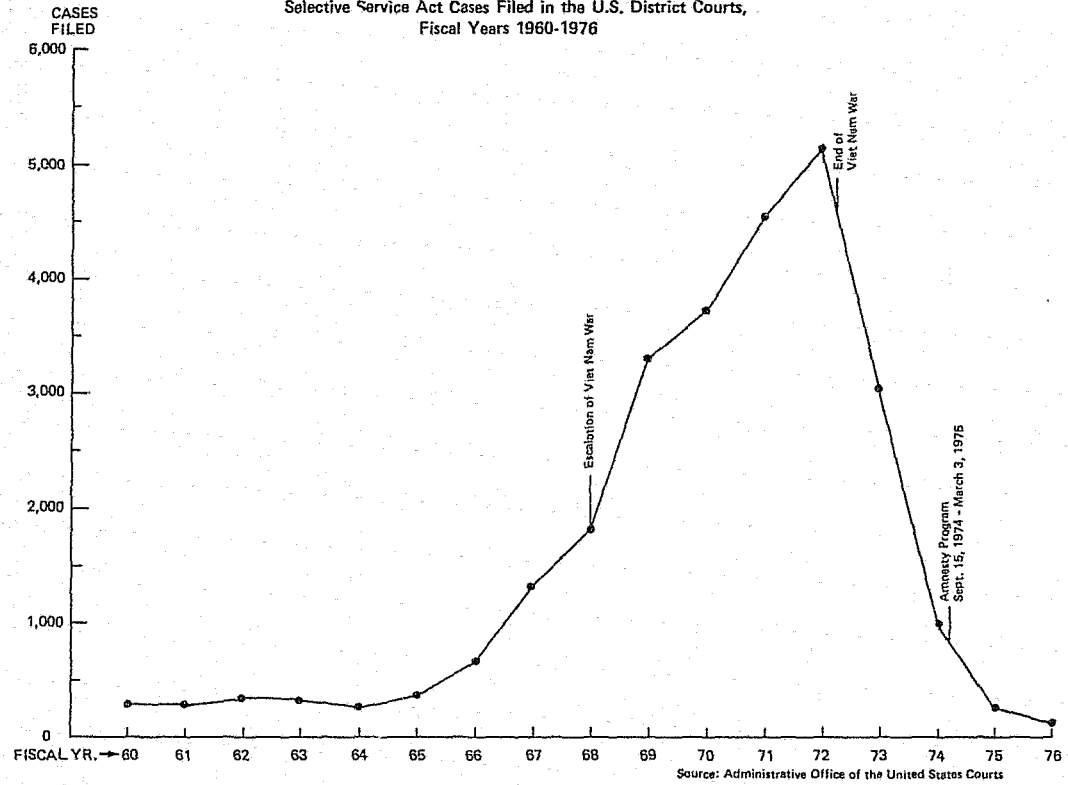
II. CRIMINAL CASELOAD

In the decade 1960 to 1970, judicial business was profoundly affected by the Vietnam War and by these major statutes; the Civil Rights Act of 1964, the Omnibus Crime Control and Safe Streets Act of 1968, and the Comprehensive Drug Abuse Prevention and Control Act of 1971. Also, administrative phenomena such as a policy change by the Justice Department in the prosecution of auto theft cases and the reorganization of several drug enforcement agencies, have affected case filings. Economic factors, too, can be poured into the mix of graph variables. Our recession society has experienced a disturbingly smooth climb in the incidence of bank robberies, their brunt borne ultimately by the courts

Of arguable import, but meriting examination, is the *Bass* Supreme Court decision of 1971⁴ limiting weapons possession prosecutions. Another

⁴ *United States v. Bass*, 404 U.S. 336 (1971).

CHART 11
Selective Service Act Cases Filed in the U.S. District Courts,
Fiscal Years 1960-1976



possible factor was the Federal Magistrates Act of 1968, which, ironically, may have increased the minor offense caseload because before magistrates were made generally available, petty and minor offenses were frequently not being prosecuted, or were otherwise being diverted to the overcrowded dockets of local courts in concurrent jurisdiction areas.

Finally, the Speedy Trial Act of 1974 must be included--legislation so unprecedented as to defy prognostications. The only safe prediction is this: such legislation, because it will intensely compress disposition time if not increase case volume, will certainly have its impact on the Judiciary's workload.

Civil Rights (No Chart)

The Civil Rights Act of 1964, P.L. 88-352, 78 Stat. 241 (codified at 42 U.S.C. 1971, 1975 *et. seq.*, 28 U.S.C. 1447) became effective on July 2, 1965. This Act contained provisions for the removal of cases from state and local courts under 28 U.S.C. 1443, and has had substantial consequences. In fiscal year 1965, there were 1,203 criminal civil rights cases filed in the U.S. district courts, and of this total, 1,178 were removals from state and local courts under Section 1443. This is in marked contrast to the sparse filings of civil rights cases in the three previous years; 47 in 1964, 19 in 1963 and 14 in 1962. However, after the peak in fiscal 1965, civil rights cases dropped significantly to 383 in 1966 and removals fell to 371 in the same year. In fiscal 1976, criminal civil rights filings numbered only 85 cases.

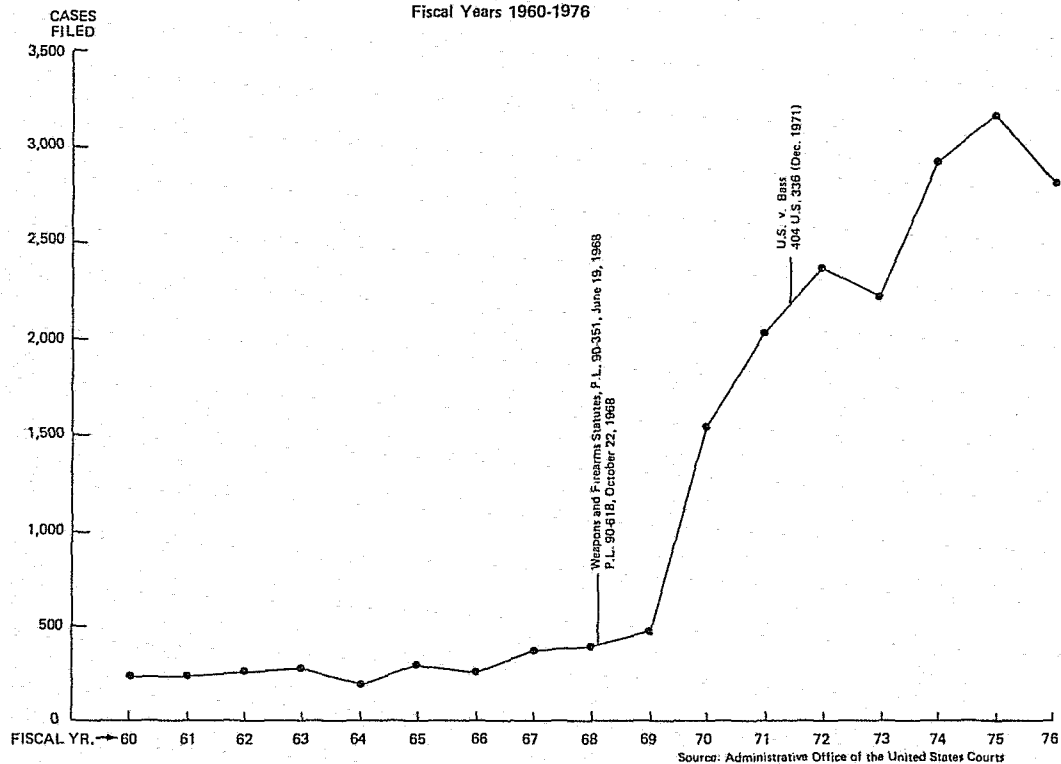
The Vietnam War

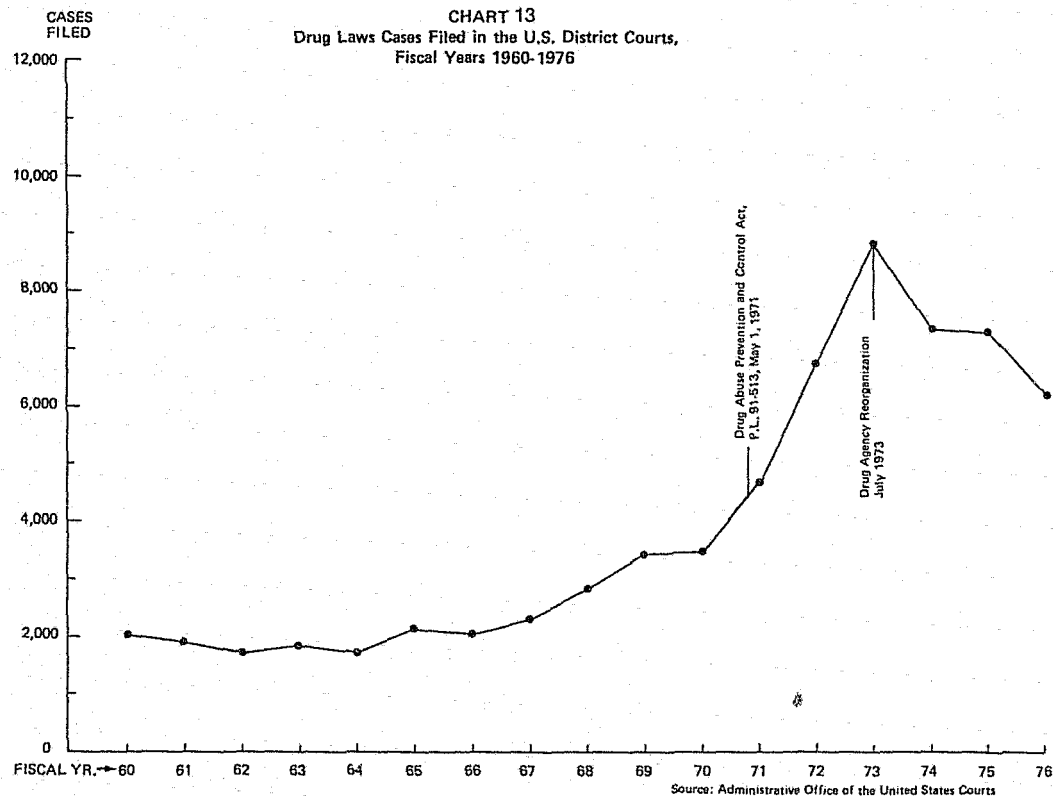
Under the provisions of the Selective Service Act of 1948, as amended, c. 625, 62 Stat. 604 (codified at 50 U.S.C. 451, *et. seq.*), the district courts were heavily tasked during the undeclared war of the mid and late 1960's, as may be seen on Chart 11. In 1965, there were only 380 Selective Service cases filed. This figure had more than tripled by 1967, and by 1972, the total number of Selective Service cases had peaked at 5,142 cases, over 1200% higher than the number filed in 1965. With the end of the Vietnam War and the elimination of the draft, the graphs display a fall eclipsing even the steeply increased rate experienced during that seven-year period which bracketed the draft from 1965 to 1972.

The fall was in part complemented by the institution of the amnesty program, as administered by the President's Clemency Board. The program was operative from September 15, 1974 to March 31, 1975, slightly over six months, during which time 18,110 applications were received.

During the three-year period subsequent to enforced service, from 1972 to 1976, these filings dropped from 5,142 to only 120 cases.

CHART 12
Weapons and Firearms Cases Filed in the U.S. District Courts,
Fiscal Years 1960-1976





Weapons and Firearms

Two statutes are relevant in this category: the Omnibus Crime Control and Safe Streets Act of 1968, P.L. 90-351, 82 Stat. 197 (codified at 18 U.S.C. 921, *et. seq.*, 2510, *et. seq.*, 18 U.S.C. Appendix 1201, *et. seq.*, 42 U.S.C. 3701, *et. seq.*) and the Gun Control Act of 1968, P.L. 90-618, 82 Stat. 1213 (codified at 18 U.S.C. 921, *et. seq.*, 26 U.S.C. 5801, *et. seq.*). The two statutes became effective in mid-December, 1968.

Using² Chart 12 as a reference, case filings involving the use of weapons and firearms from 1960 to 1966 remained relatively constant, averaging some 250 cases per year. The volume of these cases rose somewhat in fiscal years 1967 and 1968 but remained below 400 cases.

New weapons and firearms legislation cited above became effective in mid-December of 1968. By the end of fiscal 1969, filings rose to nearly 500 cases and by the end of fiscal 1970, the first full year under the new legislation, filings jumped to 1,547. Since then, the courts have experienced a continuous volume increase respecting weapons and firearms cases. By 1972, these cases totaled 2,377, nearly 500% higher than in fiscal year 1968, the year prior to enactment. In 1973, these cases dropped slightly, to rebound with an increase of nearly 31% in 1974. By the end of fiscal 1975, new case filings had swelled to 3,165 cases, but declined to 2,847 in 1976.

An important Supreme Court decision, *United States v. Bass*, 404 U.S. 336 (1971), may have contributed to the dip in filings under these statutes from fiscal 1972 to fiscal 1973. The Supreme Court narrowed the applicability of §1202 of the Act, holding that "a nexus with interstate commerce must be shown with respect to all three offenses listed in the provisions," i.e. the receipt, possession, or transportation in commerce or affecting commerce of any firearm. If the opinion had an impact, such was short lived, for case numbers again increased from fiscal 1973 through the present.

Drug Abuse

Chart 13 indicates the number of criminal cases filed in the United States district courts which involve violations of the drug laws, which varied only slightly from 1960 to 1966. In 1967, the volume of filings began an uninterrupted increase through 1974. Prosecutions for violations for drug laws gradually rose from 2,077 cases in fiscal year 1966 to 4,679 in 1971. Enactment of the Comprehensive Drug Abuse Prevention and Control Act of 1970, P.L. 91-513, 84 Stat. 1236 (codified at 42 U.S.C. 257, *et. seq.*, Section 2688, *et. seq.*), effective May 1, 1971, caused in greatest portion this filing increase. In fiscal year 1972, the first full year under the new act, these cases jumped to 6,758 and in 1973 to 8,817, an increase of 88% since 1971.

Since 1973, prosecutions for violations of the drug laws have fallen off slightly. It is possible that this drop was caused by the reorganization, in

1973, of several drug enforcement agencies and concomitant jurisdictional changes. Through Executive Order No. 11727⁵, President Nixon transmitted to Congress a reorganization plan transferring authority to investigate drug violations to the Drug Enforcement Administration, effective July, 1973. This transition period may well account for the temporary decrease in drug case filings. In fiscal 1974, this fall leveled off and in 1976, case filings of 6,198 were still 32% above the volume of cases filed prior to DAPCA.

Percentages provide an overview; 11.3% of the total number of criminal cases filed in district courts were drug related in fiscal 1971; in 1973 this swelled to 20%; and in 1976 fell back to 16%.

Federal Magistrates Act (No Chart)

The Federal Magistrates Act, P.L. 90-578, 82 Stat. 1107 (codified at 28 U.S.C. 604, 631-639) became effective October 17, 1968. The Federal Magistrates Act was not of substantive consequence respecting the filing of new criminal cases in the district courts. This introduction of a new judicial officer was designed to relieve federal district judges of many minor and petty offense cases. However, passage of the Act and the distribution of magistrates to hitherto underserved areas may have had a different result in some measure. Petty and minor offenses which were long ignored in many areas began to be more rigorously enforced, and the presence of a magistrate and a ready forum may have served as a magnet for concurrent jurisdiction cases which might previously have gone to state courts. Assuming this is so, the creation of the magistrate system has not lightened district judge workload as projected, but actually generated criminal cases for the system.

Bank Robbery, Auto Theft and Liquor

These three categories of criminal case filings have shown significant fluctuation since 1960.

The rise in bank robbery cases represented in Chart 14 has been virtually continuous and plausibly may be laid to the economy and its escalating companions, unemployment and inflation. In 1960, these cases numbered approximately 300; in 1976, by contrast, 1,905 cases were filed. This represents a 535% increase over 16 years.

Auto theft and liquor case filings, as seen on Charts 15 and 16, show the reverse; a fall in cases brought. Respecting car theft filings: whereas in 1960 there were nearly 5,500 cases filed involving such thefts, only 1,430 were filed in 1976. A sharp drop in these cases occurred after March 1970 when the Department of Justice first published restrictive guidelines on the prose-

⁵ The Federal Register, Volume 38, No. 31 (July 10, 1973).

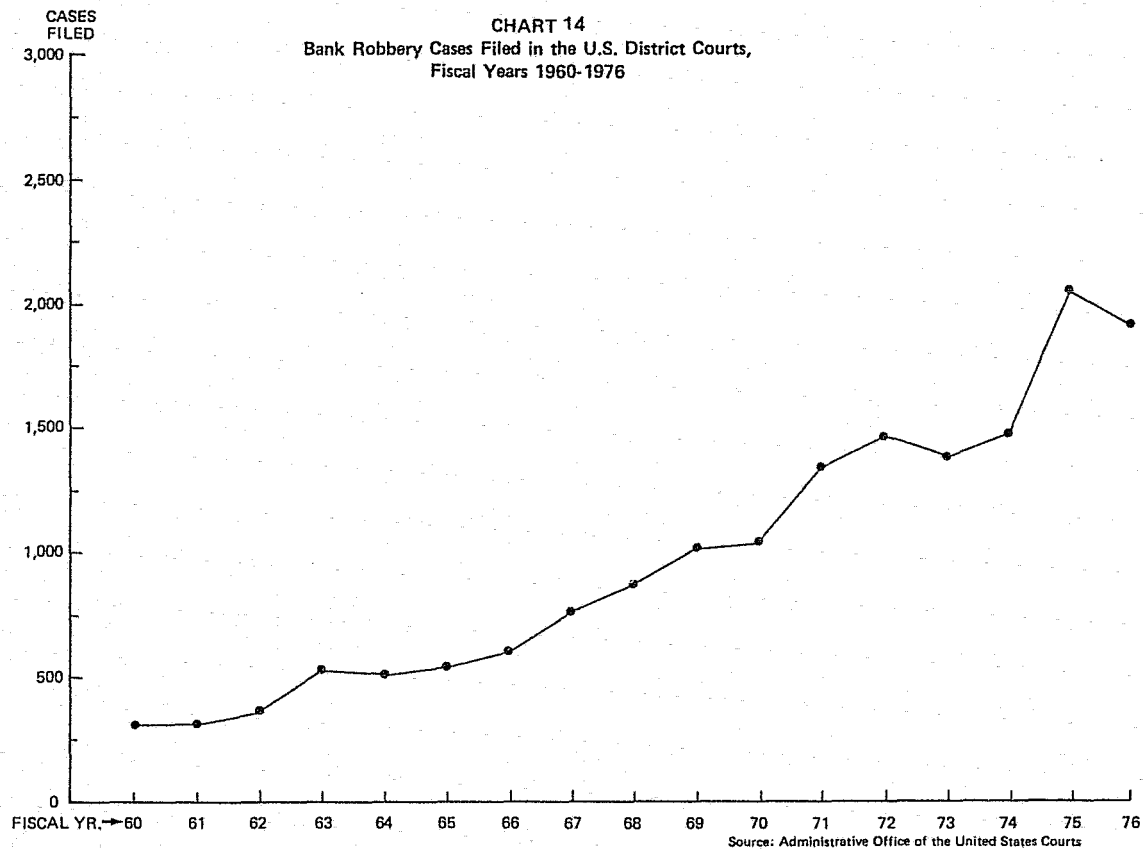
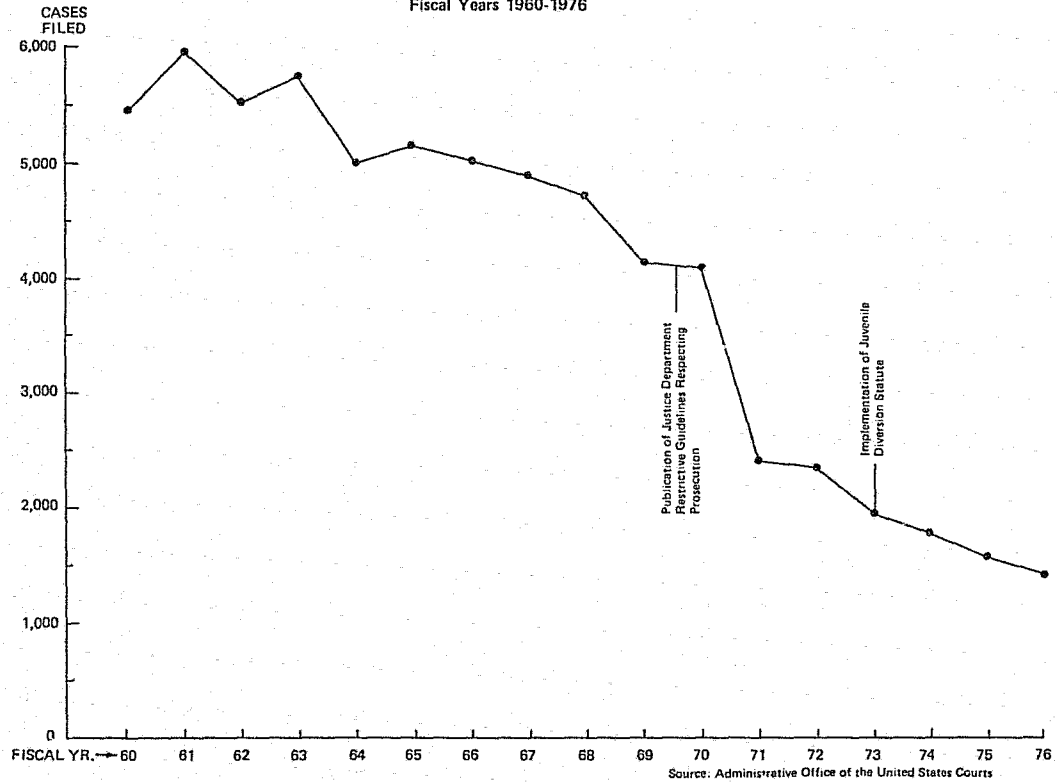


CHART 15
Auto Theft Cases Filed in the U.S. District Courts
Fiscal Years 1960-1976



cution of these cases. In 1973, pursuant to 18 U.S.C. 5001, implementation of the juvenile diversion statute began. Justice policy stipulated federal prosecution of only those auto thefts linked to organized crime or multi-theft violations, and individual cases involving exceptional circumstances (such as the use of a stolen vehicle in the commission of a separate felony, vehicle stripping, demolition or gross misuse). Under the section, Dyer Act offenders under 21 years of age were returned to the state where the theft occurred for prosecution. This left to state and local authorities the youthful joy rider traveling across state boundaries, that individual over 21 previously unconvicted of any felony, and the non-recidivist under 21. According to Justice Department staff approximately 70 juvenile Dyer Act offenders are transported each month by the U.S. Marshals' service under this program.

Viewing Chart 16, the fall in Internal Revenue liquor cases has been even more spectacular than the fall in auto theft cases. In 1960 over 6,000 such filings were made in the U.S. district courts but in 1976 a mere 187 cases were initiated. This reduction apparently was caused by the confluence of several factors. Greater cooperation between federal and state agencies, in diverting these cases to state courts, was one such factor. More lenient state laws, permitting easier access to hard liquor, was another variable. Too, the rising cost of sugar surely lessened the profits, and hence activities, of some entrepreneurs. According to U.S.D.A. figures, wholesale refined sugar shot up in price during the latter part of 1974, from about 16 cents per pound in January to over 60 cents in November and December.⁶

Dr. Barsby⁷ of the United States Distilled Spirits Council, Incorporated, made the following points respecting the changing state and federal roles in the area of liquor laws:

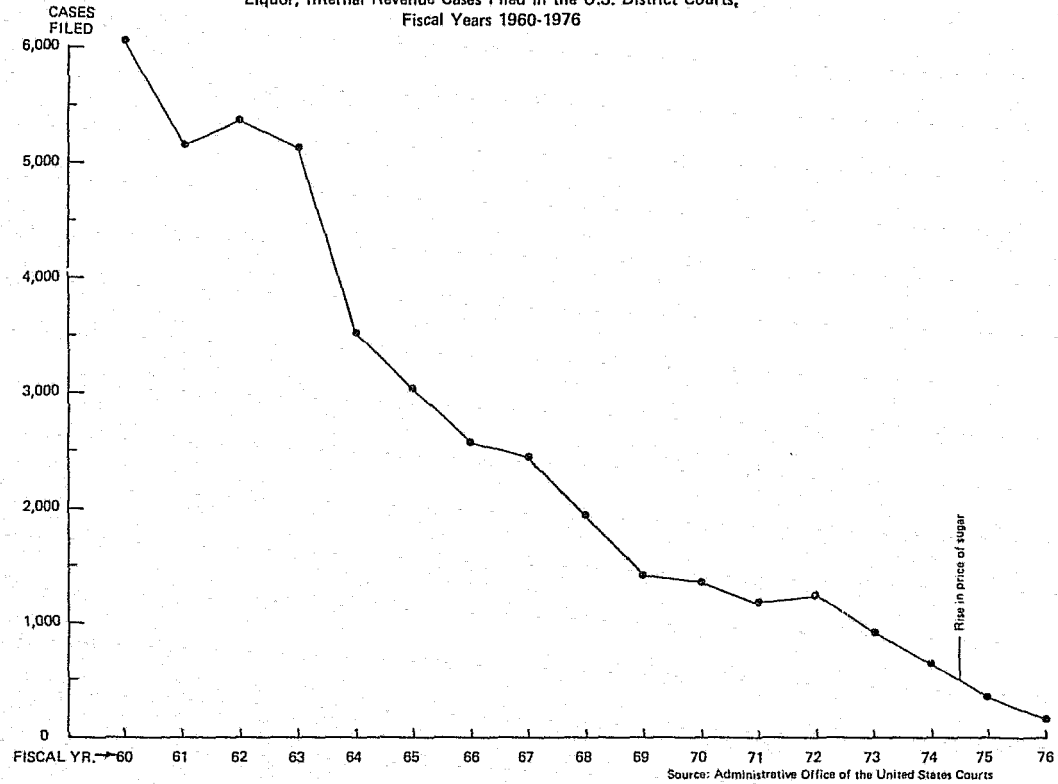
In the 1961-1965 period when the chart shows there was a great drop in case filings, seizures of contraband liquor in fact increased slightly; 7,175 seizures in calendar year 1961 and 7,654 seizures in 1965. The decrease in filings probably indicates that these cases were being tried in state rather than federal courts. The Council's figures do show, however, that since 1965 to the present, seizures have dropped significantly, to under 2,000 annually.

Another factor abetting the liquor case drop was the partial switch of several states from "dry" to "wet." Between eight and ten states account for 99% of all illegal liquor activity. The top four are Virginia, North Carolina, Georgia and Alabama. Other active states include Florida, South Carolina, Tennessee, Mississippi, West Virginia, Maryland, New Jersey, New York and North Dakota. Mississippi, for example, went from 100% dry in 1965 to

⁶ "Sugar and Sweetener Report," Vol. 1, No. 2, March, 1976, United States Department of Agriculture, Agricultural Marketing Service, Food and Vegetable Division.

⁷ Dr. Steven Barsby, Doctor of Economics, Distilled Spirits Council of the United States Incorporated, 1300 Pennsylvania Building, Washington, D.C.

CHART 16
Liquor, Internal Revenue Cases Filed in the U.S. District Courts,
Fiscal Years 1960-1976



68% "wet" in 1966. In certain states, such as Alabama and Arkansas, the dry county count has gradually lessened over the last fifteen to twenty years.

Dr. Barsby also observed that it has become unspoken policy at the Bureau of Alcohol, Tobacco and Firearms to shift enforcement emphasis from liquor to firearms. Present agent distribution indicates greater manpower is devoted to the latter activity.⁸

Also, the higher number of state as opposed to federal seizures since the early 1960's, reinforces the argument that federal enforcement has decreased in this sphere. In 1963 state authorities made 11,898 seizures, and federal 6,562. By 1972 state confiscations had dropped to 3,139 and federal to 2,739, reflecting dramatically a general decline in illegal liquor traffic.

Speedy Trial

The Speedy Trial Act of 1974, P.L. 93-619, 88 Stat. 2076, 18 U.S.C. 3161 *et. seq.*, is the latest event, and an unprecedented one, which relates to the criminal case burden of the federal courts. Presently ramifications are difficult to predict. Speedy Trial's compressive effect cannot be shown on a filings volume graph but will clearly shape filing disposition as it so rigidly controls litigation time intervals. It must intensify the burden, if not the volume, of cases filed. Further, if the requirements of this Act cause the courts to place aside matters pending on the civil docket, the backlog created will foster yet another measure of pressure.

⁸ According to statistics supplied by the Bureau of Alcohol, Tobacco and Firearms, of the Department of the Treasury, in 1962 a total of 365 agents devoted 76% of their time to illicit liquor activity in nine southeastern states; arrests totaled 6,953, and stills seized numbered 6,017. In 1975, 492 agents spent 19.3% of their time at the same task, making far fewer arrests (1,133) and only 889 seizures.

**AN ANALYSIS
OF THE WORKLOAD
OF THE FEDERAL COURTS
FOR THE
TWELVE MONTH PERIOD
ENDED JUNE 30, 1976**

The statistical analysis of the workload of the Federal judiciary which appears in this chapter was prepared under the direction of the Statistical Analysis and Reports Branch of the Division of Information Systems.

*AN ANALYSIS OF THE WORKLOAD OF THE FEDERAL COURTS
FOR THE TWELVE MONTH PERIOD ENDED JUNE 30, 1976*

FOREWORD

The first statistics on cases handled in the United States Courts of Appeals and District Courts were published in the Annual Report of the Attorney General 1871. These were summary statistics furnished by the clerks of court in the several circuits and districts.

Such summary statistics were furnished until 1935 when the Department of Justice implemented the recommendations of the Wickersham Commission that the Federal courts adopt a case reporting system. Under Attorney General Homer Cummings the first case reports were received on civil filings and later for all criminal and bankruptcy cases.

With the establishment of the Administrative Office of the United States Courts on November 6, 1939, the case reporting procedures were easily transferred to this agency. The first programs to be transferred from the Department of Justice were the civil and bankruptcy case statistics in 1940, followed by criminal cases in 1942.

These early years represented a challenge due to the reduction of staff and shortages during World War II. But the statistical series survived in the Reports of the Director of the Administrative Office of the United States Courts.

Significantly the Act establishing the Administrative Office recognized the value of statistics as a management tool and placed in the Director the responsibility for the collection of data from the courts as well as submitting annual reports to the Judicial Conference of the United States. Other administrative programs established under the Director such as the Federal Probation Service and the U.S. Magistrates, plus directives from the Judicial Conference of the United States have strongly supported not only the collection of uniform and comparable statistics, but also their analysis and publication.

Thus, in 1962 the first statistics on *Persons Under the Supervision of the Federal Probation System* were published in detail. This was followed in 1963 by *Federal Offenders* in the district courts. These were established with the approval of the Judicial Conference.

Beginning in 1971 two new reports were initiated. *Management Statistics for the United States Courts* and *Juror Utilization in District Courts* have become annual publications widely used by the Federal judiciary, the Congress and the public at large. Unlike previous publications, these reports provide profiles of each of the 94 district courts dealing with significant data

obtained from the reporting system. Further in the *Court Management Statistics Report* there appear data for the eleven circuits.

Finally in 1973 the *Pictorial Summary*, which is a capsule report on the work of the courts, was commenced. This report has gained wide acceptance and many of the charts appear in other government publications as well as books on judicial matters.

These reports would not be possible without the excellent reporting by the judicial family from the individual judge to the clerk of court and deputy clerks, and from the U.S. Magistrate, the Federal Public or Community Defender, the Bankruptcy Judge and the Federal Probation Officer. Altogether some 2,000 individuals in the Federal judiciary provide all or parts of the statistical reports submitted to the Administrative Office and to the Division of Information Systems' Statistical Analysis and Reports Branch.

These reports are coded and classified by a small group of skilled technicians, placed on computer files and retrieved from an advanced computer ready for the printer. Thus many of the Appendix tables are direct images of the computer print-out prepared by the Data Systems Support Branch.

The analysis of the data dealing with the twelve month period ending June 30, 1976 was prepared by the Statistical Analysis and Reports Branch.

WORKLOAD ANALYSIS

United States Courts of Appeals

During fiscal year 1976, the courts of appeals experienced a sharp increase of 10.5% in new cases docketed, as total filings climbed to a record level of 18,408. Termination activity also reached a record level of 16,426 cases, a 2.7% increase over the 1975 figure of 16,000. The flood of new filings coupled with the modest gain in terminations has caused the pending backlog to skyrocket to a level of 14,110 appeals, 16.3% greater than at the beginning of the year.

Activity in the courts of appeals from 1962 through 1976 is shown in the accompanying Table 1. An analysis of this table reflects a doubling of filings and terminations since 1968 and a 113% increase in pending cases. Despite this substantial increase in workload, the number of authorized judgeships since 1968 has been unchanged.

Filings increase in all circuits

All circuits showed substantial increase in the number of appeals docketed, ranging from a 6.4% rise in the Ninth Circuit to an 18.2% rise in

TABLE 1
Appeals Filed, Terminated, And Pending In The
U.S. Courts of Appeals Fiscal Years 1962 Through 1976

Fiscal year	Number of judge- ships as of June 30	Appeals			Increase in appeals pending
		Filed	Terminated	Pending	
1962.....	78	4,823	4,167	3,031	656
1963.....	78	5,437	5,011	3,457	426
1964.....	78	6,023	5,700	3,780	323
1965.....	78	6,766	5,771	4,775	995
1966.....	88	7,183	6,571	5,387	612
1967.....	88	7,903	7,527	5,763	376
1968.....	97	9,116	8,264	6,615	852
1969.....	97	10,248	9,014	7,849	1,234
1970.....	97	11,662	10,699	8,812	963
1971.....	97	12,788	12,368	9,232	420
1972.....	97	14,535	13,828	9,939	707
1973.....	97	15,629	15,112	10,456	517
1974.....	97	16,436	15,422	11,470	1,014
1975.....	97	16,658	16,000	12,128	658
1976.....	97	18,408	16,426	14,110	1,982
Percent change 1976 over					
1962.....	-	281.7	294.2	365.5	-
1968.....	-	101.9	98.8	113.3	-
1975.....	-	10.5	2.7	16.3	-

the First Circuit. As indicated in Table 2, the percentage change for six of the eleven circuits is greater than the 10.5% national increase in appeals filed.

The most notable increases in new appeals occurred in circuits which had previously experienced large declines in filings. The fiscal 1974 and 1975 year-end figures indicate that filings in both the District of Columbia and Fourth circuits dropped off more than 7% each year. However, in 1976, filings in these two circuits rose by 13.2% and 11.0%, respectively.

The decreases experienced by both of these circuits were primarily due to the effect, in the D.C. Circuit, of the Court Reorganization Act of 1970 and and the change in the Fourth Circuit's docketing procedures for prisoner petitions. An examination of detailed statistics for the D.C. Circuit indicates that although the number of appeals of a criminal nature continued to decline through fiscal 1976, U.S. civil and administrative agency appeals were up 33% and 13% respectively. The Fourth Circuit's data indicates that state prisoner petitions continued to decline while criminal appeals rose 20.7% over last year. Both circuits are now showing significant growth in other components of their workload.

FISCAL YEARS 1966-1976

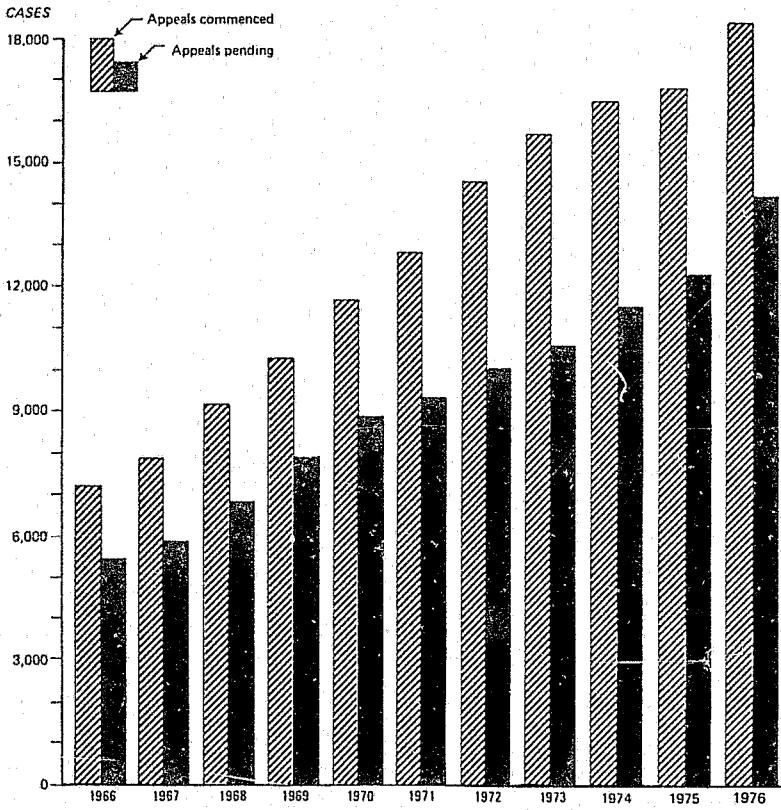


Table 2

APPEALS COMMENCED, TERMINATED, AND PENDING IN THE U.S. COURTS OF APPEALS
FISCAL YEARS 1961 AND 1965 THROUGH 1976 BY CIRCUIT

Circuit*	Fiscal Year									Percentage Change	
	1961	1969	1970	1971	1972	1973	1974	1975	1976	1976 over 1961	1976 over 1975
	Filed										
All Circuits.....	4,204	10,248	11,662	12,788	14,535	15,629	16,436	16,658	18,400	337.9	10.5
District of Columbia.....	527	1,094	1,127	1,055	1,168	1,262	1,243	1,133	1,260	139.1	13.2
First.....	146	221	277	303	441	401	307	477	564	286.3	18.2
Second.....	674	1,261	1,343	1,423	1,317	1,709	1,802	1,739	1,898	181.6	9.1
Third.....	514	671	1,051	1,100	1,179	1,197	1,226	1,392	1,421	385.3	16.5
Fourth.....	250	1,098	1,166	1,311	1,399	1,573	1,462	1,319	1,464	485.6	11.0
Fifth.....	630	1,763	2,014	2,316	2,864	2,964	3,294	3,292	3,429	476.0	10.2
Sixth.....	340	868	911	1,015	1,248	1,261	1,335	1,436	1,628	378.8	13.4
Seventh.....	328	712	854	932	999	1,117	1,086	1,170	1,247	283.2	6.6
Eighth.....	246	440	589	713	798	921	995	1,009	1,080	339.0	7.0
Ninth.....	443	1,494	1,585	1,336	2,258	2,316	2,697	2,731	2,997	556.2	6.4
Tenth.....	286	624	743	734	884	910	919	980	1,110	288.1	13.3
Terminated											
All Circuits.....	4,049	9,014	10,599	12,168	13,828	15,112	15,422	16,000	16,426	305.7	2.7
District of Columbia.....	518	886	1,025	1,013	1,001	1,288	1,310	1,133	1,114	115.1	-1.7
First.....	172	207	279	350	385	370	420	416	481	180.2	15.9
Second.....	663	932	1,177	1,371	1,593	1,402	1,818	1,808	1,847	193.7	7.7
Third.....	339	596	702	1,105	1,201	1,201	1,216	1,296	1,439	365.7	11.0
Fourth.....	242	1,092	1,127	1,050	1,391	1,676	1,701	1,752	1,736	452.1	6.7
Fifth.....	506	1,656	1,891	2,289	2,662	2,871	2,713	3,197	3,149	518.7	-1.5
Sixth.....	324	947	1,024	1,001	1,098	1,239	1,207	1,326	1,306	330.9	5.3
Seventh.....	320	591	791	806	792	1,088	1,110	1,281	1,138	255.6	-11.2
Eighth.....	243	406	554	703	797	821	918	1,002	987	306.2	-1.5
Ninth.....	470	1,110	1,524	1,726	1,968	2,140	2,551	2,450	2,575	447.9	5.1
Tenth.....	279	611	612	769	850	876	937	839	863	228.3	2.9
Pending end of fiscal year											
All Circuits.....	2,375	7,849	8,812	9,232	9,939	10,456	11,470	12,128	14,110	494.1	16.3
District of Columbia.....	262	909	1,011	1,053	1,223	1,292	1,225	1,205	1,351	415.6	12.1
First.....	51	97	97	130	166	197	164	225	307	502.0	36.4
Second.....	386	939	1,105	927	681	920	911	842	793	100.4	-5.8
Third.....	169	515	866	881	839	755	755	851	1,032	511.2	21.4
Fourth.....	100	617	656	817	825	722	983	1,050	1,178	1,078.0	13.2
Fifth.....	403	1,204	1,407	1,434	1,636	1,729	2,310	2,404	2,885	621.2	20.0
Sixth.....	215	592	489	703	653	675	803	917	1,145	432.6	25.4
Seventh.....	148	617	665	775	692	921	893	786	895	604.7	13.9
Eighth.....	133	319	474	414	413	415	432	499	602	375.4	10.6
Ninth.....	772	1,471	1,512	1,743	2,073	2,209	2,355	2,496	2,988	697.0	12.6
Tenth.....	142	449	590	545	579	611	676	716	673	578.2	14.8

TABLE 3
FILINGS, TERMINATIONS, AND PENDING CASELOAD PER JUDGESHIP,
FOR FISCAL YEARS 1961, 1966 AND 1976

Circuit	1961			1966			1976			Per Judgeship Percent Change	
	Number	Author- ized judge- ships	Per judge- ship	Number	Author- ized judge- ships	Per judge- ship	Number	Author- ized judge- ships	Per judge- ship	1976	1976
										over 1961	over 1966
Filings											
Total.....	4,204	78	54	7,183	88	82	18,408	97	190	251.9	131.7
District of Columbia..	527	9	59	797	9	89	1,260	9	140	137.3	57.3
First.....	146	3	49	199	3	66	564	3	189	203.7	184.8
Second.....	674	9	75	876	9	97	1,898	9	211	181.3	117.5
Third.....	334	8	42	559	8	70	1,621	9	180	128.6	157.1
Fourth.....	250	5	50	612	7	87	1,464	7	209	318.0	140.2
Fifth.....	630	4	70	1,093	13	84	3,629	15	242	245.7	188.1
Sixth.....	340	6	57	651	8	81	1,620	9	181	217.5	123.5
Seventh.....	328	7	47	545	8	68	1,247	8	156	231.9	129.4
Eighth.....	146	7	35	403	8	50	1,080	8	135	285.7	170.0
Ninth.....	443	9	49	817	9	97	2,907	13	224	357.1	130.9
Tenth.....	286	6	48	571	6	95	1,110	7	159	231.2	67.4
Terminations											
Total.....	4,049	78	52	6,571	88	75	16,426	97	169	225.0	125.3
District of Columbia..	518	9	50	769	9	85	1,114	9	124	113.8	45.9
First.....	172	3	57	226	3	76	402	3	161	182.5	111.8
Second.....	663	9	74	971	9	88	1,992	9	216	191.9	146.5
Third.....	309	8	39	538	8	67	1,439	9	160	310.3	138.8
Fourth.....	242	5	48	598	7	73	1,336	7	191	297.9	161.6
Fifth.....	509	9	57	1,022	13	79	3,149	15	210	268.4	165.8
Sixth.....	324	6	54	558	8	70	1,396	9	155	187.0	121.4
Seventh.....	320	7	46	523	8	65	1,138	8	142	208.7	118.5
Eighth.....	243	7	35	376	8	47	987	8	123	251.4	161.7
Ninth.....	470	9	52	799	9	89	2,575	13	198	280.8	122.5
Tenth.....	279	6	47	459	6	77	863	7	123	161.7	59.7
Pending, end of fiscal year											
Total.....	2,375	78	30	5,387	88	61	14,110	97	145	381.3	137.7
District of Columbia..	262	9	29	461	9	51	1,351	9	150	417.2	194.1
First.....	51	3	17	63	3	21	307	3	102	500.0	385.7
Second.....	386	9	43	617	9	69	793	9	88	104.7	27.5
Third.....	169	8	21	372	8	47	1,033	9	115	447.6	144.7
Fourth.....	109	5	20	405	7	58	1,170	7	160	740.0	189.7
Fifth.....	400	9	44	1,004	13	77	2,885	15	192	336.4	149.4
Sixth.....	215	6	36	656	8	82	1,145	9	127	252.8	54.9
Seventh.....	148	7	21	359	8	45	895	8	112	433.3	148.9
Eighth.....	130	7	19	243	8	30	592	8	74	289.5	146.7
Ninth.....	372	9	41	807	9	90	2,968	13	228	456.1	153.3
Tenth.....	142	6	24	400	5	67	963	7	138	475.0	106.0

Terminations expand slightly

Total appeals disposed of for the nation as a whole increased slightly, advancing 2.7% from the 16,000 in 1975 to 16,426 in 1976. As shown in Table 2, the First and Third Circuits posted significant gains in dispositions, while only the Seventh Circuit showed a large decline in termination activity. The decline in the Seventh Circuit could be considered a return to a more normal level of dispositions after a record level in 1975. Overall, in fiscal 1976, seven of the eleven circuits improved on their 1975 terminations rates.

Pending caseload skyrockets

The pending caseload climbed by more than 16%, as nearly 2,000 more cases were filed than disposed of. Only the Second Circuit closed more cases than were received. Of the other ten circuits, the First, Third, Fifth, Sixth, and Tenth circuits reported backlog increases of 20% or more. The combined increase in pending cases for the Fifth, Sixth, and Ninth circuits accounted for more than one-half of the national rise in pending cases.

Workload increase per authorized judgeship

Table 3 presents per judgeship workload data by individual circuits. In reading this table, it should be noted that cases are normally handled by panels of three judges and that the per judgeship figures of 190 filings, 169 terminations, and 145 pending cases for 1976 should be multiplied by 3 to show the true burden carried by the individual judges.

This year's 10.5% rise in new appeals filed has caused the national per authorized judgeship filings load to increase from 172 in 1975 to 190 in 1976. At the present rate of filings expansion, the 1977 per judgeship share of incoming filings would climb to approximately 210 cases.

Types of appeals from district courts

The number of incoming appeals from criminal and civil decisions in the U.S. district courts reached 15,054, a 10% rise over fiscal 1975 and a 39.4% increase over 1971. Of these appeals, 10,404 (69%) involved civil actions and the remaining 4,650 (31%) were criminal matters.

The overall number of civil cases rose 9.6% from the 1975 level, as U.S. civil cases shot upward by 11.6% and private civil cases increased 8.7%. Appeals in which the U.S. was plaintiff fell by 20.7%, as the "all other" cat-

TABLE 4
NATURE OF SUIT OR OFFENSE OF APPEALS FROM THE U. S. DISTRICT COURTS
FILED IN THE U. S. COURTS OF APPEALS
DURING THE FISCAL YEARS 1971-1976

Nature of suit or offense	Fiscal Year						Percent Change	
	1971	1972	1973	1974	1975	1976	1976 over 1971	1976 over 1975
Total cases.....	10,798	12,179	13,329	13,491	13,679	15,054	39.4	10.1
Total civil cases.....	7,601	8,399	8,876	9,424	9,492	10,404	36.9	9.6
U. S. cases.....	2,367	2,604	2,704	3,267	2,981	3,327	40.6	11.6
U. S. plaintiff.....	363	399	380	510	513	407	12.1	-20.7
Contract actions.....	28	45	34	45	57	41	46.4	-20.1
Real property actions.....	81	70	66	35	73	67	-17.3	-8.2
Civil rights.....	34	38	22	62	42	44	29.4	4.8
Labor laws.....	57	83	75	82	65	59	-11.9	-9.2
All other.....	153	163	191	226	276	196	28.1	-29.0
U. S. defendant.....	2,004	2,205	2,316	2,757	2,468	2,920	45.7	18.3
Contract actions.....	155	138	129	156	115	134	-13.5	16.5
Real property actions.....	19	45	51	40	40	33	73.7	-17.5
Tort actions.....	119	162	167	163	146	162	36.1	11.0
Motions to vacate sentence.....	474	504	579	664	569	526	11.0	3.3
Habeas corpus.....	261	234	261	261	207	206	-21.1	-0.1
Prisoner civil rights.....	36	19	53	53	61	64	77.8	4.9
Other prisoner petitions.....	99	111	108	225	103	99	-	-31.9
Selective Service Act.....	145	88	14	6	2	-	-	-
Social security laws.....	130	210	193	246	247	293	125.4	18.0
Tax suits.....	220	260	211	233	220	232	-2.6	-5.6
All other.....	146	412	550	690	818	1,191	244.2	45.6
Private cases.....	5,234	5,795	6,172	6,157	6,511	7,077	35.2	8.7
Federal question.....	3,697	4,053	4,483	4,521	4,676	5,267	42.5	12.6
Contract actions.....	91	132	113	163	126	143	57.1	13.5
Tort actions.....	191	262	381	319	310	341	78.5	10.0
Civil rights.....	804	991	953	1,118	1,126	1,297	61.2	15.2
Antitrust.....	227	131	190	256	233	251	10.3	7.7
Habeas corpus.....	1,261	1,319	1,301	1,084	871	866	-21.3	-0.1
Prisoner civil rights.....	111	349	478	472	633	619	99.0	-2.2
Other prisoner petitions.....	71	56	49	46	48	54	-23.9	12.5
Labor laws.....	236	226	260	235	284	279	18.2	-1.8
Patent.....	134	7	144	114	149	150	11.9	0.1
All other.....	371	4	614	714	895	1,267	241.5	41.4
Diversity of citizenship.....	1,286	1,499	1,468	1,527	1,745	1,714	33.3	-1.8
Contract actions.....	665	789	779	864	1,004	942	41.7	-6.2
Tort actions.....	562	610	620	605	619	709	26.2	14.5
All other.....	59	100	69	58	122	63	6.8	-48.4
General Local Jurisdiction.....	251	243	221	109	90	96	-61.7	6.7
Contract actions.....	77	25	119	73	47	46	40.3	-2.1
Tort actions.....	54	65	74	22	22	25	-53.7	-
Prisoner petitions.....	22	7	5	1	6	11	-	-
All other.....	98	146	23	13	15	14	-85.7	-
Total criminal cases.....	3,197	3,980	4,453	4,067	4,187	4,650	45.4	11.1
Homicide.....	66	76	97	46	63	48	27.3	-23.0
Robbery and burglary.....	500	515	518	435	420	484	-1.2	15.2
Larceny and theft.....	248	261	268	223	276	303	-22.2	9.8
Embezzlement and fraud.....	285	288	369	392	424	482	69.1	13.7
Auto theft.....	180	178	178	164	143	139	-22.8	-2.8
Martock, racketeering and Extortion.....	565	820	1,271	1,328	1,332	1,388	145.7	4.2
Threats.....	78	162	165	145	111	184	135.9	65.8
Firearms.....	173	246	215	258	265	301	74.0	13.6
Selective Service Act.....	261	324	214	95	56	14	-94.6	-75.0
All other.....	841	1,110	1,158	981	1,097	1,307	55.4	19.1

¹Percent not calculated where base is 25 or less.

egory dropped 29% and contract actions declined 28.1%. On the other hand, appeals in which the U.S. was defendant increased sharply to 18.3% after a drop of 10% in 1975. The primary reason for the sharp increase in U.S. defendant appeals was the meteoric 45.6% rise in cases classified in the "all other" category and increases of 18.6% and 16.5% in Social Security and contract actions respectively.

Private civil cases, representing 47% of all appeals from the U.S. district courts, increased by 8.7% over the 1975 level. Private cases with federal question jurisdiction rose 12.6%, led by a 41.4% upsurge in the miscellaneous category. Other significant activity in this class of cases includes jumps of 15.2% and 13.5% in civil rights and contract actions respectively, while habeas corpus, prisoner civil rights, and other prisoner petitions, taken as a whole, declined about 1% from 1,552 in 1975 to 1,539 this year. Diversity of citizenship cases declined slightly by 1.8% as contrasted to a substantial 14.5% climb last year.

Criminal appeals rose 11.1% over the fiscal 1975 level. Extortion, racketeering, and threats cases climbed upward by 65.8% and the miscellaneous classification of cases rose by 19.1%, an increase of 210 cases over 1975. Narcotics cases, which represent the largest number of criminal appeals, rose 4.2%, while robbery and burglary cases increased 15.2% and firearms cases were up 13.6%. Appeals involving the Selective Service Act continued to decline, dropping 75% from 56 to 14 filings.

Detailed information on types of appeals, by circuit, may be found in appendix table B-7.

TABLE 5
Impact Of State Prisoner Petitions On Filings In
U.S. Courts Of Appeals
By Circuit, Fiscal Year 1976

Circuits	State prisoner petitions	Percent of total		Total filings	Percent of filings		Filings excluding state prisoner petitions
		1975	1976		1975	1976	
Total.....	1,539	100.0	100.0	18,408	9.3	8.4	16,869
District of Columbia.....	6	0.5	0.4	1,260	0.7	0.5	1,254
First.....	39	2.8	2.5	564	9.2	6.9	525
Second.....	89	7.1	5.8	1,898	6.3	4.7	1,809
Third.....	99	6.4	6.4	1,621	7.1	6.1	1,522
Fourth.....	268	18.6	17.4	1,464	21.8	18.3	1,196
Fifth.....	424	26.4	27.6	3,629	12.5	11.7	3,205
Sixth.....	149	10.6	9.7	1,628	11.5	9.2	1,479
Seventh.....	98	5.2	6.4	1,247	6.9	7.9	1,149
Eighth.....	130	6.7	8.4	1,080	10.3	12.0	950
Ninth.....	144	10.1	9.4	2,907	5.7	5.0	2,763
Tenth.....	93	5.6	6.0	1,110	8.8	8.4	1,017

Impact of state prisoner petitions

For fiscal 1976, a total of 1,539 state prisoner petitions were filed in the courts of appeals, virtually the same as in the previous year when 1,552 were filed. The Fifth Circuit, with filings of 424 of these petitions accounted for nearly 28% of the national total, while the Fourth Circuit's level continues to decline. However, the Fourth Circuit still has a greater proportion of state prisoner petitions to total filings than all other circuits. During 1976, one of every six appeals filed in the Fourth Circuit was a prisoner petition as compared to one out of 12 nationally.

TABLE 6
Trend Of Hearings Held In U.S. Courts Of Appeals
By Circuit 1971 to 1976

Circuit	Fiscal Year						1976 over 1975
	1971	1972	1973	1974	1975	1976	
Total	5,816	5,748	6,555	5,978	5,994	6,102	1.8
District of Columbia.....	417	367	381	410	403	380	-5.7
First.....	155	175	190	183	197	221	12.2
Second.....	774	735	883	810	772	817	5.8
Third.....	419	422	361	355	408	421	3.2
Fourth.....	331	346	352	382	454	503	10.8
Fifth.....	848	702	778	804	792	801	1.1
Sixth.....	624	705	733	652	679	613	-9.7
Seventh.....	482	517	667	627	668	626	-6.3
Eighth.....	405	441	500	413	445	451	1.3
Ninth.....	988	912	1,266	991	809	950	17.4
Tenth.....	373	426	444	351	367	319	-13.1

Oral hearings and submissions on briefs

The number of oral hearings increased 1.8% from 5,994 in fiscal 1975 to 6,102 in 1976. The two largest increases in oral hearings occurred in the Ninth Circuit (17.4%) and the Second Circuit (12.2%). On the other hand, oral hearings declined in the Sixth and Tenth Circuits by 9.7% and 13.1% respectively. Of the 6,102 oral hearings, 54 were held en banc and the remaining 6,048 were heard before panels of three judges. There were also 2,549 appeals submitted on briefs to the appellate panels and 9 en banc submissions, for a total of 2,558 submissions as shown in Table 7.

TABLE 7
Oral Hearings And Submissions On Briefs
In The U.S. Courts of Appeals - Fiscal Year 1976

Circuit	Total	Oral Hearings			Submitted on Briefs		
		Total	EnBanc	Panel	Total	EnBanc	Panel
Total.....	8,600	6,102	54	6,048	2,558	9	2,549
District of Columbia.....	469	380	8	372	89	-	89
First.....	327	221	-	221	106	-	106
Second.....	898	817	-	817	81	2	79
Third.....	780	421	13	408	359	-	359
Fourth.....	622	505	5	498	119	-	119
Fifth.....	1,886	801	12	789	1,085	5	1,080
Sixth.....	680	613	-	613	67	1	66
Seventh.....	693	626	5	621	67	-	67
Eighth.....	598	451	4	447	147	-	147
Ninth.....	1,355	950	7	943	405	1	404
Tenth.....	352	319	-	319	33	-	33

Cases disposed of after oral hearing or submission

During 1976, the U.S. appellate courts terminated 9,351 appeals after oral hearing or submission on briefs, compared to 9,077 in 1975. Although the number of cases terminated in this manner rose 3%, the proportion of cases disposed of after oral hearing or submission to total terminations remained unchanged at 57%. Data for individual circuits may be found in the appendix in Table B-1.

Reversal rate

Table 8 presents the reversal rate by major types of cases. Although the total number of reversals increased nearly 4% to 1,677, the reversal rate remained nearly the same as last year's. The most significant change among the various components of the overall reversal rate was the increase in reversals of decisions in bankruptcy matters from one out of five to one out of four cases decided by the appellate courts.

A circuit by circuit breakdown of the reversal rate is presented in the B-1 table in the appendix. Of the 11 circuit courts, the Seventh Circuit had the highest reversal rate (22.3%) while the Second Circuit had the lowest (14.5%).

TABLE 8
Reversal Rate Of Cases Terminated After Hearing Or
Submission Fiscal Years 1975 And 1976

Type of Case ¹	Total		Reversed or Denied		Percent Reversed or Denied	
	1975	1976	1975	1976	1975	1976
Total.....	9,041	9,343	1,613	1,677	17.8	17.9
Civil.....	5,248	5,220	1,084	1,143	20.7	21.9
Criminal.....	2,938	3,114	348	334	11.8	10.7
Bankruptcy.....	176	135	35	33	19.9	24.4
Administrative..	679	874	146	167	21.5	19.1

¹Excludes original proceedings.

Case participations by resident, senior, and visiting judges

Table 9 presents case participation data for 1976. This type of data was first published in the 1975 Annual Report and the term "case participation" as used in the following data is defined on page 186 of that report.

In 1976, a total of 26,342 case participations were reported by clerks of the courts of appeals. Nationally, 80% of the workload of the appellate courts was handled by resident active judges, while 10% of the case participations were by senior judges, and 10% were by visiting judges. Of all circuits, the Second relied most heavily on their senior judges as these judges accounted for over 30% of the total case participations. The Fourth, Seventh, and Ninth also received a considerable amount of assistance from their senior judges. The circuits which received the most assistance from visiting judges were the Ninth (25% of total participations), the Seventh (21%) and the D.C. Circuit (18%).

Opinions and memoranda

During fiscal year 1976, signed and per curiam opinions were handed down in 6,602 cases that were terminated after oral hearings or submission on briefs. The remaining 2,749 cases terminated after hearing or submission were decided without opinions. Excluding consolidated cases, 64% of the total 14,565 cases terminate¹ were disposed of after hearing or submission on briefs, and 45% of these 14,565 decisions were accompanied by written opinions.

TABLE 9
Case Participations In The U.S. Courts Of Appeals Submitted On Briefs Or Orally Argued
Fiscal Year 1976

Circuit	Total case participations	Case Participations by						Percent by Senior and visiting judges
		Resident Active Circuit Judges		Resident Senior Circuit Judges		Visiting Judges		
		Number	Percent	Number	Percent	Number	Percent	
Total	26,342	20,969	79.6	2,645	10.0	2,728	10.4	20.4
D.C.	1,441	1,163	80.7	22	1.5	256	17.8	19.3
First	969	838	86.5	51	5.3	60	6.2	11.5
Second	2,707	1,706	63.0	517	30.2	184	6.8	37.0
Third	2,390	2,127	89.0	199	8.3	65	2.7	11.0
Fourth	1,868	1,514	80.2	231	12.2	143	7.6	19.8
Fifth	5,858	5,156	88.0	519	8.9	183	3.1	12.0
Sixth	2,037	1,806	88.7	100	4.9	131	6.4	11.3
Seventh	2,064	1,444	70.0	186	9.0	434	21.0	30.0
Eighth	1,843	1,582	85.8	98	5.3	163	8.8	14.2
Ninth	4,089	2,722	66.6	344	8.4	1,023	25.0	33.4
Tenth	1,056	891	84.4	79	7.5	86	8.1	15.6

TABLE 10
Opinions And Memoranda Filed In Cases Disposed Of In The United States Courts Of Appeals During The Fiscal Year 1976

Circuit	Total Cases Terminated	Cases Terminated By Consolidation	Total Cases Terminated Less Consolidations	Disposed Of Without Oral Hearings Or Submission On Briefs			Disposed Of After Oral Hearing Or Submission On Briefs			
				Total	No Written Opinion ¹	Memoranda Filed	Total	Written Opinion	Per Curiam Opinion	No Written Opinion ¹
Total	16,426	1,061	14,565	5,214	3,643	1,572	7,351	3,018	2,704	2,749
District of Columbia	1,114	109	925	436	304	132	489	212	135	142
First	482	63	419	161	56	105	178	59	31	31
Second	1,947	359	1,588	591	632	19	697	407	483	7
Third	1,439	156	1,283	499	446	43	714	269	59	467
Fourth	1,436	53	1,283	527	112	415	776	331	407	18
Fifth	3,110	140	2,970	628	513	315	2,181	773	633	775
Sixth	1,394	136	1,258	493	446	51	769	239	96	432
Seventh	1,138	45	1,093	321	220	92	772	331	431	10
Eighth	987	162	825	229	89	146	576	349	224	23
Ninth	2,575	460	2,115	658	610	58	1,447	432	194	821
Tenth	863	98	765	383	223	160	382	298	61	23

¹Includes cases disposed of from the bench, by court order without opinion, and by consent of the parties after settlement.

Miscellaneous proceedings filed increases

The number of miscellaneous proceedings filed in the courts of appeals reached 3,129, a rise of 4.2% over 1975. Although these proceedings are not full-fledged cases, they can at times be as time consuming as the cases placed on the general docket. Even though state habeas corpus petitions fell off by 6.8%, the effect of this decline was more than offset by a 10.7% increase in the "other" category.

TABLE 11
United States Courts Of Appeals
Miscellaneous Proceedings Filed During The
Fiscal Years 1975 And 1976

Circuit	Total Filed		From denials of habeas corpus petitions by state and local prisoners ¹		From denials of habeas corpus petitions by Federal prisoners ¹		From motions to vacate sentence ¹		Direct applications for writs of habeas corpus 28 USC 2241(a)		Other	
	1975	1976	1975	1976	1975	1976	1975	1976	1975	1976	1975	1976
	Total											
Total.....	3,003	3,129	1,044	973	74	78	59	60	24	24	1,802	1,894
District of Columbia.....	1	301	-	-	-	-	1	3	-	-	86	90
First.....	11	123	23	19	1	1	1	1	-	-	86	102
Second.....	403	505	79	88	2	4	4	11	-	-	318	402
Third.....	252	257	87	101	3	9	9	7	-	1	153	139
Fourth.....	361	408	232	329	23	33	-	-	-	-	56	46
Fifth.....	493	497	229	229	-	-	25	24	-	-	239	234
Sixth.....	267	272	60	75	-	2	1	5	4	18	202	172
Seventh.....	87	122	11	31	6	1	1	1	2	-	67	89
Eighth.....	246	210	41	56	9	7	10	7	-	-	186	180
Ninth.....	559	453	182	21	4	1	5	1	15	5	353	425
Tenth.....	135	151	56	24	26	20	-	-	3	-	56	107

¹ An forma pauperis applications.

Administrative agency cases filed

During fiscal 1976, 2,515 administrative agency cases were filed in the U.S. courts of appeals, almost 10% more than in fiscal year 1975. Of these 2,515 cases, 52.5% were filed in the District of Columbia, Fifth, and Ninth circuits. Over 60% of the total cases involved the following four agencies: National Labor Relations Board, Immigration and Naturalization Service, Internal Revenue, and the Interstate Commerce Commission.

The primary reason for the jump in reviews of administrative agency decisions was the enactment of Public Law 93-584, January 2, 1975. This legislation removed appeals of Interstate Commerce Commission decisions from the three-judge district courts and placed them in the courts of appeals. During fiscal year 1976, 229 such cases were commenced in the eleven courts of appeals.

TABLE 12
Administrative Agency Cases Filed in the U.S. Courts of Appeals
Fiscal Year 1976

Agency	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth
<i>Total</i>	2,515	563	62	313	212	108	318	216	131	81	440	71
<i>Civil Aeronautics Board</i>	36	30	-	2	-	-	-	-	-	1	3	-
<i>Commissioner of Internal Revenue</i>	269	5	10	54	23	14	48	21	14	7	65	8
<i>Department of Labor</i>	87	7	2	10	20	12	16	5	4	3	8	-
<i>Environmental Protection</i>	209	54	3	9	38	8	11	24	7	7	29	19
<i>Federal Communications Commission</i>	158	132	2	9	2	8	1	-	1	2	-	1
<i>Federal Power Commission</i>	218	101	1	5	1	-	71	-	2	4	24	9
<i>Immigration and Naturalization Service</i>	387	2	11	99	47	2	42	15	10	4	154	1
<i>Interstate Commerce Commission</i>	229	124	2	5	9	5	28	24	9	10	11	2
<i>National Labor Relations Board</i>	661	38	22	99	53	46	74	103	63	26	118	19
<i>Occupational Safety and Health</i>	73	9	3	10	9	2	7	5	6	5	13	4
<i>Other</i>	188	61	6	11	10	11	20	19	15	12	15	8

The Court of Appeals for the District of Columbia received more administrative agency cases than any other circuit, 563 filings or 22.4% of the national total. The Federal Communications Commission and the Interstate Commerce Commission accounted for over 45% of the agency filings for this court.

SPECIAL COURTS

Railroad Reorganization Court

The Regional Rail Reorganization Act of 1973 (Public Law 93-236, January 2, 1974) established a special court to decide appeals and to act as a district court in certain proceedings commenced pursuant to this act.

Section 209(b) of this act authorized the Judicial Panel on Multidistrict Litigation to appoint three federal judges to sit as a special three-judge district court in a district designated by the panel. By order filed March 1, 1974, the Multidistrict Panel Selected Circuit Judge Henry J. Friendly, presiding judge; Circuit Judge Carl McGowan; and District Judge Roszel C. Thomsen to constitute the Special Court. The order further designated the District of Columbia as the district where all proceedings under the Act would be filed. Judge McGowan, who has since returned to the D.C. Circuit, has been replaced by Circuit Judge John M. Wisdom.

In January, 1976, the Special Court began its statistical reporting to the Administrative Office with a report of 3 cases pending as of the end of December, 1975. Since that time, 8 new cases have been filed and 4 cases have been terminated, leaving 7 cases pending at the end of June, 1976.

Temporary Emergency Court of Appeals

Activity in this court continues to be very light, as only 26 cases were filed during fiscal 1976 and 35 cases were terminated. As of June 30, 1976 the pending caseload for T.E.C.A. dropped to 4 cases. The court convened for 8 days in several cities to hear oral argument on 12 cases.

*CASES UNDER SUBMISSION IN THE COURTS OF APPEALS AND IN
THE COURT OF CLAIMS*

As of June 30, 1976, there were 470 cases reported held under submission in the U.S. Courts of Appeals which had been heard or submitted more than three months before that date (not including cases since reported as decided). Of these, 283 - or 60% of the total number of cases reported had been submitted more than three months but less than six months, 118 cases - representing 25% - for more than six months, but less than nine months, 32 - or 7% - for more than nine months but less than one year, and 37 - or 8% - for more than one year.

One hundred twenty-four - or 26% - of the total cases under submission were reported by the Ninth Circuit; 82 cases - or 17% - were reported by the Fifth Circuit; and the Seventh Circuit reported a total of 67 cases - or 14% of the total.

Of the 37 cases under submission for more than one year, 16 - or 43% - were reported in the Ninth Circuit, 10 cases - or 27% - in the Seventh Circuit and seven cases - or 19% - were reported in the Fifth Circuit.

The Court of Claims reported having no cases held under submission over three months on June 30, 1976.

The cases reported from the Courts of Appeals were distributed as shown in the following table.

The total number of cases reported held under submission has increased steadily over the past five years with the greatest increase reported in fiscal year 1976. Cases reported at the end of this period totaled 470 - an increase of 164 cases - or 54% over the 306 cases reported for the same period of fiscal year 1975. There was a 65% increase in 1976 cases held more than three but less than six months and a 68% increase in the number of cases held over one year.

TABLE 13
Cases Under Submission More Than Three
Months As Of June 30, 1976

Circuit	Total	More than 3 but less than 6 months	More than 6 but less than 9 months	More than 9 months but less than 1 year	More than 1 year
<u>Total.....</u>	470	283	118	32	37
District of Columbia.....	55	31	17	6	1
First.....	9	9	-	-	-
Second.....	10	6	4	-	-
Third.....	6	6	-	-	-
Fourth.....	32	18	14	-	-
Fifth.....	82	50	23	2	7
Sixth.....	34	19	13	-	2
Seventh.....	67	40	12	5	10
Eighth.....	12	11	-	-	1
Ninth.....	124	65	28	15	16
Tenth.....	39	28	7	4	-
Total as of March 31, 1976..	411	281	59	39	32
United States Court of Claims and Temporary Emergency Court of Appeals as of June 30, 1976...	0	-	-	-	-
as of March 31, 1976..	0	-	-	-	-

TABLE 14
Cases Under Submission More Than Three
Months As Of June 30, 1972 - 1976

Year	Total	Months Under Submission			
		3-6	6-9	9-12	above 12
1972	188	120	39	13	16
1973	232	142	62	16	12
1974	291	175	80	22	14
1975	306	172	93	19	22
1976	470	283	118	32	37

UNITED STATES DISTRICT COURTS

Civil cases in U.S. district courts

The civil caseload in the United States District Courts continued its upward trend in fiscal year 1976 as 130,597 cases were filed - 11.3% more than in the previous year and 120% greater than the number filed in 1960. This year marks the fifteenth consecutive year that the courts have experienced a rise in civil cases filed. During this same fifteen year period the courts have managed to increase their terminations but have not been able to keep pace with filings in any of these years. During the most recent fiscal year the district courts terminated 110,175 civil cases. This represents an increase of more than 5% over the previous year and nearly 80% over terminations recorded in 1960. However, these terminations still fell short of the number of filings by 20,422 cases. As a result, the pending caseload at the end of the fiscal year was 17.1% higher than the pending caseload of only one year ago.

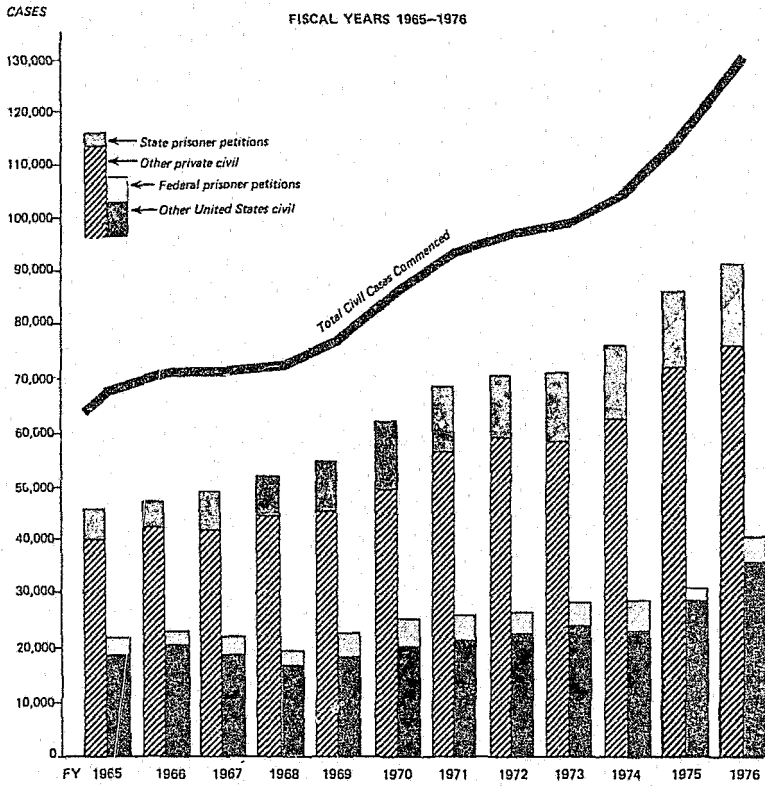
TABLE 15
Civil Cases Filed, Terminated, And Pending
Fiscal Years 1960 To 1976

Fiscal Year	Filed	Terminated	Pending June 30
1960.....	59,284	61,829	61,251
1961.....	58,293	55,416	64,128
1962.....	61,836	57,996	67,968
1963.....	63,630	62,379	69,219
1964.....	66,930	63,954	72,195
1965.....	67,678	65,478	74,395
1966.....	70,906	66,184	79,317
1967.....	70,961	70,172	79,906
1968.....	71,449	68,873	82,482
1969.....	77,193	73,354	86,321
1970.....	87,321	80,435	93,207
1971.....	93,396	86,563	100,040
1972.....	96,173	95,181	101,032
1973.....	98,560	98,259	101,333
1974.....	103,530	97,633	107,230
1975.....	117,320	104,783	119,767
1976.....	130,597	110,175	140,189
<u>Percent increase</u>			
1976 over 1960.....	120.3	78.2	128.9
1976 over 1975.....	11.3	5.1	17.1

The civil caseload per judgeship continued to rise in fiscal year 1976 since no additional judgeships were created. In fact, the number of judge-

UNITED STATES DISTRICT COURTS

CIVIL CASES COMMENCED



ships for the district courts was reduced by one when a temporary judgeship in the Eastern District of North Carolina lapsed. In fiscal year 1976 there were 327 civil cases filed for each of the 399 authorized judgeship positions. This represents an increase of 50% over 1970 which was the year of the last increase in the number of authorized judgeship positions. During this same period, the district judges have managed to increase their termination rate by nearly 40%, from 201 per judgeship in 1970 to 276 in the most recent fiscal year. However, the per judgeship pending caseload continued to rise and at the end of the fiscal year 1976 was at an all time high of 351 civil cases. This was more than 50% above the pending caseload per judgeship at the close of fiscal year 1970.

Fiscal year	Authorized judgeships	Civil Cases per authorized judgeship		
		Filed	Terminated	Pending on June 30
1940	183	190	204	161
1950	218	296	244	255
1960	245	242	252	250
1970	401	218	201	232
1974	400	259	244	268
1975	400	293	262	299
1976	399	327	276	351

Filings by origin

Of the 130,597 civil cases filed in fiscal year 1976, 117,061 were cases originally filed in the 94 U.S. district courts. An additional 7,979 were removals from state courts, 23% above the 6,512 civil cases which were removed from state courts in the previous year. Cases remanded from the appeals courts numbered 961, while reopened cases accounted for 1,991 of the total civil filings. The remaining 2,605 civil cases were comprised of 589 multidistrict litigation transfers under 28 U.S.C. 1407, and 2,016 interdistrict transfers. These transfers from one district to another continue to rise and this year increased by nearly 10%.

Civil cases filed

The overall rise in civil filings this year was a result of increased activity in nearly every major nature of suit classification. The most significant increase occurred in land condemnation filings which rose by 118%. The rise

CONTINUED

2 OF 6

TABLE 16
Civil Filings By Origin
Fiscal Years 1970-1976

	Total Filings	Original	Removals From State Courts	Remands From Courts of Appeals	Reopens	Transfers	Multidistrict Litigation Transfers
1970	57,321	80,062	4,222	614	1,308	1,115	-
1971	93,396	85,244	4,354	659	1,201	1,224	714
1972	96,173	87,988	4,141	741	1,555	1,526	222
1973	98,560	90,176	4,397	900	1,637	1,236	214
1974	103,530	94,014	4,815	926	1,530	1,645	300
1975	117,320	105,705	6,512	922	1,883	1,836	462
1976	130,597	117,961	7,979	961	1,991	2,016	589

in these cases, though filed at a substantially greater pace than in past years, tends to reflect a revised method of counting such cases. With the adoption by many districts of the March 1975 Judicial Conference Guidelines for filing such cases, tracts regarded as economic units are now filed as cases. In previous years a single declaration of taking often included numerous tracts in one case. The result of the revised procedure would tend to increase the statistics without an appreciable increase in land condemnation activity. However, the increase of 118% appears to be a combination of the revised reporting procedures and increased activity by the government to acquire land for national park use such as the Everglades Project which accounted for over 1,000 declarations of taking or 35% of the total land condemnation cases filed in 1976.

Also contributing significantly to the overall increase in civil filings was a 77% rise in Social Security cases. These cases numbered 10,355 this year compared to only 5,846 last year. A large portion of these filings involved "black lung" disability benefits sought by coal miners and their dependants. In fiscal year 1975 these cases totaled 2,793 compared to 4,908 this year, an increase of 76%. These "black lung" cases represent nearly 50% of all Social Security filings in the U.S. district courts.

Civil rights cases continued to increase during the last twelve months. During this period there were 12,329 civil rights cases filed compared to 10,392 in the previous year, an increase of nearly 19%. Since 1971, these cases have grown 140%.

Three other major areas of civil litigation have shown substantial increases in the past year. Insurance contract actions increased by 20.4%; suits involving labor laws rose by 17%; and cases involving copyright, patent and trademark increased by 15.6%.

There were only a few major types of civil litigation where filings declined this year. Marine personal injury suits dropped by 4.4% and motor vehicle injury cases continued to decrease as 6,068 such cases were filed this year. This represents a decrease of 10.7% compared to the previous year and is the second consecutive drop in such cases. This continuing decline may be attributable to the rise in the number of "no-fault" statutes adopted by State governments.

One other major area of civil litigation which declined this year was prisoner petitions filed by Federal prisoners. These cases had been increasing steadily after a slight drop in the number filed in 1971.

TABLE 17
CIVIL CASES COMMENCED IN THE U.S. DISTRICT COURTS
DURING THE FISCAL YEARS 1961, 1971-1976, BY NATURE OF SUIT

Nature of Suit	Cases filed							Percent Change ¹ 1976 over 1975
	1961	1971	1972	1973	1974	1975	1976	
Total	58,293	93,396	96,173	98,560	103,530	117,320	130,597	11.3
Contract actions	16,340	18,575	18,577	19,466	19,426	22,905	23,998	4.8
Insurance.....	1,586	2,732	2,572	2,421	2,286	2,644	3,184	20.4
Marine.....	2,412	3,630	3,381	3,440	3,195	3,662	4,060	10.9
Hiller Act.....	1,333	718	572	553	646	1,037	955	-7.9
Negotiable instruments.....	4,070	2,998	3,205	3,074	2,410	2,490	2,240	-10.0
Other.....	6,939	8,497	9,247	9,980	10,889	13,072	13,559	3.7
Real property actions	3,325	3,608	3,553	4,113	5,098	6,488	8,475	30.6
Mortgage foreclosure.....	1,326	1,648	1,921	2,025	2,938	3,546	3,681	3.9
Land condemnation.....	997	891	602	835	917	1,391	3,037	118.3
Other.....	1,003	1,069	1,030	1,253	1,243	1,551	1,755	13.2
Tort actions	21,205	25,405	24,012	23,105	24,231	25,691	25,736	0.2
Employers' Liability Act.....	1,114	1,353	1,391	1,164	1,202	1,243	1,329	6.9
Marine.....	4,889	7,232	6,534	5,630	5,236	5,410	5,170	-4.4
Motor vehicle.....	9,083	8,779	7,700	7,371	7,398	6,794	6,068	-10.7
Other personal injury.....	4,574	6,347	6,439	6,466	6,628	7,774	8,635	11.1
Property damage.....	1,545	1,994	1,968	2,474	1,767	4,470	4,534	1.4
Actions under statutes	13,427	43,750	47,501	49,950	52,960	60,051	70,372	17.2
Antitrust.....	420	1,505	1,379	1,206	1,270	1,431	1,555	8.7
Civil rights.....	296	5,138	6,133	7,679	8,443	10,392	12,329	18.6
Commerce (ICC rates, etc.)...	335	2,014	3,335	3,341	3,925	4,042	4,396	8.8
Deportations.....	716	119	170	271	412	386	291	-24.6
Forfeiture and penalty suits.....	2,360	2,031	2,565	2,917	1,961	2,446	2,587	5.8
Labor Laws.....	2,481	1,663	4,987	4,061	5,400	6,617	7,741	17.0
Marcotic Addict Rehabilitation Act.....	-	2,725	2,530	1,716	515	276	150	-45.7
Patent, copyright and trademark.....	1,585	2,042	2,194	2,056	2,084	2,276	2,632	15.6
Prisoner petitions:								
Federal.....	1,589	4,121	4,179	4,535	4,987	5,947	4,780	-5.3
State.....	1,020	12,145	12,088	12,683	13,423	14,260	15,029	5.4
Securities, commodities and exchange.....	267	1,962	1,919	1,999	2,378	2,408	2,230	-7.4
Selective Service Act.....	()	695	281	82	7	1	4	-
Social Security Laws.....	537	1,792	2,288	2,497	3,585	5,846	10,355	77.1
Tax suits.....	1,507	1,464	1,464	1,577	1,917	1,699	1,849	8.8
Other.....	711	1,334	1,989	2,510	2,653	2,924	4,442	51.9
Other Actions	3,995	2,058	2,130	1,924	1,815	2,185	2,016	-7.7
Domestic relations (local jurisdiction).....	393	758	938	1,014	1,007	1,130	1,186	5.0
Immunity (local jurisdiction).....	2,541	317	272	55	14	40	18	-
Other.....	1,061	983	920	855	794	1,015	812	-20.0

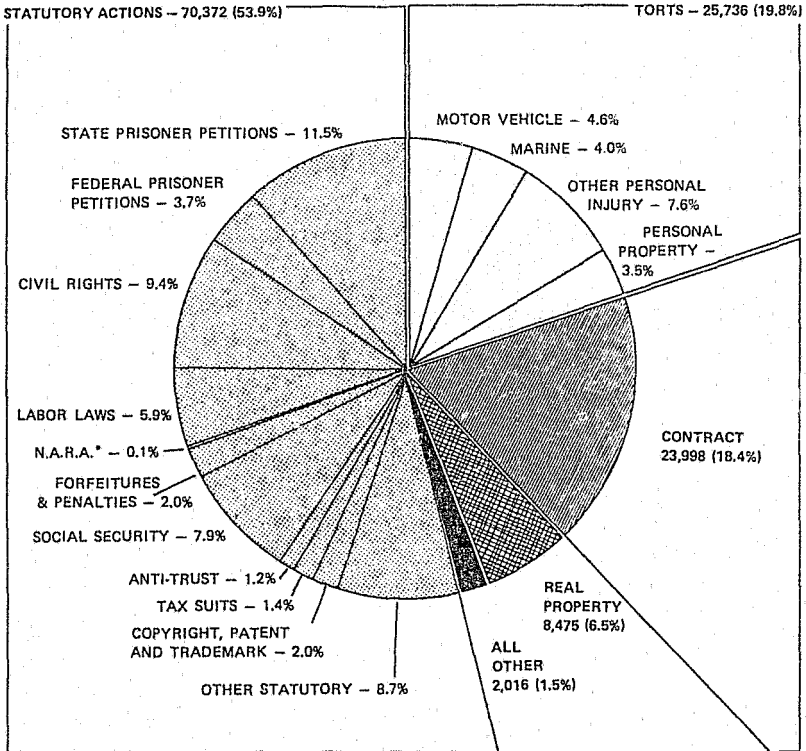
¹Percent change not computed when base is less than 25.
Included with other.

UNITED STATES DISTRICT COURTS

CIVIL CASES COMMENCED

FISCAL YEAR 1976

TOTAL CIVIL CASES: 130,597



*Narcotic Addict Rehabilitation Act of 1966, Title III.

Civil caseload increases of 30% or more

While the increase in civil filings nationwide was 11.3% in fiscal year 1976, the comparison by district court shows that the change in civil cases filed ranged from an increase of 143.6% in the Southern District of California to a decrease of 17.9% in Guam. There were seven district courts which experienced increases of more than 30%. These are shown in the following table.

<u>District</u>	<u>Percent Increase in Filings</u>
California, Southern	143.6%
Kentucky, Eastern	57.3%
Virginia, Western	53.8%
Delaware	42.0%
West Virginia, Southern	40.1%
Florida, Southern	37.0%
Iowa, Southern	30.7%

With the exception of Delaware, the large increase in these districts can be attributed to a particular type of case in each district. The increases observed in California, Southern and Florida, Southern were almost totally a result of substantial jumps in the number of land condemnation cases. In California, Southern such cases rose by 826 during fiscal year 1976 while the increase in Florida, Southern was 810 land cases. The increases in the land cases can be attributed to increased activity by the Department of Justice and a change in reporting procedure which, as previously discussed, tends to increase the number of cases without an increase in activity. Also contributing to the increase in Florida, Southern was a rise of 183 cases involving private contract action.

In the Western District of Virginia, the Southern District of West Virginia and the Eastern District of Kentucky, the large increases were a result of Social Security case filings. The increases in this area were 565, 517, and 878 respectively. These districts have received the major portion of "black lung" cases that have been filed since this became a major area of concern for the Federal courts.

The 42% increase in the civil filings in the District Court of Delaware can be traced to several major areas. The most significant increases occurred

Circuit and district	Fallings			Terminations			Pendings		
	1975	1976	Percent Change	1975	1976	Percent Change	1975	1976	Percent Change
Total.....	117,320	110,577	11.3	104,787	110,175	5.1	119,767	140,189	17.1
District of Columbia.....	2,129	2,454	21.4	2,000	2,430	21.5	1,741	1,797	2.6
First Circuit.....	7,514	8,048	6.8	6,164	6,709	-1.3	14,029	14,968	10.9
Maine.....	293	271	5.4	208	244	17.3	247	276	11.7
Massachusetts.....	5,045	5,278	4.6	3,566	3,730	-0.4	10,432	12,162	16.7
New Hampshire.....	397	421	6.5	377	452	19.6	344	315	-8.4
Rhode Island.....	349	440	20.4	371	303	-11.0	474	509	34.7
Puerto Rico.....	1,404	1,806	9.7	1,744	1,580	-11.7	1,552	1,664	7.2
Second Circuit.....	10,791	11,787	6.3	10,708	10,614	-0.9	14,229	15,202	6.8
Connecticut.....	1,208	1,245	3.1	1,037	998	-3.8	1,446	1,643	17.1
New York:									
Northern.....	602	594	-1.3	562	540	-3.9	645	699	8.4
Eastern.....	1,981	2,438	23.1	1,739	1,958	12.6	2,549	3,029	18.8
Southern.....	6,182	6,440	2.5	6,682	6,101	-7.5	8,182	8,441	3.2
Western.....	540	610	13.0	380	681	79.2	1,114	1,043	-6.4
Vermont.....	288	260	-9.7	308	256	-16.9	293	297	1.4
Third Circuit.....	11,071	12,325	11.3	10,703	11,371	6.2	11,262	12,336	9.4
Delaware.....	324	460	42.0	337	389	15.4	283	454	16.7
New Jersey.....	2,244	2,451	9.2	2,189	2,170	-0.9	2,456	3,133	9.8
Pennsylvania:									
Eastern.....	3,539	3,978	12.4	3,589	3,781	5.1	3,699	3,896	5.3
Middle.....	1,551	1,706	10.0	1,192	1,046	-24.7	1,096	1,256	14.6
Western.....	1,629	1,899	16.6	1,352	1,723	27.4	1,527	1,701	11.5
Virgin Islands.....	1,784	1,811	2.6	2,044	1,762	-13.0	1,821	1,890	3.8
Fourth Circuit.....	11,060	13,067	18.1	9,148	10,168	11.0	8,015	11,714	32.9
Maryland.....	1,660	1,995	20.2	1,528	1,655	8.3	1,452	1,732	23.4
North Carolina:									
Eastern.....	685	596	-13.0	596	498	-16.4	512	630	18.4
Middle.....	498	638	28.1	375	453	20.8	492	677	37.6
Western.....	609	680	11.7	491	562	14.5	463	561	21.2
South Carolina.....	2,176	2,466	13.3	2,280	2,162	-5.2	1,367	1,671	22.2
Virginia:									
Eastern.....	2,256	2,442	8.2	2,075	2,345	13.0	1,364	1,466	7.1
Western.....	1,166	1,793	53.8	917	1,372	49.6	635	1,256	50.4
West Virginia:									
Northern.....	445	544	22.2	404	331	-18.1	430	643	49.5
Southern.....	1,365	1,913	40.1	682	770	12.9	1,090	1,073	-1.6
Fifth Circuit.....	27,098	30,542	12.7	23,804	25,386	6.7	23,974	29,120	21.5
Alabama:									
Northern.....	1,589	1,818	14.4	1,414	1,536	8.6	1,169	1,450	24.1
Middle.....	627	700	11.6	604	661	9.4	222	261	17.6
Southern.....	614	682	11.1	554	614	10.8	334	402	20.4
Florida:									
Northern.....	510	543	6.5	468	515	10.3	284	292	2.8
Middle.....	2,238	2,608	16.5	1,798	2,043	2,406	2,971	23.5	
Southern.....	2,053	1,909	-7.0	2,390	1,479	45.6	1,443	1,873	29.8
Georgia:									
Northern.....	2,731	2,665	-2.4	2,573	2,424	-5.8	2,073	2,314	11.6
Middle.....	559	599	7.2	508	580	15.7	392	403	2.8
Southern.....	710	784	10.4	543	666	22.7	643	761	18.4
Louisiana:									
Eastern.....	3,009	4,063	35.0	3,391	3,131	-7.7	1,974	4,904	21.5
Middle.....	399	489	22.5	405	450	11.1	375	405	8.0
Western.....	1,241	1,436	15.7	1,192	1,196	0.3	1,346	1,586	17.9
Mississippi:									
Northern.....	580	693	19.3	525	585	11.4	564	662	17.4
Southern.....	889	1,039	16.9	733	955	30.3	856	940	9.8
Texas:									
Northern.....	2,307	2,585	12.1	2,006	2,007	-	2,142	2,720	27.0
Eastern.....	1,080	1,313	21.6	1,022	975	-4.6	943	1,261	35.8
Southern.....	2,074	2,800	35.0	1,995	1,995	-	1,297	4,182	26.8
Western.....	1,102	1,231	11.7	1,039	1,050	1.0	1,297	1,770	35.8
Canal Zone.....	56	524	-7.4	444	490	10.4	415	449	8.2

TABLE 18
CIVIL CASES COMMENCED, TERMINATED AND PENDING IN
UNITED STATES DISTRICT COURTS
FISCAL YEARS 1975 AND 1976 (continued)

Circuit and district	Filings			Terminations			Pending		
	1975	1976	Percent Change	1975	1976	Percent Change	1975	1976	Percent Change
Sixth Circuit.....	11,350	13,478	19.7	9,934	10,379	4.5	11,271	14,370	27.5
Kentucky.....									
Eastern.....	1,436	2,259	57.3	859	1,048	22.0	1,574	2,785	76.9
Western.....	801	891	10.0	715	661	-7.6	805	1,025	27.3
Michigan.....									
Eastern.....	2,541	2,990	17.7	2,122	2,266	6.8	2,756	3,480	26.3
Western.....	733	751	2.6	627	527	-15.9	1,003	1,231	22.2
Ohio.....									
Northern.....	2,133	2,413	14.1	2,141	2,768	28.4	1,926	2,311	20.0
Southern.....	1,600	1,894	18.4	1,366	1,595	15.1	1,479	1,778	20.2
Tennessee.....									
Eastern.....	823	946	14.9	847	927	9.1	486	505	3.4
Middle.....	588	605	2.9	560	577	3.0	599	508	-15.0
Western.....	689	713	3.4	693	730	5.3	678	667	-1.6
Seventh Circuit.....	9,477	9,557	0.8	7,575	8,522	12.5	8,634	9,699	12.7
Illinois.....									
Northern.....	4,975	4,756	-4.4	3,559	3,912	10.0	3,422	4,016	17.4
Eastern.....	611	595	-2.6	438	644	47.7	60	711	6.4
Southern.....	470	463	-1.5	411	597	45.0	472	347	-25.9
Indiana.....									
Northern.....	733	791	7.9	706	583	-17.0	1,366	1,178	-13.7
Southern.....	2,278	1,264	-44.5	1,208	1,166	-3.5	1,126	1,256	11.6
Wisconsin.....									
Eastern.....	766	818	6.8	629	757	20.3	1,064	1,145	7.6
Western.....	575	727	26.4	500	527	5.4	634	694	9.5
Eighth Circuit.....	7,419	7,910	6.7	6,334	6,866	8.4	7,022	7,970	13.4
Arkansas.....									
Eastern.....	923	915	-0.9	756	621	-17.1	1,165	1,307	12.2
Western.....	494	525	6.3	356	392	10.1	524	657	25.4
Iowa.....									
Northern.....	237	243	2.5	213	236	10.8	244	251	2.9
Southern.....	453	532	17.4	479	481	0.4	446	557	24.9
Minnesota.....	1,174	1,209	3.0	951	1,006	5.8	1,439	1,642	14.1
Missouri.....									
Eastern.....	1,201	1,399	16.5	1,061	1,359	27.7	781	925	18.5
Western.....	1,054	1,711	62.3	1,047	1,611	53.9	1,354	1,454	7.4
Nebraska.....	619	712	15.0	524	668	27.5	698	732	4.9
North Dakota.....	173	205	18.5	175	192	9.7	161	174	8.1
South Dakota.....	281	279	-0.7	181	232	28.2	324	371	14.5
Ninth Circuit.....	14,346	15,670	9.2	12,870	12,923	0.4	14,671	17,416	18.7
Alaska.....									
Eastern.....	291	324	11.3	244	251	2.9	748	421	-43.7
Arizona.....	1,294	1,187	-8.3	1,035	1,081	4.4	1,149	1,189	3.5
California.....									
Northern.....	2,751	2,986	8.5	2,734	2,742	0.3	2,857	3,001	5.0
Eastern.....	1,130	1,069	-5.3	862	789	-8.4	1,161	1,383	19.1
Central.....	4,282	4,169	-2.6	3,766	3,605	-4.3	3,692	4,136	12.0
Southern.....	636	1,547	143.6	564	730	29.4	719	1,538	113.9
Hawaii.....	102	442	333.3	261	268	2.7	468	622	33.1
Idaho.....	302	359	18.9	289	264	-8.7	374	459	22.7
Montana.....	142	173	21.8	116	127	9.5	184	430	132.6
Nevada.....	466	534	14.6	368	471	28.3	552	625	13.2
Oregon.....	1,147	1,198	4.4	973	1,020	4.8	1,128	1,230	9.1
Washington.....									
Eastern.....	304	346	13.8	305	252	-17.4	313	407	30.0
Western.....	1,175	1,195	1.7	978	935	-4.4	1,264	1,524	20.6
Guam.....	84	69	-17.9	185	96	-48.1	302	785	158.3
Tenth Circuit.....	6,059	6,523	7.7	5,271	5,957	13.0	5,025	5,597	11.4
Colorado.....	1,369	1,425	4.1	1,080	1,375	27.3	1,388	1,438	3.6
Kansas.....	1,114	1,361	22.2	1,019	1,032	1.2	1,150	1,401	21.8
New Mexico.....	537	781	45.8	646	754	16.7	480	597	24.4
Oklahoma.....									
Northern.....	594	684	15.2	475	622	31.2	402	544	35.3
Eastern.....	396	376	-5.1	351	352	0.3	242	266	9.9
Western.....	1,093	1,124	2.8	1,048	1,064	1.5	621	676	8.9
Utah.....	517	593	14.7	401	501	25.0	400	531	32.8
Wyoming.....	276	243	-11.9	200	262	31.0	161	164	1.9

in state prisoner petitions (up 35 cases); copyright, patent and trademark cases and personal injury other than marine and motor vehicle (each up 13 cases); and U.S. real property actions other than land condemnation (up 60 cases).

Only 14 districts experienced decreases in civil filings in fiscal year 1976. The greatest percentage decrease occurred in Guam, where the civil filings dropped by almost 18%. The only other district which had a drop greater than 10% was the Eastern District of North Carolina. This drop was almost entirely a result of decreased filings involving private contract actions (down 32 cases) and in petitions from state prisoners (down 114 cases).

The accompanying table shows by district a comparison of civil filings, terminations, and pending cases for fiscal year 1975 and 1976.

Civil pending caseload increases 17%

The pending civil caseload nationwide was up more than 17% at the end of fiscal year 1976 compared to the same date one year ago. Among the individual district courts, changes in the pending caseload ranged from a decrease of 8.4% in New Hampshire to an increase of 113.9% in the Southern District of California. In the latter district the increase in the pending caseload was primarily due to the increase in land condemnation filings without a corresponding rise in terminations.

Eleven districts experienced increases of 30% or more in their year end pending civil caseload. These districts are shown in the following table.

<u>District</u>	<u>Percentage</u>
California, Southern	113.9
Kentucky, Eastern	76.9
West Virginia, Southern	60.8
Virginia, Western	50.4
West Virginia, Northern	49.5
North Carolina, Middle	37.6
Idaho	37.4
Texas, Eastern	35.8
Rhode Island	34.2
Hawaii	32.9
Washington, Eastern	30.0

During the twelve month period ending June 30, 1976 there were only six districts which had managed to reduce their pending civil caseloads. New Hampshire led the group with a reduction of 8.4% in its pending cases. This was accomplished through a 20% increase in terminations while filings were rising only 6.5%. New York, Western with an increase in terminations of nearly 80% managed a reduction of 6.4% in their pending caseload. Illinois, Eastern, also with a substantial increase in terminations, reduced its pending civil cases by 6.4%. All districts which reduced their backlog of pending civil cases are shown in the following table.

<u>District</u>	<u>Percent Decrease</u>
New Hampshire	8.4%
New York, Western	6.4%
Illinois, Eastern	6.4%
Guam	5.6%
Wyoming	5.5%
Tennessee, Western	1.6%

Twenty-five metropolitan courts pending caseloads continue to increase

Overall the twenty-five metropolitan courts (all courts with five or more judgeships) experienced an increase of 16.2% in their pending civil caseload. This compares to an increase of only 9.7% last year and a nationwide increase of 17.1%.

At the end of fiscal year 1976 the twenty-five courts, which represent only 27% of all courts, accounted for 56% of all civil filings and terminations and nearly 58% of all pending civil cases. Each of these courts experienced an increase in their backlogs this year. These increases range from a high of 113.9% in the Southern District of California to a low of only 2.6% in the District of Columbia.

Pending Social Security cases continue to climb

The 17.1% increase in pending civil cases at the end of fiscal year 1976 was a result of a 31.1% increase in U.S. cases and a 13.1% increase in private cases. Among the major classifications of U.S. cases, the Social Security pending caseload again showed the greatest rise with an increase of

TABLE 19
CIVIL CASES FILED AND TERMINATED IN TWENTY-FIVE LARGE COURTS,
FISCAL YEARS 1975 AND 1976

District ¹	Number of authorized judgeships	Civil cases 1975			Civil cases 1976			Percent change 1975 over 1976		
		June 30, 1976	Com- menced ¹	Termi- nated	Pending June 30, 1975	Com- menced ¹	Termi- nated	Pending June 30, 1976	Com- menced	Termi- nated	Pending June 30,
All districts.....	399	117,320	104,783	119,767	130,597	110,175	140,189	11.3	5.1	17.1
New York, Southern.....	27	6,282	6,682	8,182	6,440	6,181	8,441	2.5	-7.5	3.2
Massachusetts.....	6	5,045	3,568	10,422	5,278	3,538	12,162	4.6	-0.8	16.7
California, Central.....	16	4,282	3,786	3,692	1,169	3,685	4,176	-2.6	-2.7	13.1
Illinois, Northern.....	13	4,075	3,555	3,422	4,508	3,912	4,018	10.6	10.0	17.4
Louisiana, Eastern.....	9	3,809	3,391	3,974	4,063	3,131	4,906	6.7	-7.7	23.5
Pennsylvania, Eastern....	19	3,539	3,589	3,699	3,978	3,781	3,896	12.4	5.3	5.3
Florida, Southern.....	7	2,853	2,390	1,443	3,909	3,479	1,877	37.0	45.6	29.8
California, Northern.....	11	2,751	2,734	2,857	2,886	2,742	3,001	4.9	0.3	5.0
Georgia, Northern.....	6	2,731	2,573	2,073	2,665	2,424	2,314	-2.4	-5.8	11.6
Texas, Southern.....	8	2,674	2,195	3,297	2,880	1,995	4,182	7.7	-9.1	26.8
Michigan, Eastern.....	10	2,541	2,122	2,756	2,990	2,266	3,480	17.7	6.8	26.3
South Carolina.....	5	2,376	2,280	1,367	2,466	2,162	1,671	3.8	-5.2	22.2
Texas, Northern.....	6	2,307	1,006	2,142	2,585	2,007	2,720	12.1	-	27.0
Virginia, Eastern.....	6	2,256	2,075	1,364	2,442	2,345	1,461	8.2	13.0	7.1
New Jersey.....	9	2,244	2,189	2,856	2,451	2,170	3,137	9.2	-0.9	9.8
Florida, Middle.....	6	2,238	1,798	2,406	2,608	2,043	2,971	16.5	13.6	23.5
Ohio, Northern.....	8	2,133	2,141	1,946	2,433	2,068	2,311	14.1	-3.4	18.8
District of Columbia.....	15	2,029	2,048	1,741	2,464	2,418	1,787	21.4	18.1	2.6
New York, Eastern.....	9	1,981	1,739	2,549	2,438	1,958	3,029	23.1	12.6	18.8
Maryland.....	7	1,660	1,528	1,452	1,995	1,655	1,792	20.2	8.3	23.4
Pennsylvania, Western....	10	1,629	1,352	1,527	1,899	1,723	1,703	16.6	27.4	11.5
Ohio, Southern.....	5	1,600	1,386	1,479	1,894	1,595	1,778	18.4	15.1	20.2
Texas, Western.....	5	1,102	1,039	1,097	1,231	1,058	1,270	14.7	1.8	15.8
Arizona.....	5	1,094	1,005	1,149	1,187	1,087	1,249	8.5	8.2	8.7
California, Southern.....	5	636	564	719	1,549	730	1,538	143.6	29.4	113.9
Total of 25 courts..	233	65,867	59,735	69,611	73,408	62,153	80,866	11.4	4.0	16.2
Percentage of Total.	58.4	56.1	57.0	58.1	56.2	56.4	57.7	-	-	-

¹Courts with 5 or more judgeships in fiscal year 1976 in order of filings in fiscal year 1975.

TABLE 20
CIVIL CASES PENDING JUNE 30, BY NATURE OF SUIT
FISCAL YEARS 1968-1976

Nature of suit	Fiscal Years									Percent change 1976 over 1975
	1968	1969	1970	1971	1972	1973	1974	1975	1976	
Total	92,482	86,321	93,207	100,040	101,032	101,333	107,230	119,767	140,183	17.1
United States Cases	17,989	14,267	20,465	20,692	21,305	21,442	22,328	26,155	34,289	31.1
Contract.....	2,647	3,053	3,462	3,278	3,525	3,067	2,491	2,415	2,524	4.5
Land condemnation.....	2,138	2,253	2,112	2,075	1,777	1,774	1,761	2,136	3,299	54.4
Other real property.....	979	956	702	943	1,130	1,311	1,652	1,916	2,362	23.3
Tort Actions.....	3,495	3,335	3,116	2,929	2,572	2,422	2,524	2,773	2,963	6.9
Antitrust.....	74	86	84	91	117	111	96	113	109	-3.5
Prisoner petitions:										
Motions to vacate sentence.....	1	538	616	519	553	592	614	654	615	-6.0
Habeas corpus.....	104	305	396	424	372	353	422	386	426	10.4
Civil Rights.....	18	34	73	96	120	188	203	250	285	2.0
Writs, other.....	168	221	235	268	325	415	351	461	350	-24.4
Forfeiture and penalties.....	1,158	919	1,040	1,334	1,426	1,679	1,291	1,481	1,657	14.2
Labor suits.....	1,330	1,244	1,344	1,489	1,474	1,350	1,477	1,457	1,739	19.4
Tax suits.....	2,930	2,690	2,655	2,519	2,301	2,249	2,415	2,327	2,594	7.6
Social Security laws.....	1,147	1,585	1,935	2,160	2,577	4,595	3,197	5,595	10,122	80.9
Narcotic Addict Rehabilitation Act.....	179	451	554	619	522	368	207	82	87	-30.5
Civil Rights.....	172	289	388	532	620	884	1,039	1,443	1,946	34.9
All other U. S. cases.....	935	1,308	1,553	1,516	1,734	2,594	2,285	2,664	3,325	24.8
Private Cases	64,493	67,054	72,742	79,348	79,727	79,891	84,902	93,612	105,894	13.1
Contract.....	15,655	15,894	17,395	19,293	19,079	18,482	18,973	21,104	23,678	12.2
Real property.....	1,581	1,457	1,569	1,720	1,421	1,402	1,538	1,765	1,839	4.0
Federal Employers' Liability Act.....	1,638	2,022	2,030	2,107	1,872	1,605	1,525	1,543	1,677	8.6
Motor vehicle personal injury.....	11,828	11,592	11,191	10,311	9,762	7,758	7,421	6,812	6,438	-5.5
Marine personal injury.....	10,552	10,486	10,300	10,436	9,413	7,659	6,794	6,602	6,227	-1.9
Other personal injury.....	7,922	7,301	7,752	9,136	9,121	7,961	8,074	8,908	10,248	15.0
Other tort actions.....	1,894	1,933	2,089	2,331	2,323	2,540	3,408	4,059	4,759	17.3
Antitrust.....	1,360	1,623	1,933	2,213	2,563	2,734	2,492	2,526	2,778	10.0
Prisoner petitions:										
Habeas corpus.....	2,075	2,512	3,543	3,176	3,133	2,978	3,142	3,281	3,715	13.2
Civil Rights.....	561	772	1,201	1,933	2,403	3,069	4,146	5,241	6,341	21.0
Writs, other.....	268	294	289	390	388	317	273	134	159	-22.7
Copyright, patent and trademark.....	2,497	2,551	2,742	2,799	2,739	2,634	2,573	2,609	2,851	9.7
Labor suits.....	1,966	1,961	2,126	2,543	2,609	2,810	3,266	4,292	5,463	27.4
Securities, commodities and exchanges.....	1,184	1,416	1,925	2,893	3,334	3,489	3,425	4,047	4,166	2.9
Civil Rights.....	1,552	2,357	3,616	4,639	5,681	6,785	9,159	10,400	12,311	24.1
Interstate Commerce.....	656	750	1,056	1,769	1,715	4,766	6,285	7,261	8,747	20.4
All other.....	1,904	2,133	2,355	2,477	2,671	2,902	3,021	2,971	3,414	14.9

NOTE: This table summarizes pending civil cases by nature of suit appearing in Table C-3a in the appendix with more detail being provided for the "all other" class.

80.9%, from 5,595 cases pending at the close of fiscal year 1975 to 10,122 pending on June 30, 1976. Pending land condemnation cases also showed a substantial rise from 2,136 at the end of last year to 3,299 this year, an increase of more than 54%. This increase is partially due to the change in reporting procedures for land cases which was mentioned earlier in this report.

Two other major categories of U.S. civil cases showed increases in pending cases at the close of fiscal year 1976. Pending U.S. civil rights cases continued to increase and at the close of the year these were 34.9% higher than only one year ago. Pending real property actions, other than land condemnation, also continued a rise that began in 1971 and at the close of the year had increased by more than 23% compared to a year ago.

In the private civil pending caseload there was only one significant volume decrease in the major nature of suit classifications. Motor vehicle personal injury pending cases dropped by 5.5% to continue a decline that began as early as 1968.

There were several natures of suit which exhibited significant increases in pending cases at the close of fiscal year 1976. Pending labor suits rose by more than 27% while pending private civil rights cases increased by more than 24%. Pending civil rights petitions by state prisoners were also higher at the end of this year by 21%.

Civil cases pending three years or more

Of the 136,753 civil cases pending at the close of the year (exclusive of land condemnation), 9,414 had been pending 3 years or more. This represents an increase of 1,851 cases over the three-year-old pending caseload at the end of last year. With this 24.5% increase, these cases now represent 6.9% of the total pending caseload. This percentage, while slightly higher than last year's 6.4%, is still lower than all other figures recorded during the past 15 years. However, the 9,414 three-year-old pending cases is the highest total recorded in the 16 years for which comparable data have been maintained.

The overall increase in pending civil cases and the substantial increase in cases which have been on the dockets more than one year may be a reflection of the concern about the Speedy Trial Act. The passage of this Act without the additional judgeships that were sorely needed prior to the Act, has possibly been the greatest cause of the rise in civil cases pending more than a year. With the continuing increase in civil cases filed, the required emphasis on the criminal docket, and the lack of sufficient judgepower, the

TABLE 21
Age Of Civil Cases¹ Pending June 30,
Fiscal Years 1961 Through 1976

Fiscal year	Total cases pending	Less than 1 year	1 to 2 years	2 to 3 years	3 years and over	
					Number	Percent
1961.....	61,085	33,703	14,910	6,401	6,071	9.9
1962.....	64,723	36,720	15,261	7,035	5,707	8.8
1963.....	66,130	36,903	16,791	6,890	5,546	8.4
1964.....	69,701	38,636	16,204	8,803	6,058	8.7
1965.....	71,941	40,113	16,861	8,341	6,626	9.2
1966.....	76,607	42,094	18,300	8,786	7,427	9.7
1967.....	77,575	41,430	18,893	9,122	8,130	10.5
1968.....	80,245	43,517	19,338	9,149	8,241	10.3
1969.....	83,957	46,436	20,006	9,268	8,247	9.8
1970.....	90,932	52,363	21,012	9,613	8,004	8.8
1971.....	97,799	55,261	23,141	10,375	9,022	9.2
1972.....	99,114	57,363	22,674	10,393	8,684	8.6
1973.....	99,437	58,957	23,036	9,842	7,602	7.6
1974.....	105,340	63,850	24,022	10,125	7,352	7.0
1975.....	117,491	73,692	28,999	10,257	7,563	6.4
1976.....	136,753	82,051	32,622	12,644	9,414	6.9
Percent change: 1976 over 1975.....	16.4	11.3	23.5	23.5	24.5	

¹ Excludes land condemnation cases.

TABLE 22
CIVIL CASES PENDING 3 YEARS OR MORE, AS OF JUNE 30, 1976
(JURISDICTION AND NATURE OF SUIT (LAND CONDEMNATION CASES EXCLUDED))

Nature of Suit	Three-year old cases pending June 30, 1976	Three-year old cases pending June 30, 1976	U. S. cases		Private civil cases		
			Plaintiff	Defendant	Federal question	Other state	Local
Total.....	7,563	6,414	672	505	5,232	2,379	557
Contract actions.....	1,794	1,799	116	86	294	1,772	51
Willor Act.....	85	43	-	-	45	-	-
Marine.....	188	196	8	10	181	-	-
Receivable instruments.....	90	124	20	-	-	85	-
Insurance.....	200	203	-	4	197	-	-
Other contract actions.....	1,043	1,227	73	72	13	1,039	56
Real property.....	161	221	56	45	21	76	31
Tort actions.....	5,542	1,750	10	129	418	1,008	19
Employers' Liability Act.....	89	83	-	-	89	-	-
Employee.....	219	162	-	-	15	15	-
Marine.....	113	109	-	8	205	11	-
Motor vehicle.....	332	325	-	27	3	285	10
Other personal injury.....	492	454	-	37	4	481	12
Property damage.....	166	264	10	27	123	94	6
Actions under statutes.....	4,031	6,435	474	773	402	-	6
Antitrust.....	512	562	24	2	586	-	-
Civil rights.....	207	1,014	63	01	910	-	-
Prisoner petitions.....	12	712	63	706	712	-	2
Intestate claims.....	437	746	2	12	712	-	-
Labor Management Relations Act.....	161	216	6	1	210	-	-
Other labor laws.....	119	115	55	4	29	-	-
Copyright, patent and trade mark.....	335	306	-	8	249	-	-
Social security laws.....	56	40	-	80	-	-	-
Securities, commodities and exchange.....	144	034	50	1	791	-	-
Tax suits.....	218	261	67	146	-	-	4
Other statutory actions.....	266	460	209	156	154	-	-
All other.....	175	201	0	2	40	3	140

three-year-old civil docket will probably continue to increase at a greater rate than the overall civil caseload.

Three-year-old pending civil cases are shown in the accompanying table by the nature of the action pending. All major areas showed increases in pending three-year-old cases. Contract actions pending three years or more rose by 215; real property cases increased by 40; tort actions were up 66 cases; and action under the statutes climbed by 1,404 cases.

The most significant increases in three-year-old pending cases occurred in civil rights, prisoner petitions and Interstate Commerce cases. These three categories combined accounted for more than 50% of the increase in three-year-old civil cases.

Districts with 200 or more civil cases pending three years or more

At the end of fiscal year 1976 there were 12 districts with more than 200 civil cases which had been pending for three years or more. This compares with only seven districts with large three-year-old backlog from one year ago.

TABLE 23
Districts With 200 Or More Civil Cases
Pending Three Years Or More On June 30, 1976

District	1975	1976	Percent Change
Massachusetts.....	931	1,321	41.9
New York, Southern.....	833	868	4.2
New York, Eastern.....	318	358	12.6
California, Central.....	256	306	19.5
Texas, Southern.....	200	304	52.0
Florida, Middle.....	124	285	129.8
Illinois, Northern.....	171	264	54.4
California, Northern.....	343	230	-32.9
Michigan, Eastern.....	176	215	22.2
New Jersey.....	228	206	-9.6
West Virginia, Southern...	140	202	44.3
Virgin Islands.....	181	201	11.0

Massachusetts again heads the list of these districts with a three-year-old pending backlog of 1,321 cases. New York, Southern with the second largest backlog of such cases had 868 three-year-old cases pending at the end of the year. Each of the twelve districts with 200 or more three-year-old pending cases are shown in the accompanying table.

Among those districts which had 200 or more pending civil cases at the close of last year, only California, Northern and New Jersey managed to

decrease the number of such cases this year, respectively by 113 cases and 22 cases.

Civil terminations in the district courts

During fiscal year 1976 the number of case terminations in the district courts rose by 5.1% over the 104,783 terminations recorded last year. However, this year's terminations of 110,175 fell short of the number of case filings by 20,422.

Tables C4, C4a, C5, C5a, and C5b in the appendix show civil terminations by type of litigation, district, and method of disposition. During fiscal year 1976, 38.5% of all civil cases terminated (exclusive of land condemnation cases) required no court action - leaving 61.5% requiring some action by the court. These percentages are not unlike those of past years when the percentage requiring court action has averaged approximately 61%. However, the percentage of civil cases terminated after trial continued to decline in 1976. This year only 8.2% of all civil cases terminated reached the trial stage. This is slightly lower than the 8.4% of last year and is the lowest percentage recorded in at least the last eight years.

While the percentage of civil cases reaching trial declined, the actual number of terminations after trial increased again in 1976. This year 8,833 cases were terminated after trial compared to 8,722 in 1975, an increase of 1.3%.

TABLE 24
Civil Cases Terminated By Action Taken, 1969-1976
(Land Condemnation Cases Omitted)

Fiscal Year	Total	Percent no court action	Percent with court action	Percent of total reaching trial
1969.....	72,461	39.4	60.6	10.8
1970.....	79,466	39.0	60.9	10.0
1971.....	85,638	39.5	60.5	9.3
1972.....	94,256	39.7	60.3	9.0
1973.....	97,402	40.8	59.2	8.4
1974.....	96,791	37.1	62.9	8.7
1975.....	103,787	37.8	62.2	8.4
1976.....	108,298	38.5	61.5	8.2

Terminations by nature of suit

Table C4 in the appendix shows civil case terminations by nature of suit and method of disposition. The proportion of civil cases reaching trial in 1976

was 8.2%. Among the major Federal jurisdiction nature of suit classifications the percentage reaching trial ranged from 0.2% for suits involving the Social Security laws to 20.2% for personal injury cases other than marine or motor vehicle personal injury.

Among the Federal jurisdiction civil terminations, tort actions as a general class reached trial 13% of the time. These cases represented 21.6% of all civil terminations in 1976 but accounted for 34.4% of all civil cases reaching trial.

Median time to dispose of civil cases remains at 9 months

The median time from filing to disposition for all civil cases was nine months in 1976. This is the same figure that was recorded in the previous two years. Table C5 in the appendix shows the median times by district for fiscal year 1976. Also shown in this table are median times by type of disposition.

A review of table C5 shows that two district courts managed to record a low median time of only 4 months from filing to disposition of all civil cases. These two districts were Florida, Southern and Alabama, Middle. However, more than 50% of the cases in Florida, Southern were terminated with no court action.

Four other districts managed a median time of five months. These four were: Florida, Northern; Canal Zone; Tennessee, Eastern; and Oklahoma, Northern.

This year only three district courts recorded median times of more than 15 months. Massachusetts again led all districts with a median figure of 23 months from filing to disposition for all civil cases. The district of Guam recorded a median of 19 months and New York, Western was third with a time of 16 months.

Tables C5a and C5b in the appendix show by nature of suit and method of disposition the median time interval from filing to disposition of civil cases terminated during fiscal year 1976. Exclusive of local jurisdiction cases the longest median time was for U.S. antitrust cases. The 55 such cases terminated during 1976 had a median time to disposition of 15 months. This compares to a median of 22 months for this same class of cases last year. Private antitrust actions, with a median of 14 months from filing to disposition, showed the second longest median time interval.

The median times for prisoner cases continue to range from one to three months. Parole Board reviews and state prisoner civil rights petitions each showed the longest medians among these cases in 1976.

Land condemnation cases again showed a substantial reduction in the median time from filing to disposition in 1976. Last year these cases recorded a median of 13 months compared to only six months this year. This reduction is partially a result of new procedures for filing these cases. In previous years a condemnation case was much larger. Thus, the time required for disposition of all tracts, with many owners and several types of land involved, was longer. Under the old procedures nearly all tracts and owners might have completed action within the first three months of the case, but the final disposition of the case would have been extended until action had been completed on all tracts and owners within the case. However, under the new procedures there are fewer owners and fewer tracts in a single case. This allows for a faster disposition of cases since the court does not have to wait for as many parties to complete action.

Prisoner petitions rise only 2.6%

The accompanying table shows the number of petitions filed by state and Federal prisoners from 1966 through 1976. These petitions rose from 19,307 in 1975 to 19,809 during the current year, an increase of only 2.6%. This compares with increases of 4.9% and 7% in the previous two years.

Federal prisoners filed 4,780 petitions in 1976 compared to 5,047 in the previous year, a drop of 5.3%. This is the first year since 1971 that such petitions have declined. This overall decline was a combination of reduction in U.S. Parole Board reviews (-18.7%) and habeas corpus petitions (-15.5%) without comparable rises in motions to vacate sentence, civil rights and mandamus and other petitions.

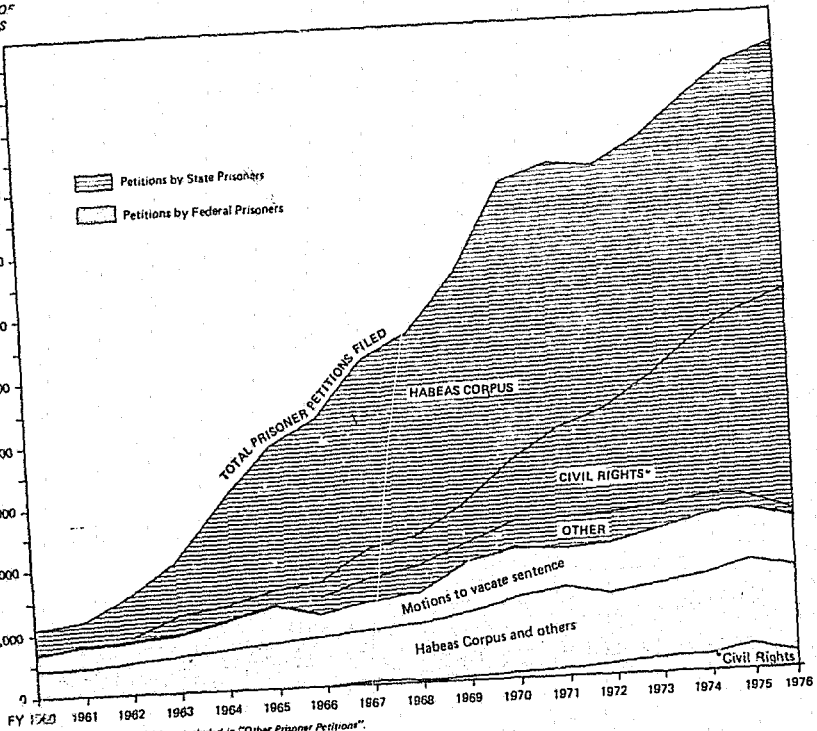
One factor which may have contributed to the decline in Federal petitions is the procedure instituted by the Bureau of Prisons to administratively deal with prisoner complaints. This procedure is an attempt to handle complaints within the prison system without the need to seek Federal court action. The statistics from the most recent two years appear to give some indication that these procedures are in fact reducing the rate at which Federal petitions are filed.

While petitions by Federal prisoners declined slightly, those filed by state prisoners continued to rise. In fiscal year 1976, 15,023 such petitions were filed compared to 14,260 in the previous year, an increase of 5.4%. This overall increase was due entirely to the filing of one type of petition - civil rights. These petitions have been increasing at an unparalleled rate since 1966 when only 218 civil rights petitions were filed. This year 6,958 such petitions were filed in Federal district courts. State habeas corpus

UNITED STATES DISTRICT COURTS

PETITIONS FILED BY STATE AND FEDERAL PRISONERS

FISCAL YEARS 1960-1976

NUMBER OF
PETITIONS

Civil Rights prior to 1968 are included in "Other Prisoner Petitions".

TABLE 25
PRISONER PETITIONS FILED IN THE U.S. DISTRICT COURTS
FISCAL YEARS 1966 TO 1976

Type of petition	Fiscal years											Percent change	
	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1976 over 1966	1976 over 1975
Total all petitions.....	8,540	10,443	11,152	12,924	15,997	16,266	16,267	17,218	18,410	19,307	19,809	132.0	2.6
Petitions by Federal prisoners.	2,292	2,639	2,851	3,612	4,185	4,121	4,179	4,535	4,987	5,047	4,780	108.6	-5.3
U.S. Parole Board reviews.....	64	104	131	150	232	202	268	466	371	662	538	740.6	-18.7
Motions to vacate sentence.....	863	958	1,099	1,444	1,729	1,335	1,591	1,722	1,822	1,690	1,693	96.2	0.2
Habeas corpus.....	1,017	1,045	1,045	1,373	1,600	1,671	1,368	1,294	1,718	1,682	1,421	39.7	-15.5
Other prisoner petitions.....	348	532	576	645	624	913	952	1,053	1,076	1,013	1,128	224.1	11.4
Mandamus, etc.....	333	474	516	564	488	699	700	639	631	535	626	88.0	17.0
Civil rights.....	15	58	60	81	136	214	252	414	445	478	502	(1)	5.0
Petitions by state prisoners...	6,248	7,804	8,301	9,312	11,812	12,145	12,088	12,683	13,423	14,260	15,029	140.5	5.4
Habeas corpus.....	5,339	6,201	6,488	7,359	9,063	8,372	7,949	7,784	7,626	7,843	7,833	46.7	-0.1
Other prisoner petitions.....	909	1,603	1,813	1,953	2,749	3,773	4,139	4,899	5,797	6,417	7,196	691.6	12.1
Mandamus, etc.....	691	725	741	684	719	858	791	725	561	289	238	-65.6	-17.6
Civil rights.....	218	878	1,072	1,269	2,030	2,915	3,348	4,174	5,236	6,128	6,958	3,091.7	13.5

¹ Percent not computed where there are less than 25 cases.

petitions as well as mandamus and other petitions declined this year by 0.1% and 17.6%, respectively.

Petitions filed by State and Federal prisoners represent a significant portion of the workload of the U.S. district courts. In recent years these cases have accounted for as much as 18% of all civil filings. However, with other types of civil litigation showing substantial increases in the last two years, prisoner cases now represent 15.2% of all civil filings. While this is a smaller percentage than in past years it still represents a substantial portion of the workload.

TABLE 26
Civil Cases Filed In The U.S. District Courts
Showing Prisoner Petitions,
Fiscal Years 1960 To 1976

Fiscal year	All civil filings		United States civil		Private civil	
	Total	Prisoner petitions only	Total	Prisoner petitions only	Total	Prisoner petitions only
1960.....	59,284	2,177	20,840	1,505	38,444	872
1961.....	58,293	2,609	19,843	1,559	38,450	1,020
1962.....	61,836	2,948	20,298	1,496	41,538	1,452
1963.....	63,630	4,254	21,385	1,650	42,245	2,624
1964.....	66,930	6,240	22,268	2,098	44,662	4,142
1965.....	67,678	7,888	21,651	2,559	46,027	5,329
1966.....	70,906	8,540	23,181	2,292	47,725	6,248
1967.....	70,961	10,443	21,593	2,639	49,368	7,804
1968.....	71,449	11,152	19,666	2,851	51,783	8,301
1969.....	77,193	12,924	22,295	3,612	54,898	9,312
1970.....	87,321	15,997	24,965	4,155	62,356	11,812
1971.....	93,396	16,266	25,086	4,121	68,310	12,145
1972.....	96,173	16,267	26,729	4,179	69,444	12,088
1973.....	98,560	17,218	27,484	4,535	71,076	12,685
1974.....	103,530	18,410	27,585	4,987	75,945	15,423
1975.....	117,320	19,307	31,779	5,047	85,541	14,260
1976.....	130,597	19,809	39,864	4,780	90,733	15,029
<u>Percent</u>						
1976 over 1960....	120.3	809.9	91.3	266.3	136.0	1,623.5
1976 over 1975....	11.5	2.6	25.4	-5.3	6.1	5.4

Antitrust cases increase 7.3%

Except in 1962 when there were 2,079 antitrust cases commenced in the district courts, and 1,739 of these were suits rising out of the electrical equipment industry, there were more antitrust filings in 1976 than in the

past 16 years. The 1,574 represented 7.3% more cases than a year ago with all of the increase in the private sector.

Civil antitrust cases filed where the Federal government was a party dropped to 51 compared to 56 a year ago. Criminal antitrust filings declined to 19, substantially below the 36 recorded last year, but still above the 4 filings reported in 1970.

For a district to district comparison the reader is invited to study Appendix Table C3 for antitrust cases filed during the last 12 month period. Appendix Table C3a provides the same information by district for those antitrust cases pending on June 30, 1976. It is to be noted that there were 109 government antitrust cases pending on June 30th compared to 2,778 private antitrust cases. Six districts with over 100 pending private antitrust cases accounted for 37.7% of the 2,778. These were: California, Northern with 268; New York, Southern with 203; Illinois, Northern with 190; Minnesota with 140; California, Southern with 126 and Pennsylvania, Eastern with 120.

TABLE 27
Antitrust Cases Commenced, Fiscal Years 1960-1976

Fiscal year	Total	Government cases		Private cases	
		Civil	Criminal	Electrical equipment industry	Other
1960	315	60	27	-	228
1961	441	42 ¹	21	37	341
1962	2,079	41 ¹	33	1,739	266
1963	457	52 ¹	25	97	283
1964	446	59	24	46	317
1965	521	38	11	29 ²	443
1966	770	36	12	278 ³	444
1967	598	39	16	7 ³	536
1968	718	48	11	-	659
1969	797	43	14	-	740
1970	933	52	4	-	877
1971	1,515	60	10	-	1,445 ⁴
1972	1,393	80	14	-	1,299 ⁵
1973	1,224	54	18	-	1,152 ⁶
1974	1,294	40	24	-	1,230 ⁷
1975	1,467	56	36	-	1,375 ⁸
1976	1,574	51	19	-	1,504 ⁹

¹ Includes 9 U.S. electrical industry cases filed in 1961, 2 in 1962, and 3 in 1963.

² Includes 26 cases transferred under 28 U.S.C. 1404(a).

³ All cases were transfers under 28 U.S.C. 1404 (a).

⁴ Includes 402 antitrust cases transferred under 28 U.S.C. 1407.

⁵ Includes 96 antitrust cases transferred under 28 U.S.C. 1407.

⁶ Includes 63 antitrust cases transferred under 28 U.S.C. 1407.

⁷ Includes 68 antitrust cases transferred under 28 U.S.C. 1407.

⁸ Includes 41 antitrust cases transferred under 28 U.S.C. 1407.

⁹ Includes 88 antitrust cases transferred under 28 U.S.C. 1407.

Interstate Commerce Commission regulation cases show increase

In the last 12 months filings of I.C.C. cases reached 4,113 compared to 3,769 in 1975 and 3,683 in 1974. Significantly, the growth of these filings appears to have stabilized in the District of Massachusetts where 3 out of 4 such cases have been routinely filed. Thus, in 1976, Massachusetts experienced 3,155 filings compared to 3,122 in 1975 and 3,116 in 1974. Filings in the other 93 district courts numbered 958 in 1976 compared to 647 in 1975 and 567 in 1974.

The accompanying table illustrates how a district can be engulfed with a specialized caseload, thereby affecting the operation of the court in the civil area. The District of Massachusetts with 66% of its pending caseload as I.C.C. cases has the highest pending civil caseload per authorized judgeship among the 94 district courts. For the 93 district courts the civil pending caseload per judgeship was 326 on June 30, 1976. For the District of Massachusetts the figure was 2,027. Exclusive of the I.C.C. pending cases, the average pending caseload for civil cases was 693 and for the other 93 courts (minus I.C.C. cases) the pending caseload per judgeship was 324. The pending caseload per judgeship for the District of Massachusetts, excluding I.C.C. cases was 114% greater than the national average for 93 courts.

TABLE 28
Case Flow Of I.C.C. Cases In United States District Courts

Type	1975			1976		
	Total	I.C.C. only		Total	I.C.C. only	
		Number	Percent of total		Number	Percent of total
94 district courts						
Filed.....	117,320	3,769	3.2	130,597	4,113	3.1
Terminated.....	104,783	2,793	2.7	110,175	2,631	2.4
Pending on June 30.	119,767	7,261	6.1	140,189	8,743	6.2
93 district courts						
Filed.....	112,275	647	0.6	125,319	958	0.8
Terminated.....	101,215	677	0.7	106,637	803	0.8
Pending on June 30.	109,345	584	0.5	128,027	739	0.6
Massachusetts only						
Filed.....	5,045	3,122	61.9	5,278	3,155	59.8
Terminated.....	3,568	2,116	59.3	3,538	1,823	51.7
Pending on June 30.	10,422	6,677	64.1	12,162	8,004	65.8

Land condemnation cases

As has been noted in this report as well as in last year's Annual Report of the Director, the adoption by several districts of the March 1975 Judicial Conference guidelines for recording on the civil docket the taking of land by the Federal government tended to increase the volume of such cases. Now, instead of a declaration of a taking being reported as a case, the guidelines set forth that the filings equivalent is to be an economic unit, that is, according to ownership. Thus, if there were 100 tracts of land in a parcel to be condemned and there were 20 owners, 20 cases will now be reported, instead of one case prior to the March 1975 guidelines.

TABLE 29
United States Plaintiff Land Condemnation Cases
Filed, Terminated, And Pending On June 30,
Fiscal Years 1962 Through 1976

Fiscal year	Land condemnation cases			Increase or decrease in pending cases
	Filed	Terminated	Pending June 30	
1962.....	963	632	3,016	-
1963.....	1,052	1,235	2,833	-183
1964.....	960	1,271	2,522	-311
1965.....	847	962	2,407	-115
1966.....	779	893	2,293	-114
1967.....	698	830	2,161	-132
1968.....	796	319	2,138	- 32
1969.....	904	789	2,253	+115
1970.....	721	893	2,081	-172
1971.....	787	810	2,058	- 23
1972.....	518	819	1,757	-301
1973.....	752	760	1,749	- 8
1974.....	833	838	1,744	- 5
1975.....	1,280	929	2,095	+351
1976.....	2,958	1,175	3,278	+1,183
Percent Change 1976 over 1975.....	131.1	91.1	56.5	

The effect has been to increase substantially the volume of cases filed under the supervision of the Division of Land and Natural Resources, Land Acquisition Section of the Department of Justice. Thus, in the year ended June 30, 1976, there were 2,958 cases filed, 131% more than a year ago. At year end there were 56.5% more land condemnation cases pending than 12 months earlier.

Though the volume of land condemnation cases has little overall effect, for individual districts such as Florida, Southern and California, Southern the civil caseload is substantially changed. This is illustrated as follows:

TABLE 30
Case Flow Of Government Land Condemnation Cases

Type	Number	Land condemnation only	Percent of total
94 district courts			
Filed.....	130,597	2,978	2.3
Pending on June 30..	140,189	3,299	2.4
92 district courts			
Filed.....	125,139	1,084	0.9
Pending on June 30..	136,778	2,171	1.6
Florida, Southern			
Filed.....	3,909	1,051	26.9
Pending June 30.....	1,873	313	16.7
California, Southern			
Filed.....	1,549	843	54.4
Pending June 30.....	1,538	815	53.0

Product liability suits up 28%

Beginning in 1974 suits alleging product liability and seeking private remedy for injury were separately classified. The volume of these cases filed has risen from 1,579 in 1974 to 2,886 in 1975 and the high of 3,696 filings in 1976.

About 82% of the product liability suits involved personal injury with the bulk of them alleging injury due to malfunction of household appliances, tools and assorted manufactured products. The 18% remaining were contract actions involving breach of warranties, personal property damage and real property damage.

All but two districts, Canal Zone and Guam, recorded one or more product liability cases filed. Eastern Pennsylvania continued to lead with 264 such filings with Kansas, which recorded only 53 product liability cases in 1975, reporting 228 in 1976.

Circuit and District	Fiscal year 1975	Fiscal Year 1976							
		Total	Contract Actions	Tota to Land	Property Damage	Personal Injury			
						Airline	Marine	Motor Vehicle	Other
Total.....	2,006	1,696	161	46	271	160	140	109	2,331
District of Columbia.....	16	30	1	-	-	4	-	7	18
First Circuit.....	160	231	20	1	4	0	20	27	151
Maine.....	5	9	1	-	1	-	-	-	7
Massachusetts.....	86	109	9	-	1	4	-	11	84
New Hampshire.....	50	92	5	1	-	-	-	6	43
Rhode Island.....	9	22	1	-	-	2	1	6	12
Puerto Rico.....	10	39	4	-	2	2	19	4	8
Second Circuit.....	145	197	22	1	20	0	65	16	125
Connecticut.....	10	34	2	-	1	-	-	-	31
New York.....	14	11	1	-	1	-	-	1	8
Northern.....	45	105	3	1	5	3	50	5	29
Eastern.....	30	72	13	-	11	5	6	4	33
Southern.....	13	19	13	-	-	-	-	3	14
Western.....	17	16	1	-	2	-	-	3	10
Vermont.....	172	466	27	4	30	13	17	51	324
Third Circuit.....	172	466	27	4	30	13	17	51	324
Delaware.....	5	5	-	-	-	-	1	1	1
New Jersey.....	67	76	2	-	5	2	1	12	54
Pennsylvania.....	193	264	19	3	18	3	15	26	180
Eastern.....	32	35	2	1	4	-	-	5	23
Middle.....	70	51	3	-	2	-	-	4	42
Western.....	5	35	1	-	1	8	-	3	22
Virgin Islands.....	5	35	1	-	1	8	-	3	22
Fourth Circuit.....	210	310	43	8	34	3	3	52	167
Maryland.....	20	34	9	1	3	-	2	9	14
North Carolina.....	3	11	2	1	-	-	-	5	3
Eastern.....	3	10	2	-	1	-	-	7	1
Middle.....	6	13	3	1	-	1	-	1	7
Western.....	89	116	16	4	10	-	-	18	62
South Carolina.....	51	49	7	-	8	1	1	5	27
Virginia.....	14	29	-	1	4	-	-	5	19
Eastern.....	5	12	2	-	-	-	-	3	7
Northern.....	19	36	2	-	2	1	-	10	21
Southern.....	580	736	71	10	50	43	21	96	448
Fifth Circuit.....	580	736	71	10	50	43	21	96	448
Alabama.....	42	71	6	-	4	-	4	6	51
Northern.....	17	17	1	1	2	2	-	1	10
Middle.....	9	8	6	-	1	-	-	-	1
Southern.....	4	5	1	-	-	-	-	-	4
Florida.....	23	21	1	-	-	2	-	2	12
Northern.....	32	59	7	-	5	5	5	9	31
Middle.....	34	30	3	2	5	1	-	7	20
Southern.....	14	11	1	-	1	-	-	3	9
Louisiana.....	22	16	1	-	2	-	-	1	12
Eastern.....	44	85	12	-	8	5	7	0	45
Middle.....	14	6	-	-	1	-	-	-	5
Western.....	33	43	3	-	4	2	2	13	19
Mississippi.....	20	24	3	1	2	1	-	5	12
Northern.....	38	46	6	-	4	5	-	4	27
Southern.....	87	105	7	4	6	10	1	16	61
Texas.....	45	166	4	1	5	1	-	9	86
Northern.....	50	35	9	-	1	3	2	6	20
Eastern.....	20	2	2	1	52	0	-	23	6
Southern.....	-	-	-	-	-	-	-	-	-
Canal Zone.....	-	-	-	-	-	-	-	-	-

TABLE 31
PRODUCT LIABILITY CASES COMMENCED BY NATURE OF SUIT
FISCAL YEAR 1976
(continued)

Circuit and District	Fiscal Year 1976	Fiscal Year 1976							
		Total	Contract Actions	Torts to Land	Property Damage	Personal Injury			
						Aviation	Marine	Motor Vehicle	Other
Sixth Circuit.....	392	419	74	6	11	7	2	42	286
Kentucky.....									
Eastern.....	6	16	7	-	2	-	-	2	7
Western.....	31	22	2	-	-	-	1	1	8
Michigan.....									
Eastern.....	124	140	19	-	9	2	-	6	107
Western.....	41	34	5	1	2	2	-	1	22
Ohio.....									
Eastern.....	71	79	1	1	2	1	-	10	64
Southern.....	21	41	2	1	-	-	-	3	16
Tennessee.....									
Eastern.....	40	44	1	2	-	1	1	12	22
Middle.....	26	23	1	1	-	-	-	2	16
Western.....	18	12	-	-	2	-	-	1	10
Seventh Circuit.....	195	220	47	2	19	5	2	21	192
Illinois.....									
Northern.....	31	55	6	2	3	4	-	7	29
Eastern.....	10	19	1	-	-	-	-	2	16
Southern.....	19	14	-	-	-	-	-	5	11
Indiana.....									
Northern.....	27	29	2	-	3	-	-	2	22
Southern.....	57	63	6	1	7	1	-	3	47
Wisconsin.....									
Eastern.....	22	22	4	-	-	-	-	2	16
Western.....	12	17	1	2	-	-	2	-	11
Eighth Circuit.....	271	302	62	7	22	9	1	26	194
Arkansas.....									
Eastern.....	32	35	5	2	4	1	1	1	21
Western.....	31	24	2	1	1	-	-	2	18
Iowa.....									
Northern.....	15	16	1	1	2	-	-	-	12
Southern.....	12	10	1	1	-	-	-	2	12
Minnesota.....	51	57	13	-	5	6	-	4	49
Missouri.....									
Eastern.....	29	54	4	1	4	1	-	5	38
Western.....	23	32	2	1	7	-	-	7	19
Nebraska.....	24	37	10	2	4	1	-	4	16
North Dakota.....	9	10	-	-	4	-	-	-	2
South Dakota.....	9	11	1	-	4	-	-	1	6
Ninth Circuit.....	397	514	29	2	10	11	5	29	147
Alaska.....	7	15	3	-	4	-	-	1	4
Arizona.....	15	14	4	-	1	-	-	2	6
California.....									
Northern.....	29	43	1	1	6	14	1	1	19
Eastern.....	5	27	1	1	3	0	-	-	16
Central.....	106	77	3	-	11	41	4	4	14
Southern.....	6	6	-	-	-	1	1	-	4
Hawaii.....	12	8	1	-	-	4	1	-	2
Idaho.....	8	11	4	-	-	3	-	-	4
Montana.....	15	44	2	-	1	-	-	6	15
Nevada.....	10	22	-	-	1	2	2	4	15
Nevada.....	40	51	3	-	7	-	2	7	34
Washington.....									
Eastern.....	4	12	1	-	1	2	-	2	6
Western.....	25	20	2	-	2	1	-	2	8
Oregon.....	1	-	-	-	-	-	-	-	-
Tenth Circuit.....	161	197	23	5	22	2	-	18	121
Colorado.....	29	70	1	-	2	2	-	1	26
Kansas.....	51	248	3	1	6	-	-	2	216
New Mexico.....	24	10	-	-	1	-	-	3	14
Oklahoma.....									
Northern.....	15	21	4	-	3	-	-	1	13
Eastern.....	2	10	1	-	1	-	-	1	7
Western.....	45	62	10	2	5	-	-	8	37
Utah.....	8	12	4	2	1	-	-	-	3
Wyoming.....	7	0	-	-	1	-	-	2	4

Environmental matters, Economic Stabilization Act and energy allocation litigation

Filings on the civil docket have dropped markedly for actions under the Economic Stabilization Act. There has also been a decrease in proceedings filed under the Energy Allocation Act. For environmental matters, 1976 was a high year with 84.8% more cases than 1973, when these cases were first classified under the National Environmental Policy Act. Other environmental allegations pertaining to air, water, solid waste, pesticides, radiation, and noise pollution are also classified under environmental matters. All but nine of the 94 districts had environmental matters filed during the year ended June 30, 1976. As in previous years the District of Columbia recorded the largest number of such filings, 38 compared to 33 in 1975. Other districts with 15 or more such filings were: California, Northern and Pennsylvania, Eastern with 23 each; Massachusetts with 20; Florida, Southern with 18; Louisiana, Western with 17; Puerto Rico with 16 and New York, Southern with 15. These seven districts accounted for 132 or 26.5% of the 499 environmental matters filed in 1976.

The accompanying table shows the number of these complex cases filed in both 1975 and 1976. It is to be noted that three districts had 13 such filings, five more had 12 environmental cases filed and one had 11. When these nine districts are combined with the eight districts which had 15 or more filings the 17 districts accounted for 56% of all such cases filed in the 12-month period.

Truth in Lending case filings decline

The accompanying table shows by district for the years 1972 through 1976 the volume of cases alleging violations of the Truth in Lending Act which are classified in the appendix tables under Federal question jurisdiction as a personal property (fraud) litigation.

The 2,147 cases filed under the statute in 1976 represented a 4% drop compared to 2,237 filings in 1975. Contributing to this decline were 199 fewer filings in the Northern District of Georgia which since 1972 had led the country in new Truth in Lending filings. This district, with 507 filings in 1976, plus Eastern Louisiana with 218 and Connecticut with 141 accounted for 4 out of 10 such filings in the United States during the 12 month period.

TABLE 32
ENVIRONMENTAL, ECONOMIC STABILIZATION & ENERGY ALLOCATION ACT CASES FILED, FY 1975-76

Circuit and District	Environmental Matters		Economic Stabilization Act		Energy Allocation	
	1975	1976	1975	1976	1975	1976
Total.....	406	499	60	30	108	85
District of Columbia.....	33	38	7	-	13	3
First Circuit.....	27	40	1	4	4	1
Maine.....	6	1	-	-	-	-
Massachusetts.....	12	20	1	4	2	1
New Hampshire.....	3	2	-	-	2	-
Rhode Island.....	3	1	-	-	-	-
Puerto Rico.....	3	16	-	-	-	-
Second Circuit.....	29	39	6	1	6	4
Connecticut.....	5	5	1	-	2	-
New York:						
Northern.....	1	4	1	-	2	-
Eastern.....	10	13	1	-	1	-
Southern.....	12	15	3	1	1	4
Western.....	-	1	-	-	-	-
Vermont.....	1	1	-	-	-	-
Third Circuit.....	19	41	8	4	12	8
Delaware.....	-	-	1	-	2	1
New Jersey.....	11	12	4	1	5	2
Pennsylvania:						
Eastern.....	4	23	-	1	4	4
Middle.....	1	3	-	-	-	-
Western.....	3	2	3	2	1	1
Virgin Islands.....	-	1	-	-	-	-
Fourth Circuit.....	54	47	2	2	3	5
Maryland.....	4	5	1	1	2	2
North Carolina:						
Eastern.....	13	13	-	-	-	-
Middle.....	6	3	-	-	-	-
Western.....	4	1	-	-	-	-
South Carolina.....	10	13	1	-	1	1
Virginia:						
Eastern.....	10	9	-	1	-	1
Western.....	2	1	-	-	-	-
West Virginia:						
Northern.....	2	-	-	-	-	1
Southern.....	3	2	-	-	-	-
Fifth Circuit.....	81	103	3	5	17	15
Alabama:						
Northern.....	5	6	-	-	2	-
Middle.....	-	3	-	-	-	-
Southern.....	1	3	-	-	-	-
Florida:						
Northern.....	6	6	-	-	-	-
Middle.....	6	12	1	1	1	-
Southern.....	13	18	2	-	2	-
Georgia:						
Northern.....	4	8	-	-	2	1
Middle.....	1	-	-	-	-	-
Southern.....	3	2	-	-	-	-
Louisiana:						
Eastern.....	7	8	-	1	1	-
Middle.....	-	2	-	-	-	-
Western.....	8	17	-	-	1	-
Mississippi:						
Northern.....	-	1	-	-	-	-
Southern.....	4	1	-	1	1	-
Texas:						
Northern.....	1	1	-	1	3	6
Eastern.....	1	2	-	-	-	-
Southern.....	17	12	-	1	2	6
Western.....	4	1	-	-	2	2
Canal Zone.....	-	-	-	-	-	-

TABLE 32
ENVIRONMENTAL, ECONOMIC STABILIZATION & ENERGY ALLOCATION ACT CASES FILED, FY 1975-76
(CONTINUED)

Circuit and District	Environmental Matters		Economic Stabilization Act		Energy Allocation	
	1975	1976	1975	1976	1975	1976
Sixth Circuit.....	29	39	6	5	11	21
Kentucky:						
Eastern.....	1	1	-	-	-	-
Western.....	2	6	-	-	2	4
Michigan:						
Eastern.....	9	4	2	1	1	6
Western.....	4	5	-	1	1	8
Ohio:						
Northern.....	9	8	1	1	5	2
Southern.....	1	1	2	1	1	1
Tennessee:						
Eastern.....	-	5	-	-	1	-
Middle.....	3	5	1	-	-	-
Western.....	-	4	-	1	-	-
Seventh Circuit.....	28	24	3	3	6	-
Illinois:						
Northern.....	12	12	1	1	2	-
Eastern.....	-	2	-	-	-	-
Southern.....	-	5	-	-	-	-
Indiana:						
Northern.....	7	3	-	2	1	-
Southern.....	2	-	-	-	1	-
Wisconsin:						
Eastern.....	6	1	2	-	1	-
Western.....	1	1	-	-	-	-
Eighth Circuit.....	28	29	4	1	4	2
Arkansas:						
Eastern.....	1	1	-	-	1	1
Western.....	1	-	-	-	-	-
Iowa:						
Northern.....	4	2	-	-	-	-
Southern.....	1	-	-	-	-	-
Minnesota:						
Eastern.....	3	8	4	1	1	1
Missouri:						
Eastern.....	4	2	-	-	-	-
Western.....	5	5	-	-	1	-
Nebraska.....	4	4	-	-	-	-
North Dakota.....	2	2	-	-	1	-
South Dakota.....	3	5	-	-	-	-
Ninth Circuit.....	59	75	18	3	23	6
Alaska.....	3	2	1	-	1	-
Arizona.....	3	2	1	-	3	1
California:						
Northern.....	14	23	4	-	1	-
Eastern.....	4	5	-	-	-	-
Central.....	6	12	8	-	12	4
Southern.....	1	-	-	-	-	-
Hawaii.....	3	5	1	-	-	-
Idaho.....	3	6	-	-	2	-
Montana.....	6	5	-	-	-	-
Nevada.....	2	4	1	-	-	-
Oregon.....	8	4	-	-	3	1
Washington:						
Eastern.....	3	1	-	-	1	-
Western.....	3	4	2	3	-	-
Guam.....	-	2	-	-	-	-
Tenth Circuit.....	19	24	2	2	10	10
Colorado.....	7	11	2	-	-	-
Kansas.....	7	4	-	-	1	1
New Mexico.....	-	2	-	-	1	-
Oklahoma:						
Northern.....	1	1	-	1	2	5
Eastern.....	-	1	-	-	-	1
Western.....	-	2	-	-	1	-
Utah.....	2	3	-	-	3	2
Wyoming.....	2	-	-	1	2	1

TABLE 33
TRUTH IN LENDING ACT CASES FILED BY DISTRICT
FISCAL YEARS 1972-1976

District	Fiscal Years				
	1972	1973	1974	1975	1976
Total	415	743	1,682	2,237	2,147
District of Columbia.....	9	10	8	19	25
First Circuit.....	5	8	9	35	47
Maine.....	-	-	2	2	1
Massachusetts.....	3	5	5	2	3
New Hampshire.....	1	1	1	6	1
Rhode Island.....	1	2	1	24	42
Puerto Rico.....	-	-	-	1	-
Second Circuit.....	20	47	88	172	178
Connecticut.....	7	26	67	151	141
New York:					
Northern.....	2	3	1	2	8
Eastern.....	1	4	6	8	8
Southern.....	8	10	11	10	18
Western.....	1	-	2	-	2
Vermont.....	1	4	1	1	1
Third Circuit.....	17	17	36	107	109
Delaware.....	-	-	-	6	4
New Jersey.....	6	4	3	10	14
Pennsylvania:					
Eastern.....	4	3	14	22	30
Middle.....	3	1	2	7	6
Western.....	4	9	17	62	55
Virgin Islands.....	-	-	-	-	-
Fourth Circuit.....	24	41	83	94	178
Maryland.....	5	11	8	15	13
North Carolina:					
Eastern.....	1	2	2	2	3
Middle.....	-	-	2	1	37
Western.....	2	1	11	4	9
South Carolina.....	1	4	3	8	15
Virginia:					
Eastern.....	5	10	21	24	15
Western.....	2	1	20	24	15
West Virginia:					
Northern.....	3	-	1	1	3
Southern.....	5	12	15	15	8
Fifth Circuit.....	162	402	1,076	1,249	1,057
Alabama:					
Northern.....	10	7	15	24	33
Middle.....	2	6	3	4	8
Southern.....	3	-	1	5	5
Florida:					
Northern.....	2	-	3	5	2
Middle.....	6	11	21	23	28
Southern.....	4	4	7	24	23
Georgia:					
Northern.....	59	237	749	706	507
Middle.....	2	5	17	40	30
Southern.....	6	29	39	85	71
Louisiana:					
Eastern.....	18	47	105	190	218
Middle.....	-	-	2	5	3
Western.....	6	1	7	22	24
Mississippi:					
Northern.....	-	2	7	3	9
Southern.....	17	8	35	26	18
Texas:					
Northern.....	6	15	19	26	21
Eastern.....	1	3	6	10	6
Southern.....	5	11	22	35	22
Western.....	15	16	18	16	29
Canal Zone.....	-	-	-	-	-

TABLE 33
TRUTH IN LENDING ACT CASES FILED BY DISTRICT
FISCAL YEARS 1972-1978 (CONTINUED)

District	Fiscal Years				
	1972	1973	1974	1975	1976
Sixth Circuit.....	40	68	112	207	194
Kentucky:					
Eastern.....	-	1	3	2	2
Western.....	4	12	33	44	39
Michigan:					
Eastern.....	2	2	10	14	17
Western.....	2	2	2	1	6
Ohio:					
Northern.....	21	25	20	22	40
Southern.....	8	12	19	88	46
Tennessee:					
Eastern.....	-	3	12	12	10
Middle.....	3	4	13	14	23
Western.....	-	7	-	10	11
Seventh Circuit.....	27	26	65	99	115
Illinois:					
Northern.....	18	15	33	34	51
Eastern.....	1	2	3	1	2
Southern.....	-	2	3	5	6
Indiana:					
Northern.....	3	1	4	12	6
Southern.....	2	5	18	19	36
Wisconsin:					
Eastern.....	2	1	3	17	7
Western.....	1	-	1	11	7
Eighth Circuit.....	30	28	46	70	103
Arkansas:					
Eastern.....	2	5	17	17	12
Western.....	2	2	2	-	3
Iowa:					
Northern.....	4	1	2	2	1
Southern.....	6	3	1	6	4
Minnesota.....	6	5	7	7	13
Missouri:					
Eastern.....	3	4	4	10	15
Western.....	1	5	6	9	20
Nebraska.....	4	2	5	15	31
North Dakota.....	-	1	-	1	-
South Dakota.....	2	-	2	3	4
Ninth Circuit.....	59	66	106	141	154
Alaska.....	2	-	-	1	1
Arizona.....	12	10	12	15	17
California:					
Northern.....	12	20	43	28	23
Eastern.....	4	3	3	4	1
Central.....	11	13	14	16	16
Southern.....	1	2	7	7	6
Hawaii.....	-	-	1	26	37
Idaho.....	2	3	1	3	2
Montana.....	1	1	2	2	-
Nevada.....	3	3	-	8	3
Oregon.....	8	9	15	19	36
Washington:					
Eastern.....	-	-	3	3	8
Western.....	3	2	5	9	4
Guam.....	-	-	-	-	-
Tenth Circuit.....	22	30	53	44	47
Colorado.....	9	5	14	9	2
Kansas.....	6	1	2	3	5
New Mexico.....	7	14	19	14	15
Oklahoma:					
Northern.....	-	4	-	4	15
Eastern.....	-	-	1	1	-
Western.....	-	3	11	6	7
Utah.....	-	2	3	5	3
Wyoming.....	-	1	3	2	-

TABLE 34
CIVIL RIGHTS ACT OF 1964 - EMPLOYMENT CASES FILED, BY DISTRICT
FISCAL YEARS 1970-76

District	Fiscal Years						
	1970	1971	1972	1973	1974	1975	1976
Total	344	757	1,015	1,787	2,472	3,931	5,321
District of Columbia.....	7	11	26	76	87	123	207
First Circuit.....	8	10	28	35	79	142	152
Maine.....	1	-	5	5	4	5	12
Massachusetts.....	3	9	11	19	43	87	88
New Hampshire.....	1	1	1	3	8	6	12
Rhode Island.....	-	-	7	3	4	8	6
Puerto Rico.....	3	-	4	5	20	36	33
Second Circuit.....	7	3	33	77	118	228	303
Connecticut.....	4	-	11	17	35	52	46
New York:							
Northern.....	1	1	3	7	10	10	9
Eastern.....	-	-	1	7	17	54	69
Southern.....	3	1	11	20	33	84	138
Western.....	1	1	7	23	20	21	36
Vermont.....	-	-	-	3	3	7	5
Third Circuit.....	17	17	33	73	106	211	359
Delaware.....	-	-	1	8	6	19	20
New Jersey.....	9	10	23	30	43	87	127
Pennsylvania:							
Eastern.....	3	1	4	15	22	48	136
Middle.....	-	-	1	6	6	7	11
Western.....	5	6	4	14	29	49	64
Virgin Islands.....	-	-	-	-	-	1	1
Fourth Circuit.....	25	38	82	140	184	296	430
Maryland.....	3	11	9	37	41	80	106
North Carolina:							
Eastern.....	3	2	5	2	4	13	31
Middle.....	1	2	4	8	19	31	50
Western.....	1	3	12	23	25	29	64
South Carolina.....	5	3	12	23	23	39	32
Virginia:							
Eastern.....	5	11	21	32	50	63	89
Western.....	5	3	14	7	12	22	26
West Virginia:							
Northern.....	1	3	1	2	1	4	17
Southern.....	1	0	4	6	9	15	15
Fifth Circuit.....	103	290	312	485	676	1,090	1,440
Alabama:							
Northern.....	13	53	31	57	70	89	87
Middle.....	2	3	12	20	20	14	13
Southern.....	2	8	10	19	22	22	24
Florida:							
Northern.....	-	2	1	8	6	12	21
Middle.....	4	5	13	24	31	46	57
Southern.....	4	20	20	20	23	50	72
Georgia:							
Northern.....	15	37	39	53	55	106	131
Middle.....	1	5	4	4	8	15	19
Southern.....	3	9	3	7	8	11	16
Louisiana:							
Eastern.....	14	51	37	51	54	70	109
Middle.....	-	-	5	8	5	17	24
Western.....	5	3	15	20	29	28	43
Mississippi:							
Northern.....	1	8	9	5	26	47	52
Southern.....	2	9	17	27	38	62	95
Texas:							
Northern.....	6	30	34	48	94	151	185
Eastern.....	5	12	15	21	29	64	81
Southern.....	18	26	34	71	103	219	294
Western.....	8	9	13	21	55	67	117
Canal Zone.....	-	-	-	-	-	-	-

TABLE 34
CIVIL RIGHTS ACT OF 1964-EMPLOYMENT CASES FILED, BY DISTRICT
FISCAL YEARS 1970-78 (CONTINUED)

District	Fiscal Years						
	1970	1971	1972	1973	1974	1975	1976
Sixth Circuit.....	58	158	152	288	402	529	663
Kentucky:							
Eastern.....	-	1	4	8	3	13	7
Western.....	1	2	7	16	6	18	14
Michigan:							
Eastern.....	7	9	22	28	85	158	227
Western.....	1	8	18	7	13	23	32
Ohio:							
Northern.....	7	22	56	119	141	151	176
Southern.....	16	12	13	39	59	79	102
Tennessee:							
Eastern.....	1	11	3	18	24	16	18
Middle.....	6	13	9	14	17	17	13
Western.....	19	80	20	39	54	54	74
Seventh Circuit.....	24	36	64	138	190	298	378
Illinois:							
Northern.....	6	17	28	80	107	171	204
Eastern.....	1	3	5	4	7	15	11
Southern.....	4	1	8	4	11	9	20
Indiana:							
Northern.....	3	5	10	8	17	23	33
Southern.....	6	9	3	26	21	40	60
Wisconsin:							
Eastern.....	3	1	8	13	20	36	29
Western.....	1	-	2	3	7	4	21
Eighth Circuit.....	19	53	73	134	178	291	358
Arkansas:							
Eastern.....	1	10	5	18	21	54	66
Western.....	-	3	2	6	3	9	10
Iowa:							
Northern.....	-	-	3	1	1	7	10
Southern.....	-	4	2	3	3	7	14
Minnesota.....	3	4	7	16	15	24	33
Missouri:							
Eastern.....	6	12	21	45	71	106	114
Western.....	9	17	28	31	41	66	79
Nebraska.....	-	3	13	13	15	13	23
North Dakota.....	-	-	-	-	5	3	6
South Dakota.....	-	-	1	1	3	2	3
Ninth Circuit.....	54	87	158	235	306	502	671
Alaska.....	2	-	1	1	-	4	7
Arizona.....	4	7	3	15	23	78	62
California:							
Northern.....	11	45	76	98	125	165	243
Eastern.....	1	1	8	15	20	29	22
Central.....	20	21	40	56	74	86	135
Southern.....	-	1	5	5	6	17	27
Hawaii.....	-	-	-	1	6	12	20
Idaho.....	-	1	-	-	3	-	8
Montana.....	-	1	2	1	3	1	7
Nevada.....	-	3	3	3	8	13	20
Oregon.....	2	3	6	14	5	39	59
Washington:							
Eastern.....	1	2	-	5	6	6	8
Western.....	13	2	14	21	27	52	52
Guam.....	-	-	-	-	-	-	1
Tenth Circuit.....	20	54	54	106	146	221	360
Colorado.....	7	33	21	30	47	100	143
Kansas.....	4	4	7	36	17	35	55
New Mexico.....	3	15	12	21	42	33	48
Oklahoma:							
Northern.....	5	1	-	2	6	7	30
Eastern.....	-	-	-	-	2	4	5
Western.....	1	-	6	11	25	31	58
Utah.....	-	1	1	1	1	8	15
Wyoming.....	-	-	7	5	6	3	6

Employment civil rights litigation up 35.4%

The year-to-year increase of cases filed under the Civil Rights Act of 1964 and subsequently under provisions of the Equal Opportunity Act (March 24, 1972) have been staggering. Beginning in 1970, the first year such filings were separately classified, there were only 344 employment civil rights cases filed. Six years later the volume has risen to 5,321...1,447% greater than in 1970 and 35.4% greater than last year.

The Southern District of Texas recorded 294 civil rights employment filings in 1976. Four other districts had more than 200 such filings. These were: California, Northern, with 243, and Michigan, Eastern with 227; the District of Columbia with 207; and Illinois, Northern with 204.

The phenomenal increase in these cases in the district courts are shown in the accompanying table.

Appeals against decisions of Health, Education and Welfare up 77%

The denial of benefits under administrative regulations established by the Department of Health, Education and Welfare has brought about the filing of an increasing volume of litigation in the district courts. These cases are filed in the district courts when the plaintiff who after receiving an administrative hearing and review takes the matter to the district court for a review of the legal conclusions of the Secretary of H.E.W. and the determination of whether on the record of the administrative hearing there is substantial evidence to support any contested finding of fact. The district court does not conduct a *de novo* evidentiary hearing. As shown in the accompanying table filings were up 77.1% over 1975 and 771.6% over 1968.

All districts except the territories of Canal Zone and Virgin Islands had one or more social security cases filed last year. But the main factor increasing the volume of these filings has been the upsurge in denials of black lung disability benefits under provisions of the Federal Coal Mine and Safety Act of 1969. These appeals are scattered across the country, with most of them concentrated in the districts of the Third, Fourth and Sixth Circuits.

Filings of "Black Lung" disability cases up 76%

In 1976, 4,908 or 47.4% of the Social Security Cases were filings by miners or their dependents appealing to the district courts for a change in the findings of the administrative review. Thus, the number of these cases

Climate and Altitude	Fiscal Years										Percent Change	
	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1976 over 1975	1977 over 1975
	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1976 over 1975	1977 over 1975
Total.....	1,188	1,572	1,735	1,792	2,288	2,497	2,585	5,846	10,155	771.6	77.1	77.1
District of Columbia.....	20	62	85	54	115	42	36	125	108	440.0	-13.0	-
First Circuit.....	50	79	103	92	162	237	260	193	527	858.2	70.0	70.0
Maine.....	2	1	0	2	1	3	5	14	17	750.0	180.0	180.0
Massachusetts.....	16	9	13	17	21	32	47	39	70	143.0	73.0	73.0
New Hampshire.....	3	3	3	1	-	7	6	13	15	400.0	15.0	15.0
Rhode Island.....	2	-	3	2	5	1	5	6	19	850.0	216.7	216.7
Puerto Rico.....	32	66	93	74	133	234	293	221	476	1,168.0	83.7	83.7
Second Circuit.....	37	69	71	81	92	111	162	175	262	606.1	49.7	49.7
Connecticut.....	2	-	6	9	14	10	23	27	31	1,450.0	14.8	14.8
New York.....	4	6	9	5	11	20	13	12	11	200.0	75.0	75.0
Eastern.....	22	23	32	33	39	46	60	60	90	109.1	22.4	22.4
Southern.....	9	29	15	22	70	29	46	48	83	822.2	72.9	72.9
Western.....	-	1	7	0	11	9	13	9	27	-	200.0	200.0
Vermont.....	-	1	2	4	3	7	7	11	10	-	-	-9.1
Third Circuit.....	152	187	117	112	149	146	130	752	1,062	802.4	39.2	39.2
Delaware.....	2	1	2	7	6	4	13	13	11	450.0	-15.4	-15.4
New Jersey.....	17	21	15	19	39	32	52	51	77	352.9	51.0	51.0
Pennsylvania.....	20	16	31	30	16	39	58	102	225	1,625.0	120.6	120.6
Eastern.....	33	35	28	24	63	34	135	441	417	1,224.2	-0.9	-0.9
Middle.....	30	32	41	30	25	37	92	145	252	303.1	73.0	73.0
Virgin Islands.....	-	-	-	-	-	-	-	-	-	-	-	-
Fourth Circuit.....	274	391	301	342	344	445	643	1,335	2,220	892.7	103.7	103.7
Maryland.....	17	23	20	16	18	26	42	63	139	717.6	120.6	120.6
North Carolina.....	5	10	8	8	10	12	13	8	31	520.0	287.5	287.5
Eastern.....	20	20	14	14	7	21	21	34	45	125.0	32.4	32.4
Middle.....	10	16	9	9	9	12	27	19	28	180.0	47.4	47.4
South Carolina.....	83	136	114	127	122	198	210	140	266	220.5	90.0	90.0
Virginia.....	12	19	15	18	20	36	46	44	72	500.0	63.6	63.6
Western.....	44	57	64	54	56	54	124	198	984	2,080.9	141.6	141.6
West Virginia.....	5	6	8	8	7	7	16	69	99	1,880.0	43.5	43.5
Northern.....	78	104	129	88	87	78	142	554	1,076	1,279.5	92.5	92.5
Southern.....	224	290	317	349	468	489	561	610	1,211	440.6	90.5	90.5
Fifth Circuit.....	31	40	48	45	65	63	66	187	278	796.0	60.0	60.0
Alabama.....	8	9	10	10	12	14	12	10	16	100.0	40.0	40.0</

TABLE 35
SOCIAL SECURITY ACT CASES FILED IN THE U.S. DISTRICT COURTS
FISCAL YEARS 1968-1978 (continued)

Circuit and district	Fiscal Years									Percent Change	
	1966	1967	1970	1971	1972	1973	1974	1975	1976	1976 over 1968	1976 over 1975
Sixth Circuit.....	235	284	332	360	479	592	839	1,027	2,997	1,175.3	84.2
Kentucky:											
Eastern.....	72	121	93	120	175	151	301	845	1,723	2,293.1	103.9
Western.....	17	16	24	19	31	44	53	98	139	717.6	41.8
Michigan:											
Eastern.....	19	23	45	52	50	40	120	147	259	673.7	75.5
Western.....	5	9	14	21	50	37	48	70	86	1,500.0	21.4
Ohio:											
Northern.....	15	21	21	22	42	34	74	78	150	926.0	92.3
Southern.....	66	51	63	57	74	99	150	247	373	465.2	51.0
Tennessee:											
Eastern.....	29	24	36	36	29	52	33	93	181	524.1	94.6
Middle.....	3	4	24	21	19	28	31	34	66	2,103.0	94.1
Western.....	9	10	12	12	9	17	27	15	22	120.0	46.7
Seventh Circuit.....	34	39	46	53	70	70	164	285	354	941.2	24.2
Illinois:											
Northern.....	10	8	14	6	23	19	39	42	77	670.0	83.3
Eastern.....	5	4	4	7	4	4	27	33	59	1,080.0	-16.6
Southern.....	3	4	6	9	10	3	21	25	55	1,733.3	57.1
Indiana:											
Northern.....	5	2	5	3	8	9	20	22	34	580.0	54.5
Southern.....	7	14	9	16	16	14	40	67	94	1,242.9	38.2
Wisconsin:											
Eastern.....	4	6	8	7	10	5	13	23	25	525.0	8.7
Western.....	-	1	-	5	2	1	4	2	10	-	400.0
Eighth Circuit.....	47	52	67	91	100	144	143	199	347	638.3	74.4
Arkansas:											
Eastern.....	6	12	17	13	12	11	25	25	50	733.3	100.0
Western.....	14	6	13	17	15	18	17	66	80	471.4	42.9
Iowa:											
Northern.....	-	3	1	1	1	4	6	3	4	-	33.3
Southern.....	1	3	1	2	2	6	3	17	10	2,999.9	76.5
Minnesota:											
Eastern.....	4	9	16	13	24	22	23	24	46	1,050.0	91.7
Missouri:											
Eastern.....	9	5	6	13	13	17	25	33	58	555.6	75.8
Western.....	10	5	4	16	19	14	25	33	65	550.0	27.0
Nebraska:											
Eastern.....	2	6	6	7	10	8	9	4	11	450.0	175.0
North Dakota:											
Eastern.....	1	3	1	3	1	7	4	-	2	107.0	-
South Dakota:											
Eastern.....	-	-	2	6	3	3	6	4	1	-	-
Ninth Circuit.....	108	155	153	193	239	263	334	299	593	449.1	-75.0
Alaska:											
Eastern.....	1	-	1	1	-	1	-	-	1	-	-
Arizona:											
Eastern.....	10	20	21	23	24	31	44	33	66	560.0	100.0
California:											
Northern.....	19	30	24	29	42	42	62	41	104	447.4	153.7
Eastern.....	4	12	11	12	23	29	26	30	57	1,325.0	50.0
Central.....	29	39	23	43	46	68	86	70	159	448.3	103.6
Southern.....	8	4	10	10	15	6	8	8	19	125.0	125.0
Hawaii:											
Eastern.....	3	-	-	2	1	1	7	5	9	200.0	80.0
Idaho:											
Eastern.....	3	7	9	7	6	9	4	7	12	300.0	71.4
Montana:											
Eastern.....	6	8	9	5	6	10	8	7	17	200.0	114.3
Nevada:											
Eastern.....	1	1	4	2	3	3	5	3	17	900.0	233.3
Oregon:											
Eastern.....	13	14	19	20	28	30	35	43	78	500.0	81.4
Washington:											
Eastern.....	4	7	17	18	15	20	16	16	34	750.0	112.5
Western.....	8	7	4	12	18	13	33	20	28	250.0	40.0
Guam:											
Eastern.....	-	-	-	-	-	-	-	-	2	-	-
Tenth Circuit.....	52	53	67	65	76	88	107	146	234	350.0	60.3
Colorado:											
Eastern.....	3	4	4	6	4	12	15	34	51	1,600.0	50.0
Kansas:											
Eastern.....	19	14	18	14	16	21	27	18	34	70.0	80.9
New Mexico:											
Eastern.....	10	16	11	7	13	12	9	13	28	180.0	115.4
Oklahoma:											
Northern.....	4	3	0	13	10	6	14	12	14	250.0	16.7
Eastern.....	8	5	7	12	15	24	13	37	47	487.5	27.0
Utah:											
Eastern.....	7	0	10	10	14	8	17	16	28	300.0	75.0
Wyoming:											
Eastern.....	1	3	1	3	2	4	9	15	26	2,500.0	73.3
Western.....	-	-	-	-	2	1	3	1	6	-	500.0

TABLE 36
CASES FILED INVOLVING BLACK LUNG BENEFITS*
FISCAL YEARS 1975 AND 1976

District	Filed Fiscal Year 1975	Filed Fiscal Year 1976
Total.....	2,793	4,908
District of Columbia.....	1	3
First Circuit	-	1
Massachusetts.....	-	1
Second Circuit	3	5
Connecticut.....	1	2
New York, Northern.....	1	-
New York, Eastern.....	-	1
New York, Western.....	1	2
Third Circuit	539	543
Delaware.....	2	1
New Jersey.....	6	6
Pennsylvania, Eastern.....	34	117
Pennsylvania, Middle.....	401	373
Pennsylvania, Western.....	94	146
Fourth Circuit	895	1,930
Maryland.....	14	19
North Carolina, Middle.....	5	5
North Carolina, Western.....	1	-
South Carolina.....	1	-
Virginia, Eastern.....	6	8
Virginia, Western.....	296	828
West Virginia, Northern.....	65	85
West Virginia, Southern.....	507	907
Fifth Circuit	139	157
Alabama, Northern.....	132	130
Alabama, Southern.....	1	1
Florida, Northern.....	1	1
Florida, Middle.....	1	12
Florida, Southern.....	2	2
Georgia, Northern.....	-	1
Louisiana, Eastern.....	1	1
Louisiana, Western.....	1	-
Texas, Northern.....	1	-
Texas, Western.....	-	1
Sixth Circuit	957	1,058
Kentucky, Eastern.....	667	1,423
Kentucky, Western.....	50	56

District	Filed Fiscal Year 1975	Filed Fiscal Year 1976
Michigan, Eastern.....	11	22
Michigan, Western.....	-	1
Ohio, Northern.....	31	53
Ohio, Southern.....	126	179
Tennessee, Eastern.....	59	96
Tennessee, Middle.....	11	28
Seventh Circuit	140	126
Illinois, Northern.....	5	8
Illinois, Eastern.....	85	23
Illinois, Southern.....	18	27
Indiana, Northern.....	6	14
Indiana, Southern.....	26	47
Wisconsin, Eastern.....	-	1
Eighth Circuit	49	74
Arkansas, Eastern.....	1	1
Arkansas, Western.....	34	47
Idaho, Southern.....	10	20
Missouri, Eastern.....	1	4
Missouri, Western.....	3	2
Ninth Circuit	10	21
Arizona.....	1	4
California, Northern.....	1	3
California, Eastern.....	1	-
California, Central.....	1	1
California, Southern.....	-	1
Idaho.....	1	-
Montana.....	1	8
Oregon.....	1	1
Washington, Eastern.....	2	1
Washington, Western.....	2	-
Tenth Circuit	60	90
Colorado.....	18	36
Kansas.....	2	11
New Mexico.....	2	2
Oklahoma, Northern.....	1	-
Oklahoma, Eastern.....	25	24
Oklahoma, Western.....	-	1
Utah.....	12	12
Wyoming.....	-	4

*Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 901, et. seq.

filed has progressed from 237 in 1974, to 2,793 in 1975 and now 4,908 in 1976.

The accompanying table shows that four districts accounted for 73.5% of the "black lung" cases filed in 1976. These are : Kentucky, Eastern, with 1,423; West Virginia, Southern with 987; Virginia, Western with 826, and Pennsylvania, Middle with 373.

Three judge courts decline by 22.1%

The number of three judge courts held under provisions of Title 28 U.S.C. 2284 declined by more than 22% in fiscal year 1976 and with only 208 hearings reached its lowest level since 1968. Twenty-five of these hearings were held to review orders of the Interstate Commerce Commission. This was almost 47% fewer than last year. This decline resulted from the passage of Public Law 93-584, approved January 2, 1975, which provided that these cases be filed in the courts of appeals rather than the district courts.

Civil rights three judge court hearings dropped to 161 or 16.1% fewer than last year. Hearings on reapportionment marked a new 5-year low and there was a small decline in other types of hearings.

TABLE 37
Three-Judge Court Hearings By Nature Of Suit
Fiscal Years 1963-1976

Fiscal year	Total	Review Of ICC orders	Civil Rights	Reapportionment	All other
1963....	129	67	19	16	27
1964....	119	50	21	18	30
1965....	147	60	35	17	35
1966....	162	72	40	28	22
1967....	171	64	55	10	42
1968....	179	51	55	6	67
1969....	215	64	81	1	69
1970....	291	42	162	8	79
1971....	318	41	176	2	99
1972....	310	52	166	32	60
1973....	320	52	183	7	78
1974....	249	51	171	8	19
1975....	267	47	192	9	19
1976....	208	25	161	5	17
Percent Change 1976 over 1975	-22.1	-46.8	-16.1	-44.4	-10.5

TABLE 28
THREE-JUDGE COURT HEARINGS BY DISTRICT AND NATURE OF SUIT
FISCAL YEAR 1976

Circuit and district	Total	Review of ICC orders	Civil Rights ¹	Reapportionment	All other
Total.....	208	25	161	5	17
District of Columbia.....	12	4	3	-	5
First Circuit.....	14	1	13	-	-
Maine.....	1	-	1	-	-
Massachusetts.....	8	1	7	-	-
New Hampshire.....	2	-	2	-	-
Rhode Island.....	2	-	2	-	-
Puerto Rico.....	1	-	1	-	-
Second Circuit.....	26	1	24	-	1
Connecticut.....	6	-	6	-	-
New York:					
Northern.....	1	-	1	-	-
Eastern.....	7	-	7	-	-
Southern.....	10	-	9	-	1
Western.....	-	-	-	-	-
Vermont.....	2	1	1	-	-
Third Circuit.....	19	3	16	-	-
Delaware.....	-	-	-	-	-
New Jersey.....	8	1	7	-	-
Pennsylvania:					
Eastern.....	5	1	4	-	-
Middle.....	3	-	3	-	-
Western.....	3	1	2	-	-
Virgin Islands.....	-	-	-	-	-
Fourth Circuit.....	21	2	16	2	1
Maryland.....	6	-	6	-	-
North Carolina:					
Eastern.....	4	1	3	-	-
Middle.....	1	1	-	-	-
Western.....	2	-	2	-	-
South Carolina.....	1	-	-	1	-
Virginia:					
Eastern.....	5	-	4	-	1
Western.....	1	-	1	-	-
West Virginia:					
Northern.....	-	-	-	-	-
Southern.....	1	-	-	1	-
Fifth Circuit.....	42	3	34	2	3
Alabama:					
Northern.....	2	1	1	-	-
Middle.....	7	-	7	-	-
Southern.....	1	1	-	-	-
Florida:					
Northern.....	1	-	1	-	-
Middle.....	4	-	4	-	-
Southern.....	2	-	2	-	-
Georgia:					
Northern.....	4	-	3	-	1
Middle.....	2	-	2	-	-
Southern.....	2	-	1	1	-
Louisiana:					
Eastern.....	5	-	4	-	1
Middle.....	1	-	1	-	-
Western.....	-	-	-	-	-
Mississippi:					
Northern.....	1	-	1	-	-
Southern.....	1	-	1	-	-
Texas:					
Northern.....	4	1	3	-	-
Eastern.....	2	-	1	-	1
Southern.....	1	-	1	-	-
Western.....	2	-	1	1	-
Canal Zone.....	-	-	-	-	-

TABLE 38
THREE-JUDGE COURT HEARINGS BY DISTRICT AND NATURE OF SUIT
FISCAL YEAR 1978 (CONTINUED)

Circuit and district	Total	Review of ICC orders	Civil Rights ¹	Reapportionment	All other
Sixth Circuit.....	21	2	17	1	1
Kentucky:					
Eastern.....	-	-	-	-	-
Western.....	1	-	1	-	-
Michigan:					
Eastern.....	4	-	4	-	-
Western.....	6	1	4	-	1
Ohio:					
Northern.....	3	-	3	-	-
Southern.....	4	1	3	-	-
Tennessee:					
Eastern.....	-	-	-	-	-
Middle.....	1	-	1	-	-
Western.....	2	-	1	1	-
Seventh Circuit.....	17	2	15	-	-
Illinois:					
Northern.....	10	1	9	-	-
Eastern.....	-	-	-	-	-
Southern.....	-	-	-	-	-
Indiana:					
Northern.....	1	1	-	-	-
Southern.....	1	-	1	-	-
Wisconsin:					
Eastern.....	4	-	4	-	-
Western.....	1	-	1	-	-
Eighth Circuit.....	12	3	9	-	-
Arkansas:					
Eastern.....	-	-	-	-	-
Western.....	3	2	1	-	-
Iowa:					
Northern.....	-	-	-	-	-
Southern.....	2	-	2	-	-
Minnesota:					
Eastern.....	-	-	-	-	-
Missouri:					
Eastern.....	2	1	1	-	-
Western.....	-	-	-	-	-
Nebraska:					
Eastern.....	4	-	4	-	-
North Dakota:					
Eastern.....	1	-	1	-	-
South Dakota:					
Eastern.....	-	-	-	-	-
Ninth Circuit.....	12	-	7	-	5
Alaska.....	1	-	-	-	1
Arizona.....	1	-	1	-	-
California:					
Northern.....	-	-	-	-	-
Eastern.....	2	-	2	-	-
Central.....	2	-	1	-	1
Southern.....	-	-	-	-	-
Hawaii.....	1	-	1	-	-
Idaho.....	2	-	-	-	2
Montana.....	1	-	1	-	-
Nevada.....	-	-	-	-	-
Oregon.....	1	-	1	-	-
Washington:					
Eastern.....	-	-	-	-	-
Western.....	1	-	-	-	1
Guam.....	-	-	-	-	-
Tenth Circuit.....	12	4	7	-	1
Colorado.....	-	-	-	-	-
Kansas.....	1	1	-	-	-
New Mexico.....	5	-	4	-	1
Oklahoma:					
Northern.....	1	-	1	-	-
Eastern.....	-	-	-	-	-
Western.....	2	-	2	-	-
Utah.....	2	2	-	-	-
Wyoming.....	1	1	-	-	-

¹ includes all suits challenging the constitutionality of state statutes alleging civil rights violations.

The accompanying table shows that 72 districts reported one or more three judge court hearings last year. Two districts, New York, Southern and Illinois, Northern, each held 10 such hearings. Both Massachusetts and New Jersey held 8 three judge court hearings. New York, Eastern and Alabama, Middle each held 7 such hearings while Maryland and Michigan, Western held 6 each. These eight districts accounted for nearly one-third of the 208 three judge hearings.

For several years Congress has been reviewing statistical data furnished by the Administrative Office on three judge courts held, with special emphasis on the nature of the litigation brought before such courts. On August 12, 1976 the President signed Public Law 94-381 which abolished the general requirements of three judge courts in situations previously covered by Title 28 U.S.C. Section 2281 and 2282.

The Act further amends Section 2284 and sets forth when a three judge court can be convened:

1. In present statutes calling for three judge provisions such as the Civil Rights Act of 1964 and Voting Rights Act of 1965.
2. Actions filed challenging the constitutionality of apportionment of Congressional districts, or
3. Suits filed challenging the constitutionality of the apportionment of any statewide legislative body.

TABLE 39
Three-Judge Civil Rights Cases By Nature Of Suit
Fiscal Years 1974, 1975, and 1976

Nature of Civil Rights Suits	1974	1975	1976
Total.....	171	192	161
Abortion laws.....	2	10	3
Assistance to nonpublic schools.....	5	1	3
Attachment, seizure without hearing.....	16	15	17
Education for handicapped.....	3	1	1
Employment.....	13	12	14
Expelling or suspending students.....	2	-	-
Housing.....	5	-	-
Jury selection procedures.....	2	-	-
Licensing procedures.....	11	14	10
Mental patients, commitment.....	7	4	6
Obscenity.....	11	5	3
Penal codes & prisoner petitions.....	3	9	7
Prescription drug advertising.....	2	3	-
Racial discrimination.....	2	2	-
Residency requirements.....	2	8	2
Sobriety tests.....	-	-	-
Taxes.....	1	4	5
Voting & election laws.....	20	32	19
Welfare, Social Security, unemployment benefits....	17	18	23
Constitutionality of other state statutes.....	29	30	27
Other (not specified, or otherwise unclassifiable).	18	24	21

It should be noted that three judge court cases which were before the district courts prior to the approval of the Act continue under the former law. These cases could account for some 100 such pending suits in the district courts.

Even with the repeal of certain portions of the three judge court provisions, there will continue to be access to the district courts under the approved Act. The data on three judge court hearings for the last three years shows a wide area of litigation in civil rights proceedings. Such cases will continue to be filed in the district courts. Data for the last three 12 month periods are shown in the accompanying table.

Class action allegations under Rule 23 Federal Rules of Civil Procedure up 17%

Though the proportion of cases filed with an allegation of class action represents 2.7% of all civil cases filed in the district courts, the increase in 1976 of such filings over 1975 was markedly higher than the overall increase of civil filings. The following illustrates the year-to-year growth of the civil caseload compared to the cases alleging a class action.

Fiscal Year	Pending Beginning	Filed	Total Workload (Pending and Filings)	Pending Ending
Total Civil Cases				
1974	101,333	103,530	204,863	107,230
1975	107,230	117,320	224,550	119,767
1976	119,767	130,597	250,364	140,189
Percent Increase Over 1975	11.7	11.3	11.5	17.1
Class Action Cases Included in Above				
1974	3,756	2,717	6,473	4,680
1975	4,680	3,061	7,741	5,184
1976	5,184	3,584	8,768	5,987
Percent Increase Over 1975	10.8	17.1	13.3	15.5
Proportion Class Action Cases of Total				
1974	3.7	2.6	3.2	4.4
1975	4.4	2.6	3.4	4.3
1976	4.3	2.7	3.5	4.3

Three special tables are supplied for the reader. The first of these provides by nature of suit the volume of class actions filed. Civil rights class action suits numbered 2,009 of the 12,329 such complaints filed. (See Appendix Table C2 for total cases filed by type of suit.) Of the 2,230 cases filed alleging violation of Securities, Commodities and Exchanges, 212 contained class actions allegations.

A survey of class allegations by prisoners in their petitions shows that these are increasing as follows:

Prisoner Petitions

Fiscal Year	Total	Filed	Pending	
		Rule 23	Total	Rule 23
1973	17,218	(355)	7,912	(322)
1974	18,410	(337)	9,151	(466)
1975	19,307	(367)	10,469	(564)
1976	19,809	(397)	11,852	(630)

A second table shows the number of class action cases pending at the beginning of the year, those filed and the volume of cases pending by district on June 30, 1976. The greatest number of filings in a single district were the 227 in Texas, Southern. The second greatest was the 206 such filings in California, Northern. Other districts with over 100 civil cases filed alleging class action under Rule 23 were: New York, Southern with 176; Illinois, Northern with 159; Florida, Middle with 136; Pennsylvania, Eastern with 128, and Texas, Northern with 106. These seven districts accounted for 1,138 or 31.8% of the 3,584 suits filed alleging a class action.

The last of these three tables shows by major nature of suit divided into United States cases and private cases (Federal Question, Diversity and Local Jurisdiction) the number of class action cases pending by district. Readers may want to compare this table with Appendix Table C3a to determine the proportion of civil case pending which allege a class action under Rule 23. The Southern District of New York has 408 of its 8,441 civil pending cases denoted as class actions. This is 4.8% of the pending cases and above the 4.3% national average. The Middle District of Florida with 2,971 pending civil cases recorded 307 or 10.3% of their pending civil cases involving a class action allegation. This is more than double the national proportion.

[illegible]

TOTAL PATENT CIVIL TRUST	PRIVATE CASES													CIRCUIT AND DISTRICT			
	CON- TRACT	REAL PROP- ERTY	PELA	MARINE PERSONAL INJURY	MOTOR VEHICLE PERSONAL INJURY	OTHER PERSONAL INJURY	OTHER TRUST ACTIONS	ANTI- TRUST	CIVIL SUITS	COM- MERCE	PRISONER PETITION				CIRCUIT AND DISTRICT		
											HABEAS CORPUS	RIGHTS OF CITIZENS	WARRANT AND OTHER				
5,430	130	21	1	10	11	76	103	47	1,366	15	15	977	9	9	197	922	TOTAL ALL DISTRICTS
88	6	1	-	-	-	3	2	37	25	-	-	-	-	6	1	7	DISTRICT OF COLUMBIA
173	4	2	-	-	-	2	1	10	97	10	1	18	-	-	5	23	FIRST CIRCUIT
9	1	2	-	-	-	-	2	1	10	9	10	1	-	-	-	1	MAINE
123	1	-	-	-	-	2	1	10	4	10	-	10	-	-	-	1	MASSACHUSETTS
6	-	-	-	-	-	-	-	-	10	-	-	1	-	-	-	1	NEW HAMPSHIRE
10	1	-	-	-	-	-	-	-	10	-	-	1	-	-	-	2	RHODE ISLAND
280	21	1	1	3	2	8	29	65	216	1	1	37	-	-	15	245	SECOND CIRCUIT
155	-	1	-	-	1	1	14	23	86	-	1	2	-	-	3	16	CONNECTICUT
4	-	-	-	-	-	-	-	-	2	-	-	2	-	-	-	1	NEW YORK EASTERN
388	18	-	1	-	1	3	2	6	25	1	-	1	-	-	2	21	NEW YORK MIDDLE
49	3	-	-	-	-	-	8	38	93	38	-	17	2	-	2	22	NEW YORK SOUTHERN
4	-	-	-	-	-	-	-	-	16	-	-	0	-	-	2	6	NEW YORK WEST: RN
354	9	1	-	-	-	5	13	24	257	-	1	28	-	1	14	104	THIRD CIRCUIT
19	-	1	-	-	-	-	-	2	7	-	-	17	-	-	1	7	DELAWARE
68	-	-	-	-	-	-	-	-	28	-	-	1	-	-	1	7	NEW JERSEY
101	-	-	-	-	-	-	-	6	17	72	-	1	5	-	3	39	PENNSYLVANIA EASTERN
14	1	-	-	-	-	-	-	-	9	-	-	1	-	-	-	3	PENNSYLVANIA MIDDLE
140	1	-	-	-	-	-	2	4	4	-	-	1	-	-	4	47	PENNSYLVANIA WESTERN
2	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	1	VERMONT
401	15	8	-	1	-	4	11	28	279	-	1	34	1	1	16	52	FOURTH CIRCUIT
154	-	-	-	-	-	1	-	4	76	-	-	12	-	1	1	6	MARYLAND
16	-	-	-	-	-	-	-	1	10	-	-	0	-	-	1	2	MD. CAROLINA EASTERN
46	-	-	-	-	-	-	1	1	43	-	-	0	-	-	2	2	MD. CAROLINA MIDDLE
59	-	-	-	-	-	-	2	1	18	-	-	1	-	-	1	4	MD. CAROLINA WESTERN
71	-	-	-	-	-	1	-	1	38	-	-	4	-	-	1	4	SOUTH CAROLINA
18	-	-	-	-	-	-	-	-	6	-	-	1	-	-	2	6	VIRGINIA EASTERN
29	-	1	-	-	-	1	1	1	19	-	-	1	-	-	3	2	VIRGINIA WESTERN
46	-	-	-	-	-	-	2	2	19	-	-	1	-	-	5	5	W. VIRGINIA NORTHERN
1,616	23	4	-	2	3	6	44	94	1,033	1	4	315	6	2	22	153	FIFTH CIRCUIT
121	2	-	-	-	-	-	1	15	2	01	1	4	315	6	2	13	ALABAMA NORTHERN
17	-	-	-	-	-	-	-	2	17	2	-	3	-	-	-	7	ALABAMA MIDDLE
19	-	1	-	-	-	-	-	-	15	-	-	-	-	-	-	2	ALABAMA SOUTHERN
97	9	-	-	-	-	-	1	8	42	-	1	225	1	-	3	11	FLORIDA NORTHERN
68	1	1	1	1	1	-	-	31	17	1	-	2	2	1	1	9	FLORIDA MIDDLE
31	-	-	-	-	-	-	-	5	5	11	-	2	2	1	-	-	GEORGIA SOUTHERN
31	-	-	-	-	-	-	-	1	25	-	-	6	1	-	-	-	GEORGIA MIDDLE
91	1	1	-	-	1	2	4	13	67	-	-	-	-	-	1	0	LOUISIANA EASTERN
64	1	2	-	-	1	1	1	1	63	-	-	-	-	-	1	13	LOUISIANA MIDDLE
81	1	-	-	-	1	1	-	1	69	-	-	3	1	-	1	4	LOUISIANA WESTERN
162	4	1	-	-	-	-	-	4	110	-	-	9	1	-	2	20	MISSISSIPPI NORTHERN
47	-	-	-	-	-	1	3	2	68	-	-	10	-	-	1	3	MISSISSIPPI MIDDLE
327	-	-	-	1	-	-	-	2	6	146	-	1	62	2	8	15	TEXAS NORTHERN
47	-	-	-	-	-	-	-	-	4	-	-	1	-	-	5	9	TEXAS MIDDLE
1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	TEXAS SOUTHERN
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	TEXAS WESTERN
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CANAL ZONE

CIRCUIT AND DISTRICT	UNITED STATES CASES																		
	TOTAL CIVIL CASES	TOTAL U. S. CIVIL	CONTRACT	LAND CONCERN	OTHER REAL PROPERTY	TORT ACTIONS	ANTI-TRUST	CIVIL RIGHTS	PRISONER PETITIONS					FORFEITURES AND PENALTIES	LABOR SUITS	NARA	SOCIAL SECURITY	TAX SUITS	ALL OTHER
									NOTIONS TO VACATE SENTENCE	HABEAS CORPUS	CIVIL RIGHTS	MILITARY AND OTHER							
SIXTH CIRCUIT	440	42	4	-	1	2	-	21	-	-	1	-	-	1	-	4	-	8	
KENTUCKY EASTERN	23	6	1	-	-	-	-	2	-	-	-	-	-	-	-	-	-	3	
KENTUCKY WESTERN	49	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
MICHIGAN EASTERN	104	4	1	-	-	2	-	-	-	-	-	-	-	-	-	-	-	1	
MICHIGAN WESTERN	91	3	1	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	
INDIC NORTHERN	121	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
GAIO SOUTHERN	28	3	-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	1	
TENNESSEE EASTERN	7	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
TENNESSEE MIDDLE	29	4	-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-	
TENNESSEE WESTERN	42	9	1	-	-	-	-	3	-	-	1	-	-	-	-	-	-	-	
SEVENTH CIRCUIT	485	40	-	-	2	-	1	24	-	-	6	1	-	2	-	7	-	8	
ILLINOIS NORTHEAST	262	22	-	-	-	-	-	11	-	-	-	-	-	1	-	4	-	4	
ILLINOIS EASTERN	17	5	-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	-	
ILLINOIS SOUTHERN	119	8	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	
INDIANA NORTHERN	49	3	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	1	
INDIANA SOUTHERN	26	3	-	-	1	-	-	5	-	-	-	1	-	-	-	-	-	2	
WISCONSIN EASTERN	60	3	-	-	-	-	1	5	-	-	-	-	-	-	-	-	-	1	
WISCONSIN WESTERN	60	3	-	-	1	-	-	-	-	-	2	-	-	-	-	-	-	1	
EIGHTH CIRCUIT	331	19	1	-	-	1	-	10	-	-	-	1	-	1	-	1	-	4	
ARKANSAS EASTERN	61	4	-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-	
ARKANSAS WESTERN	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
LOUISIANA NORTHERN	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
LOUISIANA SOUTHERN	19	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
MINNESOTA	92	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
MISSOURI EASTERN	44	4	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	
MISSOURI WESTERN	46	4	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	
NEBRASKA	19	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NORTH DAKOTA	7	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SOUTH DAKOTA	15	5	-	-	-	-	-	2	-	-	-	-	-	-	1	-	-	1	
NINTH CIRCUIT	836	105	7	-	1	3	-	37	-	-	1	1	-	9	-	12	2	30	
ALASKA	12	11	-	-	1	-	-	2	-	-	-	-	-	-	-	-	8	-	
ARIZONA	65	9	5	-	-	-	-	3	-	-	-	-	-	-	-	-	1	8	
CALIFORNIA NORTHERN	296	1	-	-	-	-	-	16	-	-	-	-	-	-	-	-	-	-	
CALIFORNIA EASTERN	90	12	-	-	-	-	-	4	-	-	-	-	-	-	-	1	-	7	
CALIFORNIA CENTRAL	205	15	-	-	-	-	-	12	-	-	-	-	-	-	-	-	-	1	
CALIFORNIA SOUTHERN	31	8	1	-	-	2	-	2	-	-	-	6	-	2	-	2	-	1	
HAWAII	37	9	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	1	
IDaho	10	9	-	-	-	-	-	1	-	-	-	1	-	-	-	-	-	2	
MONTANA	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NEVADA	25	1	-	-	-	-	-	4	-	-	-	-	-	-	-	1	-	5	
OREGON	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
WASHINGTON EASTERN	24	3	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	1	
WASHINGTON WESTERN	43	1	-	-	-	-	-	4	-	-	-	1	-	-	-	1	-	9	
TENTH CIRCUIT	165	19	-	-	1	-	-	9	-	-	1	3	-	-	-	2	-	3	
COLORADO	37	4	-	-	1	-	-	1	-	-	-	1	-	-	-	1	-	1	
KANSAS	66	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NEW MEXICO	26	5	-	-	-	-	-	5	-	-	-	1	1	-	-	1	-	-	
OKLAHOMA NORTHERN	18	2	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	1	
OKLAHOMA EASTERN	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
OKLAHOMA WESTERN	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
UTAH	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
WYCHING	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

TABLE 40
CIVIL CLASS ACTION CASES PENDING IN THE UNITED STATES DISTRICT COURTS ON JUNE 30, 1978,
BY NATURE OF SUIT AND DISTRICT
(ALLEGATIONS FILED UNDER RULE 23, FEDERAL RULES OF CIVIL PROCEDURE)
(continued)

PRIVATE CASES																	CIRCUIT AND DISTRICT
TOTAL PRI- VATE CIVIL	CON- TRACT	REAL PROP- ERTY	FELA ¹	MARINE PERSONAL INJURY	VEHICLE PERSONAL INJURY	OTHER PERSONAL INJURY	OTHER TORT ACTIONS	ANTI- TRUST	CIVIL RIGHTS	CON- SUMER	PRISONER PETITIONS			COPYRIGHT PATENT TRADEMARK	LABOR SUITS	ALL OTHER	
											HABEAS CORPUS	CIVIL RIGHTS	PAN- DAMS AND OTHER				
398	13	2	-	-	2	5	16	17	240	-	-	22	1	-	51	49	SIXTH CIRCUIT
17	1	-	-	-	-	-	-	-	1	7	-	1	-	-	3	4	KENTUCKY EASTERN
42	3	-	-	-	-	1	3	1	21	-	-	2	-	-	2	10	KENTUCKY WESTERN
100	5	2	-	-	-	-	7	4	60	-	-	9	-	-	7	13	MICHIGAN EASTERN
38	1	-	-	-	-	-	2	1	15	-	-	9	1	-	4	5	MICHIGAN WESTERN
115	-	-	-	-	1	2	2	5	83	-	-	3	-	-	8	9	OHIO NORTHERN
25	-	-	-	-	-	-	1	16	16	-	-	3	-	-	3	4	OHIO SOUTHERN
5	-	-	-	-	-	-	-	-	1	-	-	-	-	-	2	1	TENNESSEE EASTERN
21	-	-	-	-	-	1	-	-	1	-	-	2	-	-	1	1	TENNESSEE MIDDLE
37	1	-	-	-	-	1	2	3	26	-	-	1	-	-	1	2	TENNESSEE WESTERN
441	8	1	-	-	1	2	17	72	196	2	1	63	-	-	22	56	SEVENTH CIRCUIT
40	-	-	-	-	-	1	13	64	100	2	1	6	-	-	11	38	ILLINOIS NORTHERN
12	1	-	-	-	-	-	1	-	3	-	-	3	-	-	2	2	ILLINOIS EASTERN
12	-	-	-	-	-	-	1	1	8	-	-	-	-	-	1	1	ILLINOIS SOUTHERN
40	-	-	-	-	1	1	3	5	27	-	-	9	-	-	2	3	INDIANA NORTHERN
23	1	-	-	-	-	-	-	1	15	-	-	1	-	-	2	3	INDIANA SOUTHERN
51	1	1	-	-	-	-	2	4	27	-	-	7	-	-	2	7	WISCONSIN EASTERN
57	-	-	-	-	-	-	-	-	16	-	-	37	-	-	2	2	WISCONSIN WESTERN
312	10	-	-	1	1	1	9	49	152	1	3	20	-	-	17	48	EIGHTH CIRCUIT
78	-	-	-	-	-	-	1	-	74	-	1	2	-	-	-	-	ARKANSAS EASTERN
9	-	-	-	-	1	-	-	1	7	-	-	-	-	-	1	-	ARKANSAS WESTERN
2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-	IOWA NORTHERN
17	-	-	-	-	-	-	-	2	4	-	-	-	-	-	1	10	IOWA SOUTHERN
90	6	-	-	-	-	1	1	30	19	-	-	5	-	-	4	24	MINNESOTA
13	-	-	-	-	-	-	-	1	29	1	-	1	-	-	4	5	MISSOURI EASTERN
40	-	-	-	-	-	-	-	16	10	-	1	7	-	-	4	2	MISSOURI WESTERN
14	-	-	-	-	-	-	4	1	4	-	3	-	-	-	-	3	NEBRASKA
6	-	-	-	-	-	-	-	-	1	2	-	-	-	-	1	2	NORTH DAKOTA
10	-	-	-	-	-	-	-	-	2	-	1	2	-	-	1	2	SOUTH DAKOTA
793	29	4	-	3	1	40	16	91	315	-	1	33	-	1	38	167	NINTH CIRCUIT
1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	ALASKA
56	3	2	-	-	-	1	4	7	23	-	-	2	-	-	4	11	ARIZONA
271	6	-	-	-	-	2	2	60	152	-	-	3	-	-	13	84	CALIFORNIA NORTHERN
76	-	1	-	-	-	1	2	4	18	-	1	6	-	-	2	3	CALIFORNIA EASTERN
105	3	-	-	1	-	35	2	4	41	-	2	5	-	1	6	87	CALIFORNIA CENTRAL
25	1	-	-	-	-	-	2	11	12	-	-	-	-	-	3	8	CALIFORNIA SOUTHERN
34	4	1	-	-	-	-	1	1	47	-	-	-	-	-	4	6	HAWAII
7	1	-	-	-	-	-	1	-	2	-	-	2	-	-	-	1	IDAH0
4	-	-	-	-	1	-	-	-	2	-	-	-	-	-	-	1	MONTANA
24	2	-	-	-	-	-	1	1	14	-	3	-	-	-	1	3	NEVADA
21	-	-	-	-	-	-	1	2	15	-	1	-	-	-	1	9	OREGON
21	-	-	-	-	-	-	2	6	4	-	-	8	-	-	-	1	WASHINGTON EASTERN
34	1	-	-	2	-	-	1	3	17	-	-	1	-	-	3	6	WASHINGTON WESTERN
151	10	1	-	-	1	-	5	4	71	-	1	7	1	-	4	36	TENTH CIRCUIT
30	2	-	-	-	-	-	-	-	17	-	1	2	-	-	1	10	COLORADO
59	4	1	-	-	-	-	-	1	32	-	-	3	-	-	1	16	KANSAS
21	1	-	-	-	-	-	2	-	13	-	-	2	-	-	1	2	NEW MEXICO
10	1	-	-	-	-	-	1	-	5	-	-	-	1	-	-	8	OKLAHOMA
1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	OKLAHOMA EASTERN
5	-	-	-	-	-	-	1	3	1	-	-	-	-	-	-	-	OKLAHOMA WESTERN
9	2	-	-	-	-	-	-	-	2	-	-	-	-	-	-	1	UTAH
1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	WYOMING

¹ CIVIL COMMITMENT UNDER THE NARCOTIC ADDICT REHABILITATION ACT OF 1966, PUBLIC LAW 89-793, APPROVED NOVEMBER 8, 1966.

² FEDERAL EMPLOYERS LIABILITY ACT, 45 USC 51

TABLE 41
CIVIL CLASS ACTION CASES COMMENCED IN THE UNITED STATES DISTRICT COURTS DURING FISCAL YEAR 1976 BY BASIS OF JURISDICTION AND NATURE OF SUIT (ALLEGATIONS FILED UNDER RULE 23, FEDERAL RULES OF CIVIL PROCEDURE)

Nature of Suit	Fiscal Year 1975 Total	Fiscal Year 1976					
		Total	U.S. Cases		Private Cases		
			Plaintiff	Defendant	Federal Jurisdiction	Diversity of Citizenship	Local Jurisdiction
Total Cases	3,061	3,584	34	405	2,988	157	-
Contract Actions, Total	59	118	1	13	10	95	-
Insurance.....	6	18	-	-	-	18	-
Marine.....	1	7	-	-	7	-	-
Miller Act.....	1	1	-	-	1	-	-
Negotiable Instruments.....	6	5	-	-	-	5	-
Recovery of Overpayments and Enforcement of Judgments.....	-	5	1	-	-	4	-
Other Contract Actions.....	46	81	-	13	2	68	-
Real Property Actions, Total	15	23	2	12	3	6	-
Condemnation of Land.....	1	2	1	1	-	-	-
Foreclosure.....	-	1	1	-	-	-	-
Rent, Lease, and Ejectment.....	4	2	-	1	-	1	-
Suits to Land.....	2	6	-	2	1	3	-
Other Real Property Actions.....	8	12	-	0	2	2	-
Tort Actions, Total	151	171	-	7	108	56	-
Personal Injury							
Airplane.....	21	8	-	-	-	8	-
Assault, Libel, and Slander.....	4	2	-	1	-	1	-
Employers' Liability Act.....	-	2	-	-	2	-	-
Marine.....	2	6	-	-	2	4	-
Motor Vehicle.....	6	10	-	-	-	10	-
Other Personal Injury.....	7	29	-	2	-	27	-
Personal Property Damage							
Fraud.....	109	109	-	3	104	2	-
Other Personal Property Damage.....	2	6	-	1	-	5	-
Actions Under Statutes, Total	2,710	3,201	31	370	2,800	-	-
Antitrust.....	190	191	-	1	190	-	-
Bankruptcy Trustee Suits.....	2	2	-	-	2	-	-
Banks and Banking.....	13	6	-	-	6	-	-
Civil Rights.....	1,586	2,009	17	186	1,806	-	-
Commerce (ICC Rates, Etc.).....	9	10	-	1	9	-	-
Economic Stabilization Act.....	3	2	-	-	2	-	-
Deprecation.....	-	2	-	2	-	-	-
Prisoner Petitions							
Parole Board Review.....	3	4	-	4	-	-	-
Prison Officials - Habeas Corpus.....	14	20	-	6	14	-	-
Prison Officials - Mandamus, etc.....	6	10	-	7	3	-	-
Civil Rights.....	344	363	-	10	353	-	-
Forfeiture and Penalty Suits.....	-	2	2	-	-	-	-
Labor Laws							
Fair Labor Standards Act.....	45	52	3	8	41	-	-
Labor Management Relations Act.....	48	47	5	4	38	-	-
Labor Mgt. Rpts. and Disclosure Act.....	9	22	-	1	21	-	-
Railway Labor Act.....	4	6	-	-	6	-	-
Other Labor Litigation.....	18	46	1	5	40	-	-
Protected Property Rights							
Copyright.....	2	1	-	-	1	-	-
Patent.....	1	2	-	-	2	-	-
Trademark.....	-	2	-	-	2	-	-
Review or Enforcement.....	1	-	-	-	-	-	-
Securities, Commodities, and Exchanges.....	258	212	-	-	212	-	-
Social Security Laws.....	57	48	-	40	-	-	-
State Passportment Suits.....	7	12	-	-	12	-	-
Tax Suits.....	3	5	2	3	-	-	-
Other Statutory Actions.....	87	125	1	84	40	-	-
Other Actions, Total	126	70	-	3	67	-	-
Suits Involving Local Officials	125	70	-	3	67	-	-
Other	1	-	-	-	-	-	-

TABLE 42
CLASS ACTION CIVIL SUITS COMMENCED IN FISCAL YEAR 1976 AND PENDING JULY 1, 1976 AND
JUNE 30, 1976 (ALLEGATIONS FILED UNDER RULE 23, FEDERAL RULES OF CIVIL PROCEDURE)

Circuit and district	Pending July 1, 1975	Filed 1976	Pending June 30, 1976
Total.....	5,184	3,584	5,987
District of Columbia.....	136	69	141
First Circuit.....	193	92	193
Maine.....	8	5	9
Massachusetts.....	138	45	137
New Hampshire.....	3	15	9
Rhode Island.....	18	13	22
Puerto Rico.....	26	14	16
Second Circuit.....	758	330	724
Connecticut.....	151	97	176
New York:			
Northern.....	16	2	5
Eastern.....	73	26	71
Southern.....	440	176	408
Western.....	63	20	53
Vermont.....	15	9	11
Third Circuit.....	352	277	389
Delaware.....	15	8	19
New Jersey.....	67	65	78
Pennsylvania:			
Eastern.....	149	128	170
Middle.....	16	19	16
Western.....	102	57	104
Virgin Islands.....	3	-	2
Fourth Circuit.....	362	299	459
Maryland.....	83	83	120
North Carolina:			
Eastern.....	24	21	38
Middle.....	46	40	61
Western.....	38	43	55
South Carolina.....	26	29	35
Virginia:			
Eastern.....	77	39	64
Western.....	19	9	20
West Virginia:			
Northern.....	20	11	24
Southern.....	29	24	42
Fifth Circuit.....	1,428	1,188	1,825
Alabama:			
Northern.....	115	93	131
Middle.....	34	48	41
Southern.....	11	23	21
Florida:			
Northern.....	17	23	19
Middle.....	255	136	307
Southern.....	53	68	77
Georgia:			
Northern.....	128	85	122
Middle.....	30	23	35
Southern.....	37	19	35
Louisiana:			
Eastern.....	97	37	97
Middle.....	18	10	19
Western.....	56	45	65
Mississippi:			
Northern.....	64	68	87
Southern.....	75	68	90
Texas:			
Northern.....	140	106	179
Eastern.....	63	66	95
Southern.....	193	227	347
Western.....	41	43	57
Canal Zone.....	1	-	1

TABLE 42
CLASS ACTION CIVIL SUITS COMMENCED IN FISCAL YEAR 1975 AND PENDING JULY 1, 1975 AND
JUNE 30, 1976 (ALLEGATIONS FILED UNDER RULE 23, FEDERAL RULES OF CIVIL PROCEDURE)
(CONTINUED)

Circuit and district	Pending July 1, 1975	Filed 1976	Pending June 30, 1976
Sixth Circuit.....	420	264	440
Kentucky:			
Eastern.....	26	10	23
Western.....	45	23	49
Michigan:			
Eastern.....	84	67	104
Western.....	40	18	41
Ohio:			
Northern.....	120	68	121
Southern.....	17	19	28
Tennessee:			
Eastern.....	10	10	7
Middle.....	30	15	25
Western.....	48	34	42
Seventh Circuit.....	424	262	489
Illinois:			
Northern.....	218	159	262
Eastern.....	14	9	17
Southern.....	13	9	15
Indiana:			
Northern.....	50	10	49
Southern.....	17	29	26
Wisconsin:			
Eastern.....	59	26	60
Western.....	53	20	60
Eighth Circuit.....	329	196	331
Arkansas:			
Eastern.....	64	41	82
Western.....	10	4	9
Iowa:			
Northern.....	4	4	5
Southern.....	18	5	18
Minnesota.....	110	45	92
Missouri:			
Eastern.....	49	45	44
Western.....	42	23	44
Nebraska.....	15	14	15
North Dakota.....	5	6	7
South Dakota.....	12	9	15
Ninth Circuit.....	654	489	836
Alaska.....	11	5	12
Arizona.....	51	26	65
California:			
Northern.....	213	206	296
Eastern.....	42	24	50
Central.....	165	81	200
Southern.....	26	26	33
Hawaii.....	23	23	37
Idaho.....	8	11	10
Montana.....	7	3	6
Nevada.....	23	14	25
Oregon.....	26	24	35
Washington:			
Eastern.....	16	20	24
Western.....	23	26	43
Guam.....	-	-	-
Tenth Circuit.....	128	118	160
Colorado.....	25	33	37
Kansas.....	41	38	66
New Mexico.....	19	24	26
Oklahoma:			
Northern.....	21	10	18
Eastern.....	4	3	1
Western.....	11	4	5
Utah.....	4	5	6
Wyoming.....	3	1	1

TRANSFERS OF CASES UNDER 28 U.S.C. 1407

During the twelve months ended June 30, 1976, the Judicial Panel on Multidistrict Litigation transferred 491 civil actions which were originally filed in 69 different district courts to 24 transferee district courts. In 1975, 255 civil cases were transferred from 50 district courts to 28 transferee districts for the purpose of coordinated or consolidated pretrial proceedings.

The district judges to whom actions have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those actions. Unless an action is closed in the transferee court or ordered transferred by the transferee judge to the transferor or other district under 28 U.S.C. 1404(a) or 28 U.S.C. 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established the Panel, there have been 2,730 transfers of civil actions to which were joined 2,233 civil actions originally filed in the districts receiving the transfers. Thus, 4,963 cases have been a part of Section 1407 pretrial proceedings in the 53 different transferee district courts from 1968 through June 30, 1976. To date, 2,811 have either been remanded by the Panel or terminated by the transferee courts.

The following tables provide statistics on the number of cases transferred since the Panel was enacted, and the flow of cases into and out of individual districts for both fiscal year 1976 and cumulatively for the entire period since 1968. The list accompanying the latter table identifies those cases transferred in the twelve month period ended June 30, 1976.

TABLE 43
Summary Of Multidistrict Litigation

	As of 7/ 1/75	During FY 1976	As of 6/30/76
Actions Transferred	2,239	491	2,730
Actions Originally Filed in Transferee Districts	1,678	555	2,233
TOTAL ACTIONS SUBJECTED TO SECTION 1407 PROCEEDINGS	3,917	1,046	4,963
Actions Terminated by Trans- feree Courts or Actions Remanded by the Panel	2,526	285	2,811 *
TOTAL ACTIONS PRESENTLY PENDING AND SUBJECTED TO SECTION 1407 PROCEEDINGS	1,391		2,152

* Includes a total of 114 actions which have been remanded by the Panel and 21 actions reassigned to transferor judges within the transferee district.

TABLE 44
NUMBER AND TYPES OF CASES TRANSFERRED BY ORDER OF
THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
FISCAL YEAR 1976 & CUMULATIVE FROM 8/68 TO DATE

Circuit and district	Index to 1976 cases	Fiscal year 1976			Cumulative 1968-1976		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net Change	Into district	Out of district	Net Change
Total.....		491	491	-	2,730	2,730	-
District of Columbia.....	1	18	7	+11	94	44	+50
First Circuit.....		4	24	-20	125	94	+31
Maine.....	2	-	-	-	-	2	-2
Massachusetts.....		4	16	-12	79	61	+18
New Hampshire.....		-	5	-5	27	17	+10
Rhode Island.....		-	3	-3	-	6	-6
Puerto Rico.....		-	-	-	19	8	+11
Second Circuit.....		75	63	+12	330	605	-275
Connecticut.....	5	-	3	-3	19	13	+6
New York:							
Northern.....		-	1	-1	2	5	-3
Eastern.....	7	61	12	+49	70	58	+12
Southern.....	8	14	45	-31	239	486	-247
Western.....		-	2	-2	-	7	-7
Vermont.....		-	-	-	-	16	-16
Third Circuit.....		3	29	-26	568	203	+365
Delaware.....		-	3	-3	2	12	-10
New Jersey.....		-	7	-7	10	38	-28
Pennsylvania:							
Eastern.....	11	2	15	-13	498	98	+400
Middle.....		-	2	-2	-	26	-26
Western.....	12	1	-	-1	58	27	+31
Virgin Islands.....		-	-	-	-	-	-
Fourth Circuit.....		33	39	-6	108	134	-26
Maryland.....		-	9	-9	6	44	-38
North Carolina:							
Eastern.....		-	4	-4	-	10	-10
Middle.....	14	3	7	-4	3	12	-9
Western.....	15	9	6	+3	24	7	+17
South Carolina.....		-	8	-8	-	25	-25
Virginia:							
Eastern.....	16	21	3	+18	28	28	-
Western.....		-	2	-2	-	4	-4
West Virginia:							
Northern.....		-	-	-	-	1	-1
Southern.....		-	-	-	47	3	+44
Fifth Circuit.....		29	93	-64	150	274	-124
Alabama:							
Northern.....		-	16	-16	33	29	+4
Middle.....		-	-	-	-	3	-3
Southern.....		-	-	-	-	10	-10
Florida:							
Northern.....		-	2	-2	-	5	-5
Middle.....		-	5	-5	1	13	-12
Southern.....	20	15	5	+10	72	32	+40
Georgia:							
Northern.....	21	6	9	-3	6	21	-15
Middle.....		-	-	-	-	-	-
Southern.....		-	-	-	-	2	-2
Louisiana:							
Eastern.....	22	2	29	-27	12	41	-29
Middle.....		-	3	-3	-	3	-3
Western.....	23	6	4	+2	6	7	-1
Mississippi:							
Northern.....		-	-	-	-	-	-
Southern.....		-	2	-2	-	4	-4
Texas:							
Northern.....		-	8	-8	12	56	-44
Eastern.....		-	2	-2	1	4	-3
Southern.....		-	5	-5	4	37	-33
Western.....		-	3	-3	3	7	-4

TABLE 44
NUMBER AND TYPES OF CASES TRANSFERRED BY ORDER OF
THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
FISCAL YEAR 1976 & CUMULATIVE FROM 0/68 TO DATE

Circuit and district	Index to 1976 cases	Fiscal year 1976			Cumulative 1968-1976		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net Change	Into district	Out of district	Net Change
Sixth Circuit.....		-	52	-52	81	230	-149
Kentucky:							
Eastern.....		-	-	-	51	12	+41
Western.....		-	-	-	-	5	-5
Michigan:							
Eastern.....		-	5	-5	8	36	-28
Western.....		-	3	-3	-	6	-6
Ohio:							
Northern.....		-	25	-25	5	46	-41
Southern.....		-	6	-6	6	92	-86
Tennessee:							
Eastern.....		-	3	-3	2	7	-5
Middle.....		-	1	-1	1	7	-6
Western.....		-	9	-9	6	19	-13
Seventh Circuit.....		23	33	-10	320	313	+7
Illinois:							
Northern.....	35	23	22	+1	234	265	-31
Eastern.....		-	2	-2	-	2	-2
Southern.....		-	2	-2	-	3	-3
Indiana:							
Northern.....		-	1	-1	-	8	-8
Southern.....		-	5	-5	81	10	+71
Wisconsin:							
Eastern.....		-	1	-1	5	18	-13
Western.....		-	-	-	-	7	-7
Eighth Circuit.....		20	30	-10	89	152	-63
Arkansas:							
Eastern.....		-	1	-1	-	7	-7
Western.....		-	-	-	-	1	-1
Iowa:							
Northern.....		-	-	-	-	1	-1
Southern.....		-	-	-	3	6	-3
Minnesota:	39	5	20	-15	20	62	-42
Missouri:							
Eastern.....	40	2	3	-1	2	25	-23
Western.....	41	13	4	+9	64	31	+33
Nebraska:		-	2	-2	-	16	-16
North Dakota:		-	-	-	-	-	-
South Dakota:		-	-	-	-	3	-3
Ninth Circuit.....		97	96	+1	551	561	-10
Alaska:		-	-	-	-	34	-34
Arizona:		-	3	-3	3	24	-21
California:							
Northern.....	43	41	32	+9	229	251	-22
Eastern.....	44	8	2	+6	8	8	-
Central.....	45	46	27	+19	285	110	+175
Southern.....	46	1	1	-	12	16	-4
Hawaii:		-	7	-7	-	9	-9
Idaho:		-	2	-2	2	5	-3
Montana:		-	1	-1	-	3	-3
Nevada:		-	7	-7	-	13	-13
Oregon:		-	8	-8	-	27	-27
Washington:		-	3	-3	-	4	-4
Eastern.....		-	3	-3	12	57	-45
Western.....	48	1	3	-2	-	-	-
Guam.....		-	-	-	-	-	-
Tenth Circuit.....		189	25	+164	314	120	+194
Colorado:		-	10	-10	10	25	-15
Kansas:	50	186	6	+180	256	29	+227
New Mexico:		-	1	-1	-	2	-2
Oklahoma:							
Northern.....	51	1	2	+1	6	6	-
Eastern.....		-	-	-	7	-	-7
Western.....		-	5	-5	35	15	+20
Utah:		-	1	-1	-	43	-43
Wyoming:		-	-	-	-	-	-

INDEX TO CASES F.Y. 1976

1. National Student Marketing Litigation (MDL-105)
Radiation Incident at Washington, D.C. on April 5, 1974 (MDL-213)*
Saigon, South Vietnam Air Disaster Litigation (MDL-221)*
2. Boston, Massachusetts, Air Disaster Litigation (MDL-160)
5. Petroleum Product Antitrust Litigation (MDL-150)*
7. J. F. Kennedy International Airport Air Disaster Litigation (MDL-227)
8. Stirling Homex Corporation Securities Litigation (MDL-126)*
Molinaro/Catanzaro Patent Litigation (MDL-170)
Republic National - Realty Equities Securities Litigation (MDL-174)*
Ionian Sea Air Disaster Litigation (MDL-229)
Haven Industries, Inc. Securities Litigation (MDL-246)
Generics Corp. of America Securities Litigation (MDL-251)*
11. Sugar Industry Antitrust Litigation (East Coast) (MDL-201A)*
12. Glenn W. Turner Enterprises Litigation (MDL-109)*
14. Joseph F. Smith Patent Litigation (MDL-232)
15. Charlotte, N.C., Air Disaster Litigation (MDL-202)
Panty Hose Seaming Patent Litigation (MDL-209)
16. Upperville, Virginia, Air Disaster Litigation (MDL-199)
Westinghouse Electric Corp. Uranium Contract Litigation (MDL-235)
Western Electric Co., Inc. Semiconductor Patent Litigation (MDL-244)
20. Nissan Motor Corp. Antitrust Litigation (MDL-120)*
Bestline Products* Securities & Antitrust Litigation (MDL-162)*
National Airline, Inc. Maternity Leave Practices and Flight
Attendant Weight Program Litigation (MDL-218)*
21. Ryder Truck Lines, Inc. Employment Practices Litigation (MDL-220)*
Chicken "Broiler" Antitrust Litigation (MDL-237)
22. Plywood Antitrust Litigation (MDL-159)*
23. Natchitoches Parish, Louisiana, Air Louisiana, Air Disaster Litigation (MDL-193)
35. Mt. McKinley Nat'l Park, Alaska, Auto Disaster Litigation (MDL-203)
Transocean Tender Offer Securities Litigation (MDL-223)*
Folding Carton Antitrust Litigation (MDL-250)*
39. Antibiotic Drug Litigation (Non-Settling Cases) (MDL-10)*
Celotex "Technifoam" Products Liability Litigation (MDL-210)
Olympia Brewing Co. Antitrust and Contract Litigation (MDL-242)
40. Southwestern Bell Telephone Co. Maternity Benefits Litigation (MDL-216)*
41. International House of Pancakes Franchise Litigation (MDL-77)
Midwest Milk Monopolization Litigation (MDL-83)*
Piper Aircraft Distribution System Antitrust Litigation (MDL-217)
Warhead Explosion Aboard USS NEWPORT NEWS (MDL-243)*
43. Sta-Power Industries, Inc. Securities & Antitrust Litigation (MDL-151)*
IBM Peripheral EDP Devices Antitrust Litigation (MDL-163)
Air West, Inc. Securities Litigation (MDL-177)*
Sugar Antitrust Litigation (MDL-201)*
44. Bomb Disaster at Roseville, California (MDL-207)
45. Equity Funding Corp. of America Litigation (MDL-142)*
Paris, France, Air Disaster Litigation (MDL-172)
Pago Pago, American Samoa, Air Disaster Litigation (MDL-176)
Pennsylvania Life Company Securities Litigation (MDL-183)*
Papeete, Tahiti, Air Disaster Litigation (MDL-206)
Bali, Indonesia, Air Disaster Litigation (MDL-215)
The "Exorcist" Copyright Litigation (MDL-239)
46. U. S. Financial Securities Litigation (MDL-161)*
48. West Coast Bakery Flour Antitrust Litigation (MDL-178)
50. A. H. Robins Co., Inc. "Dalkon Shield" IUD Products Liability
Litigation (MDL-211)
51. Palizzio, Inc. Antitrust Litigation (MDL-233)

* Denotes allegation of a class action under Rule 23,
Federal Rules of Procedure.

Criminal Cases in United States District Courts

Any comparison of fiscal year 1976 criminal data with previous years' statistics should be done cautiously and with an awareness of the change in the complexion of the data and the reasons for the change. Briefly stated, fiscal year 1976 was a year of transition, and for that reason the data collected during the year cannot be directly compared to that of prior years.

The major force contributing to the statistical reporting changes is the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975). Generally, the intent of Congress in passing this legislation was to guarantee to the public and to the accused that defendants in criminal cases would be brought to trial without unwarranted delay. To ensure that defendants would be tried within a reasonable period of time, the Act specified time limits for specific phases of the criminal justice process.

In order to comply with provisions of the Act and to evaluate the Act's effectiveness, the existing criminal data collection system was revised and expanded to provide for complete defendant accounting from filing to disposition. Thus beginning October 1, 1975, according to regulations published by the Administrative Office, the district courts began to report statistics on all defendants prosecuted for minor offenses, misdemeanors, and felonies.

● *Petty offense* - any misdemeanor for which the penalty does not exceed 6 months imprisonment or a fine of not more than \$500, or both. (18 U.S.C. §1)

● *Other minor offense* - any misdemeanor, other than a petty offense, for which the penalty does not exceed one year's imprisonment or a fine of not more than \$1,000, or both. (18 U.S.C. §3401)

● *Other misdemeanor* - any criminal offense where conviction could result in no more than one year's imprisonment and/or a fine greater than \$1,000, or any offense specifically excepted under 18 U.S.C. §3401(f)

● *Felony* - a criminal offense punishable by imprisonment for a term exceeding one year. (18 U.S.C. §1)

How do the new reporting requirements affect the statistics and why are the standard criminal statistical tables not directly comparable to those of previous years?

Essentially, there are two primary reporting changes which have affected the base data. They are the inclusion of minor offenses and the exclusion of superseding indictments or informations.

Minor offenses, other than petty offenses, are required to be reported by the district courts, pursuant to Section 3172(2) of the Speedy Trial Act. In

previous years, under certain circumstances, some minor offense cases, including some petty offenses, were included in the criminal statistics of the district courts. Beginning October 1, 1975, all minor offenses, with the exception of most petty offenses, are to be reported by the courts. Minor offenses are in large part disposed of by magistrates, and in past years, most of these minor offenses would not have been reflected in the workload of the district courts. The inclusion of minor offenses in the criminal statistics will effectively enlarge the number of cases and defendants in certain offense categories, specifically violations of migratory bird laws and drunk driving and traffic offenses.

Implementation of complete minor offense reporting by all districts will not begin until July 1, 1976. This is another factor which must be taken into consideration in any comparison or analysis of the criminal data.

During fiscal year 1976, superseding indictments or informations generally have been excluded from the reporting of the number of criminal defendants processed in the district courts. For example, in several districts where drug law violations are prominent, the government's attorneys filed indictments, which are counted as new criminal filings, and subsequently would file informations arising out of the original criminal offense. Previously, these were also counted as new filings. This practice tended to increase the volume of filings in those districts where superseding indictments of informations were used regularly. For these districts the revised reporting system will reduce the number of cases filed, since a superseding indictment or information will continue as part of the original case record and, therefore, will not be counted as an additional case.

The only situation where this reporting practice will not be in effect is where the court dismisses criminal cases on motion of the defendant under the provisions of Section 3161(d) of the Speedy Trial Act. In these instances, should the government file another indictment or information, the case would be counted as a new filing. However, the number of these dismissals granted to defendants is small.

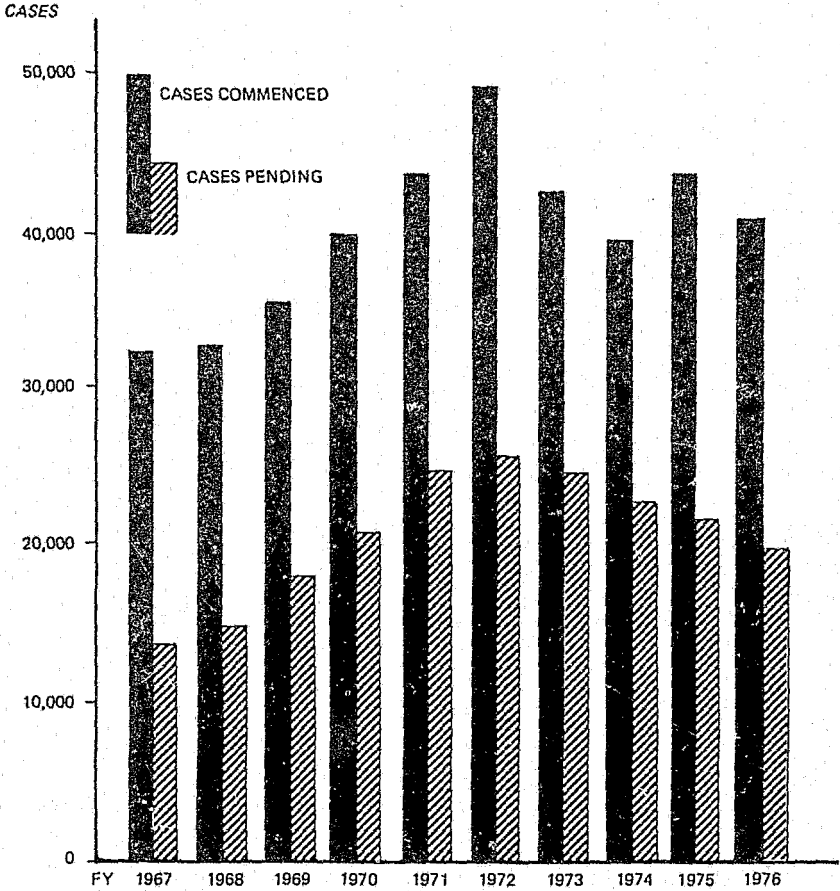
In summary, any comparison or analysis of criminal data should be attempted only with full knowledge of the data collected in the past and what is now being collected and shown in this report.

Appendix I of this report contains the criminal statistical tables, D-1 through D-8. Appendix tables D-2 and D-3 have two parts for 1976 data - one includes all offenses reported by the district courts and the other includes *only felonies and misdemeanors*. Felony and misdemeanor statistics are not available for previous years, since the level of offense; i.e., petty offense, minor offense, felony, and misdemeanor, has only been reported since

UNITED STATES DISTRICT COURTS

CRIMINAL CASES COMMENCED* AND PENDING

FISCAL YEARS 1967-1976



*Includes transfers.

October 1, 1975. For the first time since 1961, caseload data is presented for both criminal cases and defendants, instead of case data only. (Appendix tables D-1)

Criminal caseload

During fiscal 1976, there was a decrease of 5.2% in the total number of criminal cases filed in the district courts, from 43,282 in 1975 to 41,020 in 1976. This drop occurred despite the inclusion of minor offenses in the criminal statistics. Case terminations saw little change, but the disposition rate; i.e., the number of terminations divided by the total available workload, increased from 66% in 1975 to 69% in 1976. The increase in the disposition rate may be a result of districts implementing the interim time limits pursuant to the Speedy Trial Act of 1974, though the full effect of such plans did not go into effect until July 1, 1976. This disposition rate together with a lower beginning-year pending figure and reduced filings caused the number of criminal cases pending as of June 30 to decrease by 11.8%, from 22,411 in 1975 to 19,756 in 1976. This represents the lowest pending figure since 1969 when there were 17,770 pending cases as of June 30. (See Table 45.)

Criminal filings

The overall decrease in 1976 criminal filings cannot be attributed to any one offense or group of offenses, since almost every offense category experienced a decline from the previous year.

As a result of the end of the Vietnam war and the elimination of the draft, Selective Service Act filings have continued to decrease, from 274 in 1975 to 120 (all offenses) in 1976.

Also continuing their downward trend are auto theft prosecutions which fell by 161 cases, for a total of 1,430 (all offenses) reported for fiscal year 1976. In 1970, the Department of Justice published guidelines restricting prosecution in auto theft cases. In 1973 prosecution of such cases was further reduced by the juvenile diversion statute, 18 U.S.C. §5001. This statute provides for the diversion to state and local authorities of those persons under twenty-one years of age who have been arrested and charged with any offense punishable in a federal court. Thus, the majority of youthful joyriders are being diverted to state or local authorities for prosecution.

Narcotics filings experienced a decrease of 15.5%, from 7,331 in 1975 to 6,198 (all offenses) in 1976. Some of this decrease may be attributed to the

TABLE 45
CRIMINAL CASES COMMENCED, TERMINATED AND PENDING
JUNE 30, IN THE DISTRICT COURTS
FISCAL YEARS 1955 THROUGH 1976

Fiscal year	Pending July 1	Total filed		Total terminated	Pending June 30
		Original pro- ceedings	Received by transfer		
1955.....	10,100	35,310	1,813	38,580	8,643
1956.....	8,643	28,739	1,914	32,053	7,243
1957.....	7,243	28,120	1,958	29,826	7,495
1958.....	7,495	28,897	1,840	30,781	7,451
1959.....	7,451	28,729	1,924	30,377	7,727
1960.....	7,727	28,137	1,691	29,864	7,691
1961.....	7,691	28,460	1,808	29,881	8,078
1962.....	8,078	29,274	1,743	30,013	9,082
1963.....	9,082	29,858	1,888	31,546	9,282
1964.....	9,282	29,944	1,789	31,437	9,578
1965.....	9,578	31,569	1,765	32,078	10,834
1966.....	10,834	29,729	1,765	30,644	11,684
1967.....	11,684	30,534	1,673	30,350	13,541
1968.....	13,541	30,714	1,857	31,349	14,763
1969.....	14,763	33,585	1,828	32,406	17,770
1970.....	17,770	38,102	1,857	36,819	20,910
1971.....	20,910	41,290	1,867	39,582	24,485
1972.....	24,485	47,043	2,011	48,101	25,438
1973.....	25,438	40,367	2,067	43,456	24,416
1974.....	24,416	37,667	2,087	41,526	22,644
1975.....	22,644	41,108	2,174	43,515	27,411
1976*.....	22,411	39,147	1,873	43,675	19,756
Percent change					
1976 over 1975.....	-1.0	-4.8	-13.8	0.4	-11.8

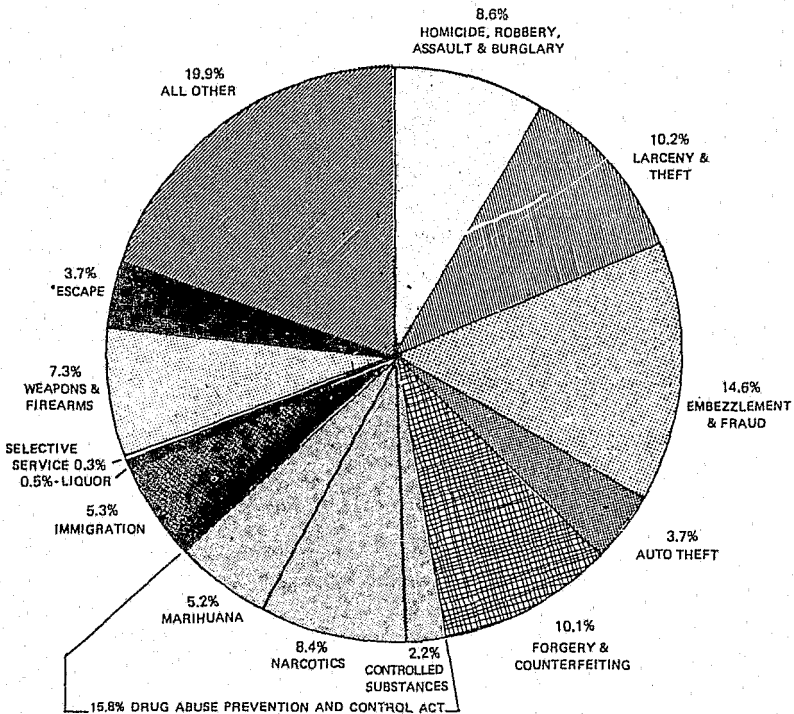
*Includes all offenses reported; i.e., minor offenses, felonies, and misdemeanors.

UNITED STATES DISTRICT COURTS

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.

TABLE 46
CRIMINAL CASES FILED BY NATURE OF OFFENSE,
(EXCLUDES TRANSFERS) FISCAL YEARS 1968 THROUGH 1976

Nature of offense	Fiscal year 1968	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974	Fiscal year 1975	Fiscal year 1976 all offenses	Fiscal year 1976 felonies & misdemeanors
Total	30,714	33,585	38,102	41,290	47,043	40,367	37,667	41,108	39,147	34,113
Homicide.....	206	197	275	237	309	144	160	149	158	158
Robbery.....	1,279	1,570	1,580	1,955	2,422	1,568	1,556	2,616	2,042	2,035
Bank.....	869	1,012	1,038	1,337	1,455	1,379	1,468	2,032	1,905	1,900
Postal.....	23	21	25	44	56	43	42	63	69	68
Other.....	387	537	517	574	911	146	46	71	69	67
Assault.....	477	594	684	655	646	695	710	833	832	778
Burglary.....	669	605	529	482	357	269	271	411	354	354
Larceny and theft.....	2,637	2,758	3,226	3,685	3,742	3,516	3,565	4,626	4,006	3,576
Embezzlement.....	1,419	1,712	1,932	2,250	1,810	1,571	1,612	1,870	1,778	1,711
Fraud.....	1,878	1,531	1,783	2,062	2,748	3,076	3,073	3,666	3,930	3,609
Auto theft.....	4,722	4,139	4,090	2,408	2,350	1,960	1,790	1,591	1,430	1,419
Forgery and counterfeiting.....	3,464	3,113	3,862	4,242	4,685	4,104	4,360	4,607	3,972	3,935
Sex offenses.....	229	224	241	206	274	180	189	176	127	124
Narcotic laws.....	2,860	3,458	3,511	4,679	6,758	8,817	7,374	7,331	6,198	6,007
Miscellaneous general offenses..	1,862	2,152	3,478	4,393	5,066	5,020	6,021	7,230	7,971	5,740
Weapons and firearms.....	400	494	1,547	2,036	2,377	2,224	2,911	3,165	2,847	2,800
Escape ¹	783	894	1,024	1,245	1,415	1,377	1,505	1,497	1,433	1,384
Drunk driving & traffic.....	59	50	60	88	124	211	531	1,220	2,587	516
Other misc. general offenses..	679	764	907	1,112	1,274	1,419	1,605	2,568	1,104	1,040
Immigration laws.....	2,609	4,107	4,614	5,027	5,904	2,208	1,921	1,947	2,070	1,782
Liquor, Internal Revenue.....	1,945	1,409	1,358	1,171	1,254	901	641	349	187	178
Federal statutes.....	4,458	6,016	6,939	7,838	8,718	6,338	4,424	4,156	4,092	2,707
Civil rights ²	74	81	192	156	91	136	134	127	85	66
Food and Drug Acts.....	555	515	499	445	211	108	116	85	61	45
Migratory bird laws.....	485	426	685	400	389	232	253	361	944	223
Motor Carrier Act.....	495	476	401	324	230	252	225	146	113	91
Selective Service Act.....	1,826	3,305	3,712	4,539	5,142	3,043	1,008	274	120	119
Other Federal statutes.....	1,023	1,213	1,450	1,974	2,655	2,567	2,688	3,163	2,769	2,163

¹Includes escape from custody, aiding and abetting an escape, failure to appear in court and bail jumping.

²These are principally cases removed from State courts under provisions of the Civil Rights Act, 28 U.S.C. 1443.

exclusion of superseding indictments or informations from the criminal statistics.

There are two offense categories which had substantial increases in filings over the previous year. Drunk driving and traffic offense filings increased by 1,367 over last year, for a total of 2,587 cases (all offenses). Filings of violations of migratory bird laws increased by 583 cases, for a total of 944 filings. A comparison of the two columns for 1976 in appendix table D-2 shows that the increases in these two offense categories are mainly a result of the reporting of minor offenses. Of the 2,587 drunk driving and traffic violations filed, only 516 or slightly less than one-fifth were classified as felonies or misdemeanors. Likewise, only 223 of the 944 violations of migratory bird laws were reported as felonies or misdemeanors. (See Table 60.)

Type of criminal proceeding

Statistics for 1976 for all offenses reported show that of the 39,147 original cases filed in federal court, 66.8% (26,150) were commenced by indictment. This compares to 65.1% in 1975. Cases commenced by the filing of an information after waiver of indictment also decreased, from 2,782 in 1975 to 2,583 for all offenses reported in 1976.

Minor offense cases are usually commenced by the filing of an information. However, despite the inclusion of minor offense cases in the 1976 data, the actual number and also the proportional number of cases commenced by "other information", that is by consent of the defendant, decreased. Of the 9,577 "other information" cases filed, over one-half (4,862) were reported as felonies or misdemeanors. There are no separate statistics available on the type of proceedings for felonies and misdemeanors filed in previous years.

Filings of cases removed from state court increased from 69 in 1975 to 95 (all offenses included) in 1976. Proceedings under the Federal Juvenile Delinquency Act decreased significantly from 522 in 1975 to 300 in 1976 (for all offenses reported). This reflects the continuing policy of the Department of Justice to refer youthful offenders to state or local authorities.

The category of "all other proceedings" in Table 61 includes cases commenced by appealing the decision of a U.S. magistrate to the district court. In 1974 there were 92 such cases commenced in the federal district courts and in 1975 there were 161. In 1976, appeals from U.S. magistrates decisions numbered 108 with 69 of these cases reported as felonies or misdemeanors.

TABLE 47
CRIMINAL CASES COMMENCED SHOWING NATURE OF ORIGINAL PROCEEDINGS
DURING THE FISCAL YEARS 1968 THROUGH 1976 (EXCLUDES TRANSFERS)

Nature of proceeding	Criminal cases commenced									
	1968	1969	1970	1971	1972	1973	1974	1975	1976	
									(all offenses reported)	(felonies and misdemeanors only)
<u>Total</u>	30,714	33,585	38,102	41,290	47,043	40,367	37,667	41,108	39,147	34,113
Proceedings commenced by:										
Indictment.....	19,565	22,554	26,283	28,666	31,601	29,152	25,448	26,775	26,150	25,932
Information-indictment waived.....	5,229	5,921	5,919	5,445	4,402	3,481	3,023	2,782	2,583	2,570
Information-other.....	4,979	4,317	5,009	6,356	10,268	6,894	8,278	10,384	9,577	4,862
Removed from State court.....	71	71	122	103	62	68	78	69	95	65
Juvenile delinquency proceedings.....	828	662	711	642	668	699	727	522	300	287
All other proceedings..	42	60	58	78	42	73	113	576	442	397

Cases filed by district

Since fiscal year 1976 was a period of transition in the area of federal criminal statistics, comparison of 1976 case filings by district with 1975 filings should be made with caution. The statistics for the few comparative statements that are made are obtained from appendix table D-3 for fiscal years 1975 and 1976.

Although there was an overall decrease of 5.2% in criminal cases filed in the district courts, there were three districts that experienced a significant increase in case filings: The District of Maryland, the Southern District of Georgia, and the Western District of Louisiana. The District of Maryland saw a rise of 56.6% during 1976 in its original criminal case filings, for a total of 1,322 cases. The increase of 384 cases in the category of "other general offenses" was responsible for most of the increase. The Southern District of Georgia also experienced a rather substantial rise in "other general offense" case filings, from 113 in 1975 to 1,127 in 1976. This contributed greatly to the total filing level of 1,572 for an increase of 181.2% in criminal case filings in this district. In both Maryland and Georgia, Southern, the swell in the "other general offense" category is primarily a result of minor offense filings for drunk driving and traffic offenses.

Filings in the third district, the Western District of Louisiana, rose by 146.5% to 996 cases. The majority of the increase can be seen in the category of "other special offenses", which includes minor offense violations of migratory bird laws. The filing of these minor offenses has resulted in the case filings increase in this district.

Disposition of criminal defendants

During 1976, there were 42,793 criminal cases terminated in 91 district courts, involving a total of 51,612 defendants - counting those defendants in more than one case only once. These 51,612 defendants whose cases were terminated in the federal district courts represent an increase of 4.9% over the 49,212 defendant dispositions in 1975. The territorial courts of the Canal Zone, Guam and the Virgin Islands are excluded from the disposition data analysis due to the local nature of their cases.

A summary of defendant disposition data for fiscal years 1974 through 1976 is provided in Table 48. At the risk of being redundant, 1976 was a year of transition, and for that reason any data analysis must be viewed with complete knowledge of what is included and shown in each year's criminal statistics.

TABLE 48
Summary Of Criminal Defendant Dispositions In
The U.S. District Courts Fiscal Years 1974-1976
(Excludes Territories)

Fiscal Year	1974	1975	1976 (all offenses reported)	1976 (felonies and misdemeanors only)
<u>Total Defendants</u>	48,014	49,212	51,612	47,256
Defendants Convicted and Sentenced	36,230	37,433	40,112	36,491
(Percent of Total)	(75.5)	(76.1)	(77.7)	(77.2)
Imprisonment	17,180	17,301	18,478	18,068
(Percent of Convicted)	(47.4)	(46.2)	(46.1)	(49.5)
Average Sentence of Imprisonment in Months	42.2	45.5	47.2	48.1
Probation	16,623	17,913	18,208	16,694
(Percent of Convicted)	(45.9)	(47.9)	(45.4)	(45.7)
Fine	2,078	1,876	3,198	1,545
(Percent of Convicted)	(5.7)	(5.0)	(8.0)	(4.2)
Other	349	343	228	184
(Percent of Convicted)	(1.0)	(0.9)	(0.6)	(0.5)

Table 48 indicates that the conviction rate has been rising, from 75.5% in 1974 to 76.1% in 1975, and to a three-year high of 77.7% in 1976. The type of sentence given to convicted defendants shows a significant increase in the number and percent of defendants receiving a "fine only" sentence. In 1976, there were 3,198 persons or 8% of the convicted defendants who were sentenced to fines only. This percentage compares to 5% in 1975 and 5.7% in 1974. This substantial increase in the fine only sentence category probably reflects the increased recording of minor offenses on the courts' general criminal docket.

The increase in filings of drunken driving and traffic offenses and violations of migratory bird laws was reflected in the number of defendant dispositions in these minor offense categories. The number of migratory bird laws violators, whose cases were disposed of in federal district courts, rose by 163.3%, from 381 in 1975 to 1,003 (all types of offenses included) in 1976. There was also an increased conviction rate in this offense category, from 80.8% in 1975 when there were 308 defendants convicted to 89.1% in 1976 when 894 defendants were convicted of migratory bird laws violations.

Defendant dispositions for drunken driving and traffic offenses increased 110.2%, from 1,080 in 1975 to 2,270 in 1976 (for all types of offenses reported). In 1976, there were 1,753 convictions for this offense which yielded a conviction rate of 77.2%. This compares to a conviction rate of 61.9% in 1975 when 69 defendants were convicted.

Median time interval

The first statistics on the median time interval from the filing of a criminal information or indictment to the final disposition of a defendant in the United States district courts were published in 1963. This type of data has been published each year thereafter, except for 1964, in this volume or in the Federal Offender series.

The median time interval does not reflect the average time from filing to disposition but rather expresses the middle time value, where one-half of the defendants had their cases disposed of in an amount of time greater than the median and one-half of the defendant cases required less time than the median. A median is used instead of an average in order to avoid the extremes in time from filing to disposition. An example of an extreme would be a fugitive defendant case which may take an unusually great amount of time for disposition due to the mere fact that the defendant is a fugitive and is, therefore, not available for trial. The median time interval reflects only the time a defendant's criminal proceeding has been on the docket of the district

TABLE 49
UNITED STATES DISTRICT COURTS
CRIMINAL DEFENDANTS DISPOSED OF
SHOWING MEDIAN TIME INTERVAL FROM FILING TO DISPOSITION
FISCAL YEARS 1970-1976

Type of disposition and median time interval	Fiscal years						
	1970	1971	1972	1973	1974	1975	1976 (all offenses)
<u>TOTAL</u>	36,356	44,615	49,516	46,724	46,543	48,244	50,608
Median (mos.).....	3.2	2.9	3.4	3.9	3.8	3.6	3.1
Dismissed.....	6,608	10,655	10,219	11,741	9,634	10,144	9,633
Median (mos.).....	7.1	6.4	7.7	6.8	7.0	7.4	5.5
Flea of guilty.....	24,111	27,544	31,714	29,009	29,843	31,170	33,327
Median (mos.).....	2.2	2.3	2.5	3.0	3.0	2.9	2.5
Court trial.....	19,103	2,537	1,873	2,240	2,238	1,929	2,038
Median (mos.).....	5.5	5.2	5.5	4.6	4.2	3.8	3.3
Jury trial.....	3,644	4,313	5,046	4,101	4,828	5,001	5,610
Median (mos.).....	5.9	5.9	6.3	5.8	5.5	5.3	5.0

NOTE: Excludes District of Columbia and the territories of Canal Zone, Guam and Virgin Islands.

court. It includes fugitive time, time required for study and observation following conviction, and time between conviction and sentencing when the Federal Probation Service conducts its pre-sentence investigation. However, it does not include time between arrest and indictment and time involved in post-conviction appeals. (See Table 49.)

The appendix table D-6 presents median time interval statistics for 91 federal district courts. The table reflects data for all defendants reported and includes all levels of offense; i.e., minor offenses, felonies, and misdemeanors. A comparative analysis of this data with that of previous years will not be presented at this time since the inclusion of minor offenses alone may have resulted in the reduced median time interval.

The Speedy Trial Act of 1974 may have affected the median time interval computed for fiscal year 1976, since in order to comply with the Act, the courts have had to concentrate their efforts on the disposition of criminal defendants within specified time limits. The effect of the speedy trial legislation will be reported to Congress at the end of September, 1976.

Pending criminal cases

A comparison of the pending criminal caseload as of June 30, 1975 with that of June 30, 1976 for all reported offense levels shows an overall decrease of 11.8%, from 22,411 in 1975 to 19,756 in 1976.

Table 50 presents a seven-year picture of criminal cases pending as of June 30 by nature of offense. There were decreases in every offense category with the exception of fraud which increased only slightly from 2,166 to 2,176, and miscellaneous general offenses (exclusive of weapons and firearms) which has been steadily rising over the last several years. The increase of 94 cases in this category may be a reflection of increased reporting of minor offenses in the criminal caseload during 1976.

Pending liquor law violations declined from 83 in 1975 to a mere 49 in 1976 while sex offenses decreased from 83 to 53 pending cases. Of the major offenses categories, assault, larceny and theft, and forgery and counterfeiting experienced the largest proportional decrease.

Over one-fifth or 4,620 of all pending cases were narcotics laws cases. On July 1, 1975, there were 4,911 narcotics laws violations on the criminal dockets. During fiscal year 1976, there were 6,198 narcotics cases filed in the district courts, for a total available workload of 11,109. Of this number, 6,489 were terminated, resulting in a disposition rate of 58.4%.

TABLE 50
Criminal Cases Pending June 30, 1976 To 1976
By Nature Of Offense

Nature of Offense	Fiscal Years						1976 (All Offenses)
	1970	1971	1972	1973	1974	1975	
Total	20,910	24,485	25,438	24,416	22,644	22,411	19,756
Homicide.....	206	200	223	78	57	61	56
Robbery.....	1,093	1,323	1,445	785	748	969	780
Bank.....	658	756	752	665	687	914	726
Postal.....	17	25	35	16	20	22	30
Other.....	418	542	658	104	41	33	24
Assault.....	337	369	299	301	305	364	263
Burglary.....	342	300	196	112	100	138	133
Larceny and theft.....	1,732	1,948	1,849	1,553	1,486	1,851	1,441
Embezzlement.....	777	880	694	608	525	599	542
Fraud.....	1,684	1,605	1,843	2,027	1,934	2,166	2,176
Auto theft.....	1,386	1,063	993	832	691	576	531
Forgery and counterfeiting.....	2,295	2,564	2,409	2,191	2,094	1,970	1,569
Sex offenses.....	161	153	174	93	107	83	53
Narcotics laws.....	2,472	3,298	4,273	5,221	4,869	4,911	4,620
Miscellaneous general offenses.....	2,324	2,989	3,417	3,625	3,942	4,003	3,779
Weapons and firearms.....	859	1,086	1,259	1,128	1,397	1,443	1,124
Other miscellaneous general offenses.....	1,465	1,903	2,158	2,497	2,545	2,560	2,654
Immigration laws.....	575	539	547	558	542	605	517
Liquor, Internal Revenue.....	452	360	348	206	174	83	49
Federal statutes.....	5,074	6,894	6,728	6,226	5,050	4,032	3,248
Civil rights.....	89	95	58	52	55	49	22
Selective Service Act.....	3,744	5,305	5,424	4,953	3,826	2,704	2,123
Other Federal statutes.....	1,241	1,494	1,246	1,221	1,169	1,279	1,103

TABLE 51
Narcotic Drug Law Case Flow
1970-1976

Fiscal Year	Pending July 1	Filed	Terminated		Pending June 30
			Number	Disposition rate*	
1970	2,248	3,511	3,287	57.1	2,472
1971	2,472	4,679	3,853	53.9	3,298
1972	3,298	6,758	5,783	57.2	4,273
1973	4,273	8,817	7,869	60.1	5,221
1974	5,221	7,374	7,706	61.2	4,889
1975	4,889	7,331	7,309	59.8	4,911
1976	4,911	6,198	6,489	58.4	4,620

*Percent of the total of new filings and the beginning pending.

Table 52 reflects 1975 and 1976 pending data for each district court. Only nineteen of the ninety-four districts experienced an increase in their pending caseload. Significant among these districts are the District of Maryland, the Southern District of Georgia, and the Western District of Louisiana. The substantial increases in criminal pending cases in each of these three districts can most likely be attributed to the increased recording of minor offense filings of drunk driving and traffic violations in Maryland and Georgia, Southern, and of migratory bird laws filings in Louisiana, Western.

Districts with more than 500 criminal cases pending

There were ten districts that had more than 500 criminal cases pending on their dockets as of June 30, 1976. These large metropolitan district courts accounted for 45.3% of the total pending caseload for all offenses reported and 53.6% of all cases pending one year or more. Cases with fugitive defendants represented 78.7% of all cases pending one year or more in these ten districts.

The District of Massachusetts fell below the 500 mark and therefore was deleted from the list. The District of Maryland with 619 pending cases is an addition to this year's list.

TABLE 52
Criminal Cases Pending in The
United States District Courts As Of June 30
Fiscal Year 1975 And 1978

Circuit and district	1975	1976 (All offenses)	Percent Change 1976 over 1975	Circuit and district	1975	1976 (All offenses)	Percent Change 1976 over 1975
Total all districts	22,411	19,756	-11.4	Sixth Circuit	2,514	2,088	-16.9
District of Columbia	399	400	0.3	Kentucky	225	241	-37.5
First Circuit	928	706	-33.7	Western	66	74	12.1
Maine	72	58	-19.4	Michigan	1,250	1,034	-17.3
Massachusetts	513	440	-13.0	Eastern	214	159	-11.2
New Hampshire	42	29	-31.0	Ohio	413	350	-15.3
Rhode Island	56	77	16.7	Northern	98	69	-29.6
Puerto Rico	265	104	-40.3	Tennessee	46	30	-34.8
Second Circuit	2,746	2,734	-1.2	Eastern	50	63	-21.2
Connecticut	321	271	-15.6	Middle	122	137	12.3
New York	138	152	10.1	Seventh Circuit	1,477	1,283	-13.1
Eastern	895	922	3.0	Illinois	553	667	20.6
Southern	896	903	0.8	Northern	101	46	-54.5
Western	414	387	-6.5	Southern	125	70	-44.0
Vermont	102	90	-12.0	Indiana	324	213	-34.3
Third Circuit	1,383	1,182	-14.5	Northern	166	126	-24.1
Delaware	66	55	-16.7	Wisconsin	149	123	-17.4
New Jersey	491	358	-27.1	Eastern	59	38	-35.6
Pennsylvania	269	238	-11.5	Western	1,416	597	-58.6
Eastern	105	89	-15.2	Arkansas	167	86	-48.5
Middle	268	224	-16.4	Eastern	40	36	-10.0
Western	184	223	21.2	Iowa	59	40	-32.0
Fourth Circuit	1,512	1,406	-7.0	Northern	58	53	-8.6
Maryland	465	619	33.1	Southern	222	147	-33.8
North Carolina	110	69	-37.3	Minnesota	150	126	-16.0
Eastern	64	64	0.0	Western	298	170	-43.0
Middle	81	57	-29.6	Nebraska	132	115	-12.9
Western	239	145	-39.3	North Dakota	35	34	-2.9
Virginia	348	288	-17.2	South Dakota	264	190	-28.0
Eastern	60	35	-41.7	Ninth Circuit	5,552	4,870	-12.3
Western	29	18	-37.9	Alaska	94	84	-10.6
West Virginia	116	111	-4.3	Arizona	916	934	2.0
Fifth Circuit	3,693	3,457	-6.4	California	275	210	-23.6
Alabama	159	142	-10.7	Northern	423	265	-37.4
Northern	18	32	77.8	Eastern	1,155	1,039	-10.0
Middle	31	47	51.6	Central	1,367	1,501	10.0
Southern	75	45	-40.0	Hawaii	134	101	-24.6
Florida	318	283	-11.0	Idaho	60	43	-28.3
Northern	534	556	4.1	Montana	91	74	-18.7
Middle	322	262	-18.6	Nevada	113	113	0.0
Eastern	67	69	3.0	Oregon	195	170	-12.8
Southern	133	227	70.7	Washington	105	74	-29.5
Louisiana	280	153	-45.4	Eastern	255	251	-1.6
Eastern	39	36	-7.7	Western	49	11	-77.6
Middle	82	126	53.7	Tenth Circuit	771	631	-18.2
Western	56	20	-64.3	Colorado	173	134	-22.5
Mississippi	43	44	2.3	Kansas	174	193	10.9
Northern	240	210	-12.5	New Mexico	173	118	-31.8
Eastern	46	40	-13.0	Oklahoma	61	56	-8.2
Southern	725	778	7.6	Northern	14	8	-42.9
Western	444	327	-26.4	Eastern	65	57	-12.3
Canal Zone	72	60	-16.7	Western	92	55	-40.2
				Utah	19	10	-47.4
				Wyoming			

TABLE 53
District Courts Having More Than 500 Criminal
Cases Pending, June 30, 1976
(Includes All Offenses Reported)

District	Total pending cases	Cases pending less than 6 months	Cases pending 6 to 12 months			Cases pending 1 year or more		
			Number	Cases with fugitive defendants, etc.		Number	Cases with fugitive defendants, etc.	
				Number	Percent		Number	Percent
All districts.....	19,756	9,088	2,442	867	35.5	5,225	6,221	75.6
Total 10 districts..	8,953	3,408	1,135	492	43.3	4,410	3,470	78.7
Percent.....	45.3	37.5	46.4	56.7	-	53.6	55.9	-
California, Southern.....	1,501	278	145	94	64.8	1,078	974	90.4
California, Central.....	1,039	412	81	46	56.8	546	429	78.6
Michigan, Eastern.....	1,034	473	145	28	19.3	416	228	54.8
Arizona.....	934	277	107	84	78.5	550	528	96.0
New York, Eastern.....	922	280	121	24	19.8	521	389	74.7
New York, Southern.....	903	367	184	61	33.2	352	125	35.5
Texas, Southern.....	778	392	77	40	51.9	309	270	87.4
Illinois, Northern.....	667	310	125	55	44.0	232	184	79.3
Maryland.....	619	415	79	18	22.8	125	87	69.6
Florida, Southern.....	556	204	71	42	59.2	281	256	91.1

TABLE 54
Criminal Cases Pending One Year Or More Showing
Proportion Of Cases With Fugitive Defendants
As Of June 30, 1968-1976
(Includes All Offenses Reported)

June 30	Number of Criminal Cases pending 1 year or more			
	Total	Without fugitive defendants	With fugitive defendants	
			Number	Percent
1968.....	4,029	2,534	1,495	37.1
1969.....	4,845	2,627	2,218	45.8
1970.....	6,179	2,964	3,215	52.0
1971.....	7,271	3,147	4,124	56.7
1972.....	8,067	2,654	5,413	67.1
1973.....	9,064	2,771	6,293	69.4
1974.....	9,341	2,499	6,842	73.3
1975.....	8,889	2,306	6,285	70.7
1976.....	8,225	2,004	6,221	75.6
Percent Change 1976 over 1975.....	-7.5	-23.1	-1.0	-

Pending criminal cases with fugitive defendants

The number of criminal cases pending one year or more decreased 7.5% from 8,889 in 1975 to 8,225 in 1976. Of these older cases, 6,221 or

75.6% were pending criminal cases with fugitive defendants. This is the highest percentage recorded since at least 1968.

Appendix table D-8b contains individual district data on the length of time pending for fugitive and non-fugitive cases for all offenses reported.

Status of criminal defendants

As of June 30, 1976, there were 27,770 criminal defendants whose cases were pending in federal district courts. Of these, 63.0% were pending for one year or less, 17.2% for one to three years, and 19.8% for more than three years. Of the 5,503 defendants whose cases were pending for more than three years, 4,648 were classified as fugitives as of June 30, 1976. On that date triable defendants accounted for 11,014 or 39.7% of the total 27,770 pending defendants.

The accompanying table illustrates nationally the status of criminal defendants as of June 30, 1976. The first portion of the table reflects the number of defendants in excludable delay categories as set forth in Title 18 U.S.C. §3161(h). The second portion includes other types of defendant status as of June 30. Data is also provided on length of time pending as of June 30, 1976.

TABLE 55
United States District Court
Status Of Criminal Defendants Pending As Of
June 30, 1975

Status	Total	Number of Months Pending						
		0 to 5 Months	6 to 12 Months	13 to 24 Months	25 to 36 Months	37 to 48 Months	49 to 60 Months	61 months and over
Total	27,770	13,217	4,269	3,056	1,725	1,500	1,190	2,813
Excludable Delay Status:								
Examination or hearing for mental or physical incapacity.....	98	72	19	2	3	1	-	1
NARA.....	3	3	-	-	-	-	-	-
State or federal trials on other charges.....	24	43	12	9	1	-	2	5
Interlocutory appeals.....	147	32	33	34	22	3	2	14
Hearings on pretrial motions.....	581	317	161	75	15	2	1	10
Transfers from other districts (F.R. Cr.P. 20, 21, and 40 - Magistrate Rule 6).....	47	40	4	2	1	-	-	-
Defendant motion is actually under advise- ment.....	175	115	28	15	8	2	4	3
Miscellaneous proceedings, probation revoca- tion, deportation proceeding, extradition....	6	6	-	-	-	-	-	-
Prosecution deferred by mutual agreement....	446	210	108	90	42	3	1	12
Unavailability of defendant (fugitive) or essential witness.....	9,704	1,342	1,258	1,374	1,082	1,147	954	2,347
Period of mental or physical incompetence of defendant to stand trial.....	67	25	14	12	6	6	2	2
Period of NARA commitment or treatment.....	8	5	-	1	2	-	-	-
Superseding indictment and/or new charges....	54	39	4	5	-	-	6	-
Defendant awaiting trial or co-defendant when no severance has been granted.....	170	113	26	16	7	8	-	-
Continuances granted per 3161(H)(8).....	296	203	45	34	9	4	1	-
Time between guilty plea and plea withdrawal..	10	6	4	-	-	-	-	-
Grand jury indictment time extended per 3161(H).....	6	-	-	6	-	-	-	-
Other Status:								
Tried - awaiting sentence.....	2,747	1,978	518	170	38	25	11	7
Tried - committed for observation and study Section: 18244, 4245, 5034, 5010(E), 4208(B), 4252 or 28: 2902(A).....	286	181	77	19	6	-	3	-
Tried - became fugitive before sentencing....	212	23	27	38	24	26	14	60
Trial - committed under 4246.....	24	12	4	5	-	-	2	1
Trial - available for final plea or trial by judge or jury.....	11,014	7,629	1,627	977	350	186	146	89
Authorization for dismissal requested by U.S. Attorney from Department of Justice....	134	41	49	18	7	3	13	3
Any defendant who cannot be classified under Excludable Delay or under Other Status Codes.....	1,466	782	251	154	110	84	28	57

TRIALS

Trials increase

Overall there was a 1.8% increase in trials completed in the district courts in 1976. Accounting for most of the increase were jury trials in criminal cases which climbed to 5,151 or 5% more than a year ago. The 11,656 civil trials continued an upward trend that began as early as 1962 and has continued through this year except for a slight decrease of 0.6% in 1973. Civil trials have increased by 50% since 1966, by 16% since 1971, and by 0.5% compared to last year. Again, as indicated by similar comparisons, nonjury civil trials increased sharply from 10 years ago by 76% and from 5 years ago by 23%.

A slight increase in nonjury criminal trials of 1.7% accompanied by a substantial increase of 5.0% in jury trials, accounted for an overall increase in criminal trials of 3.8%.

TABLE 56
Trials Completed In The United States District
Courts During The Fiscal Years 1962 Through 1976

Fiscal year	Total trials	Civil			Criminal		
		Total	Non-jury	Jury	Total	Non-jury	Jury
1962.....	10,048	6,260	3,335	2,925	3,788	1,090	2,698
1963.....	10,960	7,095	3,925	3,170	3,865	1,159	2,706
1964.....	11,079	7,155	4,059	3,096	3,924	1,076	2,848
1965.....	11,485	7,613	4,459	3,154	3,872	1,143	2,729
1966.....	12,193	7,783	4,607	3,176	4,410	1,239	3,171
1967.....	12,500	8,095	4,742	3,353	4,405	1,345	3,060
1968.....	14,221	8,688	5,478	3,210	5,533	1,800	3,733
1969.....	14,397	8,834	5,619	3,215	5,563	1,883	3,680
1970.....	16,032	9,449	6,078	3,371	6,583	2,357	4,226
1971.....	17,549	10,093	6,600	3,493	7,456	2,923	4,533
1972.....	18,780	10,962	7,285	3,677	7,818	2,968	4,850
1973.....	19,467	10,896	7,289	3,607	8,571	2,927	5,644
1974.....	18,572	10,972	7,403	3,569	7,600	2,753	4,847
1975.....	19,236	11,603	7,903	3,700	7,633	2,726	4,907
1976.....	19,580	11,656	8,098	3,558	7,924	2,773	5,151
Percent change 1976 over 1975...	1.8	0.5	2.5	-3.8	3.8	1.7	5.0

17% of trials take four days or more

For the last 3 years, approximately one out of six trials took four or more days to complete. For jury trials only, at least one out of four trials took four or more days to complete. This year, jury trials taking four or more days

TABLE 57
Length Of Trials In U.S. District Courts
Fiscal Years 1968, 1970, 1972, 1973, 1974, 1975 And 1976

Length of trial	1968	1970	1972	1973	1974	1975	1976	Percent Change 1976 over 1975
<u>Total</u>	14,221	16,032	18,780	19,467	18,572	19,236	19,580	1.8
Less than 1 day.....	3,719	4,934	5,177	5,352	5,279	5,446	5,654	3.8
1 day.....	3,723	3,957	4,837	4,730	4,150	4,272	4,122	-3.5
2 days.....	3,161	3,385	4,204	4,380	4,084	4,140	4,221	2.0
3 days.....	1,682	1,767	1,968	2,202	2,128	2,183	2,352	7.7
4 to 9 days.....	1,668	1,759	2,262	2,414	2,515	2,758	2,772	0.5
10 to 19 days.....	211	186	273	304	315	355	337	-5.1
20 days and over.....	57	44	59	85	101	82	121	47.6
Percent 4 days and over.	13.6	12.4	13.8	14.4	15.8	16.6	16.5	-
Jury trials only.....	6,943	7,597	8,527	9,251	8,416	8,607	8,709	1.2
Percent of total.....	48.8	47.4	45.4	47.5	45.3	44.7	44.5	-
Less than 1 day.....	889	1,049	928	974	788	821	719	-12.4
1 day.....	1,190	1,300	1,457	1,586	1,262	1,265	1,177	-7.0
2 days.....	2,139	2,369	2,724	2,901	2,558	2,543	2,592	1.9
3 days.....	1,277	1,352	1,475	1,665	1,584	1,558	1,725	10.7
4 to 9 days.....	1,277	1,382	1,698	1,851	1,924	2,094	2,154	2.9
10 to 19 days.....	141	116	205	222	228	270	259	-4.1
20 days and over.....	30	27	40	52	72	56	83	48.2
Percent 4 days and over.	20.9	20.1	22.8	23.0	26.4	28.1	28.7	-

accounted for 28.7% of all jury trials. These figures support the statement that again, as in 1974 and 1975, jury trial are getting longer.

In appendix table C8, it can be seen that among the 650 civil nonjury trials which lasted four days or more, civil rights litigation (133 trials) represented 20.5% of the total, and other contract actions (111 trials) represented 17.1%. Of the total 1,021 civil jury trials which lasted four days or more, personal injury other than marine and motor vehicle (236 trials) represented 23.1% of the total; motor vehicle personal injury (162 trials) represented 15.9%; other contract actions (132 trials) represented 12.9%, and civil rights litigation (97 trials) represented 9.5% of the total. These four types of litigation accounted for more than 60% of the total civil jury trials which lasted four days or more.

Of the total 7,924 criminal trials, 35% (2,773) were nonjury trials, of which 3% (85) lasted four or more days. The remaining 65% (5,151) were jury trials, of which 29% (1,475) lasted four days or more. Of the total 1,475 criminal jury trials lasting more than four days, narcotics laws prosecutions (348) accounted for 24% and fraud (294) accounted for 20%.

Actual trials which lasted 20 days or more are listed in appendix table C9.

Median time interval from issue to trial remains at 11 months

For the sixth year in a row, the median time interval from issue to trial for civil cases stood at 11 months. (Trials used in this discussion are exclusive of certain nonjury trials as explained in a following footnote.)

Within the 94 district courts the distribution of median time intervals relative to the median for the system shows that 36 districts had medians less than or equal to the system median from issue to trial; another 44 districts had median time intervals greater than the national median. Fourteen districts had less than 25 trials completed and therefore, median time intervals were not computed.

Among the 25 district courts with five or more authorized judgeships, nine districts had median issue to trial time intervals for civil cases of 11 months or less with two districts, Florida, Southern, and Virginia, Eastern, showing the lowest median interval of six months. Massachusetts which had a 26 months issue to trial median in 1975 (the highest that year) recorded a 29 months interval in 1976, the highest in the nation.

New York, Southern, which had the second highest median in 1975 lowered its median from 25 months last year to 21 months this year. New Jersey, which held the third highest median in 1975 of 19 months increased

TABLE 58
Median Time Interval From Issue To Trial In Civil Cases
In Which Trials Were Completed ¹,
Fiscal Years 1962-1976

Fiscal year	Total trials		Nonjury trials		Jury trials	
	Number	Median (in months)	Number	Median (in months)	Number	Median (in months)
1962.....	5,578	10	3,226	9	2,752	12
1963.....	6,656	10	3,720	9	2,930	12
1964.....	6,020	11	3,187	11	2,833	12
1965.....	6,385	11	3,394	9	2,991	12
1966.....	6,309	11	3,288	10	3,021	13
1967.....	6,341	12	3,161	10	3,180	15
1968.....	7,130	12	4,039	10	3,091	15
1969.....	6,716	13	3,629	11	3,087	15
1970.....	7,152	12	3,781	10	3,371	14
1971.....	7,713	11	4,220	9	3,493	14
1972.....	8,469	11	4,792	10	3,677	14
1973.....	8,267	11	4,660	10	3,607	13
1974.....	8,238	11	4,669	9	3,569	13
1975.....	8,485	11	4,785	9	3,700	13
1976.....	8,041	11	4,483	10	3,558	12
Percent change 1976 over 1975.....	-5.2	-	-6.3	-	-3.8	-

¹Includes all jury trials as well as all preliminary injunctions and temporary restraining orders requiring more than a day in trial. Excludes certain nonjury trials as follows: land condemnation cases; forfeiture and penalty cases; prisoner petitions (includes habeas corpus and motions to vacate sentence under 28 U.S.C. 2255); and hearings on evidentiary matters, preliminary injunctions and bankruptcy petitions. Excludes 3 judge courts.

its median to 23 months in 1976, thus maintaining its position of third among the 25 district courts. The greatest change among these districts in the median time interval from issue to trial occurred in Arizona, which had an increase from a 15 month median last year to 25 months this year.

Overall, five of the districts had no change in their median times. Eight districts reduced their median times by one to 5 months, and twelve of the districts showed increases from one to ten months.

TABLE 59
 MEDIAN TIME INTERVAL FROM ISSUE TO TRIAL IN CIVIL CASES
 IN WHICH TRIALS WERE COMPLETED IN THE 25 LARGE METROPOLITAN¹
 DISTRICT COURTS, FISCAL YEARS 1975 AND 1976

District ²	Number of authorized judgeships fiscal year 1975	1975		1976	
		Number of trials	Median (in months)	Number of trials	Median (in months)
All districts.....	399	8,485	11	8,041	11
Massachusetts.....	6	67	26	75	29
New York, S.....	27	502	25	367	21
New Jersey.....	9	180	19	131	23
Pennsylvania, E.....	19	332	18	407	16
Michigan, E.....	10	140	18	127	18
District of Columbia.....	15	144	17	113	12
Texas, W.....	5	64	16	86	13
New York, E.....	9	144	15	151	16
Arizona.....	5	55	15	36	25
California, N.....	11	191	15	170	15
Georgia, N.....	6	171	14	205	14
Louisiana, E.....	9	271	13	299	11
California, S.....	5	55	13	51	16
Texas, S.....	8	142	12	106	18
California, C.....	16	166	12	151	11
Maryland.....	7	128	11	101	9
Ohio, S.....	5	101	11	108	14
Pennsylvania, W.....	10	168	9	175	10
Florida, M.....	6	134	9	101	12
Texas, N.....	6	204	9	211	9
Ohio, N.....	8	225	9	171	12
Illinois, N.....	13	165	9	134	11
South Carolina.....	5	163	8	163	8
Virginia, E.....	6	192	7	223	6
Florida, S.....	7	188	5	156	6

¹Courts with 5 or more judgeships.

²Districts arranged by highest to lowest median time interval in 1975.

JUROR UTILIZATION

Summary statistics on the use of grand and petit jurors in the federal court system are presented in the following pages. This presentation includes statistics for fiscal year 1976 as well as national comparisons of this data with that for previous years. Because final data on payments to 1976 jurors is not yet available, cost information will appear in the fall of 1976 in the annual *Juror Utilization Report*. In order to present a more comprehensive picture of the jury operation in the Federal courts, this section is divided into two parts, the first dealing with grand juries and the second with petit jurors.

Grand jury

The collection of statistics on the operation of the federal grand jury system began July 1, 1974 pursuant to the mandates of the Judicial Conference and under the guidance of the Committee on the Operation of the Jury System. Two full years of data have provided a substantial overview of the activity of federal grand juries and information as to the utilization of grand jurors in the system. The compilation of data for fiscal year 1976 is taken from the JS-11G reporting forms which are submitted monthly by the clerk of each district court for each grand jury within the district.

"Grand Juror Statistics-National Totals", provides information on total grand jury activity for fiscal years 1975 and 1976. The total number

TABLE 60
United States District Courts
Grand Juror Statistics - National Totals
Fiscal Years 1975-1976

Grand Jurors and Juries	1975	1976	1976 over 1975	
			Increase (Decrease)	Percent Change
Total Number of:				
Sessions Convened....	7,846	8,404	558	7.1
Jurors in session....	156,167	167,185	11,018	7.1
Hours in session....	41,421	44,765	3,344	8.1
Average Number of:				
Jurors per session...	19.90	19.90	0.0	0.0
Hours per session...	5.28	5.33	0.05	0.9
Total Number of Grand Juries:				
In existence.....	570	605	35	6.1
Impaneled.....	291	301	10	3.4
Discharged.....	266	255	(11)	-4.1

of grand juries in existence increased by 6.0% from 570 in 1975 to 604 grand juries this past year. The number of sessions convened by grand juries rose 7.1% - 8,404 sessions convened in 1976 as compared to 7,846 in 1975. Correspondingly, the number of jurors involved in these convened sessions increased by 11,018, or 7.1%, while the number of hours in session increased by 8.1% from 41,421 hours in fiscal year 1975 to 44,765 hours in 1976. These increases are at least partially attributable to the courts' efforts to reduce the time between a defendant's arrest and subsequent indictment under Rule 50(b) interim plans adopted by each district.

The second table "Number of Grand Juries", presents a breakdown by district of the total number of grand juries that were sitting at some time in the twelve month period, the number of grand juries in existence at the beginning of fiscal year 1976, the number impaneled, the number discharged, and the number in existence at the close of fiscal year 1976.¹ The total number of grand juries (those in existence on July 1, 1975 plus those impaneled in the twelve month period) ranged from a high of 48 in New York, Southern to a low of one in 11 (12%) of the 92 districts with grand juries in 1976. The Districts of the Virgin Islands and the Canal Zone reported no grand juries in existence during fiscal year 1976.

Nationally, 303 grand juries were in existence on July 1, 1975. During the fiscal year, the number of grand juries impaneled (301) exceeded the number discharged (258) by 43, resulting in 346 grand juries on June 30, 1976, a 14.2% increase over the 303 juries at the close of fiscal year 1975. The number of grand juries in any given district varies depending on factors such as amount and type of criminal activity and the number of places of holding court. The grand jury system, as an integral part of the operation of the Federal courts, has exhibited an increase in size and activity.

The table, "Grand Juror Usage", shows the extent to which grand juries and jurors were utilized within each district during fiscal year 1976. Totals are given for the number of grand jury sessions convened by all grand juries within a district, the number of jurors involved in these convened sessions, and the number of hours during which sessions were conducted. New York, Southern recorded the greatest number of sessions convened - 968, the largest number of jurors in session - 19,559, as well as the highest number of hours in session - 3,772. Wyoming appears at the opposite end of the range with its one grand jury reporting five sessions convened during the fiscal year involving 101 grand jurors for a total of 36 hours.

¹ Regular grand juries may be impaneled at any time and have a natural life of 18 months but may be discharged sooner by court order during the 18 month period. (Rule 6(g), F.R.Crim.P.)

TABLE 61
Number Of Grand Jurors
United States District Courts
Fiscal Year 1976

District	Number on July 1, 1975	Number Impaneled in the 12 Month Period	Number Discharged in the 12 Month Period	Number on June 30, 1976	Total Number in Existence in the 12 Month Period
Total All Districts..	303^R	301	258	346	604
District of Columbia.....	19	8	6	12	18
First Circuit					
Maine.....	-	2	-	2	2
Massachusetts.....	7	6	5	8	13
New Hampshire.....	1	1	1	1	2
Rhode Island.....	2	2	3	1	4
Puerto Rico.....	1	2	1	2	3
Second Circuit					
Connecticut.....	3	2	-	5	5
New York:					
Northern.....	1	6	5	2	7
Eastern.....	13 ^R	20	14	19	33
Southern.....	29	19	16	32	48
Western.....	4	5	6	3	9
Vermont.....	3	1	2	2	4
Third Circuit					
Delaware.....	2	1	1	2	3
New Jersey.....	6	5	5	6	11
Pennsylvania:					
Eastern.....	5	6	3	8	11
Middle.....	2	4	2	4	6
Western.....	5	4	3	6	9
Virgin Islands*.....	-	-	-	-	-
Fourth Circuit					
Maryland.....	7	6	9	6	15
North Carolina:					
Eastern.....	1	3	3	1	4
Middle.....	1	1	1	1	2
Western.....	2	2	2	2	4
South Carolina.....	1	1	1	1	2
Virginia:					
Eastern.....	7	7	5	9	14
Western.....	8	10	12	6	18
West Virginia:					
Northern.....	1	1	1	1	2
Southern.....	3	1	2	2	4
Fifth Circuit					
Alabama:					
Northern.....	1	2	2	1	3
Middle.....	1	-	1	-	1
Southern.....	1	1	1	1	2
Florida:					
Northern.....	2	1	1	2	3
Middle.....	7	4	4	7	11
Southern.....	9	10	7	12	19
Georgia:					
Northern.....	5	4	3	6	9
Middle.....	2	2	1	3	4
Southern.....	1	2	1	2	3
Louisiana:					
Eastern.....	5	4	5	4	9
Middle.....	2	3	4	1	5
Western.....	4	5	4	5	9
Mississippi:					
Northern.....	1	1	1	1	2
Southern.....	1	1	1	1	2
Texas:					
Northern.....	7	6	4	9	13
Eastern.....	2	2	2	2	4
Southern.....	6 ^R	4	3	7	10
Western.....	10	7	7	10	17
Canal Zone*.....	-	-	-	-	-

TABLE 81
Number Of Grand Juries
United States District Courts
Fiscal Year 1976 (Concluded)

District	Number on July 1, 1975	Number Impaneled in the 12 Month Period	Number Discharged in the 12 Month Period	Number on June 30, 1976	Total Number in Existence in the 12 Month Period
Sixth Circuit					
Kentucky:					
Eastern.....	3	3	3	3	6
Western.....	4	2	3	3	6
Michigan:					
Eastern.....	5	5	1	9	10
Western.....	-	1	-	1	1
Ohio:					
Northern.....	6	6	6	6	12
Southern.....	3	4	3	4	7
Tennessee:					
Eastern.....	4	1	3	2	5
Middle.....	1	-	-	1	1
Western.....	2	1	2	1	3
Seventh Circuit					
Illinois:					
Northern.....	7	14	13	8	21
Eastern.....	1	1	1	1	2
Southern.....	3	1	1	3	4
Indiana:					
Northern.....	2	2	1	3	4
Southern.....	2	3	4	1	5
Wisconsin:					
Eastern.....	2	1	1	2	3
Western.....	-	1	-	1	1
Eighth Circuit					
Arkansas:					
Eastern.....	1	1	-	2	2
Western.....	1	-	1	-	1
Iowa:					
Northern.....	2	2	2	2	4
Southern.....	1	2	1	2	3
Minnesota:					
Northern.....	1	1	1	1	2
Missouri:					
Eastern.....	2	4	2	4	6
Western.....	3	3	3	3	6
Nebraska:					
Eastern.....	-	1	-	1	1
North Dakota.....	1	1	1	1	2
South Dakota.....	2	-	-	2	2
Ninth Circuit					
Alaska.....	1	-	-	1	1
Arizona.....	3	4	3	4	7
California:					
Northern.....	5 ^R	6	7	4	11
Eastern.....	1 ^R	2	2	1	3
Central.....	11	15	8	18	26
Southern.....	8	6	6	8	14
Hawaii.....	1	2	1	2	3
Idaho.....	1	2	1	2	3
Montana.....	1	-	1	-	1
Nevada.....	3	1	2	2	4
Oregon.....	2	3	2	3	5
Washington:					
Eastern.....	1	1	1	1	2
Western.....	2	2	2	2	4
Guam.....	1	1	1	1	2
Tenth Circuit					
Colorado.....	1	-	-	1	1
Kansas.....	2	1	-	3	3
New Mexico.....	3	2	2	3	5
Oklahoma:					
Northern.....	1	1	1	1	2
Eastern.....	1	1	1	1	2
Western.....	-	1	-	1	1
Utah.....	2	2	2	2	4
Wyoming.....	1	-	1	-	1

^R - Revised to more accurately reflect the number of grand juries at the beginning of F.Y. 1976.

*The Districts of Virgin Islands and Canal Zone reported no grand juries in existence during F.Y. 1976.

TABLE 82
Grand Juror Usage
United States District Courts
Fiscal Year 1976

District	Number Of			Average Number of Jurors per Session	Average Number of Hours per Session
	Sessions Convened	Jurors in Session	Hours in Session		
<u>Total All Districts..</u>	8,404	167,185	44,765	19.9	5.33
District of Columbia.....	497	10,037	2,464	20.2	4.96
First Circuit					
Maine.....	14	292	83	20.9	5.93
Massachusetts.....	210	4,172	1,055	19.9	5.02
New Hampshire.....	7	135	35	19.4	5.00
Rhode Island.....	40	781	212	19.6	5.30
Puerto Rico.....	44	869	270	19.5	6.14
Second Circuit					
Connecticut.....	66	1,323	377	20.0	5.71
New York:					
Northern.....	72	1,468	281	20.4	3.90
Eastern.....	539	10,640	2,546	19.8	4.73
Southern.....	968	19,559	3,772	20.2	3.90
Western.....	185	3,645	894	19.7	4.83
Vermont.....	42	831	220	19.8	5.24
Third Circuit					
Delaware.....	49	929	198	19.0	4.04
New Jersey.....	243	4,457	1,186	18.3	4.88
Pennsylvania:					
Eastern.....	260	5,157	1,390	19.8	5.35
Middle.....	60	1,215	308	20.2	5.13
Western.....	102	1,929	608	18.9	5.96
Virgin Islands*	-	-	-	-	-
Fourth Circuit					
Maryland.....	171	3,322	741	20.0	4.33
North Carolina:					
Eastern.....	24	528	154	22.0	6.42
Middle.....	9	177	54	19.7	6.00
Western.....	14	252	96	18.0	6.86
South Carolina.....	15	312	107	20.8	7.13
Virginia:					
Eastern.....	153	3,064	995	20.0	6.50
Western.....	16	338	85	21.1	5.31
West Virginia:					
Northern.....	8	182	47	22.8	5.88
Southern.....	32	639	218	20.0	6.81
Fifth Circuit					
Alabama:					
Northern.....	30	672	227	22.4	7.57
Middle.....	14	271	92	19.4	6.57
Southern.....	17	331	118	19.5	6.94
Florida:					
Northern.....	15	314	74	20.9	4.93
Middle.....	148	2,814	914	19.0	5.18
Southern.....	253	5,056	1,463	20.0	5.78
Georgia:					
Northern.....	150	2,944	942	19.6	6.28
Middle.....	70	1,439	490	20.5	7.11
Southern.....	38	711	227	18.7	5.97
Louisiana:					
Eastern.....	114	2,248	627	19.7	5.50
Middle.....	27	552	140	20.4	5.19
Western.....	61	1,246	387	20.4	6.34
Mississippi:					
Northern.....	9	201	53	22.3	5.89
Southern.....	15	314	79	20.9	5.27
Texas:					
Northern.....	120	2,412	760	20.1	6.33
Eastern.....	14	279	79	19.9	5.64
Southern.....	87	1,735	521	19.9	5.99
Western.....	101	2,045	407	20.2	4.03
Canal Zone*	-	-	-	-	-

TABLE 62
Grand Juror Usage
United States District Courts
Fiscal Year 1976 (Concluded)

District	Number Of			Average Number of Jurors Per Session	Average Number of Hours per Session
	Sessions Convened	Jurors in Session	Hours in Session		
Sixth Circuit					
Kentucky:					
Eastern.....	22	458	126	20.8	5.73
Western.....	67	1,342	333	20.0	4.47
Michigan:					
Eastern.....	297	6,104	1,803	20.6	6.07
Western.....	16	322	107	20.1	6.69
Ohio:					
Northern.....	141	2,795	782	19.8	5.55
Southern.....	66	1,257	393	19.0	5.95
Tennessee:					
Eastern.....	13	248	81	19.1	6.23
Middle.....	16	320	92	20.0	5.75
Western.....	56	1,174	353	21.0	6.30
Seventh Circuit					
Illinois:					
Northern.....	451	9,126	2,729	20.2	6.05
Eastern.....	34	661	209	19.4	6.15
Southern.....	55	1,074	329	19.5	5.98
Indiana:					
Northern.....	59	1,185	340	20.1	5.76
Southern.....	89	1,769	615	19.9	6.91
Wisconsin:					
Eastern.....	61	1,243	363	20.4	5.95
Western.....	21	420	105	20.0	5.00
Eighth Circuit					
Arkansas:					
Eastern.....	21	457	115	21.8	5.48
Western.....	10	228	44	22.8	4.40
Iowa:					
Northern.....	32	629	211	19.7	6.59
Southern.....	41	820	301	20.0	7.34
Minnesota:	52	1,048	261	20.2	5.02
Missouri:					
Eastern.....	111	2,187	585	19.7	5.27
Western.....	46	892	290	19.4	6.30
Nebraska.....	15	326	103	21.7	6.87
North Dakota.....	8	168	44	21.0	5.50
South Dakota.....	36	659	206	18.3	5.72
Ninth Circuit					
Alaska.....	21	410	79	19.5	3.76
Arizona.....	105	2,063	664	19.6	6.32
California:					
Northern.....	148	2,935	805	19.8	5.44
Eastern.....	50	1,044	182	20.9	1.64
Central.....	423	8,137	2,226	19.2	5.26
Southern.....	177	3,441	796	19.4	4.50
Hawaii.....	33	645	198	19.5	6.00
Idaho.....	29	604	182	20.8	6.28
Montana.....	9	194	66	21.6	7.33
Nevada.....	89	1,704	421	19.1	4.73
Oregon.....	50	1,037	245	20.7	4.90
Washington:					
Eastern.....	13	249	93	19.2	7.15
Western.....	54	1,077	376	19.9	6.96
Guam.....	8	158	30	19.8	3.75
Tenth Circuit					
Colorado.....	49	863	334	17.6	6.82
Kansas.....	33	654	241	19.8	7.30
New Mexico.....	61	1,237	325	20.3	5.33
Oklahoma:					
Northern.....	40	787	303	19.7	7.58
Eastern.....	9	194	47	21.6	5.22
Western.....	14	283	93	20.2	6.64
Utah.....	26	525	99	20.2	3.81
Wyoming.....	5	101	36	20.2	7.20

*The Districts of Virgin Islands and Canal Zone reported no grand juries in existence during F.Y. 1976.

Substantial increases in grand jury activity have occurred in 1976 compared to 1975 in many of the districts. One indicator of this increased activity is the number of sessions convened. Thirty-three of the 92 districts recorded increases of 25% or more in the number of convened sessions while 14 districts recorded increases of 50% or more. Notable in this group are Pennsylvania, Middle which held 60 sessions this past year compared to 24 in 1975; Georgia, Southern which convened 15 sessions in fiscal year 1975 and 38 sessions this year; and Oklahoma, Northern, which held 7 sessions in 1975 and 40 sessions in 1976.

This table also indicates the average number of jurors for each session as well as the average number of hours for each convened session within a district. Bearing in mind that a grand jury consists of 16 to 23 persons, Colorado had the lowest average of 17.6 jurors while West Virginia, Northern and Arkansas, Western recorded the highest average of 22.8 jurors. The national figure was 19.9 jurors per session. The measure of average hours per session is one indication of the efficient or inefficient utilization of grand jurors' time. Average hours per session ranged from a high of 7.58 hours in Oklahoma, Northern to a low in California, Eastern of 3.64 hours per session. The national figure of 5.33 average hours per session for 1976 is a slight increase over the 5.28 hours per session recorded in 1975.

The accompanying table, "Proceedings by Indictment and Grand Juror Usage", indicates that 26,139 cases were commenced by indictment this past year as compared to 26,775 such cases in 1975, a decrease of 2.4%. The number of defendants proceeded against by indictment for 1976 was 38,733, a decrease of 3.3% from the figure of 40,038 recorded in 1975. This information can be compared to the number of grand jury sessions convened, as well as the number of hours grand juries were in session, to give an indication of what was produced by the grand jury system in each of the two years. On the average, 4.6 defendants were proceeded against and slightly more than three cases were commenced as the result of each grand jury session held in 1976.

TABLE 63
Proceedings By Indictment And Grand Juror Usage
United States District Courts
Fiscal Years 1975 And 1976

Fiscal Years	Proceedings Commenced by Indictment		Grand Jury Sessions Convened	Hours in Session
	Cases	Defendants		
1975	26,775	40,038	7,846	41,421
1976	26,139	38,733	8,404	44,765

Petit jury

The utilization of petit jurors in the 12 month period ending June 30, 1976 improved in many district courts; however, the national Juror Usage Index or J.U.I. (obtained by dividing total available juror days by the total number of jury trial days) increased slightly from 19.32 in fiscal year 1975 to 19.73 this past year. Since the institution of the Petit Juror Usage (JS-11) reporting program in fiscal year 1971, there has been a decrease of 15.4% in the J.U.I. from 23.31 in that first year to 19.73 in 1976. Thus, in the six year period, the efforts of judges and court personnel have resulted in approximately three and one half fewer persons being needed for every jury trial day.

The total available prospective jurors reporting to the courthouse is broken down into three categories to designate the status of jury service each person attained each day. These three categories are jurors selected or serving; prospective jurors challenged by the court or counsel; and those persons not selected, serving or challenged. The table, "National Petit Juror Usage", gives this breakdown of the total available jurors for all 94 districts for fiscal years 1972 through 1976. Total available jurors increased from 546,627 prospective jurors in 1975 to 592,594 jurors this year - an increase of 45,967 or 8.4%. Correspondingly, the number of jury trial days increased by 6.1% - from 28,293 jury trial days in fiscal year 1975 to 30,032 days in 1976 - an increase of 1,739 days. The number of criminal jury trial days increased by 12.6% during this period and accounted for nearly 60% of all jury trial days in 1976 as compared to approximately 56% in 1975. The number of civil jury trial days exhibited a decline of 2.1% and represented only 40.7% of the jury trial days this past year as compared to 44.1% in fiscal year 1975.

Of the 592,594 total available jurors in 1976, 356,951, or 60.2%, were jurors selected for or serving on jury trials. This is a steady improvement from the 55.5% serving jurors reported in 1972 and indicates that approximately sixty of every 100 persons reporting to the courthouse for jury duty were selected for or served on a trial jury. The percentage of prospective jurors challenged decreased from 16.1% in fiscal year 1975 to 15.6% this past fiscal year; however, this is still an increase from the 14.5% challenged jurors reported in 1972. The percentage of jurors not selected, serving or challenged - the not used juror - exhibited a slight increase with 24.1% of all prospective jurors falling in this category in 1976 as compared to 23.8% last year. The 24.1% recorded this fiscal year is nearly six percentage points lower than the 30.0% recorded in fiscal year 1972 and indicates that the improved management of the juror operations by the district courts has re-

UNITED STATES COURTS OF APPEALS

PETIT JUROR USAGE

FISCAL YEARS 1972 - 1976

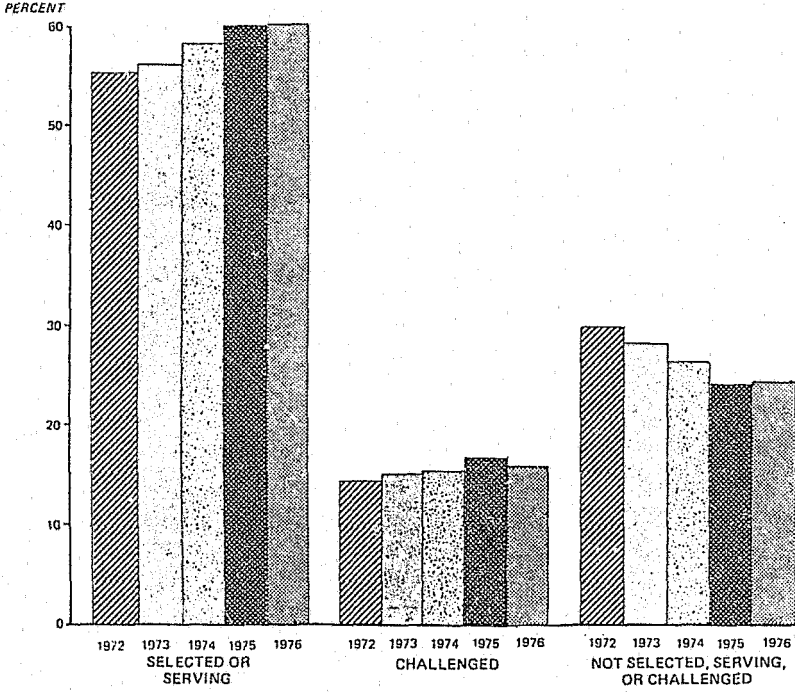


TABLE 64
National Petit Juror Usage - United States District Courts
Fiscal Years 1972-1976

Petit Jurors	1972	1973	1974	1975	1976	1976 over 1975	
						Increase (Decrease)	Percent Change
<u>Total Available</u>	547,821	573,150	540,628	546,627	592,594	45,967	8.4
Selected or Serving.....	304,178	324,038	315,419	328,445	356,951	28,506	8.7
Percent.....	55.5	56.5	58.3	60.1	60.2	-	-
Challenged.....	79,501	86,520	82,152	88,228	92,727	4,499	5.1
Percent.....	14.5	15.1	15.2	16.1	15.6	-	-
Not Selected, Serving or Challenged.....	164,142	162,592	143,057	129,954	142,916	12,962	10.0
Percent.....	30.0	28.4	26.5	23.8	24.1	-	-
<u>Jury Trial Days</u>	26,176	28,425	28,274	28,293	30,032	1,739	6.1
Criminal.....	14,615	16,791	16,426	15,818	17,818	2,000	12.6
Percent.....	55.8	59.1	58.1	55.9	59.3	-	-
Civil.....	11,561	11,634	11,848	12,475	12,214	(261)	-2.1
Percent.....	44.2	40.9	41.9	44.1	40.7	-	-

sulted in the calling of prospective jurors based on realistic determinations of their juror needs for voir dire selections and jury trials.

The table, "Petit Juror Usage Reports-Totals", provides yearly totals as to the number of jurors in attendance and the number of jury trial days conducted in each district with a percentage breakdown of each into the designated categories. The Juror Usage Index for each district is given showing the average number of jurors used by a district to conduct each jury trial day. It also shows those districts which have not changed from a twelve member civil jury by notation with an asterisk. The present total of 82 of the 94 districts having instituted use of a less than twelve member civil jury is the same as that reported at this time last year.

The Juror Usage Indexes for 1976 range from a low of 12.84 in Wyoming to a high of 34.50 in Guam. While thirty-four districts recorded improved use of their jurors as indicated by a reduction in their J.U.I.'s, sixty-one of the districts recorded indexes under 20 for the twelve month period. When fiscal year 1975 is compared with 1976, Louisiana, Middle and Illinois, Eastern have recorded the most improvement in their J.U.I.'s, reducing them by 5.83 and 4.55 index points, respectively.

The percent of jurors selected for or serving on jury trials ranged from a high of 85.0% in Alabama, Southern to a low of 32.8% in Guam. Thirty-seven of the 94 districts recorded 65% or more of the prospective jurors in this category. Further, 51 districts recorded increases in the percentage of their prospective jurors who were selected or serving. Oklahoma, Northern exhibited an improvement of 17.8 percentage points, increasing its percent selected or serving from 52.7% in 1975 to 70.5% in 1976.

The percent of jurors challenged, either for cause or peremptorily by counsel, ranged from a low of 6.9% in North Carolina, Western to highs of 33.8% and 34.6% in Virginia, Eastern and Virginia, Western, respectively. The national average for challenged jurors falls at 15.6%. The wide range in the category of challenged jurors can be attributed to the various local court practices and traditions in regard to the use of challenges or the particular type of voir dire process used.

The category of jurors not selected, serving or challenged is considered to be an important indicator of the efficient or inefficient use of petit jurors as it reveals those prospective jurors who perhaps were not needed for the voir dire selection process or were not used due to a last minute change of plea, settlement, or continuance of trial. In this category, Maine recorded the lowest figure, 3.8%, while Guam recorded the highest at 57.9%. Twenty of the 94 districts recorded 15% or less of their prospective jurors falling in this category, while 43 districts recorded improvement by a reduction of

TABLE 85
Petit Juror Usage Reports - Totals
Fiscal Year 1978

District	Number of Jurors				Days of Jury Trial			
	Total Available	Percent Selected or Serving	Percent Challenged	Percent Not Selected, Serving or Challenged	Total	Percent Civil	Percent Criminal	Juror Usage Index*
Total all districts...	592,594	60.2	15.6	24.1	30,032	40.7	59.3	19.73
District of Columbia..	12,916	58.2	13.8	28.0	615	34.0	66.0	21.00
First Circuit								
Maine.....	902	83.1	13.1	3.8	51	21.6	78.4	17.69
Massachusetts.....	7,695	68.4	10.0	21.6	415	20.2	79.8	18.54
New Hampshire.....	1,932	68.2	14.7	17.1	131	80.2	19.8	14.75
Rhode Island.....	2,352	72.5	8.0	19.5	150	40.7	59.3	15.66
Puerto Rico.....	5,262	35.0	16.0	49.0	168	40.5	59.5	31.32
Second Circuit								
Connecticut.....	5,016	75.3	14.7	10.0	262	24.4	75.6	19.15
New York:								
Northern.....	1,871	66.1	11.0	23.0	103	26.2	73.8	18.17
Eastern.....	25,659	59.6	17.3	27.1	1,207	20.9	79.1	22.09
Southern.....	46,815	52.6	16.3	31.1	2,046	34.8	65.2	22.88
Western.....	5,092	71.6	9.1	19.3	250	30.4	69.6	20.37
Vermont.....	2,349	56.4	12.5	31.2	140	63.6	36.4	16.78
Third Circuit								
Delaware.....	1,510	50.5	24.4	25.2	85	44.7	55.3	17.76
New Jersey.....	18,587	72.5	11.3	16.2	1,002	31.6	68.4	18.55
Pennsylvania:								
Eastern.....	31,406	52.2	15.9	31.9	1,635	71.6	28.4	19.21
Middle.....	5,040	72.0	18.5	9.5	285	68.4	31.6	17.68
Western.....	14,182	49.7	15.2	35.2	681	55.2	44.8	20.83
Virgin Islands.....	5,769	54.1	21.1	24.8	187	41.2	58.8	30.85
Fourth Circuit								
Maryland.....	10,416	67.8	16.3	15.9	568	40.0	60.0	18.34
North Carolina:								
*Eastern.....	2,725	69.4	9.3	21.3	137	8.8	91.2	19.89
Middle.....	1,354	69.6	18.4	12.0	77	20.8	79.2	17.58
Western.....	2,981	78.6	6.9	14.5	204	69.6	30.4	14.61
South Carolina.....	8,436	69.3	16.3	14.4	449	52.8	47.2	18.79
Virginia:								
Eastern.....	6,754	53.9	33.8	12.2	382	47.6	52.4	17.68
Western.....	1,252	52.3	34.6	13.1	67	70.1	29.9	18.69
West Virginia:								
Northern.....	428	39.0	21.5	39.5	18	66.7	33.3	23.78
Southern.....	2,587	51.4	23.3	25.3	119	38.7	61.3	21.74
Fifth Circuit								
Alabama:								
Northern.....	7,052	56.3	19.5	24.2	415	66.7	33.3	16.99
Middle.....	2,455	73.7	11.0	15.4	133	33.8	66.2	18.46
Southern.....	3,288	85.0	8.1	6.9	178	30.3	69.7	18.47
Florida:								
Northern.....	2,284	68.2	11.8	20.0	116	25.9	74.1	19.69
Middle.....	11,118	68.5	13.6	17.9	591	29.1	70.9	18.81
Southern.....	14,633	58.0	16.0	26.0	710	27.6	72.4	20.61
Georgia:								
Northern.....	12,018	57.8	21.6	20.6	674	43.6	56.4	17.83
*Middle.....	3,012	60.4	26.1	13.5	143	58.0	42.0	21.06
*Southern.....	3,982	74.0	16.2	9.9	210	65.2	34.8	18.96
Louisiana:								
Eastern.....	8,100	58.9	24.0	17.0	480	60.8	39.2	16.88
Middle.....	575	45.2	29.9	24.9	30	40.0	60.0	22.50
Western.....	1,342	57.8	20.7	21.5	184	57.1	42.9	18.16
Mississippi:								
Northern.....	3,163	73.5	16.2	10.2	172	49.4	50.6	18.39
Southern.....	3,296	53.8	15.9	30.4	132	65.2	34.8	24.97
Texas:								
Northern.....	10,074	63.3	15.5	21.2	517	60.5	39.5	19.49
Eastern.....	3,692	62.9	18.1	19.0	186	89.8	10.2	19.40
Southern.....	14,765	65.8	15.4	18.8	657	18.1	81.9	22.47
Western.....	6,906	61.7	19.4	18.9	302	32.4	67.6	22.87
*Canal Zone.....	186	46.2	24.7	29.0	7	0.0	100.0	26.57

TABLE 65
Petit Juror Usage Reports - Totals
Fiscal Year 1976 (Concluded)

District	Number of Jurors				Days of Jury Trial			
	Total Available	Percent Selected or Serving	Percent Challenged	Percent Not Selected, Serving or Challenged	Total	Percent Civil	Percent Criminal	Juror Usage Index ¹
Sixth Circuit								
Kentucky:								
Eastern.....	7,288	56.6	8.6	34.8	310	17.7	82.3	23.51
Western.....	2,695	53.3	14.5	32.2	141	48.9	51.1	19.11
Michigan:								
Eastern.....	23,456	65.2	9.2	25.6	1,150	19.4	80.6	20.40
Western.....	2,049	72.4	10.7	16.9	117	4.6	56.4	17.51
Ohio:								
Northern.....	8,679	51.3	8.4	40.3	411	55.5	44.5	21.12
Southern.....	5,243	67.6	12.4	20.0	276	48.6	51.4	19.00
Tennessee:								
Eastern.....	3,645	61.3	13.2	25.5	237	71.7	28.3	15.38
Middle.....	3,129	53.2	11.3	35.5	161	51.6	48.4	15.43
Western.....	5,922	70.0	14.1	15.9	347	36.0	64.0	17.07
Seventh Circuit								
Illinois:								
Northern.....	18,831	58.3	9.8	31.9	948	37.2	62.8	19.86
Eastern.....	2,127	66.4	23.1	10.4	117	35.0	65.0	18.18
Southern.....	1,968	58.8	13.5	27.7	104	44.2	55.8	17.96
Indiana:								
Northern.....	6,096	42.8	20.0	37.1	195	8.2	91.8	31.26
Southern.....	3,309	63.7	19.9	16.4	221	62.9	37.1	14.97
Wisconsin:								
Eastern.....	4,423	69.1	14.2	16.7	250	30.8	69.2	17.69
Western.....	736	67.9	20.5	11.5	41	41.5	58.5	17.95
Eighth Circuit								
Arkansas:								
Eastern.....	4,716	55.9	24.2	19.9	217	25.8	74.2	21.73
Western.....	2,631	63.8	30.1	6.1	119	58.8	41.2	22.11
Iowa:								
Northern.....	1,404	57.6	20.4	21.9	79	43.0	57.0	17.77
Southern.....	3,159	67.4	17.3	15.2	181	32.0	68.0	17.45
Minnesota:								
Northern.....	7,117	67.7	15.7	16.6	436	64.0	36.0	16.32
Missouri:								
Eastern.....	5,319	55.2	24.5	20.3	315	49.2	50.8	17.08
Western.....	4,600	46.5	24.5	29.0	187	29.9	70.1	24.60
Nebraska:								
Eastern.....	4,004	52.6	15.5	31.8	235	66.8	33.2	17.04
North Dakota.....	2,166	59.8	16.7	23.5	105	45.7	54.3	20.63
South Dakota.....	4,160	43.5	20.2	36.3	169	41.4	58.6	24.62
Ninth Circuit								
Alaska.....	1,864	62.3	12.1	25.6	89	16.9	83.1	20.94
Arizona.....	8,022	45.6	29.9	24.5	310	7.7	92.3	25.88
California:								
Northern.....	12,570	66.8	11.7	21.5	778	51.8	48.2	16.16
Eastern.....	6,549	53.4	12.0	34.6	280	20.7	79.3	23.39
Central.....	19,934	62.4	9.9	27.7	1,015	19.0	81.0	19.64
Southern.....	11,375	60.8	18.7	20.5	543	18.4	81.6	20.95
Hawaii.....	1,509	65.0	26.3	8.7	98	33.1	66.9	15.40
Idaho.....	2,265	69.5	10.6	20.0	146	66.4	33.6	15.51
Montana.....	1,370	54.7	22.0	23.3	67	47.8	52.2	20.45
Nevada.....	4,327	56.6	15.1	28.3	191	6.8	93.2	22.65
Oregon.....	3,081	54.2	23.2	22.6	193	68.9	31.1	15.96
Washington:								
Eastern.....	1,695	55.5	24.5	20.0	84	33.3	66.7	20.18
Western.....	4,757	59.9	18.5	21.6	239	13.0	87.0	19.90
Utah.....	1,035	32.8	9.4	57.9	30	23.3	76.7	34.50
Tenth Circuit								
Colorado.....	4,712	57.3	18.7	23.9	285	47.4	52.6	16.53
Kansas.....	5,287	64.4	15.4	20.2	300	46.7	53.3	17.62
New Mexico.....	4,523	64.7	21.0	14.3	235	39.6	60.4	15.25
Oklahoma:								
Northern.....	1,784	70.5	17.2	12.3	109	52.3	47.7	16.37
Eastern.....	1,450	68.9	11.9	19.7	98	45.9	54.1	14.90
Western.....	4,110	69.6	17.9	12.6	303	53.8	46.2	13.56
Utah.....	4,027	64.8	13.8	21.4	205	51.7	48.3	19.60
Wyoming.....	1,207	70.6	15.5	13.9	94	63.8	36.2	12.84

¹Indicates those districts which have not yet adopted local rules reducing the size of the civil juries.
²Total available jurors divided by total jury trial days giving the average number of jurors available per jury trial per day.

their percent not selected, serving or challenged from 1975 to 1976. Louisiana, Middle exhibited the greatest amount of improvement, decreasing from 48.8% in this category in 1975 to 24.9% in fiscal year 1976, a decrease of 23.9 percentage points.

The number of jury trial days ranged from 2,046 in New York, Southern to 7 and 18 jury trial days in the Canal Zone and West Virginia, Northern, respectively. In fiscal year 1976, Canal Zone experienced 100.0% criminal jury trial days while in Nevada, 93.2% of the jury trial days were criminal. Texas, Eastern falls at the opposite end of this range with only 10.2% criminal jury trial days. The number of jury trial days, as well as the distribution of civil versus criminal trial days, has an effect on the type of jury trial demands which a court must meet. This information should be used by a court in determining the number of prospective jurors to call and the possible use of such utilization techniques as pooling, multiple jury selection, back-up trials, and reuse of jurors.

FEDERAL PUBLIC/COMMUNITY DEFENDERS

Since fiscal year 1972, the Administrative Office has collected and maintained statistics on the case activity of federal public defender and community defender organizations. These organizations, provided for under the 1970 amendments to the Criminal Justice Act of 1964, provide counsel in the federal court system for those individuals who are financially unable to obtain adequate representation.¹ The following is a summary report on their activity during fiscal year 1976. Detailed statistical information is contained in Appendix Tables K-1 through K-4 for Federal Public Defenders and L-1 through L-4 for Community Defender Organizations.

Federal public defenders - Activity in fiscal year 1976

In fiscal year 1976, the number of federal public defender offices increased to 22 from the 20 offices in operation in 1975.² These offices opened 12,895 cases in 1976 -- an increase of 14.1% over the 11,301 cases opened in

¹ The Criminal Justice Act also provides for the appointment of private attorneys to represent these individuals in the federal courts.

² Kentucky, Eastern reporting period July 1975 to June 30, 1976. Texas, Western reporting period January 1976 to June 30, 1976.

1975 and an increase of 89.2% over the 6,816 cases opened by federal public defenders in 1973. Of the 1,594 increase in cases opened from 1975 to 1976, 517 (or 32.4%) of these openings are attributable to the addition of two new defender offices, while the 1,077 remaining increase indicates a general growth in the activity of the previously existing offices.

Criminal cases

The major portion of the representations handled by federal public defenders continues to be criminal cases. In 1976, 8,915 (or 69%) of the total cases opened involved criminal matters. This compares with 70% recorded in this area in 1975. Of these 8,915 cases, 12% were larceny and theft cases, 11% were forgery and counterfeiting cases compared to 15% in 1975, and 14% were drug offense cases declining from 16% the previous year. Bank robbery cases increased by 25% from 447 cases opened in 1975 to 560 such cases this past year. Fraud cases also rose from 479 cases in 1975 to 661 cases in 1976--an increase of 38%. In addition, criminal auto theft (NMVTA) cases increased by 33% from 295 cases opened in 1975 to 393 cases last year. In the area of immigration laws representations, an increase of 141% was recorded--660 such cases opened in 1976 compared to 274 cases opened in 1975.

Federal public defenders closed 8,884 criminal cases in 1976, a 23.5% increase over the total number of closings in 1975. The average time spent in court per closed criminal case increased slightly from 2.16 hours in 1976 to 2.22 hours per closed case in 1976.

Other representations

Of the 3,980 "other representations" opened by federal public defender organizations in 1976, 1,144 (or 28.7%) were court directed prisoner representations of inmates of the U.S. Medical Center for Federal Prisoners at Springfield, Missouri, handled by the defender organization for the Western District of Missouri.

Court of appeals cases assigned increased by 33% from 342 cases, or 10% of the "other representations" opened in 1975, to 456 cases, or 11.5%, in 1976. Habeas corpus cases declined from 19.5% of the "other representations" opened in 1975 to 16.2% this past year. Assignments in the category of motions to vacate or correct Section 2255 rose from 157 such cases in 1975 to 226 cases this past year -- an increase of 44%. Court directed prisoner representations for all federal defenders increased by 11.6% from

TABLE 66
FEDERAL PUBLIC DEFENDERS — STATISTICAL COMPARISON OF ACTIVITY
FISCAL YEARS 1973-1976

	1973 ¹	1974 ²	1975 ³	1976 ⁴	Percent Change 1976 over 1973	Percent Change 1976 over 1975
Total						
Cases Opened	6,816	8,395	11,301	12,895	89.2	14.1
Cases Closed	6,648	8,007	10,320	12,678	90.7	22.8
Pending (June 30th)	1,718	2,104	3,035 ^R	3,252	89.3	7.1
Criminal Activity						
Cases Opened	5,150	5,722	7,952	8,915	73.1	12.1
Cases Closed	5,130	5,228	7,194	8,884	73.2	23.5
Pending (June 30th)	1,163	1,657	2,385 ^R	2,416	107.7	1.3
Other Representations						
Cases Opened	1,666	2,673	3,349	3,980	138.9	18.8
Cases Closed	1,518	2,779	3,126	3,794	149.9	21.4
Pending (June 30th)	555	447	650 ^R	836	50.6	28.6

¹ 8 Federal Public Defender Offices in operation.

² 15 Federal Public Defender Offices in operation.

³ 20 Federal Public Defender Offices in operation.

⁴ 22 Federal Public Defender Offices in operation.

^R A total of 49 pending cases removed (Connecticut - 38; Florida, S. - 5; Louisiana, E. - 2; and Ohio, N. - 4) as of July 1, 1975 to reflect an accurate case count as of the beginning of F.Y. 1976.

1,095 cases opened in 1975 to 1,222 cases in 1976; however, their proportion to the total "other representation" cases opened declined from 32.7% to 30.7%. The 698 probation revocation cases assigned was an increase of 50.8% from the 463 such cases assigned in 1975, accounting for 17.5% of the "other representations" in 1976 as compared to 13.8% in 1975.

"Other representation" cases closed increased by 21.4% from 3,126 closings in 1975 to 3,794 this past fiscal year. The average time in court per closed "other representation" case decreased slightly from 0.43 hours in 1975 to 0.41 hours per closing in 1976.

Case dispositions

Of the 7,131 cases terminated at the district court level in 1976, 5,553, or 77.9%, were defendants found guilty--5,052 by entry of a plea of guilty or nolo contendere and 501 after trial by jury or the court. In 1975, 75% of the defendants represented in the district courts were found guilty. Of the remaining defendants in fiscal year 1976, 162, or 24.4% of those tried, were found not guilty and 1,416 cases were closed by dismissal of the complaint, indictment, or information.

During 1976, 30 petitions for writ of certiorari to the U. S. Supreme Court were denied while two cases disposed of before the Supreme Court were reported. Representations in the courts of appeals totaled 306 during 1976, an increase of 62% over the 189 such representations in 1975.

Community defender organizations - Activity in fiscal year 1976

The number of community defender organizations has remained at 8 during both fiscal years 1975 and 1976. In 1976, these organizations opened a total of 6,573 cases while closing 6,380 cases in the same time period.

The accompanying table, "Community Defender Organizations--Statistical Comparison of Activity", shows the case activity of community defenders over the past four years exclusive of the District of Minnesota. (See footnote 1 accompanying the table. All other tables and text presenting data on 1976 include Minnesota statistics). The total number of cases opened declined by 2.5% from 1975 to 1976 while case closings recorded a smaller decrease of 1.5%. This overall decrease in community defender activity is attributable to the 8.8% drop in their criminal case openings and a 5.9% decline in criminal closings. The decrease in criminal activity was partially

offset by an increase in "other representations" from 1975 to 1976. Case openings in this category rose from 1,312 in 1975 to 1,618 in 1976, an increase of 23.3%. "Other representations" closed also increased by 17.1% from 1,220 cases closed in 1975 to 1,429 this past year.

Criminal cases

Of the 6,573 cases opened in 1976, 4,939 cases, or 75%, involved criminal offenses. The major offense areas of concentration of these cases were larceny and theft accounting for 13.6% of (674 cases) of the assigned cases, fraud cases accounting for 10.4% (513 cases), forgery and counterfeiting representing 14.3% (708 cases), and drug offense cases totalling 20.3% (1,004 cases) of the criminal cases opened.

There were 4,933 criminal cases closed in 1976, with an average time in court per closed case of 2.92 hours. The areas of concentration in criminal closings correspond to those mentioned above in case openings.

Other representations

"Other representations" assigned to community defenders numbered 1,634 in fiscal year 1976, or 25% of the total opened cases for the year. Probation revocation cases accounted for 585 of these 1,634 assignments while court of appeals cases opened accounted for 314. Together, these two categories comprise 55% of all "other representations" assigned. Assignments in the category of motion to correct numbered 234 in 1976, or 14.3% of "other representation" cases opened.

Community defenders reported 1,447 "other representation" cases closed which required an average of 1.3 hours in court per case. The largest average time per closed case occurred in the category of new trials with 8.57 hours per case while the least amount of court time was for bail/present-inent cases with 0.56 hours per closing.

Case dispositions

Dispositions at the lower court level accounted for 77.6% of all dispositions by community defenders in 1976. Of the 3,765 defendants represented at the district court level by community defenders, 73.4%, or 2,762, were found guilty--2,546 of these were by plea of guilty or nolo contendere and 216 after trial by jury or to the court. Of the remaining defendants, 56 or 20.6% of those tried, were found not guilty and 947 cases

CONTINUED

3 OF 6

TABLE 67
COMMUNITY DEFENDER ORGANIZATIONS - STATISTICAL COMPARISON OF ACTIVITY
FISCAL YEARS 1973-1976

	1973 ²	1974 ³	1975 ⁴	1976 ⁴	Percent Change 1976 over 1973	Percent Change 1976 over 1975
Total						
Cases Opened	5,883	6,419	6,678	6,511	10.7	-2.5
Cases Closed	5,100	6,265	6,424	6,325	24.0	-1.5
Pending (June 30th)	N/A	2,046	2,300	2,486	N/A	8.1
Criminal Activity						
Cases Opened	5,053	5,151	5,366	4,893	-3.2	-8.8
Cases Closed	4,430	5,099	5,204	4,896	10.5	-3.9
Pending (June 30th)	N/A	1,688	1,850	1,847	N/A	-0.2
Other Representations						
Cases Opened	830	1,268	1,312	1,618	94.9	23.3
Cases Closed	670	1,166	1,220	1,429	113.3	17.1
Pending (June 30th)	N/A	358	450	639	N/A	42.0

¹ Figures for the District of Minnesota Community Defender Organization have been excluded for fiscal years 1973-1976. Prior to F.Y. 1976, the reporting for this District included all Criminal Justice Act appointments in addition to those cases assigned to the Community Defender, thus inflating the statistics for past years. Accordingly, all Minnesota data has been removed for purposes of this comparison table.

² 6 Community Defender Organizations in operation. Data is for 5 Organizations (Minnesota not included).

³ 7 Community Defender Organizations in operation. Data is for 6 Organizations (Minnesota not included).

⁴ 8 Community Defender Organizations in operation. Data is for 7 Organizations (Minnesota not included).

N/A - Figures not available for California, Southern.

were terminated by dismissal of the complaint or indictment.

Twenty-four petitions for writ of certiorari to the U. S. Supreme Court were denied during 1976, while three cases were terminated following by representations before the Supreme Court. There were 239 representations in the court of appeals in 1976 with "appeals by client resulting in decisions affirmed" accounting for 170 of these case dispositions.

CASES AND MOTIONS UNDER ADVISEMENT IN THE DISTRICT COURTS

Reports have been received from 441 district judges (including senior judges) concerning cases and motions held under advisement for more than 60 days as of June 30, 1976. Of these, 270 district judges or 61%, reported having no matters held under advisement more than 60 days. There were 21 district judges (not including senior judges) who did not report. The following summary shows, by circuit, the number of district judges with no cases or motions held under advisement for more than 60 days on June 30th and the number of district judges reporting matters held over 60 days.

One hundred seventy-one district judges reported a total of 355 cases and 457 motions held under advisement more than 60 days (not including those matters since reported as decided). The 812 total matters under

TABLE 68
District Judges Reporting On Cases Held Under
Advisement As Of June 30, 1976

Circuit	Judges reporting	Senior Judges reporting	Judges not reporting	Judges having no cases over 60 days	Judges having cases over 60 days
Total.....	441	86	21	270	171
District of Columbia.....	18	4	1	10	8
First.....	14	3	1	9	5
Second.....	50	8	3	16	34
Third.....	53	11	3	30	23
Fourth.....	35	5	-	22	13
Fifth.....	78	11	4	50	28
Sixth.....	40	5	1	26	14
Seventh.....	27	7	5	20	7
Eighth.....	30	6	1	22	8
Ninth.....	69	19	2	46	23
Tenth.....	27	7	-	19	8
Total as of March 31, 1976.	444	87	11	265	179

advisement over 60 days represents a 42.5% increase over total matters reported for the 4th quarter of fiscal year 1975. Two hundred thirty-eight matters - or 29% of the total - were reported by the Second Circuit. There were 236 cases and 297 motions - or 66% of the total - which had been held under advisement over 60 days but less than 6 months, 67 cases and 109 motions - or 22% - which had been held more than 6 months, but less than one year and 52 cases and 51 motions - or 13% - held more than one year. Forty-one percent of the total matters held over one year - or 42 of the 103 matters held under advisement over one year - were reported by Second Circuit district judges. The cases and motions held under advisement over 60 days on June 30th (not including those matters since reported as decided) were distributed by circuit as follows:

TABLE 69
Cases And Motions Held Under Advisement Over
60 Days On June 30, 1976

Circuit	Total held over 60 days		Held over 60 days - not more than 6 months		Held over 6 months - not more than 1 year		Held over 1 year	
	Cases	Motions	Cases	Motions	Cases	Motions	Cases	Motions
Total.....	355	457	236	297	67	109	52	51
District of Columbia.....	4	13	-	8	3	4	1	1
First.....	9	22	2	6	2	4	5	12
Second.....	133	105	69	53	32	32	32	10
Third.....	25	30	21	20	3	9	1	1
Fourth.....	14	23	7	20	3	2	4	1
Fifth.....	61	43	44	33	13	7	4	3
Sixth.....	32	75	30	61	1	13	1	1
Seventh.....	11	73	9	44	2	18	-	11
Eighth.....	11	30	6	13	1	10	4	7
Ninth.....	36	35	29	22	7	10	-	3
Tenth.....	19	8	19	7	-	-	-	1
Total as of March 31, 1976.	399	343	249	229	92	94	58	20

The accompanying table "Cases and Motions Under Advisement" provides historical data for six years. The total number of matters under advisement rose sharply from a total of 570 on June 30, 1975 to a high of 812 at the end of the current fiscal year. There was a large increase of 368% in cases and motions reported held under advisement for more than one year, as 103 cases and motions were held under advisement as of June 30, 1976 compared to only 22 a year ago. The average number of matters under advisement rose 27% from 3.7 in 1975 to 4.7 matters per judge in the final quarter of 1976. A growing number of district judges have reported matters under advisement over 60 days - 171 in 1976 compared to 154 in 1975. Judges who reported matters under advisement over 60 days accounted for 39% of the 441 judges who reported in the fourth quarter ending June 30, 1976.

TABLE 70
CASES AND MOTIONS HELD UNDER ADVISEMENT OVER 60 DAYS
IN THE DISTRICT COURTS AS OF JUNE 30
FISCAL YEARS 1970-1976

Fiscal Year	Total Held over 60 days		Held over 60 days- not more than 6 months		Held over 6 months- not more than 1 year		Held over 1 year	
	Cases	Motions	Cases	Motions	Cases	Motions	Cases	Motions
1970	173	123	145	77	17	19	11	27
1971	217	145	174	109	35	30	8	6
1972	216	126	168	93	32	26	16	7
1973	248	119	213	111	25	7	10	1
1974	250	85	206	73	33	7	11	5
1975	405	165	338	150	50	10	17	5
1976	355	457	236	297	67	109	52	51

TABLE 71
Average Number Of Matters Held Over 60 Days
As Of June 30, 1970-1976

Fiscal Year	Total Judges Reporting	Judges Reporting Matters Held Over 60 days	Average Number of Matters Per Judge	Percent of Judges Reporting Matters
1970	364	88	3.4	24
1971	402	110	3.3	27
1972	428	111	3.1	26
1973	440	129	2.8	29
1974	434	120	2.8	28
1975	445	154	3.7	35
1976	441	171	4.7	39

PASSPORTS AND NATURALIZATION

During fiscal year 1976, the number of passport applications processed by the United States district courts decreased 1.2%, from 55,974 in 1975 to 55,293 in 1976. The volume of passport applications handled by federal courts has dropped sharply since 1970 when 473,270 applications were processed. This is largely a result of increased processing of passport applications by the United States Postal Service, the Department of State, and state courts.

Petitions for naturalization increased by 4.0% from 124,308 in 1975 to 129,317 in 1976. The 1976 figure represents the greatest number of naturalization petitions reported by the federal courts since 1955. The number of aliens naturalized rose only slightly from 115,494 in 1975 to 115,946 in 1976, an increase of 0.4%.

Table 72 summarizes passport and naturalization statistics for fiscal years 1955 through 1976. Statistics on the number of passport applications processed, the number of petitions for naturalization, and the number of aliens naturalized in each federal district court during fiscal year 1976 appear in Appendix Table P1.

TABLE 72
Passport Applications, Petitions For Naturalization,
And Aliens Naturalized
Fiscal Years 1955-1976

Fiscal year	Passport applications	Petitions for naturalization	Aliens naturalized
1955	172,065	159,217	158,562
1956	188,379	105,239	107,161
1957	171,737	107,405	104,855
1958	185,684	87,534	89,863
1959	197,828	83,704	78,053
1960	222,141	97,972	92,314
1961	220,699	104,352	101,002
1962	249,655	101,804	98,573
1963	294,267	95,885	98,358
1964	292,590	86,953	87,344
1965	298,959	82,556	80,766
1966	333,146	81,157	79,704
1967	348,210	86,561	83,009
1968	344,251	81,559	84,503
1969	369,409	82,189	79,795
1970	473,270	94,660	89,025
1971	470,260	90,044	89,503
1972	370,953	100,941	95,842
1973	139,356	104,213	98,558
1974	82,238	113,026	108,736
1975	55,974	124,308	115,494
1976	55,293	129,317	115,946

APPENDIX I
DETAILED STATISTICAL TABLES
ANNUAL REPORT OF THE
DIRECTOR OF THE ADMINISTRATIVE
OFFICE OF THE
UNITED STATES COURTS
FOR THE YEAR ENDED
JUNE 30, 1976



TABLE B-1.—U.S. courts of appeals, cases commenced, terminated, and pending, by circuit, fiscal year 1976

Circuit and nature of proceeding	Cases pending July 1, 1975	Cases commenced	Cases terminated ¹	Cases pending June 30, 1976	Cases disposed of by consolidation	Cases disposed of without hearing or submission	Cases disposed of after hearing or submission					
							Total	Affirmed or granted	Dismissed	Reversed or denied	Other	Percent reversed or denied ²
All Circuits	12,128	18,408	16,426	14,110	1,861	5,214	9,351	6,995	406	1,680	270	17.9
Criminal	2,763	4,650	4,238	3,175	489	635	3,114	2,689	51	334	40	10.7
U.S. civil	2,113	3,327	2,853	2,587	242	1,137	1,474	1,028	65	330	51	22.4
Private civil	4,884	7,077	6,248	5,713	665	1,837	3,746	2,621	215	813	97	21.7
Bankruptcy	195	302	210	287	15	60	135	80	14	33	8	24.4
Administrative appeals	2,073	2,515	2,359	2,229	436	1,049	874	573	60	167	74	19.1
Original proceedings	100	537	518	119	14	496	8	4	1	3		
District of Columbia	1,205	1,260	1,114	1,351	189	436	489	332	20	90	47	18.4
Criminal	175	148	219	104	52	30	137	110		18	9	13.1
U.S. civil	269	353	271	351	27	123	121	74	7	28	12	23.1
Private civil	135	171	157	149	13	53	91	63	2	23	3	25.3
Bankruptcy		1	1				1				1	
Administrative appeals	619	563	440	742	97	204	139	85	11	21	22	15.1
Original proceedings	7	24	26	5		26						
First Circuit	225	564	482	307	63	151	268	221	7	40		14.9
Criminal	51	159	108	102	23	26	59	52		7		11.9
U.S. civil	48	80	81	47	7	27	47	36	1	10		21.3
Private civil	87	241	203	125	21	55	127	109	2	16		12.6
Bankruptcy	3	10	13			8	5	3	1	1		
Administrative appeals	33	62	63	32	12	21	30	21		6		20.0
Original proceedings	3	12	14	1		14						
Second Circuit	842	1,898	1,947	793	359	691	897	701	41	130	25	14.5
Criminal	157	501	437	221	106	66	265	231	9	20	5	7.5
U.S. civil	101	238	231	108	48	84	99	82	3	11	3	11.1
Private civil	398	728	822	304	141	274	407	290	24	80	13	19.7
Bankruptcy	16	36	31	21	2	12	17	12		4	1	
Administrative appeals	164	313	349	128	58	183	108	85	5	15	3	13.9
Original proceedings	6	82	77	11	4	72	1	1				

See footnotes at end of table.

TABLE B-1.—U.S. courts of appeals, cases commenced, terminated, and pending, by circuit, fiscal year 1976 —
Continued

Circuit and nature of proceeding	Cases pending July 1, 1975	Cases commenced	Cases terminated ¹	Cases pending June 30, 1976	Cases disposed of by consolidation	Cases disposed of without hearing or submission	Cases disposed of after hearing or submission					Percent reversed or denied ²
							Total	Affirmed or granted	Dismissed	Reversed or denied	Other	
Third Circuit	851	1,621	1,439	1,033	156	489	794	574	38	168	14	21.2
Criminal	173	323	295	201	33	42	220	201	2	17		7.7
U.S. civil	132	354	283	203	32	117	134	98	7	28	1	20.9
Private civil	397	650	611	436	81	174	356	236	24	94	2	26.4
Bankruptcy	23	43	28	38	2	5	21	12	2	6	1	
Administrative appeals	114	212	182	144	7	112	63	27	3	23	10	36.5
Original proceedings	12	39	40	11	1	39						
Fourth Circuit	1,050	1,464	1,336	1,178	53	527	756	544	6	150	56	19.7
Criminal	267	391	376	282	19	67	290	262		27	1	9.3
U.S. civil	177	253	236	194	7	127	102	59	3	34	6	33.3
Private civil	435	675	569	541	24	274	271	183	2	64	22	23.6
Bankruptcy	7	3	7	3		1	6	4			2	
Administrative appeals	161	108	118	151	3	29	86	36	1	24	25	27.9
Original proceedings	3	34	30	7		29	1			1		
Fifth Circuit	2,405	3,629	3,149	2,885	140	828	2,181	1,712	85	366	18	16.8
Criminal	612	1,033	913	732	7	131	775	671	16	84	4	10.8
U.S. civil	358	538	503	393	17	180	306	232	14	57	3	18.6
Private civil	1,193	1,625	1,345	1,473	74	344	927	665	43	209	10	22.5
Bankruptcy	18	48	25	41		6	19	15	1	2	1	
Administrative appeals	213	318	298	233	41	103	154	129	11	14		9.1
Original proceedings	11	67	65	13	1	64						
Sixth Circuit	913	1,622	1,396	1,145	136	491	769	601	34	117	17	15.3
Criminal	248	383	353	278	49	54	250	213	7	24	6	9.6
U.S. civil	156	312	256	212	13	99	144	111	6	24	3	16.7
Private civil	400	669	593	476	67	188	338	248	20	63	7	18.6
Bankruptcy	1	21	8	14		4	4	3		1		
Administrative appeals	97	216	149	164	7	112	30	23	1	5	1	16.7
Original proceedings	11	27	37	1		34	3	3				

Seventh Circuit	786	1,247	1,138	895	45	321	772	567	19	172	14	22.3
Criminal	198	303	267	234	10	52	205	175	3	24	3	11.7
U.S. civil	117	195	168	144	2	44	122	88	3	29	2	23.8
Private civil	358	511	498	371	30	89	379	269	11	91	8	24.0
Bankruptcy	14	31	18	27	1	8	9	5		4		
Administrative appeals	86	131	118	99	2	59	57	30	2	24	1	42.1
Original proceedings	13	76	69	20		69						
Eighth Circuit	499	1,080	987	592	162	229	596	448	27	104	17	17.3
Criminal	126	289	254	161	41	26	187	164	3	19	1	10.2
U.S. civil	103	201	189	115	18	71	100	68	4	21	7	21.0
Private civil	216	479	433	262	82	83	268	193	17	49	9	18.3
Bankruptcy	3	1	3	1			3			3		
Administrative appeals	49	81	79	51	13	29	37	23	3	11		29.7
Original proceedings	2	29	29	2	8	20	1			1		
Ninth Circuit	2,636	2,907	2,575	2,968	460	668	1,447	1,016	106	275	49	19.0
Criminal	564	865	798	631	113	96	589	490	8	81	10	13.8
U.S. civil	520	540	433	627	52	141	240	142	15	71	12	29.6
Private civil	948	888	700	1,136	97	170	433	270	57	92	14	21.2
Bankruptcy	92	67	58	101	7	14	37	19	7	9	2	24.3
Administrative appeals	490	440	497	433	191	159	147	95	19	22	11	15.0
Original proceedings	22	107	89	40		88	1			1		
Tenth Circuit	716	1,110	863	963	98	383	382	279	23	67	13	17.6
Criminal	192	255	218	229	36	45	137	120	3	13	1	9.5
U.S. civil	132	263	202	193	19	124	59	38	2	17	2	28.8
Private civil	317	440	317	440	35	133	149	95	13	32	9	21.5
Bankruptcy	18	41	18	41	3	2	13	7	3	2		
Administrative appeals	47	71	66	52	5	38	23	19	1	2	1	
Original proceedings	10	40	42	8		41	1		1			

¹All cases in which a judgment had been rendered before the end of the fiscal year are reported as terminated, even though the time for filing a petition for rehearing had not expired or a pending petition for rehearing had not been decided by June 30.

²Percent not shown where the total number of cases disposed of after hearing or

submission is less than 25. No percentage of cases reversed or denied has been computed for original proceedings because of their difference from appeals, nor have they been included in the percentage of total appeals reversed or denied.

TABLE B-2.—U.S. courts of appeals, petitions for review on writ of certiorari to the Supreme Court of the United States filed and disposed of, fiscal year 1976

Circuit and nature of proceeding	Pending July 1, 1975	Filed	Disposed of			Pending June 30, 1976
			Granted	Denied	Dis- missed	
Total	772	2,619	162	2,343	18	558
Criminal cases	312	1,118	25	1,010	8	387
U.S. civil cases	103	293	29	271	3	93
Private civil cases	314	1,049	90	944	7	322
Administrative appeals	43	159	18	118		66
District of Columbia Circuit	12	126	17	87		34
Criminal cases	1	27	1	23		4
U.S. civil cases	4	30	4	23		7
Private civil cases	4	24	2	17		9
Administrative appeals	3	45	10	24		14
First Circuit	14	83	4	68	1	24
Criminal cases	3	21		16		8
U.S. civil cases	3	6		5		4
Private civil cases		53	3	46	1	11
Administrative appeals		3	1	1		1
Second Circuit	82	292	14	279	1	80
Criminal cases	34	126		118	1	41
U.S. civil cases	8	22	2	20		8
Private civil cases	37	134	12	130		29
Administrative appeals	3	10		11		2
Third Circuit	48	188	13	169	2	52
Criminal cases	16	87		77	1	25
U.S. civil cases	11	20	7	18	1	5
Private civil cases	18	69	5	64		18
Administrative appeals	3	12	1	10		4
Fourth Circuit	82	213	12	180		103
Criminal cases	41	105	1	95		50
U.S. civil cases	2	13		9		6
Private civil cases	38	89	8	73		46
Administrative appeals	1	6	3	3		1
Fifth Circuit	167	574	44	575	7	115
Criminal cases	73	246	15	233	2	69
U.S. civil cases	23	71	6	78	2	8
Private civil cases	66	222	20	234	3	31
Administrative appeals	5	35	3	30		7

See footnote at end of table.

TABLE B-2.—U.S. courts of appeals, petitions for review on writ of certiorari to the Supreme Court of the United States filed and disposed of, fiscal year 1976 — Continued

Circuit and nature of proceeding	Pending July 1, 1975	Filed	Disposed of			Pending June 30, 1976
			Granted	Denied	Dis- missed	
Sixth Circuit	101	287	22	242	2	122
Criminal cases	35	95	4	86	2	38
U.S. civil cases	16	38	3	31		20
Private civil cases	39	137	15	114		47
Administrative appeals	11	17		11		17
Seventh Circuit	50	195	13	174	1	57
Criminal cases	21	79		75		25
U.S. civil cases	5	23	3	17		8
Private civil cases	21	86	10	73	1	23
Administrative appeals	3	7		9		1
Eighth Circuit	34	182	7	159	1	49
Criminal cases	12	79	1	60	1	29
U.S. civil cases	7	26	1	29		3
Private civil cases	15	77	5	70		17
Administrative appeals						
Ninth Circuit	150	367	11	307	1	198
Criminal cases	64	200	3	177		84
U.S. civil cases	11	26	1	18		18
Private civil cases	62	120	7	96	1	78
Administrative appeals	13	21		16		18
Tenth Circuit	32	112	5	103	2	34
Criminal cases	12	53		50	1	14
U.S. civil cases	13	18	2	23		6
Private civil cases	6	38	3	27	1	13
Administrative appeals	1	3		3		1

¹Revised.

TABLE B-3.—U.S. courts of appeals, source of appeals and original proceedings commenced, by circuit, fiscal years 1972 through 1976

Source	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974	Fiscal year 1975	Fiscal year 1976
Total appeals	14,535	15,629	16,436	16,658	18,408
United States district courts	12,678	13,667	13,812	13,925	15,356
Boards and commissions, total	1,509	1,616	2,305	2,290	2,515
The Tax Court of the United States	202	241	261	241	264
Civil Aeronautics Board	24	54	37	55	36
Federal Communications Commission	21	75	90	210	158
Federal Power Commission	143	128	166	186	218
Federal Trade Commission	11	23	18	11	29
National Labor Relations Board	740	612	641	616	674
Secretary of Agriculture	7	7	4	8	4
Securities and Exchange Commission	18	20	15	15	10
Immigration and Naturalization Service	175	228	237	318	387
All other boards and commissions	119	226	736	630	730
Original proceedings	343	346	419	443	537
District of Columbia Circuit	1,168	1,380	1,243	1,113	1,260
United States District Court	907	979	793	590	673
The Tax Court of the United States	4	4	5	4	5
National Labor Relations Board	46	48	53	35	38
All other boards and commissions	179	300	365	459	520
Original proceedings	32	29	27	25	24
First Circuit	421	401	387	477	564
Maine	19	19	29	16	15
Massachusetts	229	223	149	225	276
New Hampshire	37	39	51	39	49
Rhode Island	36	34	37	49	35
Puerto Rico	48	43	61	81	115
The Tax Court of the United States	6	8	4	3	10
National Labor Relations Board	20	19	30	32	22
All other boards and commissions	20	8	19	23	30
Original proceedings	6	8	7	9	12
Second Circuit	1,317	1,709	1,802	1,739	1,898
Connecticut	96	151	98	118	101
New York:					
Northern	32	60	57	61	54
Eastern	275	298	346	317	327
Southern	645	815	899	801	926
Western	53	84	57	86	72
Vermont	13	30	38	40	22
The Tax Court of the United States	23	69	27	17	54
National Labor Relations Board	98	82	96	101	99
All other boards and commissions	48	70	111	140	161
Original proceedings	34	50	73	58	82
Third Circuit	1,179	1,197	1,216	1,392	1,621
Delaware	53	43	36	55	65
New Jersey	268	245	245	277	344
Pennsylvania:					
Eastern	372	408	361	389	503
Middle	85	85	108	96	103
Western	199	222	246	268	278
Virgin Islands	51	70	50	77	74
The Tax Court of the United States	31	16	35	14	23
National Labor Relations Board	43	42	44	50	57
All other boards and commissions	39	24	51	114	135
Original proceedings	38	42	38	52	39
Fourth Circuit	1,399	1,573	1,462	1,319	1,464
Maryland	199	243	215	205	282
North Carolina:					
Eastern	107	145	144	111	77
Middle	102	112	103	85	76
Western	87	107	136	77	104
South Carolina	132	146	151	134	165
Virginia:					
Eastern	495	531	386	364	445
Western	85	98	75	96	76
West Virginia:					
Northern	65	54	43	46	35
Southern	57	80	76	56	62
The Tax Court of the United States	10	7	18	16	14
National Labor Relations Board	38	24	27	22	47
All other boards and commissions	13	11	71	96	47
Original proceedings	9	15	17	11	34

TABLE B-3.—U.S. courts of appeals, source of appeals and original proceedings commenced, by circuit, fiscal years 1972 through 1976 —
Continued

Source	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974	Fiscal year 1975	Fiscal year 1976
Fifth Circuit	2,864	2,964	3,294	3,292	3,629
Alabama:					
Northern	107	90	144	145	173
Middle	49	74	70	72	87
Southern	84	67	84	63	55
Florida:					
Northern	66	85	68	60	69
Middle	198	203	218	209	235
Southern	478	453	440	430	437
Georgia:					
Northern	236	305	296	263	340
Middle	76	74	91	105	107
Southern	47	39	38	73	82
Louisiana:					
Eastern	276	256	320	285	329
Middle	11	64	52	49	54
Western	100	121	113	100	131
Mississippi:					
Northern	61	58	48	71	74
Southern	72	75	72	99	112
Texas:					
Northern	256	261	296	302	333
Eastern	91	69	72	76	46
Southern	193	261	306	309	324
Western	157	185	246	236	237
Canal Zone	15	6	7	17	13
The Tax Court of the United States	51	22	49	34	48
National Labor Relations Board	108	86	81	72	74
All other boards and commissions	76	77	124	179	202
Original proceedings	53	33	59	43	67
Sixth Circuit	1,248	1,261	1,335	1,436	1,628
Kentucky:					
Eastern	78	80	131	124	113
Western	106	96	110	102	109
Michigan:					
Eastern	186	259	231	261	347
Western	30	32	39	41	48
Ohio:					
Northern	154	203	172	243	269
Southern	187	143	145	163	209
Tennessee:					
Eastern	157	195	128	124	85
Middle	95	80	99	85	77
Western	85	98	119	122	125
The Tax Court of the United States	12	17	20	11	21
National Labor Relations Board	127	107	87	75	105
All other boards and commissions	16	25	36	59	93
Original proceedings	15	16	18	26	27
Seventh Circuit	999	1,117	1,086	1,170	1,247
Illinois:					
Northern	500	547	531	533	540
Eastern	63	60	70	50	69
Southern	58	51	63	57	67
Indiana:					
Northern	50	83	88	94	118
Southern	83	112	102	119	101
Wisconsin:					
Eastern	78	79	73	97	97
Western	26	41	16	24	46
The Tax Court of the United States	16	18	8	15	14
National Labor Relations Board	62	61	63	60	63
All other boards and commissions	30	23	32	66	56
Original proceedings	33	42	40	55	76
Eighth Circuit	798	821	995	1,009	1,080
Arkansas:					
Eastern	51	55	99	81	102
Western	38	27	38	31	29
Iowa:					
Northern	31	20	41	33	55
Southern	33	40	50	45	68
Minnesota:	130	137	103	118	156
Missouri:					
Eastern	174	159	168	232	248
Western	101	136	219	168	132

TABLE B-3.—U.S. courts of appeals, source of appeals and original proceedings commenced, by circuit, fiscal years 1972 through 1976 —
Continued

Source	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974	Fiscal year 1975	Fiscal year 1976
Nebraska	97	66	69	97	93
North Dakota	17	34	27	39	38
South Dakota	33	50	57	42	48
The Tax Court of the United States	11	17	20	22	7
National Labor Relations Board	56	40	47	40	31
All other boards and commissions	14	14	19	32	44
Original proceedings	12	26	38	29	29
Ninth Circuit	2,258	2,316	2,697	2,731	2,907
Alaska	27	22	24	26	39
Arizona	172	196	198	246	303
California:					
Northern	449	383	358	345	411
Eastern	89	72	82	109	105
Central	523	583	576	562	576
Southern	277	252	294	346	297
Hawaii	32	32	42	38	53
Idaho	20	25	29	30	55
Montana	21	30	34	37	51
N. vada	56	59	95	102	97
Oregon	103	101	111	114	129
Washington:					
Eastern	26	23	37	32	41
Western	115	130	128	156	170
Guam	28	29	33	41	19
The Tax Court of the United States	26	52	41	98	65
National Labor Relations Board	112	79	92	110	117
All other boards and commissions	111	185	453	234	272
Original proceedings	71	63	70	105	107
Tenth Circuit	884	910	919	980	1,110
Colorado	136	167	161	171	200
Kansas	196	216	174	228	173
New Mexico	108	98	113	124	135
Oklahoma:					
Northern	64	51	67	53	69
Eastern	53	29	48	35	31
Western	135	169	120	186	213
Utah	63	70	96	54	108
Wyoming	21	25	31	35	67
The Tax Court of the United States	12	11	34	7	8
National Labor Relations Board	29	23	20	18	20
All other boards and commissions	22	29	23	39	46
Original proceedings	45	22	32	30	40

TABLE B-4.—*U.S. courts of appeals, median time intervals in cases terminated after hearing or submission, by circuit, fiscal year 1976*

Circuit	Cases	From filing of complete record to final disposition	From filing of complete record to filing last brief	From filing last brief to hearing or submission	From hearing or submission to final disposition	From filing notice of appeal in lower court to filing complete record in appellate court	From filing in lower court to final disposition in appellate court	From filing of notice of appeal to final disposition
		Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)
Total	9,351	7.1	2.5	1.9	1.5	1.5	19.9	9.4
District of Columbia	489	11.9	4.5	3.6	2.5	1.3	28.9	14.0
First	268	5.3	2.3	0.5	2.0	1.3	22.5	7.2
Second	897	5.2	2.7	0.7	0.6	0.9	17.2	6.5
Third	794	6.4	2.9	2.3	0.2	1.3	20.7	8.1
Fourth	756	9.0	2.9	1.8	2.6	1.6	20.9	11.2
Fifth	2,181	6.0	2.1	1.6	1.5	1.5	17.8	8.3
Sixth	769	7.2	2.7	2.5	0.9	2.4	21.4	10.2
Seventh	772	7.0	2.6	1.6	2.2	1.5	20.5	9.4
Eighth	596	4.7	1.5	1.0	1.6	2.2	16.2	7.2
Ninth	1,447	11.1	2.8	4.3	1.2	1.9	21.8	14.0
Tenth	382	9.4	3.2	2.5	2.3	2.0	21.8	11.8

TABLE B-4A.—U.S. courts of appeals, median time intervals in cases terminated after hearing or submission, by circuit, fiscal year 1976

Circuit	Cases	From filing of complete record to final disposition	From filing of complete record to filing last brief	From filing last brief to hearing or submission	From hearing or submission to final disposition	From filing notice of appeal in lower court to filing complete record in appellate court	From filing in lower court to final disposition in appellate court	From filing of notice of appeal to final disposition
		Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)	Interval (months)
Civil								
Total	5,220	7.7	2.7	2.3	1.6	1.5	25.1	10.3
District of Columbia	212	13.5	4.3	5.3	2.2	1.3	33.4	15.5
First	174	5.2	2.3	0.6	1.9	1.2	23.2	6.8
Second	506	5.9	2.9	1.4	0.8	1.0	20.9	7.2
Third	490	6.8	3.0	2.5	0.5	1.3	24.9	8.6
Fourth	373	9.5	2.9	2.1	3.2	1.4	25.3	12.0
Fifth	1,233	6.2	2.1	1.5	1.6	1.4	21.7	8.5
Sixth	482	7.6	2.7	2.6	1.0	2.1	22.5	10.3
Seventh	501	8.0	2.8	2.0	2.5	1.5	27.1	11.0
Eighth	364	5.1	1.5	1.2	1.5	2.6	20.8	8.1
Ninth	673	15.9	4.0	7.8	1.5	2.2	31.9	18.9
Tenth	208	10.0	3.2	3.2	2.8	1.6	27.7	12.2
Criminal								
Total	3,114	5.7	2.3	1.6	1.3	1.7	14.8	8.2
District of Columbia	137	8.7	4.1	1.2	2.3	1.9	18.1	12.1
First	59	5.5	2.3	0.5	2.3	2.5	18.9	7.9
Second	265	3.4	2.3	0.2	0.1	0.6	13.4	4.4
Third	220	4.9	2.3	2.1	0.1	1.1	14.6	6.5
Fourth	290	7.3	2.7	1.7	1.9	1.8	14.7	10.4
Fifth	775	5.8	2.1	1.9	1.4	1.7	14.7	8.3
Sixth	250	6.2	2.7	2.4	0.7	3.3	19.6	10.0
Seventh	205	5.0	2.3	0.8	1.6	1.8	14.6	7.6
Eighth	18	3.7	1.4	0.7	1.4	1.7	11.5	5.9
Ninth	589	6.0	1.8	1.9	1.0	1.5	13.9	8.3
Tenth	137	8.2	3.0	2.1	1.7	2.5	16.3	11.3

TABLE B-7.—U.S. courts of appeals, nature of suit or offense of appeals arising from the U.S. district courts by circuit, fiscal year 1976

Nature of suit or offense	Total	Circuit										
		D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth
Total cases	15,054	672	480	1,467	1,327	1,319	3,196	1,364	1,009	969	2,293	958
Total criminal cases	4,650	148	159	501	323	391	1,033	383	303	289	865	255
Total civil cases	10,404	524	321	966	1,004	928	2,163	981	706	680	1,428	703
U.S. cases	3,327	353	80	238	354	253	538	312	195	201	540	263
U.S. plaintiff	407	10	13	42	41	20	75	28	36	31	75	36
Negotiable instruments	22				1	1	14	1		3		2
Other contract actions	19	1	1		2		6	3	1		3	
Condemnation of land	51	1	1		2	6	6	4	3	12	9	7
Other real property actions	16				3		3	1	2	1	3	3
Personal property tort actions	6				2	1	1				2	
Civil rights	44		1	6	2	3	5	3	16	2	3	3
Fair Labor Standards Act	47		1	3	4	4	12	9		2	5	7
Labor Management Relations Act	12		2	3			3				4	
Securities, commodities and exchanges	27	4		12	3	1			2		4	1
Tax suits	43		1	5	7		7	3	4	1	10	5
All other	120	4	6	13	15	4	18	4	8	8	32	8
U.S. defendant	2,920	343	67	196	313	233	463	284	159	170	465	227
Contract actions	134	47	2	13	7	5	21	5	7	2	21	4
Real property actions	33	4		4	2		4		1		11	6
Tort actions	162	8	8	15	16	13	22	8	8	6	42	16
Motions to vacate sentence	526	13	9	21	53	68	124	65	33	53	42	45
Habeas corpus	206	11	1	18	28	1	47	4	15	21	29	31
Prisoner civil rights	64	7	2	4	10	2	9	8	8	1	8	5
Other prisoner petitions	99	3	2	4	35	23	2	3	7	8	3	9
Selective Service Act												
Social security laws	293	6	10	18	24	37	53	91	10	10	27	7
Tax suits	212	4	6	14	23	16	50	13	9	16	41	20
All other	1,191	240	27	85	115	68	131	86	61	53	241	84
Private cases	7,077	171	241	728	650	675	1,625	669	511	479	888	440
Federal question	5,267	82	173	579	443	534	1,198	521	396	355	707	279
Marine contract	100		9	27	4	4	32		3	1	20	
Other contract actions	43	3	1	1	5	5	13	2	1	1	8	3
Employers' Liability Act	24			2	4	3	1	7		2	5	

TABLE B-7.—U.S. courts of appeals, nature of suit or offense of appeals arising from the U.S. district courts by circuit, fiscal year 1976 — Continued

Nature of suit or offense	Total	Circuit										
		D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth
Marine injury	172		5	26	28	5	87	5	1	4	11	
Other tort actions	145	6	1	8	18	13	57	5	10	4	19	4
Civil rights	1,297	14	66	144	106	102	271	168	125	77	162	62
Antitrust	251	8	1	31	22	14	44	11	11	47	48	14
Habeas corpus	866	2	16	53	43	77	289	107	51	79	86	63
Prisoner civil rights	619	4	21	23	54	185	133	39	43	42	52	23
Other prisoner petitions	54		2	13	2	6	2	3	4	9	6	7
Labor Managements Relations Act	213	6	9	15	28	16	24	38	18	10	44	5
Labor Management Reporting and Dis- closure Act	38	5	3	12	3	6	2		2	2	2	1
Rail Labor Act	28		2	4	4		4	3	3	3	4	1
Patent	150	3	4	19	27	5	13	8	31	2	29	9
Securities, commodities and exchange	311	8	3	85	25	16	40	10	25	8	59	32
All other	956	23	30	116	70	77	186	115	68	64	152	55
Diversity of citizenship	1,714	44	68	147	165	141	426	148	115	124	175	161
Insurance	209	3	6	13	25	19	42	27	15	14	22	23
Other contract actions	733	16	27	79	54	53	169	57	64	48	104	62
Real property actions	62	3	1		5	10	11	6	3	4	9	10
Personal injury—motor vehicle	216	5	2	14	25	20	60	27	12	24	4	23
Personal injury—other	423	13	28	35	54	28	123	28	20	26	30	38
Other tort actions	70	4	3	6	2	11	21	3	1	8	6	5
All other	1		1									
General local jurisdiction	96	45		2	42		1				6	
Contract actions	46	20			21		1				4	
Real property actions	14	6			6						2	
Tort actions	25	12			13							
Prisoner petitions	11	7		2	2							
All other												
Total criminal cases	4,650	148	159	501	323	391	1,033	363	305	289	865	255
General offenses	4,082	128	141	437	302	359	914	329	257	261	724	230
Homicide, total	48	7		2	6	8	3		4	2	6	10
Murder, first degree	44	6		2	6	8	3		4	1	4	10
Other homicide	4	1								1	2	

Robbery, total	462	17	3	30	60	112	39	63	28	37	60	13
Bank	426	13	3	30	54	108	35	62	24	27	58	12
Other robbery	36	4			6	4	4	1	4	10	2	1
Assault	77	2	3	2	3	9	16	3	5	15	12	7
Burglary	22		3		8	2	2			4	1	2
Larceny and theft, total	303	5	5	43	27	26	53	29	29	16	45	25
Interstate shipment	114		2	29	12	5	17	14	18	7	5	5
Transportation, etc. of stolen property	59	1	3	2	5	3	13	3	3	1	16	9
Other	130	4		12	10	18	23	12	8	8	24	11
Embezzlement	51			4	3	2	15	2	6	3	11	5
Fraud, total	431	6	11	85	31	11	95	20	36	27	69	40
Income tax	136	1	7	22	11	1	25	9	13	10	26	11
Postal and interstate wire, radio, etc.	160	5	1	28	11	5	45	3	17	10	24	11
Other	135		3	35	9	5	25	8	6	7	19	18
Auto theft	139	2	2	2	4	20	49	19	5	12	8	16
Transportation—forged securities	99		5	9	11	11	12	4	7	10	19	11
Forgery	125	4	7	12	9	13	31	9	7	5	22	6
Counterfeiting	64	1	5	9	6	4	11	13		3	8	4
Sex offenses, total	28	2			5	1	2	3		2	8	5
Rape	13	2			2		1	1		1	4	2
White slave traffic	13				3	1	1	2		1	2	3
Other sex offenses	2										2	
Narcotics, total	1,388	53	42	163	51	52	421	72	60	66	354	54
Marihuana Tax Act	3		2				1					
Other	24	1		8	1		11		2			1
Drug Abuse Prevention and Control Act, total	1,361	52	40	155	50	52	409	72	58	66	354	53
DAFCA marihuana	392	2	17	4	5	7	194	2	3	4	136	18
DAFCA narcotics	819	41	20	143	29	35	187	52	47	47	186	32
DAFCA controlled substances	150	9	3	8	16	10	28	18	8	15	32	

TABLE B-7.—U.S. courts of appeals, nature of suit or offense of appeals arising from the U.S. district courts by circuit, fiscal year 1976 — Continued

Nature of suit or offense	Total	Circuit										
		D C	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth
Miscellaneous general offenses, total	845	29	55	76	78	88	165	92	70	59	101	32
Bribery	39			16	2	6	3	4			6	2
Extortion, racketeering and threats	184		6	23	27	16	40	20	14	13	17	8
Gambling, lottery	135	9	39	2	10	10	20	14	4	6	15	6
Kidnapping	35	5		1	4	10	1	9	1	1	2	1
Firearms, weapons	301	9	9	21	22	33	60	35	33	27	40	12
Other	151	6	1	13	13	13	41	10	18	12	21	3
Special offenses	77			2		7	8	1	1		57	1
Immigration laws	62			2			5		1		54	
Liquor, Internal Revenue	15					7	3	1			3	1
Federal statutes, total	491	20	18	62	21	25	111	53	45	28	84	24
Selective Service Act	14	1	2	4	2		2				3	
Other national defense laws	12						1	1			10	
Other	465	19	16	58	19	25	108	52	45	28	71	24

TABLE C-1.—U.S. district courts, civil cases commenced, terminated and pending, fiscal year 1976

Circuit and district	Total civil cases				U.S. civil cases				Private civil cases			
	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976
Total all districts	119,767	130,597	110,175	140,189	26,155	39,864	31,731	34,288	93,612	90,733	78,444	105,901
District of Columbia	1,741	2,464	2,418	1,787	905	1,471	1,396	980	836	993	1,022	807
First Circuit	13,029	8,028	6,089	14,968	1,387	1,450	1,128	1,709	11,642	6,578	4,961	13,259
Maine	247	273	244	276	62	76	62	76	185	197	182	200
Massachusetts	10,422	5,278	3,538	12,162	794	588	503	879	9,628	4,690	3,035	11,283
New Hampshire	344	423	452	315	37	74	70	41	307	349	382	274
Rhode Island	424	448	303	569	67	73	53	87	357	375	250	482
Puerto Rico	1,592	1,606	1,552	1,646	427	639	440	626	1,165	967	1,112	1,020
Second Circuit	14,229	11,587	10,614	15,202	2,415	2,465	2,273	2,607	11,814	9,122	8,341	12,595
Connecticut	1,446	1,245	998	1,693	260	359	329	290	1,186	886	669	1,403
New York:												
Northern	645	594	540	699	191	178	174	195	454	416	366	504
Eastern	2,549	2,438	1,958	3,029	651	712	588	775	1,898	1,726	1,370	2,254
Southern	8,182	6,440	6,181	8,441	950	962	896	1,016	7,232	5,478	5,285	7,425
Western	1,114	610	681	1,043	299	184	222	261	815	426	459	782
Vermont	293	260	256	297	64	70	64	70	229	190	192	227
Third Circuit	11,382	12,325	11,371	12,336	2,214	3,207	2,793	2,628	9,168	9,118	8,578	9,708
Delaware	383	460	389	454	90	145	158	77	293	315	231	377
New Jersey	2,856	2,451	2,170	3,137	628	658	579	707	2,228	1,793	1,591	2,430
Pennsylvania:												
Eastern	3,609	3,978	3,781	3,896	466	736	583	619	3,233	3,242	3,198	3,277
Middle	1,096	1,706	1,546	1,256	680	1,054	963	771	416	652	583	485
Western	1,527	1,899	1,723	1,703	323	599	484	438	1,204	1,300	1,239	1,265
Virgin Islands	1,821	1,831	1,762	1,890	27	15	26	16	1,794	1,816	1,736	1,874
Fourth Circuit	8,815	13,067	10,168	11,714	2,702	5,199	3,416	4,485	6,113	7,868	6,752	7,229
Maryland	1,452	1,995	1,655	1,792	342	651	521	472	1,110	1,344	1,134	1,320
North Carolina:												
Eastern	532	596	498	630	110	195	133	172	432	401	365	458
Middle	492	638	453	677	112	161	114	159	384	477	339	518
Western	463	680	582	561	70	147	113	104	393	533	469	457
South Carolina	1,367	2,466	2,162	1,671	405	1,077	883	599	962	1,389	1,279	1,072

TABLE C-1.—U.S. district courts, civil cases commenced, terminated and pending, fiscal year 1976 —
Continued

Circuit and district	Total civil cases				U.S. civil cases				Private civil cases			
	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976
Virginia:												
Eastern	1,364	2,442	2,345	1,461	343	561	541	363	1,021	1,881	1,804	1,098
Western	835	1,793	1,372	1,256	386	1,060	736	710	449	733	636	546
West Virginia:												
Northern	430	544	331	643	135	163	74	224	295	381	257	419
Southern	1,880	1,913	770	3,023	799	1,184	301	1,682	1,081	729	469	1,341
Fifth Circuit	23,974	30,542	25,388	29,128	4,020	7,263	6,034	5,249	19,954	23,279	19,354	23,879
Alabama:												
Northern	1,168	1,218	1,536	1,450	321	559	437	443	847	1,259	1,099	1,007
Middle	222	700	661	261	36	97	95	38	186	603	566	223
Southern	334	682	614	402	36	92	82	46	298	590	532	356
Florida:												
Northern	284	543	535	292	70	175	164	81	214	368	371	211
Middle	2,406	2,608	2,043	2,971	360	552	457	455	2,046	2,056	1,586	2,516
Southern	1,443	3,909	3,479	1,873	378	1,537	1,319	596	1,065	2,372	2,160	1,277
Georgia:												
Northern	2,073	2,665	2,424	2,314	352	694	640	406	1,721	1,971	1,784	1,908
Middle	392	599	588	403	71	156	143	84	321	443	445	319
Southern	643	784	666	761	86	151	118	119	557	633	548	642
Louisiana:												
Eastern	3,974	4,063	3,131	4,906	225	429	314	340	3,749	3,634	2,817	4,566
Middle	375	480	450	405	64	85	69	80	311	395	381	325
Western	1,346	1,436	1,196	1,586	224	414	341	297	1,122	1,022	855	1,289
Mississippi:												
Northern	564	683	585	662	90	148	116	122	474	535	469	540
Southern	856	1,039	955	940	186	285	254	217	670	754	701	723
Texas:												
Northern	2,142	2,585	2,007	2,720	386	531	400	517	1,756	2,054	1,607	2,203
Eastern	943	1,313	975	1,281	210	315	214	311	733	998	761	970
Southern	3,297	2,880	1,995	4,182	507	558	398	667	2,790	2,322	1,597	3,515
Western	1,097	1,231	1,058	1,270	352	455	412	395	745	776	646	875
Canal Zone	415	524	490	449	66	30	61	35	349	494	429	414
Sixth Circuit	11,271	13,478	10,379	14,370	3,469	5,667	3,826	5,310	7,802	7,811	6,553	9,060
Kentucky:												
Eastern	1,574	2,259	1,048	2,785	1,101	1,919	780	2,240	473	340	268	545
Western	805	881	661	1,025	266	320	235	351	539	561	426	674

Michigan:												
Eastern	2,756	2,990	2,266	3,480	546	809	648	707	2,210	2,181	1,618	2,773
Western	1,009	751	527	1,233	228	260	195	293	781	491	332	940
Ohio:												
Northern	1,946	2,433	2,068	2,311	346	753	577	522	1,600	1,680	1,491	1,789
Southern	1,479	1,894	1,595	1,778	493	852	709	636	986	1,042	886	1,142
Tennessee:												
Eastern	466	946	907	505	174	380	341	213	292	566	566	292
Middle	558	605	577	586	181	186	180	187	377	419	397	399
Western	678	719	730	667	134	188	161	161	544	531	569	506
Seventh Circuit	8,604	9,097	8,002	9,699	1,927	2,519	2,285	2,161	6,677	6,578	5,717	7,538
Illinois:												
Northern	3,422	4,508	3,912	4,018	546	984	877	653	2,876	3,524	3,035	3,365
Eastern	760	595	644	711	364	251	335	280	396	344	309	431
Southern	472	462	387	547	105	154	113	146	367	308	274	401
Indiana:												
Northern	1,066	701	589	1,178	213	202	168	257	853	499	431	921
Southern	1,126	1,266	1,186	1,206	292	441	454	279	834	825	732	927
Wisconsin:												
Eastern	1,064	838	757	1,145	259	233	196	296	805	605	561	849
Western	694	727	527	894	148	254	152	250	546	473	375	644
Eighth Circuit	7,026	7,810	6,866	7,970	1,761	2,663	2,373	2,054	5,265	5,144	4,493	5,916
Arkansas:												
Eastern	1,065	935	693	1,307	185	268	191	262	880	667	502	1,045
Western	524	525	392	657	177	199	136	240	347	326	256	417
Iowa:												
Northern	244	243	236	251	53	79	80	52	191	164	156	199
Southern	446	592	481	557	93	148	121	120	353	444	360	437
Minnesota:												
Northern	1,439	1,209	1,006	1,642	331	339	347	523	1,108	870	659	1,319
Missouri:												
Eastern	781	1,399	1,355	825	171	360	334	197	610	1,039	1,021	628
Western	1,354	1,711	1,611	1,454	475	890	845	520	879	821	766	934
Nebraska:												
Eastern	688	712	668	732	143	188	173	158	545	524	495	574
North Dakota:												
Eastern	161	205	192	174	44	93	84	53	117	112	108	121
South Dakota:												
Eastern	324	279	232	371	89	102	62	129	235	177	170	242
Ninth Circuit	14,671	15,670	12,923	17,418	3,983	5,941	4,270	5,654	10,688	9,729	8,653	11,764
Alaska	348	324	251	421	143	160	114	189	205	164	137	232
Arizona	1,149	1,187	1,087	1,249	357	514	471	400	792	673	616	849
California:												
Northern	2,857	2,886	2,742	3,001	588	776	645	719	2,269	2,110	2,097	2,282
Eastern	1,161	1,009	787	1,383	527	403	267	663	634	606	520	720
Central	3,692	4,169	3,685	4,176	897	1,438	1,262	1,073	2,795	2,731	2,423	3,103
Southern	719	1,549	730	1,538	277	1,169	352	1,094	442	380	378	444
Hawaii	468	442	288	622	98	130	98	130	370	312	190	492
Idaho	334	389	264	459	121	160	98	183	213	229	166	276
Montana	384	373	327	430	110	138	113	135	274	235	214	295
Nevada	552	534	461	625	128	130	116	142	424	404	345	485

TABLE C-1.—U.S. district courts, civil cases commenced, terminated and pending, fiscal year 1976 —
Continued

Circuit and district	Total civil cases				U.S. civil cases				Private civil cases			
	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976	Pending July 1, 1975	Com- menced	Termi- nated	Pending June 30, 1976
Oregon	1,128	1,198	1,028	1,298	235	317	265	287	893	881	763	1,011
Washington:												
Eastern	313	346	252	407	123	147	125	145	190	199	127	262
Western	1,264	1,195	935	1,524	365	443	339	469	899	752	596	1,055
Guam	302	69	86	285	14	16	5	25	288	53	81	260
Tenth Circuit	5,025	6,529	5,957	5,597	1,372	2,016	1,937	1,451	3,653	4,513	4,020	4,146
Colorado	1,388	1,425	1,375	1,438	272	327	293	306	1,116	1,098	1,082	1,132
Kansas	1,150	1,363	1,032	1,481	323	513	459	377	827	850	573	1,104
New Mexico	480	781	754	507	148	197	201	144	332	584	553	363
Oklahoma:												
Northern	482	684	622	544	232	270	299	203	250	414	323	341
Eastern	242	376	352	266	71	136	133	74	171	240	219	192
Western	621	1,124	1,069	676	161	366	351	176	460	758	718	500
Utah	499	533	501	531	108	142	126	124	391	391	375	407
Wyoming	163	243	252	154	57	65	75	47	106	178	177	107

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1975 and 1976

Nature of suit	Fiscal year 1975 total	Fiscal year 1976					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases.....	117,320	130,597	15,599	24,265	56,823	31,675	2,235
Contract actions, total.....	22,905	24,000	2,157	1,199	5,152	15,310	182
Insurance.....	2,644	3,185	9	45	37	3,081	13
Marine.....	3,662	4,060	36	21	3,995	5	1
Miller Act.....	1,037	955			955		
Negotiable instruments.....	2,490	2,240	937	23	37	1,190	53
Recovery of overpayments and enforcement of judgments.....	681	1,087	401	452	2	231	1
Stockholders suits and partnership dissolutions.....	1						
Other contract actions.....	12,390	12,473	772	658	126	10,803	114
Real property actions, total.....	6,488	8,475	6,218	460	584	1,021	192
Condemnation of land.....	1,391	3,037	2,958	20	44	13	2
Foreclosure.....	3,546	3,683	2,881		264	394	144
Rent, lease, and ejectment.....	470	399	207	30		152	10
Torts to land.....	558	547	62	68	211	205	1
Other real property actions.....	523	809	110	342	65	257	35
Tort actions, total.....	25,691	25,736	204	2,100	7,901	15,344	187
Personal injury:							
Airplane.....	1,083	980		142	49	778	11
Assault, libel, and slander.....	824	862		70	19	765	8
Employers' Liability Act.....	1,243	1,329			1,329		
Marine.....	5,410	4,170	1	136	3,732	1,301	
Motor vehicle.....	6,794	6,068	1	613	40	5,351	63
Other personal injury.....	5,867	6,793		901	34	5,767	91
Personal property damage:							
Fraud.....	2,936	2,887	137	30	2,147	571	2
Other personal property damage.....	1,534	1,647	65	208	551	811	12

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1975 and 1976 — Continued

Nature of suit	Fiscal year 1975 total	Fiscal year 1976					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Actions under statutes, total.....	60,051	70,371	7,001	20,496	42,817		57
Antitrust.....	1,431	1,555	43	8	1,504		
Bankruptcy trustee suits.....	395	518		4	514		
Banks and banking.....	183	288	128	48	112		
Civil rights.....	10,392	12,329	468	1,276	10,585		
Commerce (ICC rates, etc.).....	4,042	4,396	264	19	4,113		
Narcotic Addict Rehabilitation Act.....	276	150	150				
Economic Stabilization Act.....	60	30	4	3	23		
Environmental matters.....	406	499	240	200	59		
Deportation.....	386	291		291			
Prisoner petitions:							
Motions to vacate sentence.....	1,690	1,693		1,693			
Parole board review.....	662	538		538			
Prison officials - habeas corpus.....	9,525	9,254		1,421	7,817		16
Prison officials - mandamus, etc.....	824	864		626	238		
Civil rights.....	6,606	7,460		502	6,958		
Forfeiture and penalty suits:							
Agricultural acts.....	69	65	65				
Food and Drug Act.....	498	452	452				
Liquor laws.....	26	24	24				
Railroad and trucking regulations.....	13	13	13				
Air traffic regulations.....	116	114	114				
Occupational Safety and Health Act.....	138	310	310				
Other forfeiture and penalty suits.....	1,584	1,609	1,609				
Labor Laws:							
Fair Labor Standards Act.....	1,836	2,014	1,401	17	596		
Labor Management Relations Act.....	3,950	4,092	182	45	3,865		
Labor Management Reporting and Disclosure Act.....	218	222	35	4	183		
Railway Labor Act.....	149	140		6	134		
Other labor litigation.....	464	1,275	429	104	742		
Protected property rights:							
Copyright.....	753	899			899		
Patent.....	849	921		28	893		
Trademark.....	674	812			812		
Review or enforcement.....	1						
Securities, commodities, and exchanges.....	2,408	2,230	179	9	2,042		
Selective Service Act.....	1	4		4			
Social security laws.....	5,846	10,355		10,354	1		
Black lung cases.....	2,793	4,908		4,907	1		

Other	3,053	5,447		5,447		
State reapportionment suits	19	33			33	
Tax suits	1,699	1,849	511	1,297		41
Other statutory actions	1,860	3,073	380	1,999	694	
Other actions, total	2,185	2,015	19	10	369	1,617
Domestic relations	1,130	1,186				1,186
Insanity	40	18				18
Probate	176	180				180
Suits involving local officials	599	372	1	7	363	1
Other	240	259	18	3	6	232

TABLE C-3.—U.S. district courts, civil cases commenced, by nature of suit and district, fiscal year 1976

Circuit and district	Total civil cases	U.S. cases																
		Total U.S. civil	Contract	Land condemnation	Other real property	Tort actions	Anti-trust	Civil rights	Prisoner petitions				Forfeitures and penalties	Labor suits	NA-RA¹	Social Security	Tax suits	All other
									Motions to vacate sentence	Habeas corpus	Civil rights	Man-damus and other						
Total, all districts	130,597	39,864	3,356	2,978	3,700	2,304	51	1,744	1,693	1,421	502	1,164	2,587	2,223	150	10,354	1,808	3,829
District of Columbia	2,464	1,471	44	18	9	113	5	256	68	38	79	82	28	19	1	108	10	593
First Circuit	8,028	1,450	87	6	82	88	1	63	20	19	5	3	165	158		527	50	176
Maine	273	76	9	1	5	5	1	7	2	1			6	9		17	2	11
Massachusetts	5,278	588	48	4	35	49		40	13	8	3	2	109	66		70	30	111
New Hampshire	423	74	3		2	5		7			1		6	14		15	6	15
Rhode Island	448	73	7	1	1	8		4	1	1			3	5		19	10	13
Puerto Rico	1,606	639	20		39	21		5	4	9	1	1	41	64		406	2	26
Second Circuit	11,587	2,465	200	3	136	248	10	144	128	183	37	42	323	168		262	145	436
Connecticut	1,245	359	21		22	18	2	18	12	116	14	11	15	14		31	23	42
New York:																		
Northern	594	178	24	1	22	18	1	3	4	3	3	5	17	23		21	15	18
Eastern	2,438	712	48		36	87	2	52	63	16	3	9	125	67		90	19	95
Southern	6,440	962	79	1	22	103	4	52	44	42	17	14	150	36		83	67	248
Western	610	184	23	1	14	19	1	11	2	5		3	16	22		27	16	24
Vermont	260	70	5		20	3		8	3	1				6		10	5	9
Third Circuit	12,325	3,207	321	83	224	224	2	122	116	128	27	100	174	219	1	1,002	153	311
Delaware	460	145	4		61	4	1	4		1			9	10		11	9	31
New Jersey	2,451	658	63	7	84	79		49	37	6	5	1	74	50		77	36	90
Pennsylvania:																		
Eastern	3,978	736	41	9	34	102	1	47	41	14	1	4	35	39		225	36	107
Middle	1,706	1,054	182	66	14	9		5	7	101	19	93	12	67		437	18	24
Western	1,899	599	30	1	31	30		16	30	5	2	2	37	53	1	252	54	55
Virgin Islands	1,831	15	1					1	1	1			7					4
Fourth Circuit	13,067	5,199	297	181	594	172	1	149	151	31	37	11	154	220	63	2,720	128	290
Maryland	1,995	651	50	68	54	34	1	44	22	10	1	2	69	47		139	44	56
North Carolina:																		
Eastern	596	195	15	21	4	9		17	16	1			5	30		31	10	36

Middle	638	161	14	20	2	9	12	11	1	5	1	22	8	45	4	7		
Western	680	147	19	14	4	8	14	27	2	3	.....	2	6	28	12	8	
South Carolina	2,466	1,077	134	2	510	44	13	21	2	.....	.....	11	31	266	7	36	
Virginia:																		
Eastern	2,442	561	50	20	12	58	35	38	11	14	6	21	48	62	72	28	86	
Western	1,793	1,060	5	1	2	4	10	2	2	2	.....	6	22	1	964	8	31
West Virginia:																		
Northern	544	163	2	8	2	2	3	5	1	1	.....	14	11	.....	99	8	7
Southern	1,913	1,184	8	27	4	4	1	9	1	1	2	4	17	.....	1,076	7	23
Fifth Circuit	30,542	7,263	676	1,129	595	412	5	365	418	303	105	230	531	367	45	1,211	425	446
Alabama:																		
Northern	1,518	559	36	24	7	21	23	48	10	6	3	29	18	10	278	27	19	
Middle	700	97	11	1	10	7	10	7	3	4	3	4	9	2	16	2	8	
Southern	682	92	4	.....	7	3	3	7	3	2	1	13	10	.....	28	6	5
Florida:																		
Northern	543	175	8	2	57	11	1	12	7	6	7	9	5	.....	23	19	8
Middle	2,608	552	58	3	168	31	14	28	10	7	6	23	63	.....	75	36	30
Southern	3,909	1,537	36	1,051	27	45	2	32	51	16	3	7	58	45	29	42	93	
Georgia:																		
Northern	2,665	694	45	4	14	13	1	64	55	130	47	141	43	15	60	27	35	
Middle	599	156	26	1	20	18	9	13	4	.....	.....	2	7	14	23	7	12
Southern	784	151	49	.....	7	8	.....	8	10	2	.....	3	8	2	40	6	8
Louisiana:																		
Eastern	4,063	429	32	.....	61	77	29	36	12	1	1	38	15	25	51	27	24
Middle	480	85	6	.....	19	4	.....	1	3	.....	.....	2	9	.....	31	4	5
Western	1,436	414	47	1	99	47	10	11	2	.....	.....	19	11	.....	112	21	32
Mississippi:																		
Northern	683	148	23	18	29	7	17	6	.....	.....	.....	4	6	.....	19	11	8
Southern	1,039	285	80	1	35	16	24	3	1	1	2	9	11	.....	75	9	18
Texas:																		
Northern	2,585	531	83	13	20	1	35	26	25	6	7	46	36	3	95	92	43
Eastern	1,313	315	20	6	5	16	11	7	35	15	19	6	17	4	139	9	6	
Southern	2,880	558	49	.....	9	38	1	40	43	5	3	11	148	53	55	46	57
Western	1,232	455	54	17	6	26	34	52	38	3	15	57	25	1	62	34	31
Canal Zone	523	30	9	2	4	8	3	4	4
Sixth Circuit	13,478	5,667	277	116	616	165	8	138	162	63	17	36	272	363	2,996	153	285
Kentucky:																		
Eastern	2,259	1,919	11	23	13	11	1	17	16	1	9	57	15	.....	1,723	7	25
Western	881	320	17	10	44	8	2	7	14	1	.....	2	11	17	139	21	27
Michigan:																		
Eastern	2,990	809	65	.....	39	37	1	32	72	27	5	10	74	106	258	33	50
Western	751	260	10	1	12	15	1	6	5	3	2	1	7	94	85	1	16	
Ohio:																		
Northern	2,433	753	53	.....	249	38	3	32	16	8	3	2	45	51	160	48	55
Southern	1,894	852	46	5	238	19	.....	26	8	4	2	2	20	48	372	20	42

See footnotes at end of table.

TABLE C-3.—U.S. district courts, civil cases commenced, by nature of suit and district, fiscal year 1976 —
Continued

Circuit and district	Total civil cases	U.S. cases																
		Total U.S. civil	Contract	Land condemnation	Other real property	Tort actions	Anti-trust	Civil rights	Prisoner petitions				Capital offenses	Labor suits	NA-RA ¹	Social Security	Tax suits	All other
									Motions to vacate sentence	Habeas corpus	Civil rights	Mandamus and other						
Tennessee:																		
Eastern	946	380	22	65	6	15		6	11	1	1	2	34	9		181	6	21
Middle	605	186	15	11	1	16	1	6	7	2	2	2	14	11		66	11	21
Western	719	188	38	11	14	6		22	11	1	1	6	10	12		22	6	28
Seventh Circuit	9,097	2,519	251	86	383	108	5	89	93	146	69	121	210	197	1	354	157	229
Illinois:																		
Northern	4,508	984	173	3	100	58	5	51	35	12	8	25	148	90		77	49	150
Eastern	595	251	10	4	22	14		3	15	40	26	33	4	5		59	6	10
Southern	462	154	14	1	14	6		6	7			2	9	14		55	13	13
Indiana:																		
Northern	701	202	8	24	68	3		6	20		1		10	12	1	34	7	8
Southern	1,266	441	28	9	102	12		6	8	60	22	32	16	31		94	6	15
Wisconsin:																		
Eastern	838	233	22		41	11		16	6	1	2	4	16	27		25	38	24
Western	727	254	6	45	46	4		1	2	33	10	25	7	18		10	38	9
Eighth Circuit	7,810	2,666	322	180	269	98		79	163	185	43	347	161	114	12	347	1	202
Arkansas:																		
Eastern	935	268	23	7	92	9		9	6	3		1	15	10		50	24	19
Western	525	199	16	1	52	5		4	5	7	1	2	9	5		80	7	5
Iowa:																		
Northern	243	79	14	3	15	6		3	4		1	1	4	5		4	6	13
Southern	592	148	36	1	14	1		2	20	2			10	8		30	15	9
Minnesota:	1,209	339	38	1	14	16		14	26	22	4	20	38	33		46	27	40
Missouri:																		
Eastern	1,399	360	61	48	5	18		22	39	1	3	5	35	18		58	11	36
Western	1,711	890	56	88	8	15		13	42	146	33	314	30	12	11	65	19	38
Nebraska:	712	188	54	8	30	8		4	12	1			10	17	1	11	16	15
North Dakota:	205	93	11	2	31	7		2	3	1	1		4	2		2	15	11
South Dakota:	279	102	13	21	8	13		6	6	2		2	6	4		1	4	16

Ninth Circuit	15,670	5,941	673	1,002	479	607	12	252	256	174	43	99	452	302	12	593	321	664
Alaska	324	160	16	29	24	17	.....	5	.....	3	1	1	21	3	.....	1	8	31
Arizona	1,187	514	38	12	84	34	.....	19	47	10	1	4	71	45	10	66	34	39
California:																		
Northern	2,886	776	136	11	19	139	7	60	20	13	3	12	38	43	.....	104	54	117
Eastern	1,009	403	34	9	79	56	1	14	22	6	4	7	16	27	.....	57	26	45
Central	4,169	1,438	285	2	29	189	.....	53	75	72	16	29	154	107	.....	159	55	213
Southern	1,549	1,169	43	843	9	50	1	19	27	22	2	6	48	14	.....	18	20	47
Hawaii	442	130	12	2	8	17	1	14	1	7	.....	1	21	7	.....	9	9	21
Idaho	389	160	20	7	65	11	.....	3	7	3	1	.....	4	5	2	12	6	14
Montana	373	138	12	9	28	9	1	8	3	.....	.....	.....	12	3	.....	15	10	28
Nevada	534	130	8	.....	5	21	.....	5	17	4	.....	1	12	7	.....	10	30	10
Oregon	1,198	317	16	16	48	14	.....	16	11	1	5	1	15	21	.....	78	38	37
Washington:																		
Eastern	346	147	17	36	17	7	.....	3	4	1	.....	2	4	1	.....	34	8	13
Western	1,195	443	36	25	64	40	1	33	22	29	10	35	34	17	.....	28	23	46
Guam	69	16	.....	1	.....	3	.....	.....	.....	3	.....	.....	2	2	.....	2	.....	3
Tenth Circuit	6,529	2,016	198	174	303	69	2	87	118	151	40	93	117	96	15	234	122	197
Colorado	1,425	327	38	30	13	15	1	27	14	3	1	4	42	19	.....	51	17	52
Kansas	1,363	513	67	42	33	13	.....	7	38	95	15	73	16	30	4	34	11	35
New Mexico	781	197	17	6	20	10	.....	17	11	3	2	2	23	6	9	28	16	27
Oklahoma:																		
Northern	684	270	17	73	83	3	.....	7	16	1	1	3	4	12	2	14	13	21
Eastern	376	136	12	.....	41	4	.....	2	2	1	1	.....	8	3	.....	47	6	9
Western	1,124	368	30	15	97	9	.....	18	32	47	18	11	10	14	.....	28	17	20
Utah	533	142	9	2	9	7	1	7	2	.....	2	.....	10	11	.....	26	32	24
Wyoming	243	65	8	6	7	8	.....	2	3	1	.....	.....	4	1	.....	6	10	9

¹Civil commitment under the Narcotic Addict Rehabilitation Act of 1966, Public Law 89-793, Approved November 8, 1966.

²Federal Employers' Liability Act, 45 USC 51.

TABLE C-3.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976 — Continued

Circuit and district	Private cases																
	Total private civil	Contract	Real property	FELA ²	Marine personal injury	Motor vehicle personal injury	Other personal injury	Other tort actions	Anti-trust	Civil rights	Commerce	Prisoner petitions			Copy-right, patent trade-mark	Labor suits	All other
												Habeas corpus	Civil rights	Man-damus and other			
Total all districts	90,733	20,642	1,797	1,329	5,033	5,454	7,522	4,094	1,504	10,585	4,113	7,833	6,958	238	2,604	5,520	5,507
District of Columbia	993	241	9	6	2	74	169	53	16	115	8	59	118	3	27	42	51
First Circuit	6,578	819	287	37	210	217	425	100	48	476	3,171	160	175	5	124	175	149
Maine	197	62	2	9	11	17	23	6	5	27	2	12	3		3	7	8
Massachusetts	4,690	357	5	28	102	82	203	27	31	230	3,155	88	76		97	116	93
New Hampshire	349	68	7			50	71	5	2	47		13	69		7	6	4
Rhode Island	375	70	6		11	25	43	44	8	80		17	20		9	18	24
Puerto Rico	967	262	267		86	43	85	18	2	92	14	30	7	5	8	28	20
Second Circuit	9,122	2,608	42	166	1,292	317	727	348	164	795	22	628	490	8	558	307	650
Connecticut	886	166	11	4	7	44	75	149	18	170		61	65	1	39	28	48
New York:																	
Northern	416	38	3	28	2	14	41	12	6	38	1	55	127	2	19	16	14
Eastern	1,726	359	15	59	151	96	233	36	29	163	7	215	90	2	116	76	79
Southern	5,478	1,938	11	33	1,130	102	293	131	100	314	11	238	167	3	332	160	485
Western	426	69	2	41	2	36	33	10	10	73	2	58	36		16	22	16
Vermont	190	38		1		25	52	10	1	37	1	1	5		6	5	8
Third Circuit	9,118	1,836	243	276	336	760	949	260	118	837	89	428	503	10	245	659	1,569
Delaware	315	45	4		10	28	26	9	2	34	3	39	44	1	35	11	24
New Jersey	1,793	497	13	11	44	184	179	47	28	237	23	109	130		114	104	73
Pennsylvania:																	
Eastern	3,242	778	22	226	243	326	462	106	67	360	32	135	93		62	172	138
Middle	652	99	9	11		86	71	17	2	46	1	68	160	9	6	56	11
Western	1,300	264	6	27	34	81	106	72	19	38	30	60	75		26	313	49
Virgin Islands	1,816	153	189	1	5	55	105	9		2		17	1		2	3	1,274
Fourth Circuit	7,868	1,610	91	122	240	709	595	271	69	846	35	1,132	1,235	18	141	538	216
Maryland	1,344	329	9	19	48	102	87	43	27	175	9	181	179	4	30	47	55
North Carolina:																	
Eastern	401	76	2	1	15	25	17	6	4	62	4	66	96		8	6	13
Middle	477	71	2	1		25	19	41	1	82	1	104	75		26	18	11
Western	533	104	5			25	33	18	6	93	2	125	53		23	21	25

South Carolina	1,389	455	34	3	15	275	175	67	6	104	9	84	97		17	16	32
Virginia:																	
Eastern	1,881	373	17	17	136	123	125	46	19	182	6	309	395	14	26	38	55
Western	733	95	7	25		55	48	27	2	67	1	96	242		7	51	10
West Virginia:																	
Northern	381	20	8	10	8	19	21	4	1	30		126	75		1	55	3
Southern	729	87	7	46	18	60	70	19	3	51	3	41	23		3	286	12
Fifth Circuit	23,279	5,519	447	126	2,413	1,310	1,571	1,675	263	2,458	218	2,534	2,164	76	348	1,011	1,146
Alabama:																	
Northern	1,259	360	23	1	10	76	114	69	5	143	8	160	80	6	19	151	34
Middle	603	127	7			42	33	18	2	48	1	187	106		5	8	19
Southern	590	142	22	1	54	39	18	22	1	45	2	96	120	1	7	10	10
Florida:																	
Northern	368	84	4		8	11	12	5	2	56	2	80	70		4	14	16
Middle	2,056	379	20	7	46	27	55	49	28	156	9	433	653		52	108	30
Southern	2,372	971	40	2	92	29	85	56	54	142	120	226	70	4	60	305	116
Georgia:																	
Northern	1,971	429	34	8		162	112	547	24	198	17	154	80	20	38	54	94
Middle	443	106	3	5	2	79	38	39	1	51	4	50	35	2	11	11	6
Southern	633	128	3	3	16	83	53	79	5	63	2	68	90	10	10	11	9
Louisiana:																	
Eastern	3,634	890	123	18	1,270	172	272	396	26	224	4	105	21	2	18	32	61
Middle	395	27	8	2	33	19	21	12	5	46	8	58	139	2	1	18	6
Western	1,022	139	30	13	319	102	81	50	4	97	4	85	23	1	14	29	31
Mississippi:																	
Northern	535	133	8		22	91	49	40	1	100		58	10		5	7	10
Southern	754	213	14	6	36	118	113	40	4	133	1	32	9		7	15	13
Texas:																	
Northern	2,054	515	40	14	1	87	170	74	39	288	14	292	151	7	60	96	206
Eastern	998	113	14	19	135	68	177	37	11	135	1	112	146	3	3	17	7
Southern	2,322	570	39	22	350	38	82	88	31	366	14	222	302	10	24	85	79
Western	777	116	11	5	1	61	81	47	20	167	7	116	69	3	10	32	31
Canal Zone	493	77	4		18	6	5									8	368
Sixth Circuit	7,811	1,656	114	205	83	595	787	342	97	1,414	104	643	434	27	217	818	275
Kentucky:																	
Eastern	340	97	12	4		36	19	13	3	50	1	38	10		3	41	13
Western	561	109	3	1	11	45	40	57	10	74	37	65	30		8	53	18
Michigan:																	
Eastern	2,181	514	34	39	26	100	284	49	23	405	30	112	95	5	83	305	77
Western	491	61	11	8	4	36	49	12	10	84	3	59	79		18	33	24
Ohio:																	
Northern	1,680	358	22	102	25	110	172	74	26	329	7	117	36	5	54	185	58
Southern	1,042	168	13	43	3	57	62	61	12	204	6	115	111	5	16	124	42
Tennessee:																	
Eastern	566	131	5	7	2	104	72	16	4	114	5	41	19	1	10	23	12

See footnotes at end of table.

TABLE C-3.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976 —
Continued

Circuit and district	Private cases																
	Total private civil	Contract	Real prop- erty	FELA ²	Marine per- sonal injury	Motor vehicle per- sonal injury	Other per- sonal injury	Other tort actions	Anti- trust	Civil rights	Com- merce	Prisoner petitions			Copy- right, patent trade- mark	Labor suits	All other
												Habeas corpus	Civil rights	Man- damus and other			
Middle Western	419 531	77 141	6 8	..... 1	3 9	36 71	45 44	38 22	2 7	66 88	5 10	53 43	28 26	6 5	14 11	25 29	15 16
Seventh Circuit	6,578	1,567	278	65	57	389	442	241	122	1,014	95	383	587	8	300	742	288
Illinois:																	
Northern	3,524	1,045	115	24	29	122	123	99	96	590	82	138	234	6	197	445	179
Eastern	344	68	20	2	1	35	40	7	1	26	4	19	32	.....	7	78	4
Southern	308	65	22	6	7	37	35	27	5	37	1	14	5	.....	11	28	8
Indiana:																	
Northern	499	81	32	3	1	73	85	21	8	85	2	30	13	.....	14	32	19
Southern	825	177	69	28	8	83	98	62	6	115	2	20	14	1	26	85	31
Wisconsin:																	
Eastern	605	104	18	2	8	23	38	14	5	88	1	88	80	1	35	59	41
Western	473	27	2	.....	3	16	23	11	1	73	3	74	209	.....	10	15	6
Eighth Circuit	5,144	1,105	53	132	29	470	546	249	170	656	81	456	556	44	95	318	184
Arkansas:																	
Eastern	667	127	4	5	6	60	65	29	4	115	1	69	138	.....	2	33	9
Western	326	71	13	2	1	73	53	8	9	23	1	31	29	1	2	5	4
Iowa:																	
Northern	164	38	2	1	.....	20	30	7	3	20	3	14	2	1	9	10	4
Southern	444	73	2	5	.....	32	36	15	9	55	4	47	127	1	6	23	9
Minnesota	870	196	6	75	7	61	113	31	84	100	15	14	16	.....	32	45	75
Missouri:																	
Eastern	1,039	254	7	1	10	100	121	56	19	144	13	101	64	6	18	103	22
Western	821	138	7	5	4	42	49	41	26	108	31	108	147	32	10	60	13
Nebraska	524	132	8	27	1	45	44	41	11	59	10	49	26	1	11	27	32
North Dakota	112	30	2	8	.....	15	13	6	2	10	1	2	4	1	2	4	12
South Dakota	177	46	2	3	.....	22	22	15	3	22	2	21	3	1	3	8	4
Ninth Circuit	9,729	2,480	137	136	364	290	669	402	363	1,394	89	1,071	477	15	466	619	757
Alaska	164	78	4	.....	2	2	15	18	.....	10	2	1	2	.....	.....	27	3
Arizona	673	170	15	3	2	35	37	25	19	115	1	80	86	1	24	24	36

California:																			
Northern	2,110	422	22	9	119	37	100	76	164	446	21	244	72	72	126	180			
Eastern	606	113	14	3	6	15	42	14	6	69	5	169	77	1	19	29	24		
Central	2,731	665	20	53	80	48	160	83	88	273	19	383	118	2	272	189	278		
Southern	380	117	4		23	7	13	13	11	52	2	39	4		19	25	51		
Hawaii	312	111	4		12	15	34	42	3	40	3	3	2		4	17	22		
Idaho	229	57	1	7		16	29	3	6	39	6	11	16	1	8	5	24		
Montana	235	59	12	16		33	32	3	3	24	6	13	7	1	1	15	10		
Nevada	404	88	7	3	4	28	52	10	15	60	2	53	30	2	4	26	20		
Oregon	881	254	19	18	35	33	87	83	13	138	11	35	21	2	20	67	45		
Washington:																			
Eastern	199	41	8	7		7	23	11	9	19	2	22	29	1	3	15	2		
Western	752	294	6	17	81	12	45	20	26	106	9	17	11		20	54	34		
Guam	53	11	1			2		1		3		1	2	4			28		
Tenth Circuit	4,513	1,201	96	58	7	323	642	153	74	580	201	339	219	24	83	291	222		
Colorado	1,098	336	20	13	1	43	82	16	15	181	156	21	21		29	106	58		
Kansas	850	137	10	14	2	48	271	31	9	96	13	43	61	13	16	62	24		
New Mexico	584	160	15	4		61	52	26	2	80	6	104	34	2	1	15	22		
Oklahoma:																			
Northern	414	120	4	2	1	22	47	23	4	53		36			8	61	31		
Eastern	240	59	13	1	2	28	18	10	4	12	1	43	41	1	1	4	2		
Western	758	248	27	5		71	118	32	8	79	18	73	17	5	13	25	23		
Utah	391	96	5	21	1	26	33	12	26	55	5	12	18		10	12	59		
Wyoming	178	45	2	2		24	21	3	6	24	2	7	27	1	5	6	3		

¹Civil commitment under the Narcotic Addict Rehabilitation Act of 1966, Public Law 89-793, approved November 8, 1966.

²Federal Employers Liability Act, 45 USC 51.

TABLE C-3A.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976

Circuit and district	Total civil cases	United States cases																
		Total U.S. civil	Contract	Land condemnation	Other real property	Tort actions	Anti-trust	Civil rights	Prisoner petitions				Forfeitures and penalties	Labor suits	NA-RA¹	Social Security	Tax suits	All other
									Motions to vacate sentence	Habeas corpus	Civil rights	Man-damus and other						
Total all districts	140,189	34,288	2,524	3,299	2,362	2,963	109	1,946	615	426	255	350	1,692	1,739	57	10,122	2,504	3,325
District of Columbia	1,787	980	36	18	9	90	4	231	19	14	9	30	17	13		44	13	433
First Circuit	14,968	1,709	117	50	73	156	1	103	21	10	3	9	115	118		626	111	196
Maine	276	76	7	3	5	8		6		1			4	7		22	5	8
Massachusetts	12,162	879	75	46	44	98	1	73	17	7	2	8	85	94		100	85	144
New Hampshire	315	41	1		2	4		3					8	8		7	6	10
Rhode Island	569	87	13	1	1	14		9	1				3	6		14	11	14
Puerto Rico	1,646	626	21		21	32		12	3	2	1	1	23	3		483	4	20
Second Circuit	15,202	2,607	284	19	146	336	15	174	59	46	35	19	236	187		299	280	472
Connecticut	1,693	290	17	5	26	20	1	27	5	18	4	1	16	34		41	40	35
New York:																		
Northern	699	195	32	1	11	26	2	6		1	1	3	13	31		23	27	18
Eastern	3,029	775	59	2	31	125	3	49	28	7	5	3	100	50		100	48	165
Southern	8,441	1,016	143	2	29	130	8	63	23	16	23	10	91	40		94	119	225
Western	1,043	261	28	9	29	34	1	22	2	3	2	2	15	23		27	42	22
Vermont	297	70	5		20	1		7	1	1			1	9		14	4	7
Third Circuit	12,336	2,628	174	150	128	232	8	136	57	38	13	27	124	142		1,004	170	225
Delaware	454	77	3	1	7	4	1	6					8	3		7	10	27
New Jersey	3,137	707	92	56	76	87	4	54	19	3	4	2	57	59		59	55	80
Pennsylvania:																		
Eastern	3,896	619	26	16	29	100	2	55	29	6	1	2	19	30		200	33	71
Middle	1,256	771	33	72	4	8		3	2	28	7	21	7	19		541	15	11
Western	1,703	438	15	4	11	32	1	17	6	1	1	2	29	31		197	57	34
Virgin Islands	1,890	16	5	1	1	1		1	1				4					2
Fourth Circuit	11,714	4,485	205	303	257	156	4	156	46	11	12	2	103	124	36	2,672	148	250
Maryland	1,792	472	30	74	21	42	2	38	6	4	8		26	17		121	42	41
North Carolina:																		
Eastern	630	172	14	22	3	13		24	6				3	14		29	14	30
Middle	677	159	11	30	2	9		11	5		1		11	9		49	8	13
Western	561	104	8	12	2	6		15	7		1			3		26	13	11

South Carolina	1,671	599	91	2	209	31	1	16	5	1			12	17		174	12	28
Virginia:																		
Eastern	1,461	363	29	31	10	40	1	39	8	4	1	2	8	8	36	60	22	64
Western	1,256	710	4	8	2	2		9					19	13		609	10	34
West Virginia:																		
Northern	643	224	5	18	2	2		3	2		1		4	15		156	11	5
Southern	3,023	1,682	13	106	6	11		1	7	2			20	28		1,448	16	24
Fifth Circuit	29,128	5,249	495	511	253	501	13	412	161	76	61	74	299	308	9	1,150	517	409
Alabama:																		
Northern	1,450	443	17	37	3	26		23	8	2	1		11	12	2	251	33	17
Middle	261	36	1		4	8		11						4		5	2	3
Southern	402	46	2		3	3		4	1					7	4	17	2	3
Florida:																		
Northern	292	81	5	2	18	6		2	3			1	4	3	5	18	6	8
Middle	2,971	455	50	10	78	44	1	24	17	4	4	4	13	50		65	56	35
Southern	1,873	596	16	313	12	31	2	22	17	2	3	5	23	24		21	38	67
Georgia:																		
Northern	2,314	406	38	4	8	24	1	65	15	18	33	24	33	10		71	30	32
Middle	403	84	12	2	3	12		9	3	1		1	3	9		20	6	3
Southern	761	119	14	1	3	33		6	2				4	2		36	9	9
Louisiana:																		
Eastern	4,906	340	39	1	29	93		19	11	4	1	2	18	16	4	47	30	26
Middle	405	80	6		7	5	4	6	1				2	9		31	4	5
Western	1,586	297	36	7	29	31		12	1	2			9	16		100	25	28
Mississippi:																		
Northern	662	122	15	32	5	8		17	3			1	2	4		19	11	5
Southern	940	217	36	1	9	14		26	1		1		4	12		92	10	11
Texas:																		
Northern	2,720	517	70		15	29	1	53	17	6	3	3	24	36	2	89	115	54
Eastern	1,281	311	14	23	4	16		19	6	25	8	9	5	13		153	11	5
Southern	4,182	667	77	19	11	69	2	56	30	3	5	12	116	51	1	59	85	71
Western	1,270	395	37	59	12	34	2	38	25	9	1	7	15	31		56	43	26
Canal Zone	449	35	10			15						1	7				1	1
Sixth Circuit	14,370	5,310	242	278	434	177	20	162	62	19	13	18	286	263		2,855	252	229
Kentucky:																		
Eastern	2,785	2,240	28	96	27	17		3	4	10	2	11	170	23		1,796	21	32
Western	1,025	351	18	34	21	16	4	12	4				11	13		155	37	26
Michigan:																		
Eastern	3,480	707	59	4	35	54	8	36	32	5	4	2	48	68		247	66	39
Western	1,233	293	24	3	29	16	2	8	5	1		1	5	48		121	11	19
Ohio:																		
Northern	2,311	522	31	1	157	30	5	30		2	2	1	24	32		115	52	40
Southern	1,778	636	39	15	147	25	1	25	3	1	1	1	9	52		257	27	33
Tennessee:																		
Eastern	505	213	7	55	5	5		3	1				9	3		114	7	4
Middle	586	187	8	53	6	9		10	11			2	1	5	16	32	21	13
Western	667	161	28	17	7	5		35	2			2	1	5	8	18	10	23

TABLE C-3A.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976 —
Continued

Circuit and district	Total civil cases	United States cases																
		Total U.S. civil	Contract	Land condemnation	Other real property	Tort actions	Anti-trust	Civil rights	Prisoner petitions				Forfeitures and penalties	Labor suits	NA-RA ¹	Social Security	Tax suits	All other
									Motions to vacate sentence	Habeas corpus	Civil rights	Man-damus and other						
Seventh Circuit	9,699	2,161	208	128	322	133	8	108	41	84	56	76	85	148		313	268	183
Illinois:																		
Northern	4,018	653	99	3	49	55	4	57	17	4	2	8	48	52		74	85	96
Eastern	711	280	11	12	60	19		3	7	33	31	41	1	4		41	10	7
Southern	547	146	8	4	8	10		7	2			1	5	8		57	27	9
Indiana:																		
Northern	1,178	257	39	34	61	9		9	8		1		10	16		34	22	14
Southern	1,206	279	19	14	62	17		6	4	19	7	12	8	17		71	8	15
Wisconsin:																		
Eastern	1,145	296	27	1	49	17	4	23	3	1	1	3	4	31		28	73	31
Western	894	250	5	60	33	6		3		27	14	11	9	20		8	43	11
Eighth Circuit	7,970	2,054	196	346	153	117	3	89	53	37	17	37	103	127	4	379	215	178
Arkansas:																		
Eastern	1,307	262	24	20	40	15		11	4	2	2		8	20		58	39	19
Western	657	240	10	21	24	10		4		4		1	7	11		122	19	7
Iowa:																		
Northern	251	52	6	4	7	6							1	3		2	11	9
Southern	557	120	25	4	9	6		3	1	1			4	13		30	14	10
Minnesota:	1,642	323	35	6	14	21	1	14	14	10	1	11	22	35		47	46	46
Missouri:																		
Eastern	825	197	22	46	3	11		20	5	1	3	2	13	12		34	11	14
Western	1,454	520	26	187	15	17	2	21	21	19	10	20	25	14	4	69	32	38
Nebraska:	732	158	22	27	17	10		4	5				6	17		9	27	14
North Dakota:	174	53	8	4	11	4		2			1	1	3	2		2	10	5
South Dakota:	371	129	18	27	13	17		10	3			2	11			6	6	16
Ninth Circuit	17,418	5,654	438	1,193	439	975	29	285	70	72	23	37	269	232	3	585	409	595
Alaska	421	189	22	37	20	34		8	1	2			15	8		1	3	38
Arizona	1,249	400	36	33	49	48	2	25	9	1		2	30	41	2	55	31	36

California:																		
Northern	3,001	719	70	16	15	177	11	70	6	4	3	3	26	29		106	89	94
Eastern	1,383	663	46	67	101	194	1	24	12	3	3	4	24	28		74	32	50
Central	4,176	1,073	89	9	37	290	8	47	20	35	4	12	77	63		148	89	145
Southern	1,538	1,094	37	815	11	66	2	16	2	5	1		29	9		18	17	66
Hawaii	622	130	17	2	4	25	1	13		4			13	4		9	16	22
Idaho	459	183	18	36	61	15	1	3		1	1		5	4		12	6	20
Montana	430	135	10	9	27	12	1	6	1				8	4		17	17	23
Nevada	625	142	12	2	10	36		9	2	2			6	8		9	32	14
Oregon	1,298	287	11	36	41	18	1	20	8	1	5		11	15	1	67	24	28
Washington:																		
Eastern	407	145	16	45	17	6		2	1			1	2	1		33	10	11
Western	1,524	469	51	85	46	48	1	42	8	13	6	15	19	16		34	42	43
Guam	285	25	3	1		6				1			4	2		2	1	5
Tenth Circuit	5,597	1,451	129	303	148	90	4	90	26	19	13	21	55	77	5	195	121	155
Colorado	1,438	306	31	37	14	22	1	28	6				25	16	1	56	25	44
Kansas	1,481	377	44	100	14	33	1	12	10	11	8	17	4	29	3	36	28	27
New Mexico	507	144	8	42	10	9	1	12	3	3	1		9	3		12	9	22
Oklahoma:																		
Northern	544	203	15	87	43	2		6				2	1	9	1	11	11	15
Eastern	266	74	8	3	9	4		2	1				5	2		34	3	3
Western	676	176	11	26	40	8		21	5	4		2	2	7		15	19	12
Utah	531	124	8	2	9	6	1	8	1	1			7	11		27	20	23
Wyoming	154	47	4	6	9	6		1					2			4	6	9

TABLE C-3A.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976 — Continued

Circuit and district	Private cases																
	Total private civil	Contract	Real property	FELA ^a	Marine personal injury	Motor vehicle personal injury	Other personal injury	Other tort actions	Anti-trust	Civil rights	Commerce	Prisoner petitions			Copy-right, patent, trademark	Labor suits	All other
												Habeas corpus	Civil rights	Man-damus and other			
Total all districts	105,901	23,678	1,835	1,677	6,727	6,438	10,248	4,750	2,778	12,911	8,743	3,715	6,341	150	2,861	5,469	7,580
District of Columbia	807	197	7	3	3	68	179	39	74	95	4	12	19		29	24	54
First Circuit	13,259	1,354	167	82	511	354	820	150	108	702	8,018	131	193	6	158	236	269
Maine	200	57	5	14	13	19	28	6	4	26	2	4	3		5	3	11
Massachusetts	11,283	826	18	63	336	210	475	70	82	472	8,004	84	135	1	131	174	202
New Hampshire	274	65	7	1	2	51	87	4	2	21	1	2	21		3	5	2
Rhode Island	482	107	7	4	2	36	65	50	13	73		17	28		12	17	31
Puerto Rico	1,020	299	130		138	38	165	20	7	110	11	24	6	5	7	37	23
Second Circuit	12,595	3,443	66	300	1,762	526	1,053	548	346	1,207	39	363	681	21	593	363	1,284
Connecticut	1,403	285	19	9	14	77	130	240	52	310	2	35	51	3	54	41	81
New York:																	
Northern	504	66	5	53	2	47	60	15	12	53	2	5	90	2	38	31	23
Eastern	2,254	438	17	121	234	171	327	62	52	236	12	130	111	1	123	73	146
Southern	7,425	2,500	23	46	1,505	163	406	208	203	457	17	126	264	2	342	173	990
Western	782	111	1	7	7	38	66	11	26	109	4	67	153	13	31	43	32
Vermont	227	43	1	10		30	64	12	1	42	2		12		5	2	12
Third Circuit	9,708	2,050	243	222	443	931	1,312	284	232	953	75	158	425	4	280	480	1,616
Delaware	377	63	4	1	23	40	35	14	5	46	2	9	28		59	13	35
New Jersey	2,430	668	21	18	69	316	328	51	44	310	21	83	158		119	119	105
Pennsylvania:																	
Eastern	3,277	703	19	175	296	320	530	107	120	398	32	37	119		53	122	246
Middle	485	94	9	7	1	84	83	16	6	42	2	14	64	3	12	31	17
Western	1,265	279	8	20	45	84	156	64	56	155	18	5	55		37	193	90
Virgin Islands	1,874	243	182	1	9	87	180	32	1	2		10	1	1		2	1,123
Fourth Circuit	7,229	1,516	110	151	225	667	727	285	106	984	27	499	659	8	189	821	255
Maryland	1,320	328	16	14	49	107	102	49	37	230	6	110	151	2	28	39	52
North Carolina:																	
Eastern	458	109	3	3	23	31	26	10	7	101		40	66	1	13	6	19
Middle	518	93	6	2		22	35	27	6	112	1	66	66		43	24	15
Western	457	97	5			19	33	21	4	91	3	50	46	1	34	18	35

South Carolina	1,072	352	34	2	14	199	143	44	19	102	5	34	52		30	10	32
Virginia:																	
Eastern	1,098	234	5	17	102	80	148	34	19	156	5	72	122	4	23	21	56
Western	546	113	9	33		74	50	55	3	57	1	18	58		9	52	14
West Virginia:																	
Northern	419	36	12	11	8	26	29	7	2	36	1	84	79		1	81	6
Southern	1,341	154	20	69	29	109	161	38	9	99	5	25	19		8	570	26
Fifth Circuit	23,879	5,618	501	144	2,951	1,401	1,772	1,817	467	3,018	146	1,185	2,339		50	334	860
Alabama:																	
Northern	1,007	353	21	1	4	72	89	59	13	163	5	19	32	1	15	123	37
Middle	223	70	3			25	22	10	2	34		15	22		2	2	16
Southern	358	92	13	1	58	21	18	15	2	31	1	24	51		8	7	14
Florida:																	
Northern	211	54	8		5	8	9	3	4	44	1	14	37		2	7	15
Middle	2,516	465	30	5	64	35	72	60	55	217	18	209	1,049	14	48	101	74
Southern	1,277	497	19	1	58	12	43	41	78	90	42	52	36		46	155	105
Georgia:																	
Northern	1,908	487	24	9	1	169	135	485	51	231	11	55	40	3	34	52	121
Middle	319	73	8	5		45	30	29	5	48	1	22	36	1	4	4	8
Southern	642	129	6	1	17	78	54	74	5	78	2	34	139	6	5	5	5
Louisiana:																	
Eastern	4,566	1,077	169	24	1,576	246	369	522	54	298	11	41	24	1	16	43	95
Middle	325	30	10	2	35	21	28	17	5	60	2	16	60			24	15
Western	1,289	198	35	15	414	138	100	60	8	143	1	55	16	2	15	42	47
Mississippi:																	
Northern	540	130	9		18	80	52	49	2	113	1	32	23	3	3	12	13
Southern	723	192	17	7	24	112	112	45	7	140	1	23	10		6	14	13
Texas:																	
Northern	2,203	624	41	18	1	108	194	94	60	349	17	178	97	1	69	89	263
Eastern	970	110	20	15	114	61	168	43	16	163	1	95	136	5	4	10	9
Southern	3,515	803	51	32	535	64	157	149	66	613	25	233	474	13	43	119	138
Western	875	130	16	8	1	97	111	50	34	203	6	68	55		14	37	45
Canal Zone	414	104	1		26	9	9	12								10	243
Sixth Circuit	9,060	2,001	142	302	168	724	1,128	418	160	1,704	100	316	383		3	262	861
Kentucky:																	
Eastern	545	151	20	12	3	79	39	17	8	79	1	28	21	1	5	60	21
Western	674	150	6	1	20	80	76	60	10	98	25	17	30		9	53	39
Michigan:																	
Eastern	2,773	696	41	70	56	144	475	71	43	485	30	50	85		95	322	110
Western	940	124	18	16	15	90	123	19	18	167	2	94	127	2	30	57	38
Ohio:																	
Northern	1,789	380	29	143	50	127	192	87	42	371	17	31	17		75	156	72
Southern	1,142	192	13	54	8	68	85	107	20	256	9	42	59		23	141	65

See footnotes at end of table.

TABLE C-3A.—U.S. district courts, civil cases pending, by nature of suit and district as of June 30, 1976 —
Continued

Circuit and district	Private cases																
	Total private civil	Contract	Real property	FELA ²	Marine personal injury	Motor vehicle personal injury	Other personal injury	Other tort actions	Anti-trust	Civil rights	Commerce	Prisoner petitions			Copy-right, patent trade-mark	Labor suits	All other
Tennessee:																	
Eastern	292	81	4	4	1	38	52	7	3	61	4	4	2		4	15	12
Middle	399	74	4	1	4	39	48	31	3	83	3	33	13		12	37	14
Western	506	153	7	1	11	59	38	19	13	104	9	17	29		9	20	17
Seventh Circuit	7,538	1,812	166	85	86	539	670	276	266	1,237	81	216	747	11	344	580	422
Illinois:																	
Northern	3,365	1,015	51	32	39	117	143	94	190	626	61	88	180	2	206	274	247
Eastern	431	98	16	1	3	48	55	10	2	47	4	15	47	2	5	73	5
Southern	401	96	12	5	11	52	62	30	10	48	1	6	6		12	33	17
Indiana:																	
Northern	921	179	25	15	6	161	164	34	16	144	4	27	44	1	29	46	36
Southern	927	221	49	30	8	101	139	59	14	133	4	5	10	1	28	82	43
Wisconsin:																	
Eastern	849	154	11	2	17	47	74	34	30	145	4	39	127		51	57	57
Western	644	49	2		2	23	33	15	4	94	3	36	333	5	13	15	17
Eighth Circuit	5,916	1,408	73	161	34	580	714	289	295	820	91	238	404	28	106	324	351
Arkansas:																	
Eastern	1,045	224	7	8	12	96	118	51	6	221	3	75	150	8	3	39	24
Western	417	107	11	5	1	88	77	13	15	38	2	20	16		4	13	7
Iowa:																	
Northern	199	45	5	2		27	40	10	5	18	8	4	2		10	13	10
Southern	437	112	5	5		59	57	16	9	58	4	14	35		8	21	34
Minnesota:	1,319	302	14	95	8	103	145	44	140	135	22	6	35		46	58	166
Missouri:																	
Eastern	628	174	4	1	5	49	79	44	17	104	11	32	18	2	10	54	24
Western	934	189	12	5	6	47	67	44	79	153	26	55	112	18	12	79	30
Nebraska:	574	155	6	27	2	63	69	44	14	57	13	21	29		8	33	33
North Dakota:	121	28	5	10		14	20	8	4	10	1		2		3	3	13
South Dakota:	242	72	4	3		34	42	15	6	26	1	11	5		2	11	10

Ninth Circuit	11,764	3,055	264	174	538	358	1,160	515	613	1,638	95	489	351	11	484	664	1,335
Alaska	232	114	6		3	3	22	28	2	6	1		1		1	37	8
Arizona	849	253	20	5	5	56	76	28	49	140	9	33	24		30	34	87
California:																	
Northern	2,282	451	24	10	137	32	90	74	268	501	21	131	72	5	88	128	250
Eastern	720	164	24	7	20	17	67	23	13	103	8	74	89	1	24	52	34
Central	3,103	633	21	65	111	30	477	88	126	306	13	175	62	1	250	186	559
Southern	444	125	6	1	42	5	15	19	21	57	2	8	4	1	16	22	100
Hawaii	492	174	7		27	28	72	48	7	62	3	3			6	27	27
Idaho	276	95	1	13		24	46	10	8	23	7	2	13		7	6	21
Montana	295	97	15	14		39	41	9	5	28	4	2	5		1	17	18
Nevada	483	135	15	2	3	38	66	17	13	85	2	15	30		9	24	29
Oregon	1,011	286	24	25	55	42	115	78	28	160	14	21	12		22	66	63
Washington:																	
Eastern	262	56	8	9		9	25	35	17	29	3	11	26		4	15	15
Western	1,055	378	10	23	135	25	56	47	56	137	8	9	11		25	50	85
Guam	260	94	83			10	12	11		1		5	1	3	1		39
Tenth Circuit	4,146	1,224	96	53	6	290	693	129	111	553	67	108	140	8	82	256	330
Colorado	1,132	404	20	17	1	48	103	20	26	198	43	10	28		22	106	86
Kansas	1,104	239	22	15	2	86	352	35	13	130	11	6	35	5	20	76	57
New Mexico	363	109	15	3		31	35	16	3	58	1	46	18	1		10	17
Oklahoma:																	
Northern	341	105	4	2	1	12	51	18	7	48		13		2	10	17	51
Eastern	192	49	12	1	1	28	18	6	4	11	1	13	39			4	5
Western	500	177	18	1	1	36	81	21	16	53	8	14	3		14	22	35
Utah	407	108	3	12		25	33	10	39	47	3	6	14		15	16	76
Wyoming	107	33	2	2		24	20	3	3	8			3		1	5	3

¹Civil commitment under the Narcotic Addict Rehabilitation Act of 1966, Public Law 89-793, approved November 8, 1966.

²Federal Employers' Liability Act, 45 U.S.C. 51.

TABLE C-4.—U.S. district courts, civil cases terminated, by nature of suit and action taken (land condemnation cases omitted), fiscal year 1976

Nature of suit	Total	No court action	Court action						
			Total	Before pretrial	During or after pretrial	During or after trial			
						Total	Nonjury	Jury	Percent reaching trial
Total cases	108,298	41,691	66,607	41,593	16,225	8,789	5,245	3,544	8.1
United States cases	29,916	11,646	18,270	14,822	2,057	1,391	1,200	191	4.6
Contract actions:									
Negotiable instruments	1,028	729	299	201	74	24	19	5	2.3
Recovery of overpayments and enforcement of judgments	722	512	210	190	17	3	3		.4
Other contracts	1,497	886	611	384	154	73	68	5	4.9
Real property	3,254	2,248	1,006	823	103	80	74	6	2.5
Tort actions:									
Marine, personal injury	92	47	45	10	22	13	9	4	14.1
Motor vehicle, personal injury	652	268	384	170	142	72	60	12	11.0
Other personal injury	971	311	660	284	180	196	178	18	20.2
Other torts	398	232	166	73	60	33	30	3	8.3
Actions under statutes:									
Antitrust	55	15	40	24	11	5	5		9.1
Civil rights	1,241	426	815	610	111	94	85	9	7.6
Deportation	249	128	121	102	12	7	7		2.8
Prisoner petitions:									
Motions to vacate sentence	1,732		1,732	1,672	15	45	43	2	2.6
Parole board review	624	1	623	613	2	8	7	1	1.3
Prison officials:									
Habeas corpus	1,381	1	1,380	1,335	13	32	31	1	2.3
Mandamus, etc.	653		653	623	18	12	10	2	1.8
Civil rights	497		497	462	3	12	10	2	2.4
Liquor forfeitures	127	13	14	10	2	2	2		7.4
Other forfeiture and penalty suits	2,350	1,580	770	513	127	130	111	19	5.5
Narcotic Addict Rehabilitation Act	175	70	105	105					
Fair Labor Standards Act	1,248	823	419	156	210	53	49	4	4.2
Other labor litigation	694	447	247	179	35	33	28	5	4.8
Selective Service Act	6	2	4						
Social security laws	5,827	1,154	4,673	4,436	223	14	14		2
Tax suits	1,631	651	980	430	312	238	163	75	14.6
All other U.S. actions	2,912	1,096	1,816	1,393	211	212	194	18	7.3

Federal question	47,962	17,508	30,454	20,186	6,747	3,521	2,514	1,007	7.3
Contract actions:									
Marine	3,514	2,124	1,390	450	748	162	144	18	4.6
Miller Act	901	555	346	158	127	61	54	7	6.8
Other contracts	140	67	73	34	33	6	5	1	4.3
Real property	462	302	160	99	42	19	19		4.1
Tort actions:									
Employers' Liability Act	1,196	395	801	129	543	129	17	112	10.8
Marine, personal injury	3,620	1,657	1,963	364	1,264	335	135	200	9.3
Other personal injury	107	29	78	33	29	16	5	11	15.0
Other torts	2,341	1,405	936	399	371	166	143	23	7.1
Actions under statutes:									
Bankruptcy trustee suits	424	239	185	68	88	29	25	4	6.8
Antitrust	1,252	455	797	424	248	125	61	64	10.0
Civil rights	8,074	2,946	5,128	2,876	1,299	1,153	788	365	14.3
Prisoner petitions:									
Prison officials:									
Habeas corpus	7,389	3	7,386	7,080	106	200	199	1	2.7
Mandamus, etc.	279		279	253		16	11	5	5.7
Civil rights	5,858	3	5,855	5,352	247	256	209	47	4.4
Fair Labor Standards Act	500	267	233	81	99	53	46	7	10.6
Labor Management Relations Act	3,274	1,895	1,379	819	353	210	185	25	6.4
Other labor litigation	569	253	316	185	66	65	50	15	11.4
Copyright	794	523	271	138	105	28	20	8	3.5
Patent	827	399	428	163	181	84	69	15	10.2
Trademark	731	465	266	132	91	43	35	8	8.9
All other Federal question	5,710	3,526	2,184	1,119	700	365	294	71	6.4
Diversity of citizenship	28,225	11,903	16,322		7,375	3,644	1,341	2,303	12.9
Contract actions:									
Insurance	2,483	1,004	1,479	500	616	363	189	174	14.6
Negotiable instruments	989	542	447	247	131	69	47	22	7.0
Other contracts	9,755	4,598	5,157	2,097	2,026	1,034	675	359	10.6
Real property	963	506	457	203	158	96	59	37	10.0
Tort actions:									
Marine, personal injury	1,288	561	727	94	520	113	26	87	8.8
Motor vehicle, personal injury	5,725	2,277	3,448	747	1,776	925	140	785	16.2
Other personal injury	5,996	2,012	3,984	1,196	1,890	898	140	753	15.0
Other torts	1,021	400	621	218	258	145	65	80	14.2
All other diversity	5	3	2	1		1		1	20.0
Local jurisdiction	2,195	634	1,561	1,282	46	233	190	43	10.6
Contract actions	291	141	150	95	20	35	25	10	12.0
Real property	240	104	136	114	4	18	15	3	7.5
Tort actions:									
Motor vehicle, personal injury	79	44	35	9	4	22	12	10	27.8
Other personal injury	102	56	46	10	11	25	13	12	24.5
Other torts	31	13	18	10	1	7	3	4	22.6

TABLE C-4.—U.S. district courts, civil cases terminated, by nature of suit and action taken (land condemnation cases omitted), fiscal year 1976 — Continued

Nature of suit	Total	No court action	Court action					
			Total	Before pretrial	During or after pretrial	During or after trial		
						Total	Nonjury	Jury
Prisoner petitions:								
Parole board review								
Prison officials:								
Habeas corpus	10		10	10				
Mandamus, etc.	3		3	2		1	1	33.3
Domestic relations	1,118	182	936	816	2	118	114	10.6
Insanity	16	11	5	4		1	1	6.3
Substitute trustee								
Suits involving local officials	9	6	3	2		1	1	11.1
All other local	296	77	219	210	4	5	5	1.7

TABLE C-4A.—U.S. district courts, civil cases terminated, by district and action taken (land condemnation cases omitted), fiscal year 1976

District and circuit	Total	No court action	Court action						
			Total	Before pre-trial	During or after pre-trial	During or after trial			
						Total	Non-jury	Jury	Per-cent reaching trial
Total all districts	108,298	41,691	66,607	41,593	16,225	8,789	5,245	3,544	8.1
District of Columbia	2,376	115	2,261	2,046	112	103	55	48	4.3
First Circuit	6,086	3,576	2,510	1,460	679	371	220	151	6.1
Maine	242	74	168	47	97	24	16	8	9.9
Massachusetts	3,537	2,617	920	638	170	112	88	26	3.2
New Hampshire	452	63	389	153	159	77	15	62	17.0
Rhode Island	303	142	161	78	21	62	43	19	20.5
Puerto Rico	1,552	680	872	544	232	96	60	36	6.2
Second Circuit	10,603	4,368	6,235	3,066	2,423	746	406	340	7.0
Connecticut	996	354	642	430	114	98	70	28	9.8
New York:									
Northern	539	201	338	303	6	29	19	10	5.4
Eastern	1,955	946	1,009	655	233	121	47	74	6.2
Southern	6,180	2,534	3,646	1,306	1,925	415	245	170	6.7
Western	678	253	425	253	133	39	14	25	5.8
Vermont	255	80	175	119	12	44	11	33	17.3
Third Circuit	11,326	3,582	7,744	4,681	1,953	1,110	564	546	9.8
Delaware	388	99	289	239	19	31	23	8	8.0
New Jersey	2,163	1,063	1,100	628	270	202	111	91	9.3
Pennsylvania:									
Eastern	3,777	736	3,041	1,196	1,352	493	237	256	13.1
Middle	1,521	517	1,004	849	78	77	28	49	5.1
Western	1,719	636	1,083	632	231	220	114	106	12.8
Virgin Islands	1,758	531	1,227	1,137	3	87	51	36	4.9
Fourth Circuit	10,069	3,799	6,270	3,992	1,485	793	395	398	7.9
Maryland	1,634	446	1,188	705	362	121	77	44	7.4
North Carolina:									
Eastern	495	148	347	279	46	22	14	8	4.4
Middle	451	129	322	222	83	17	12	5	3.8
Western	574	104	470	229	159	82	24	58	14.3
South Carolina	2,159	1,325	834	475	169	190	66	124	8.8
Virginia:									
Eastern	2,310	715	1,595	956	395	244	127	117	10.6
Western	1,356	545	811	644	128	39	17	22	2.9
West Virginia:									
Northern	324	85	239	139	51	49	45	4	15.1
Southern	766	302	464	343	92	29	13	16	3.8
Fifth Circuit	24,360	9,063	15,297	9,752	3,241	2,298	1,425	873	9.4
Alabama:									
Northern	1,520	304	1,216	798	240	178	59	119	11.7
Middle	659	87	572	413	95	64	40	24	9.7
Southern	614	182	432	278	82	72	54	18	11.7
Florida:									
Northern	535	109	426	360	41	25	17	8	4.7
Middle	2,040	418	1,622	1,427	98	97	73	24	4.8
Southern	2,582	1,219	1,363	971	225	167	114	53	6.5
Georgia:									
Northern	2,412	998	1,414	1,096	121	197	86	111	8.2
Middle	575	254	321	187	57	77	28	49	13.4
Southern	666	333	333	189	57	87	40	47	13.1
Louisiana:									
Eastern	3,130	1,449	1,681	677	756	248	135	113	7.9
Middle	450	121	329	265	22	42	30	12	9.3
Western	1,194	570	624	349	157	118	80	38	9.9
Mississippi:									
Northern	570	254	316	222	19	75	44	31	13.2
Southern	951	510	441	180	155	106	72	34	11.1

TABLE C-4A.—U.S. district courts, civil cases terminated, by district and action taken (land condemnation cases omitted), fiscal year 1976 — Continued

District and circuit	Total	No court action	Court action						
			Total	Before pre-trial	During or after pre-trial	During or after trial			
						Total	Non-jury	Jury	Percent reaching trial
Texas:									
Northern	2,004	810	1,194	779	190	225	153	72	11.2
Eastern	949	273	676	342	213	121	58	63	12.8
Southern	1,990	719	1,271	486	631	154	129	25	7.7
Western	1,029	279	750	573	86	91	60	31	8.8
Canal Zone	490	174	316	160	2	154	153	1	31.4
Sixth Circuit	10,261	2,979	7,282	4,219	2,208	855	509	346	8.3
Kentucky:									
Eastern	1,045	179	866	803	28	35	12	23	3.3
Western	659	195	464	292	142	30	16	14	4.6
Michigan:									
Eastern	2,264	665	1,599	723	758	118	79	39	5.2
Western	524	220	304	197	78	29	15	14	5.5
Ohio:									
Northern	2,066	533	1,533	644	686	203	136	67	9.8
Southern	1,580	522	1,058	710	241	107	67	40	6.8
Tennessee:									
Eastern	844	176	668	307	223	138	62	76	16.4
Middle	555	198	357	270	6	81	48	33	14.6
Western	724	291	433	273	46	114	74	40	15.7
Seventh Circuit	7,981	3,462	4,519	2,824	1,315	380	257	123	4.8
Illinois:									
Northern	3,911	2,271	1,640	1,095	420	125	91	34	3.2
Eastern	631	154	477	305	116	56	38	18	8.9
Southern	385	129	256	165	92	29	11	18	7.5
Indiana:									
Northern	586	199	387	217	132	38	30	8	6.5
Southern	1,184	452	732	366	312	54	27	27	4.6
Wisconsin:									
Eastern	757	186	571	351	184	36	25	11	4.8
Western	527	71	456	355	59	42	35	7	8.0
Eighth Circuit	6,712	2,609	4,103	2,809	621	673	421	252	10.0
Arkansas:									
Eastern	693	259	434	292	67	75	49	26	10.8
Western	385	172	213	101	52	60	37	23	15.6
Iowa:									
Northern	234	93	141	88	26	27	15	12	11.5
Southern	477	108	369	231	35	53	36	17	11.1
Minnesota:									
Northern	1,004	523	481	318	88	75	26	49	7.5
Missouri:									
Eastern	1,303	682	621	404	47	170	117	53	13.0
Western	1,539	230	1,309	1,103	154	52	35	17	3.4
Nebraska:									
Northern	663	324	339	155	87	97	64	33	14.6
Southern	188	104	84	44	3	37	28	9	19.7
North Dakota:									
Northern	226	114	112	73	12	27	14	13	11.9
Ninth Circuit	12,767	6,431	6,336	4,627	953	756	559	197	5.9
Alaska	250	81	169	94	63	12	11	1	4.8
Arizona:									
Northern	1,083	471	612	520	57	35	29	6	3.2
California:									
Northern	2,728	1,503	1,225	885	195	145	108	37	5.3
Eastern	775	246	529	480	25	24	18	6	3.1
Central	3,680	2,094	1,586	1,372	62	152	123	29	4.1
Southern	677	303	374	262	58	54	37	17	8.0
Hawaii	287	147	140	91	22	27	21	6	9.4
Idaho	264	135	129	95	12	22	11	11	8.3
Montana	322	87	235	66	135	34	20	14	10.6
Nevada	456	157	299	228	48	23	18	5	5.0
Oregon	1,009	608	401	128	143	130	78	52	12.9
Washington:									
Eastern	237	76	161	114	32	15	11	4	6.3
Western	916	495	421	275	70	76	68	8	8.3
Guam	83	28	55	17	31	7	6	1	8.4

TABLE C-4A.—U.S. district courts, civil cases terminated, by district and action taken (land condemnation cases omitted), fiscal year 1976 — Continued

District and circuit	Total	No court action	Court action						
			Total	Before pre-trial	During or after pre-trial	During or after trial			
						Total	Non-jury	Jury	Percent reaching trial
Tenth Circuit	5,757	1,707	4,050	2,117	1,229	704	434	270	12.2
Colorado	1,350	257	1,093	635	270	188	147	41	13.9
Kansas	1,017	402	615	397	145	73	34	39	7.2
New Mexico	749	272	477	170	176	131	94	37	17.5
Oklahoma									
Northern	487	173	314	166	95	53	28	25	10.9
Eastern	343	60	283	164	83	36	17	19	10.5
Western	1,059	274	785	408	254	123	57	66	11.6
Utah	500	200	300	76	175	49	28	21	9.8
Wyoming	252	69	183	101	31	51	29	22	20.2

TABLE C-5.—U.S. district courts, time intervals from filing to disposition of civil cases terminated, by district and method of disposition. (Excludes: land condemnation, prisoner petitions, and deportation reviews. Intervals shown are for the median time and for the range of the middle 80 percent of the cases.) Fiscal year 1976

Circuit and district	Total cases				No court action				Court action											
	Number of cases	Time interval in months¹			Number of cases	Time interval in months¹			Before pretrial				During or after pretrial				Trial			
		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than	Number of cases	Time interval in months¹			Number of cases	Time interval in months¹			Number of cases	Time interval in months¹		
										10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than
Total all districts	89,623	2	9	28	41,560	1	6	24	24,067	1	6	22	15,799	6	15	37	8,197	6	16	40
District of Columbia	1,876	1	6	25	115	1	7	25	1,548	1	5	23	111	9	20	38	102	6	20	58
First Circuit	5,778	3	17	41	3,570	2	18	39	1,187	2	10	39	666	7	19	54	355	6	21	51
Maine	227	2	9	19	74	1	4	12	35	2	7	18	94	5	12	21	24			
Massachusetts	3,379	5	23	43	2,613	6	23	40	494	3	17	54	164	17	34	55	108	8	24	54
New Hampshire	376	1	9	25	63	1	3	12	82	1	2	6	157	4	14	28	74	3	19	26
Rhode Island	286	1	8	28	142	1	6	34	65	1	7	24	21				58	5	14	34
Puerto Rico	1,510	1	8	30	678	1	5	13	511	3	10	24	230	13	23	60	91	5	19	77
Second Circuit	9,031	2	12	39	4,301	2	8	31	1,667	1	8	31	2,361	7	19	44	702	4	26	60
Connecticut	682	1	14	43	352	1	8	32	151	1	8	28	102	15	29	49	77	4	31	55
New York:																				
Northern	363	2	12	39	201	3	14	37	128	2	8	31	6				28	8	20	60
Eastern	1,606	2	11	39	943	2	9	32	319	1	7	27	230	8	24	73	114	9	21	55
Southern	5,601	2	11	38	2,472	2	8	27	844	1	8	35	1,880	7	18	40	405	2	30	65
Western	539	3	16	48	253	3	16	48	120	1	11	42	131	6	18	43	35	4	30	58
Vermont	240	3	13	25	80	2	12	23	105	2	10	24	12				43	7	16	29
Third Circuit	10,101	1	9	28	3,570	1	6	25	3,551	1	6	22	1,927	6	14	34	1,053	4	17	41
Delaware	315	1	6	30	99	1	6	24	169	1	4	24	19				28	2	20	45
New Jersey	1,900	2	12	38	1,057	1	9	30	379	2	9	25	266	13	31	47	198	3	26	51
Pennsylvania:																				
Eastern	3,471	2	10	26	731	1	5	17	943	2	8	23	1,331	5	12	27	466	6	16	33
Middle	1,119	1	8	21	516	1	3	17	462	2	11	22	78	6	13	26	63	6	14	26
Western	1,557	1	7	23	636	1	4	14	479	1	7	18	230	8	16	34	212	2	14	36
Virgin Islands	1,739	1	6	30	531	2	16	36	1,119	1	4	19	3				86	6	27	46

Fourth Circuit	7,657	2	7	20	3,800	1	5	15	1,707	2	6	17	1,456	5	10	27	694	6	11	29
Maryland	1,245	1	7	23	446	1	4	12	340	1	6	17	359	5	11	27	100	5	17	41
North Carolina:																				
Eastern	295	1	9	28	148	1	8	22	74	1	4	18	46	6	20	37	22			
Middle	288	1	8	22	129	1	3	12	59	1	7	11	83	5	13	25	17			
Western	397	2	8	21	105	1	4	16	63	2	6	26	157	5	10	18	72	7	15	29
South Carolina	1,972	1	6	16	1,325	1	5	14	295	2	7	13	168	5	9	19	184	5	10	23
Virginia:																				
Eastern	1,566	1	7	16	715	1	5	13	233	1	5	14	386	5	8	18	232	6	8	18
Western	1,013	2	6	15	545	2	6	12	307	2	5	9	127	7	13	29	34	3	12	26
West Virginia:																				
Northern	182	1	14	40	85	1	10	23	51	3	11	34	39	10	22	50	7			
Southern	699	2	13	38	302	1	10	40	280	4	13	27	91	11	21	54	26	7	22	42
Fifth Circuit	19,316	2	8	23	9,058	1	6	18	4,919	1	6	17	3,197	6	14	30	2,142	6	14	32
Alabama:																				
Northern	1,196	2	7	17	304	1	5	14	478	1	8	12	239	6	11	25	175	4	9	20
Middle	333	1	4	11	87	1	4	8	110	1	2	6	87	3	7	12	49	4	8	20
Southern	393	1	7	14	182	1	5	9	78	1	5	9	81	6	10	17	52	6	10	18
Florida:																				
Northern	343	1	5	15	109	1	4	9	164	1	4	11	41	4	12	26	24			
Middle	1,112	1	8	23	418	1	6	17	526	1	6	20	85	11	16	31	83	8	18	36
Southern	2,213	1	4	11	1,219	1	4	9	609	1	4	11	224	4	8	13	161	5	10	19
Georgia:																				
Northern	1,809	2	9	22	996	1	7	18	505	2	8	20	118	10	16	27	190	8	16	28
Middle	487	2	7	19	254	1	6	16	103	1	5	16	56	3	10	21	74	4	10	25
Southern	536	2	8	18	333	1	6	16	70	1	7	18	57	9	13	17	76	5	11	21
Louisiana:																				
Eastern	2,980	2	10	25	1,447	1	7	20	532	1	5	18	755	8	15	29	246	9	18	36
Middle	245	1	9	27	121	1	9	20	65	1	5	19	21				38	4	18	45
Western	1,091	1	9	31	570	1	6	25	251	1	8	21	157	8	16	31	113	9	23	50
Mississippi:																				
Northern	487	2	9	20	254	1	6	17	143	2	9	22	19				71	6	14	26
Southern	910	2	9	25	510	1	7	19	143	1	6	23	152	6	15	30	105	8	17	32
Texas:																				
Northern	1,512	2	10	25	810	1	7	21	306	1	7	21	187	6	15	35	209	7	16	30
Eastern	722	2	10	20	273	2	8	18	123	1	6	21	212	7	12	23	114	6	13	24
Southern	1,700	2	11	32	719	2	7	21	236	2	7	25	619	8	17	36	126	10	26	52
Western	757	2	9	27	278	1	8	22	312	2	7	22	85	7	16	33	82	7	18	36
Canal Zone	490	1	5	14	174	1	3	18	160	1	2	12	2				154	3	8	12
Sixth Circuit	8,994	2	8	27	2,975	1	5	19	3,028	2	7	18	2,181	5	14	36	810	4	15	39
Kentucky:																				
Eastern	977	3	9	25	179	2	15	41	737	3	8	17	28	11	34	61	335	28	69	36
Western	561	2	10	24	195	1	5	14	197	2	9	19	142	10	16	32	27	11	20	
Michigan:																				
Eastern	1,971	2	9	30	663	1	4	16	443	1	5	20	750	7	14	36	115	12	22	53
Western	414	1	14	39	220	1	6	29	97	2	15	34	73	11	31	44	24			
Ohio:																				
Northern	1,861	2	7	30	532	1	4	14	462	1	5	16	677	5	14	38	190	3	12	38
Southern	1,368	2	7	22	522	1	5	15	502	2	7	15	238	5	13	32	106	11	18	41

See footnote at end of table

TABLE C-5.—U.S. district courts, time intervals from filing to disposition of civil cases terminated, by district and method of disposition. (Excludes: land condemnation, prisoner petitions, and deportation reviews. Intervals shown are for the median time and for the range of the middle 80 percent of the cases.) Fiscal year 1976 — Continued

Circuit and district	Total cases				No court action				Court action											
	Number of cases	Time interval in months¹			Number of cases	Time interval in months¹			Before pretrial				During or after pretrial				Trial			
		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than	Number of cases	Time interval in months¹			Number of cases	Time interval in months¹			Number of cases	Time interval in months¹		
										10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than
Tennessee:																				
Eastern	766	1	5	13	176	1	2	7	232	1	6	12	223	3	6	15	135	2	7	17
Middle	452	1	6	21	198	1	5	22	171	1	6	16	5	8	14	27	78	6	13	28
Western	624	2	9	26	290	2	8	23	187	2	6	24	45	8	14	27	102	7	16	31
Seventh Circuit	6,705	2	8	27	3,449	1	5	17	1,655	2	8	22	1,257	6	18	39	344	6	22	49
Illinois:																				
Northern	3,453	1	6	21	2,258	1	5	16	667	2	6	19	405	5	14	35	123	5	17	41
Eastern	495	4	14	33	154	2	7	26	196	6	13	22	110	10	23	43	35	13	23	51
Southern	355	2	7	34	129	1	6	16	108	2	7	26	90	4	9	41	28	5	22	50
Indiana:																				
Northern	540	3	13	34	199	2	7	24	175	2	9	24	129	14	24	39	37	6	26	48
Southern	999	2	8	24	452	2	6	14	186	2	7	19	310	7	14	34	51	7	15	42
Wisconsin:																				
Eastern	582	2	13	37	186	1	6	21	190	2	10	31	172	9	24	41	34	21	32	54
Western	281	1	10	33	71	1	6	19	133	1	7	21	41	6	21	44	36	7	22	52
Eighth Circuit	4,885	1	9	27	2,604	1	6	21	1,147	1	6	21	527	9	19	40	607	7	18	38
Arkansas:																				
Eastern	533	2	12	29	259	1	6	26	147	2	9	21	61	10	22	36	66	7	20	31
Western	329	2	10	27	172	1	5	17	59	2	11	28	49	10	17	33	49	9	18	38
Iowa:																				
Northern	208	2	10	32	93	1	8	23	64	2	5	18	26	13	20	39	25	11	22	39
Southern	293	1	12	35	108	1	5	15	60	1	5	12	82	15	23	41	43	9	27	39
Minnesota:	867	2	11	32	521	1	10	27	183	1	7	21	88	10	23	58	75	11	24	52
Missouri:																				
Eastern	1,110	1	6	16	682	1	5	14	217	1	4	11	45	5	9	27	166	6	12	22
Western	602	2	9	28	227	1	6	16	254	1	8	23	74	6	18	36	47	11	26	40

Nebraska	566	2	11	27	324	1	8	21	81	1	6	23	87	10	16	27	74	7	20	38
North Dakota	179	1	6	22	104	1	4	17	35	1	8	30	3				37	4	14	27
South Dakota	198	2	13	34	114	2	10	28	47	1	11	37	12				25	12	22	45
Ninth Circuit	10,488	2	9	28	6,411	1	7	23	2,404	2	7	24	938	9	19	43	735	9	19	44
Alaska	244	1	12	31	81	1	8	21	89	2	11	32	63	2	21	46	11			
Arizona	867	2	8	28	470	1	7	26	309	2	6	23	57	17	26	49	31	2	23	54
California:																				
Northern	2,298	2	9	32	1,503	1	8	26	463	2	6	23	191	9	20	46	141	7	18	57
Eastern	448	2	12	30	245	2	10	28	155	2	9	28	25	6	22	55	23			
Central	2,888	1	7	24	2,086	1	6	21	590	1	6	21	61	10	19	43	151	7	17	46
Southern	559	2	9	29	300	1	7	27	148	1	7	21	57	11	19	34	54	11	22	33
Hawaii	275	1	9	28	146	1	7	28	81	1	4	20	22				26	10	17	34
Idaho	230	2	7	24	135	2	6	20	61	2	6	23	12				22			
Montana	300	2	11	26	87	1	5	16	47	1	8	33	135	7	13	27	31	6	16	4
Nevada	357	2	12	39	157	2	11	38	134	2	9	37	45	12	20	35	21			
Oregon	936	2	9	22	604	2	7	17	68	1	6	16	137	9	14	27	127	10	17	33
Washington:																				
Eastern	188	2	9	27	76	2	7	19	66	1	7	15	32	7	22	57	14			
Western	822	2	10	27	493	1	7	22	183	2	8	27	70	10	17	38	76	12	22	35
Guam	76	1	19	39	28	1	7	28	10				31	15	26	46	7			
Tenth Circuit	4,792	2	7	21	1,707	1	4	14	1,254	1	5	17	1,178	6	12	26	653	5	13	28
Colorado	1,277	2	9	24	257	1	3	14	573	2	6	19	268	7	15	28	179	6	17	31
Kansas	681	2	10	31	402	1	6	21	86	1	9	33	129	10	19	38	64	9	21	48
New Mexico	620	1	6	14	272	1	4	10	93	1	4	12	148	4	9	17	107	4	10	15
Oklahoma:																				
Northern	431	1	5	21	173	1	4	9	110	1	4	24	95	5	11	24	53	5	12	24
Eastern	262	1	7	16	60	1	3	8	86	1	5	11	83	4	11	18	33	6	14	21
Western	836	1	6	16	274	1	3	10	192	1	4	9	251	5	10	19	119	5	9	25
Utah	475	2	10	20	200	1	6	15	55	2	10	15	173	6	12	23	47	5	14	27
Wyoming	210	2	8	17	69	1	6	13	59	1	4	10	31	6	13	20	51	5	12	21

*Time interval computed only where there are 25 or more cases.

TABLE C-5A.—U.S. district courts, time intervals from filing to disposition of civil cases terminated, by nature of suit and method of disposition. (Excludes: land condemnation cases, prisoner petitions and deportation reviews. Intervals shown are for the median time and for the range of the middle 80 percent of the cases.) Fiscal year 1976

Nature of suit	Total cases				No court action				Court action											
	Number of cases	Time interval in months ¹			Number of cases	Time interval in months ¹			Before pretrial			During or after pretrial			Trial					
		10 percent less than	Median	10 percent more than		10 percent less than	Median	10 percent more than	Number of cases	Time interval in months ¹		Number of cases	Time interval in months ¹		Number of cases	Time interval in months ¹				
										10 percent less than	Median		10 percent less than	Median		10 percent less than	Median	10 percent less than	Median	
Total cases	89,623	2	9	28	41,560	1	6	24	24,067	1	6	22	15,799	6	15	37	8,197	6	16	40
U.S. cases	24,780	1	6	22	11,516	1	4	17	9,995	2	7	19	1,994	5	14	38	1,275	2	14	38
Contract actions:																				
Negotiable instruments	1,028	1	4	22	729	1	3	16	201	2	9	27	74	6	14	49	24			
Recovery of overpayments and enforcement of judgments	722	1	3	11	512	1	3	10	190	1	3	9	17				3			
Other contracts	1,497	1	6	26	886	1	3	18	384	1	7	24	154	5	16	44	77	5	17	44
Real property	3,254	1	4	14	2,248	1	4	12	823	1	5	14	103	4	12	48	80	2	5	48
Tort actions:																				
Marine, personal injury	92	3	11	32	47	2	5	32	10				22				13			
Motor vehicle, personal injury	652	2	9	25	268	2	8	22	170	2	6	14	142	7	14	29	72	8	13	32
Other personal injury	971	2	11	37	311	1	9	26	284	1	6	22	180	7	21	67	196	8	21	42
Other torts	398	1	7	27	232	1	5	19	73	1	6	21	60	5	16	40	33	6	16	52
Actions under statutes:																				
Antitrust	55	2	15	71	15				24				11				5			
Civil rights	1,241	1	7	24	426	1	5	22	610	1	6	20	111	5	13	31	94	3	13	29
Liquor forfeitures	27	1	6	40	13				10				2				2			
Other forfeiture and penalty suits	2,350	1	4	15	1,580	1	3	12	513	1	5	18	127	4	12	36	130	1	5	19
Narcotic Addict Rehabilitation Act	175	1	2	7	70	1	6	9	105	1	2	6								
Fair Labor Standards Act	1,248	1	6	24	829	1	5	17	156	1	7	28	210	6	14	36	53	5	15	25
Other labor litigation	694	1	3	16	447	1	2	12	179	1	3	16	35	3	11	24	33	1	10	29
Selective Service Act	6				2				4											
Social security laws	5,827	3	8	18	1,154	2	7	18	4,436	3	8	18	223	6	10	21	14			
Tax suits	1,631	2	12	34	651	1	9	27	430	1	7	27	312	7	18	40	238	6	20	49
All other U.S. actions	2,912	1	5	23	1,096	1	4	19	1,393	1	5	20	211	5	14	31	212	2	10	28

Federal question	34,436	2	9	30	17,506	1	7	27	7,499	1	6	25	6,384	6	15	37	3,047	5	17	43
Contract actions:																				
Marine	3,514	2	8	26	2,126	1	6	18	479	1	5	20	748	5	15	33	161	5	17	52
Miller Act	901	2	7	22	555	1	5	17	158	2	7	16	127	5	12	27	61	9	22	48
Other contracts	140	2	8	35	67	1	4	20	34	2	10	34	33	5	15	46	6			
Real property	462	1	5	20	302	1	5	14	99	1	5	13	42	7	15	26	19			
Tort actions:																				
Employers' Liability Act	1,196	4	12	28	395	3	10	26	129	1	6	21	543	7	13	29	129	8	17	35
Marine, personal injury	3,620	2	12	30	1,657	1	9	28	364	1	8	26	1,264	8	16	32	335	9	19	39
Other personal injury	107	2	9	34	29	1	8	18	33	1	4	17	29	5	19	46	16			
Other torts	2,341	2	8	22	1,406	1	6	16	399	2	8	22	371	6	15	33	165	6	15	38
Actions under statutes:																				
Bankruptcy trustee suits	424	2	9	35	239	2	6	33	68	2	7	25	88	6	19	42	29	5	17	47
Antitrust	1,252	2	14	49	455	2	10	34	424	2	10	40	248	8	23	58	125	10	30	65
Civil rights	8,074	1	9	28	2,946	1	7	24	2,676	1	6	24	1,299	5	14	34	1,153	5	15	36
Fair Labor Standards Act	500	2	9	22	267	2	8	21	81	2	6	23	99	6	10	23	53	7	14	32
Labor Management Relations Act	3,274	1	6	21	1,895	1	5	15	819	1	6	20	350	5	12	32	210	2	12	39
Other labor litigation	569	1	6	22	253	1	4	14	185	1	5	18	66	3	11	36	65	5	15	43
Copyright	794	2	6	23	523	1	5	18	138	1	7	23	105	5	13	34	28	6	19	36
Patent	827	3	13	50	399	2	9	34	163	3	10	37	181	7	25	73	84	11	35	83
Trademark	731	1	6	26	465	1	5	18	132	1	5	15	91	5	14	36	43	3	18	48
All other federal question	5,710	2	17	39	3,527	2	18	38	1,118	1	7	30	700	6	19	48	365	5	19	49
Diversity of citizenship	28,225	2	10	29	11,904	2	7	23	5,303	2	7	22	7,375	6	15	35	3,643	7	16	38
Contract actions:																				
Insurance	2,483	2	9	27	1,004	2	6	19	500	2	7	22	616	5	13	34	363	6	15	36
Negotiable instruments	989	2	7	22	543	1	5	17	247	2	7	22	131	4	14	35	68	7	13	27
Other contracts	9,755	2	9	29	4,598	1	7	23	2,097	2	6	21	2,026	6	15	36	1,034	7	18	42
Real property	963	1	7	25	506	1	5	15	203	1	6	20	158	6	16	35	96	5	15	36
Tort actions:																				
Marine, personal injury	1,288	5	13	32	561	3	9	23	94	2	12	30	520	8	16	33	113	8	20	45
Motor vehicle, personal injury	5,725	3	11	26	2,277	2	9	23	747	2	7	23	1,776	6	13	30	925	6	14	32
Other personal injury	5,996	3	12	34	2,012	2	9	26	1,196	2	7	24	1,890	7	17	40	898	7	17	38
Other torts	1,021	2	10	27	400	1	7	22	218	1	5	20	258	7	15	36	145	7	16	33
All other diversity	5				3				1								1			
Local jurisdiction	2,182	1	6	31	634	1	13	35	1,270	1	4	19	46	12	29	51	232	6	10	42
Contract actions	291	2	16	42	141	2	16	34	95	2	12	42	20				35	7	27	61
Real property	240	2	8	28	104	2	8	26	114	3	7	23	4				18			
Tort actions:																				
Motor vehicle, personal injury	79	5	24	44	44	2	23	44	9				4				22			
Other personal injury	102	6	25	46	56	3	21	41	10				11				25	9	24	56
Other torts	31	4	10	35	13				10				1				7			
Domestic relations	1,118	1	4	14	182	1	9	31	816	1	3	9	2				118	3	8	12
Insanity	16				11				4								1			
Substitute trustee																				
Suits involving local officials	9				6				2								1			
All other local	296	1	7	37	77	1	10	41	210	1	7	35	4				5			

*Time interval computed only where there are 25 or more cases.

TABLE C-5B.—U.S. district courts, time intervals from filing to disposition of civil cases terminated, by nature of suit and method of disposition. (For land condemnation cases, prisoner petitions and deportation reviews. Intervals shown are for the median time and for the range of the middle 80 percent of the cases.) Fiscal year 1976

Nature of suit	Total cases				No court action				Court action											
	Number of cases	Time interval in months ¹			Number of cases	Time interval in months ¹			Before pretrial				During or after pretrial				Trial			
		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than	Number of cases	Time interval in months ¹			Number of cases	Time interval in months ¹			Number of cases	Time interval in months ¹		
										10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than
Total cases	20,552	1	3	17	2,013	2	6	29	17,524	1	2	14	426	4	14	41	589	3	11	30
U.S. cases	6,951	1	3	15	1,945	2	6	28	4,827	1	2	10	63	3	12	32	116	2	7	19
Land condemnation	1,815	3	6	29	1,815	3	6	29												
Actions under statutes:																				
Deportation	249	1	4	17	128	1	4	17	102	1	3	13	12				7			
Prisoner petitions:																				
Motions to vacate sentence	1,732	1	2	11					1,672	1	2	10	15				45	2	6	18
Parole board review	624	1	3	10	1				613	1	3	10	2				8			
Prison officials:																				
Habeas corpus	1,381	1	1	9	1				1,335	1	1	9	13				32	1	5	12
Mandamus, etc.	653	1	1	9					623	1	1	8	18				12			
Civil rights	497	1	2	13					482	1	2	13	3				12			
Federal question	13,572	1	3	18	52	1	10	30	12,685	1	2	15	363	4	14	46	472	3	12	32
Land condemnation	46	2	10	30	46	2	10	30												
Actions under statutes:																				
Prisoner petitions:																				
Prison officials:																				
Habeas corpus	7,389	1	2	13	3				7,080	1	2	12	106	4	11	40	200	2	11	26
Mandamus, etc.	279	1	2	31					253	1	1	21	10				16			
Civil rights	5,858	1	3	24	3				5,352	1	3	21	247	5	15	41	256	4	13	32

[illegible]

TABLE C-6 A.—U.S. district courts, civil cases pending, by district and length of time pending (land condemnation cases are omitted), as of June 30, 1976

Circuit and district	Total	Length of time pending				
		Less than 1 year	1 to 2 years	2 to 3 years	3 years and over	
					Number	Percent ¹
Total all districts	136,753	82,053	32,622	12,364	9,414	6.9
District of Columbia	1,769	1,224	276	102	167	9.4
First Circuit	14,915	6,603	4,398	2,401	1,513	10.1
Maine	273	177	76	14	6	2.2
Massachusetts	12,113	4,831	3,766	2,195	1,321	10.9
New Hampshire	315	223	79	13	47	8.3
Rhode Island	568	331	137	53	47	8.3
Puerto Rico	1,646	1,041	340	126	139	8.4
Second Circuit	15,182	8,025	3,730	1,773	1,654	10.9
Connecticut	1,693	817	482	235	154	9.1
New York:						
Northern	698	356	181	79	82	11.7
Eastern	3,026	1,705	658	305	358	11.8
Southern	8,439	4,508	2,104	959	868	10.3
Western	1,034	429	238	179	188	18.2
Vermont	297	210	67	16	4	1.3
Third Circuit	12,176	7,714	2,767	920	775	6.4
Delaware	452	237	114	44	57	12.6
New Jersey	3,081	1,769	775	331	206	6.7
Pennsylvania:						
Eastern	3,879	2,691	778	218	192	4.9
Middle	1,180	859	277	26	18	1.5
Western	1,699	1,101	374	123	101	5.9
Virgin Islands	1,885	1,057	449	178	201	10.7
Fourth Circuit	11,406	7,881	2,350	611	564	4.9
Maryland	1,717	1,184	330	106	97	5.6
North Carolina:						
Eastern	608	362	148	49	49	8.1
Middle	647	389	178	43	37	5.7
Western	547	380	132	21	14	2.6
South Carolina	1,668	1,376	211	34	47	2.8
Virginia:						
Eastern	1,429	1,095	228	53	53	3.7
Western	1,248	1,004	163	56	25	2.0
West Virginia:						
Northern	625	408	142	35	40	6.4
Southern	2,917	1,683	818	214	202	6.9
Fifth Circuit	28,597	18,427	6,596	2,221	1,353	4.7
Alabama:						
Northern	1,407	1,024	268	54	61	4.3
Middle	261	218	27	4	12	4.6
Southern	402	334	51	4	13	3.2
Florida:						
Northern	290	227	47	12	4	1.4
Middle	2,558	1,555	709	409	285	9.6
Southern	1,560	1,306	190	41	23	1.5
Georgia:						
Northern	2,310	1,544	560	138	68	2.9
Middle	394	310	56	19	9	2.3
Southern	759	480	162	68	49	6.5
Louisiana:						
Eastern	4,904	3,003	1,320	395	186	3.8
Middle	405	269	78	28	30	7.4
Western	1,578	962	432	150	34	2.2
Mississippi:						
Northern	630	447	131	39	13	2.1
Southern	938	691	185	45	17	1.8
Texas:						
Northern	2,720	1,760	664	162	134	4.9
Eastern	1,258	967	212	50	29	2.3
Southern	4,163	2,285	1,130	444	304	7.3
Western	1,211	752	266	137	56	4.6
Canal Zone	449	293	108	22	26	5.8

See footnote at end of table.

TABLE C-6A.—U.S. district courts, civil cases pending, by district and length of time pending (land condemnation cases are omitted), as of June 30, 1976 — Continued

Circuit and district	Total	Length of time pending				
		Less than 1 year	1 to 2 years	2 to 3 years	3 years and over	
					Number	Percent ¹
Sixth Circuit	14,088	9,059	3,121	1,076	832	5.9
Kentucky:						
Eastern	2,689	1,845	588	137	119	4.4
Western	991	615	259	59	58	5.9
Michigan:						
Eastern	3,474	2,146	780	333	215	6.2
Western	1,230	588	341	188	113	9.2
Ohio:						
Northern	2,310	1,533	496	154	127	5.5
Southern	1,762	1,202	387	118	55	3.1
Tennessee:						
Eastern	450	393	46	9	2	.4
Middle	533	314	75	39	105	19.7
Western	649	423	149	39	38	5.9
Seventh Circuit	9,571	5,655	2,244	916	756	7.9
Illinois:						
Northern	4,015	2,592	875	284	264	6.6
Eastern	699	412	167	78	42	6.0
Southern	543	298	120	62	63	11.6
Indiana:						
Northern	1,144	519	331	194	100	8.7
Southern	1,192	781	283	71	57	4.8
Wisconsin:						
Eastern	1,144	592	288	132	132	11.5
Western	834	461	180	95	98	11.8
Eighth Circuit	7,620	4,586	1,986	711	337	4.4
Arkansas:						
Eastern	1,287	635	418	169	65	5.1
Western	635	376	199	38	22	3.5
Iowa:						
Northern	247	150	69	23	5	2.0
Southern	553	341	138	63	11	2.0
Minnesota:	1,636	879	444	199	114	7.0
Missouri:						
Eastern	779	659	95	13	12	1.5
Western	1,265	771	328	112	54	4.3
Nebraska:	705	475	171	31	28	4.0
North Dakota:	169	117	34	17	1	.6
South Dakota:	344	183	90	46	25	7.3
Ninth Circuit	16,139	9,239	4,090	1,599	1,211	7.5
Alaska:	384	212	109	43	20	5.2
Arizona:	1,216	624	296	150	146	12.0
California:						
Northern	2,976	1,809	677	260	230	7.7
Eastern	1,309	685	369	137	118	9.0
Central	4,166	2,365	1,091	404	306	7.3
Southern	723	425	175	81	42	5.8
Hawaii:	620	338	165	72	45	7.3
Idaho:	423	262	103	35	23	5.4
Montana:	421	257	110	29	25	5.9
Nevada:	618	345	161	48	64	10.4
Oregon:	1,261	831	306	86	38	3.0
Washington:						
Eastern	355	203	80	47	25	7.0
Western	1,437	831	409	111	86	6.0
Guam:	230	52	39	96	43	18.7
Tenth Circuit	5,289	3,639	1,064	334	252	4.8
Colorado:	1,400	873	370	93	64	4.6
Kansas:	1,979	817	301	140	121	8.8
New Mexico:	465	406	39	8	12	2.6
Oklahoma:						
Northern	457	341	72	32	12	2.6
Eastern	262	208	48	3	3	1.1
Western	649	512	100	24	13	2.0
Utah:	529	365	111	26	27	5.1
Wyoming:	148	117	23	8		

¹Percent not computed where there are less than 25 cases.

TABLE C-6 B.—U.S. district courts, land condemnation cases pending, by district and length of time pending, as of June 30, 1976

Circuit and district	Total	Length of time pending				
		Less than 1 year	1 to 2 years	2 to 3 years	3 years and over	
					Number	Percent ¹
Total all districts	3,436	2,070	585	277	504	14.7
District of Columbia	18	7	1	4	6	
First Circuit	53	6	7	24	16	30.2
Maine	3	1	2			
Massachusetts	49	4	5	24	16	32.7
New Hampshire						
Rhode Island	1	1				
Puerto Rico						
Second Circuit	20	3	4	2	11	
Connecticut	5				5	
New York						
Northern	1				1	
Eastern	3	1		1	1	
Southern	2	1	1			
Western	9	1	3	1	4	
Vermont						
Third Circuit	160	80	35	14	31	19.4
Delaware	2	1	1			
New Jersey	56	7	15	6	28	50.0
Pennsylvania:						
Eastern	17	10	5	2		
Middle	76	60	10	6		
Western	4		2		2	
Virgin Islands	5	2	2		1	
Fourth Circuit	307	162	54	28	63	20.5
Maryland	74	57	10	6	1	1.4
North Carolina:						
Eastern	22	19	1		2	
Middle	30	20	5	1	4	13.3
Western	14	13	1			
South Carolina	3	2	1			
Virginia:						
Eastern	32	18	6	4	4	12.5
Western	8	1	5	2		
West Virginia:						
Northern	18	6	1	2	9	
Southern	106	26	24	13	43	40.6
Fifth Circuit	531	358	103	36	34	6.4
Alabama:						
Northern	43	18	18	2	5	11.6
Middle						
Southern						
Florida:						
Northern	2	2				
Middle	13	3	4	5	1	
Southern	313	296	15	1	1	.3
Georgia:						
Northern	4	3	1			
Middle	9	2	7			
Southern	2	1	1			
Louisiana:						
Eastern	2		1		1	
Middle						
Western	8		2	2	4	
Mississippi:						
Northern	32	15	11	6		
Southern	2	2				
Texas:						
Northern						
Eastern	23	6	3	6	8	
Southern	19		5	6	8	
Western	59	10	35	8	6	10.2
Canal Zone						

See footnote at end of table.

TABLE C-6 B.—U.S. district courts, land condemnation cases pending, by district and length of time pending, as of June 30, 1976
— Continued

Circuit and district	Total	Length of time pending				
		Less than 1 year	1 to 2 years	2 to 3 years	3 years and over	
					Number	Percent ¹
Sixth Circuit	282	89	46	19	128	45.4
Kentucky:						
Eastern	96	13	17	11	55	57.3
Western	34	10	2	4	18	52.9
Michigan:						
Eastern	6	1	3		2	
Western	3	1	1		1	
Ohio:						
Northern	1			1		
Southern	16	2	5	2	7	
Tennessee:						
Eastern	55	40	15			
Middle	53	11	2		40	75.5
Western	18	11	1	1	5	
Seventh Circuit	128	81	10	14	23	18.0
Illinois:						
Northern	3	2			1	
Eastern	12	3	2	2	5	
Southern	4			3	1	
Indiana:						
Northern	34	24			10	29.4
Southern	14	7	5	2		
Wisconsin:						
Eastern	1		1			
Western	60	45	2	7	6	10.0
Eighth Circuit	350	159	112	36	43	12.3
Arkansas:						
Eastern	20	7	4	2	7	
Western	22	2	1	3	16	
Iowa:						
Northern	4	3		1		
Southern	4	1		2	1	
Minnesota:						
Northern	6	1	1	1	3	
Missouri:						
Eastern	46	33	7	4	2	4.3
Western	189	82	83	15	9	4.8
Nebraska:						
Eastern	27	8	9	6	4	14.8
Western	5	2	2	1		
North Dakota:						
Eastern	27	20	5	1	1	3.7
South Dakota:						
Ninth Circuit	1,279	958	134	64	123	9.6
Alaska:						
Eastern	37	28	8		1	2.7
Western	33	12	5	4	12	36.4
California:						
Northern	25	14	6	3	2	8.0
Eastern	74	11	14	8	41	55.4
Central	10	2			8	
Southern	815	792	17		6	.7
Hawaii:						
Eastern	2	1	1			
Idaho:						
Eastern	36	7	4	24	1	2.8
Montana:						
Eastern	9	8		1		
Nevada:						
Eastern	7		1	4	2	
Oregon:						
Eastern	37	15	18	3	1	2.7
Washington:						
Eastern	52	42	4	2	4	7.7
Western	87	25	55	3	4	4.6
Guam:						
Eastern	55	1	1	12	41	74.5
Tenth Circuit	308	167	79	36	26	8.4
Colorado:						
Eastern	38	24	10	1	3	7.9
Kansas:						
Eastern	102	41	32	19	10	9.8
New Mexico:						
Eastern	42	6	22	1	13	31.0
Oklahoma:						
Northern	87	71	6	10		
Eastern	4	1		2		
Western	27	16	8	3		
Utah:						
Eastern	2	2				
Wyoming:						
Eastern	6	6				

¹Percent not computed where there are less than 25 cases.

TABLE C-7.—U.S. district courts, civil and criminal trials¹
completed, by district, fiscal year 1976

Circuit and district	Total	Land condemnation			Other civil			Criminal		
		Total	Non-jury	Jury	Total	Non-jury	Jury	Total	Non-jury	Jury
Total all districts	19,580	206	108	98	11,450	7,990	3,460	7,924	2,773	5,151
District of Columbia	569	12	2	10	181	134	47	376	240	136
First Circuit	571				328	203	125	243	48	195
Maine	36				20	16	4	16		16
Massachusetts	222				87	47	40	135	18	117
New Hampshire	89				78	37	41	11	1	10
Rhode Island	43				24	7	17	19		19
Puerto Rico	181				119	96	23	62	29	33
Second Circuit	1,652	1		1	1,013	730	283	638	155	483
Connecticut	171	1		1	123	96	27	47	9	38
New York										
Northern	60				40	37	3	20	5	15
Eastern	390				189	134	55	201	43	158
Southern	784				525	375	150	259	36	223
Western	137				57	38	19	80	44	36
Vermont	110				79	50	29	31	18	13
Third Circuit	2,083	26	8	18	1,456	966	490	601	212	389
Delaware	70				37	30	7	33	18	15
New Jersey	407	7	1	6	266	192	74	134	16	118
Pennsylvania										
Eastern	690				528	294	234	162	61	101
Middle	296	18	7	11	200	135	65	78	50	28
Western	459	1		1	338	270	68	120	60	60
Virgin Islands	161				87	45	42	74	7	67
Fourth Circuit	1,625	18	6	12	944	568	376	663	224	439
Maryland	337	5	2	3	174	134	40	158	83	75
North Carolina										
Eastern	75				19	13	6	56	8	48
Middle	64				22	15	7	42	18	24
Western	148	2	1	1	101	45	56	45	6	39
South Carolina	277				170	48	122	107	11	96
Virginia										
Eastern	435	8	2	6	260	159	101	167	54	113
Western	57				42	22	20	15	3	12
West Virginia										
Northern	52				48	46	2	4		4
Southern	180	3	1	2	108	86	22	69	41	28
Fifth Circuit	4,560	33	23	10	2,805	1,892	913	1,722	562	1,160
Alabama										
Northern	304	6	3	3	229	123	106	69	16	53
Middle	107	1	1		61	43	18	45	3	42
Southern	116				69	49	20	47	4	43
Florida										
Northern	105				47	38	9	58	11	47
Middle	375	1	1		170	144	26	204	105	99
Southern	477	14	11	3	231	177	54	232	60	172
Georgia										
Northern	455	4		4	283	180	103	168	42	126
Middle	116	1	1		74	33	41	41	4	37
Southern	153				108	47	61	45	10	35
Louisiana										
Eastern	439	1	1		305	189	116	133	57	76
Middle	43				31	21	10	12	1	11
Western	147				111	72	39	36	6	30
Mississippi										
Northern	165				125	91	34	40	3	37
Southern	159	1	1		130	90	40	28	9	19
Texas										
Northern	339				259	163	96	80	15	65
Eastern	197	4	4		171	100	71	22	12	10
Southern	479				174	143	31	305	136	169
Western	210				96	58	38	114	28	86
Canal Zone	174				131	131		43	40	3

See footnote at end of table.

TABLE C-7.—U.S. district courts, civil and criminal trials¹ completed, by district, fiscal year 1976 — Continued

Circuit and district	Total	Land condemnation			Other civil			Criminal		
		Total	Non-jury	Jury	Total	Non-jury	Jury	Total	Non-jury	Jury
Sixth Circuit	2,172	23	7	16	1,252	896	356	897	372	525
Kentucky:										
Eastern	146	2	1	1	42	19	23	102	8	94
Western	62	5	1	4	31	17	14	26	4	22
Michigan:										
Eastern	583	1		1	253	206	47	329	177	152
Western	93				59	45	14	34	12	22
Ohio:										
Northern	537	3	1	2	380	315	65	154	97	57
Southern	196	3		3	127	84	43	66	17	49
Tennessee:										
Eastern	197	8	3	5	136	60	76	53	6	47
Middle	158	1	1		90	54	36	67	25	42
Western	200				134	96	38	66	26	40
Seventh Circuit	1,008	8	5	3	613	497	116	387	91	296
Illinois:										
Northern	302				156	127	29	146	40	106
Eastern	152	2		2	115	95	20	35	4	31
Southern	76				53	38	15	23	6	17
Indiana:										
Northern	129	1		1	43	37	6	85	9	76
Southern	205	4	4		159	131	28	42	13	29
Wisconsin:										
Eastern	84				43	32	11	41	14	27
Western	60	1	1		44	37	7	15	5	10
Eighth Circuit	1,342	39	28	11	769	498	271	534	170	364
Arkansas:										
Eastern	148				69	45	24	79	15	64
Western	83	9	4	5	54	30	24	20	2	18
Iowa:										
Northern	44				26	15	11	18	7	11
Southern	118	2	2		61	44	17	55	19	36
Minnesota	193				103	53	50	90	43	47
Missouri:										
Eastern	257	19	19		165	107	58	73	10	63
Western	153	1	1		85	62	23	67	20	47
Nebraska	140	6	1	5	109	71	38	25	8	17
North Dakota	67	1	1		36	26	10	30	16	14
South Dakota	139	1		1	61	45	16	77	30	47
Ninth Circuit	2,679	30	18	12	1,263	1,047	216	1,386	555	832
Alaska	39				19	17	2	20	4	16
Arizona	502	1		1	105	98	7	396	230	166
California:										
Northern	382	3	2	1	258	205	53	121	56	65
Eastern	122	6	1	5	39	36	3	77	25	52
Central	618				364	327	37	254	85	169
Southern	263	1	1		62	48	14	200	68	132
Hawaii	51	1	1		32	25	7	18	5	13
Idaho	35	1	1		15	7	8	19	2	17
Montana	61				38	26	12	23	3	20
Nevada	97	1	1		37	31	6	59	10	49
Oregon	246	11	11		172	119	53	63	33	30
Washington:										
Eastern	63	3		3	23	18	5	37	14	23
Western	172	2		2	77	71	6	93	19	74
Guam	28				22	19	3	6		6
Tenth Circuit	1,319	16	11	5	826	559	267	477	145	332
Colorado	377	5	3	2	251	213	38	121	54	67
Kansas	158				95	53	42	63	1	62
New Mexico	249	1	1		156	116	40	92	48	44
Oklahoma:										
Northern	100	5	5		50	29	21	45	21	24
Eastern	71	2		2	44	22	22	25	1	24
Western	174	2	2		115	56	59	57	4	53
Utah	117	1		1	60	32	28	56	13	43
Wyoming	73				55	38	17	18	3	15

¹Includes evidentiary trials (jury and nonjury), hearings on temporary restraining orders and preliminary

injunctions, hearings on bankruptcy review petitions, and motions in reorganization proceedings.

TABLE C-8.—U.S. district courts, length of civil and criminal trials¹ completed, by nature of suit or offense, fiscal year 1976

Nature of suit or offense	Total all trials	Nonjury trials								Jury trials							
		Total	Less than 1 day	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over	Total	Less than 1 day	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over
Total all trials	19,580	10,871	4,935	2,945	1,629	627	619	78	38	8,709	719	1,177	2,592	1,725	2,154	259	83
Total civil trials	11,656	8,098	3,308	2,305	1,316	519	541	73	36	3,558	335	452	1,015	735	906	82	33
Contract actions, total	2,206	1,583	500	482	313	145	124	13	6	623	62	78	181	129	135	30	8
Insurance	420	246	87	78	53	15	11	2		174	16	22	60	40	27	8	1
Marine	181	172	49	52	39	15	15	1	1	9		1	3	4	1		
Miller Act	51	48	13	16	15	2	2			3			1	2			
Negotiable instruments	123	90	40	29	14	7				33	4	6	11	8	3	1	
Other contract actions	1,431	1,027	311	307	192	106	96	10	5	404	42	49	106	75	104	21	7
Real property actions, total	488	355	192	89	40	19	14	1		133	13	17	32	28	40	3	
Condemnation of land	206	108	71	24	7	5	1			98	5	15	28	21	28	1	
Other real property actions	282	247	121	65	33	14	13	1		35	8	2	4	7	12	2	
Tort actions, total	3,161	1,094	402	311	208	65	98	7	3	2,067	207	260	582	438	539	32	9
Personal injury:																	
Airplane	73	39	8	8	6	5	10	1	1	34	3	3	8	7	7	3	3
Assault, libel and slander	97	27	10	8	5	3	1			70	8	12	20	11	17	2	
Employers' Liability Act	156	27	10	9	6	2				129	12	15	40	30	32		
Marine	469	195	68	64	37	10	16			274	20	35	70	64	81	3	1
Motor vehicle	968	213	102	54	39	10	7	1		755	99	115	221	158	153	8	1
Other personal injury	987	284	92	75	62	16	35	3	1	703	59	68	188	152	218	14	4
Personal property damage	411	309	112	93	53	19	29	2	1	102	6	12	35	16	31	2	
Actions under statutes, total	5,558	4,830	2,073	1,357	738	283	301	51	27	728	53	92	219	139	192	17	16
Antitrust laws	212	162	46	37	29	18	20	8	4	50	1	1	5	8	22	6	7
Bankruptcy:																	
Trustee suit	29	26	7	10	5	2	2			3			2	1			
Other Bankruptcy suits	176	176	112	38	12	5	8		1								
Civil rights	1,887	1,525	546	447	285	114	113	10	10	362	22	51	119	73	90	4	3
Prisoner petitions:																	
Motions to vacate sentence	94	92	56	29	4	3				2	1		1				
Habeas corpus	347	339	234	75	23	4	3			8	2	1	2	3			
Civil rights	335	269	148	54	39	12	10	6		66	9	9	24	10	14		
Mandamus, etc.	56	50	28	16	4		2			6	2			3	1		

Forfeiture and penalty suits	188	177	97	56	18	4	2	.....	.....	11	1	3	3	2	2	.....	.....
Labor laws:																	
Fair Labor Standards Act	119	110	31	45	26	6	2	.....	.....	9	2	1	1	1	4	.....	.....
Labor Management Relations Act	528	512	245	148	84	22	11	1	1	16	2	1	2	6	5	.....	.....
Other labor laws	146	131	54	41	20	8	7	.....	.....	15	1	2	8	2	2	.....	.....
Protected property rights:																	
Copyright	58	55	15	23	8	4	4	1	.....	3	.....	.....	2	1	.....	.....	.....
Patent	112	104	23	13	16	11	31	7	3	8	.....	.....	1	1	5	1	.....
Trademark	96	91	24	27	21	6	10	3	.....	5	1	.....	1	.....	1	2	.....
Securities, commodities and exchanges	335	273	80	62	48	23	43	12	5	62	3	2	11	10	26	4	6
Selective Service Act .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Reapportionment suits	14	14	8	4	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tax suits	275	197	92	59	27	13	4	2	.....	78	5	16	26	15	16	.....	.....
Commerce, Interstate	75	66	32	23	6	3	2	.....	.....	9	.....	2	5	1	1	.....	.....
Narcotic Addict Rehabilitation Act	4	4	3	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Other statutory actions	472	457	192	150	61	24	27	1	2	15	1	3	6	2	3	.....	.....
Other actions, total	243	236	141	66	17	7	4	1	.....	7	.....	5	1	1	.....	.....	.....
Total criminal trials	7,924	2,773	1,627	640	313	108	78	5	2	5,151	384	725	1,577	990	1,248	177	50
Homicide	78	26	9	9	4	2	2	.....	.....	52	.....	4	17	11	20	.....	.....
Robbery	672	181	95	49	26	6	5	.....	.....	491	23	49	143	126	142	7	1
Assault	205	52	32	12	5	1	2	.....	.....	153	18	35	53	28	19	.....	.....
Burglary	67	24	15	7	2	.....	.....	.....	.....	43	4	12	14	8	5	.....	.....
Larceny and theft	664	218	127	53	22	7	9	.....	.....	446	32	69	138	90	103	12	2
Embezzlement	199	56	30	14	8	1	3	.....	.....	143	10	17	41	30	32	8	5
Fraud:																	
Income tax	308	88	36	19	13	9	9	1	1	220	4	14	36	44	96	22	4
Other fraud	488	121	65	22	17	4	11	2	.....	367	19	23	85	68	132	28	12
Auto theft	296	77	46	20	11	.....	.....	.....	.....	219	24	45	91	28	30	1	.....
Forgery	560	210	133	48	18	9	1	1	.....	350	45	49	130	59	61	4	2
Counterfeiting	114	32	15	10	5	2	.....	.....	.....	82	7	11	27	20	16	1	.....
Sex offenses	58	21	11	8	1	.....	.....	.....	.....	37	4	7	13	5	8	.....	.....
Narcotics:																	
Old laws ²	22	10	8	1	.....	.....	.....	.....	.....	12	2	.....	5	2	1	1	1
New laws ³	2,048	819	502	161	105	34	17	.....	.....	1,229	92	173	377	242	298	37	10
Escape	130	42	28	11	1	.....	.....	.....	.....	88	13	16	32	16	10	1	.....
Extortion, racketeering and threats	206	50	18	20	5	2	4	1	.....	156	4	10	30	28	61	20	3
Firearms and weapons	764	276	181	57	23	11	4	.....	.....	488	46	121	163	76	59	3	.....
Misc. general offenses	328	127	54	41	19	9	3	.....	1	201	9	15	48	33	83	11	2
Immigration laws	129	53	35	9	6	3	.....	.....	.....	76	5	17	29	13	9	2	1
Liquor, Internal Revenue	49	20	16	2	1	1	.....	.....	.....	28	5	8	8	6	2	.....	.....
Selective Service Act	28	19	10	6	2	.....	.....	.....	.....	9	1	.....	.....	3	1	.....	.....
Other Federal statutes	511	251	161	61	19	6	4	.....	.....	260	17	30	75	54	60	17	7

¹Includes evidentiary trials (jury and nonjury), hearings on temporary restraining orders and preliminary injunctions, hearings on bankruptcy review petitions, and motions in reorganization proceedings.

²Old law-Harrison Narcotic Drug Act, Marihuana Tax Act and Border registration of addicts and narcotic law violators was repealed May 1, 1971. It was replaced by the:

³Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) which became effective May 1, 1971.

TABLE C-9.—U.S. district courts, civil and criminal trials requiring 20 or more days, terminated during fiscal year 1976

District	Style of the case	Nature of proceeding	Number of trial ¹ days	Type of trial
Civil Cases				
Minnesota	<i>In Re Coord. Pretr. Proc. M. Antibiotic</i>	Antitrust	122	Jury.
Idaho	<i>Sun Valley Airlines v. Avco Lycoming Corp.</i>	Personal injury—airplane	70	Jury.
New York, Southern	<i>Harlem River v. Associated Grocers</i>	Antitrust	67	Jury.
Illinois, Northern	<i>Contract Buy League v. F and F Investment</i>	Civil rights	62	Jury.
Pennsylvania, Eastern	<i>Advisory Board v. J. Tate</i>	Civil rights	60	Nonjury.
California, Southern	<i>Bugeier v. Fotomat Corp.</i>	Securities, commodities, and exchanges	59	Jury.
California, Central	<i>Catena v. Capitol Industries</i>	Securities, commodities, and exchanges	58	Nonjury.
Rhode Island	<i>International Bus. v. Catmore Enterprises</i>	Contract	58	Jury.
Pennsylvania, Eastern	<i>Chase v. Groff</i>	Personal injury—other	52	Jury.
Maryland	<i>Berzinski v. Volkswagenwerk</i>	Personal injury—motor vehicle	49	Jury.
Illinois, Northern	<i>Adrance Transformer v. Sears, Roebuck and Co.</i>	Patent	48	Nonjury.
Maryland	<i>Dyad Systems Inc. v. Singer Co.</i>	Contract	46	Jury.
Florida, Middle	<i>Gregg v. U.S. Industries, Inc.</i>	Securities, commodities, and exchanges	45	Jury.
New Jersey	<i>Norwich Pharmacal Co. v. Pioneer Laboratory</i>	Contract	44	Jury.
Pennsylvania, Eastern	<i>Crocker, etc. v. The Boeing Co., Vertol Div.</i>	Civil rights	43	Nonjury.
Minnesota	<i>Mackey, et al v. Football League, et al.</i>	Antitrust	41	Nonjury.
Ohio, Northern	<i>Kraus v. Rhodes</i>	Civil rights	41	Jury.
Michigan, Eastern	<i>U.S.A. v. Real Estate, Inc.</i>	Civil rights—accommodations	40	Nonjury.
California, Northern	<i>Sec. Exchanges Comm. v. Geotek Fund.</i>	Securities, commodities, and exchanges	37	Nonjury.
Pennsylvania, Eastern	<i>Penn. Central</i>	Bankruptcy	37	Nonjury.
Ohio, Southern	<i>Penick v. Columbus Bd. of Ed.</i>	Civil rights	36	Nonjury.
California, Northern	<i>Calif. Trucking Assn. v. Brhd. Trmstrs. Local 70</i>	Labor management relations	36	Nonjury.
California, Eastern	<i>Burton v. Aetna Life</i>	Contract	35	Jury.
California, Central	<i>Raines et al v. Kratos et al</i>	Securities, commodities, and exchanges	35	Nonjury.
California, Central	<i>Firemans Fund Ins. v. U.S.</i>	Personal injury—airplane	35	Nonjury.
Illinois, Northern	<i>Dunbar Blders. Corp. v. Hobbs Concrete Co.</i>	Contract	34	Jury.
Pennsylvania, Western	<i>Johnson v. University of Pittsburgh</i>	Civil rights	34	Nonjury.
Maryland	<i>Hubler Rentals v. Roadway Express</i>	Contract	34	Nonjury.
New York, Southern	<i>Seligson v. N.Y. Produce Exchange</i>	Antitrust	33	Jury.
Ohio, Northern	<i>Reed III, et al v. Gilligan</i>	Civil rights	33	Nonjury.
Indiana, Southern	<i>Arvin Industries v. Maremont Corp.</i>	Antitrust	32	Jury.
Minnesota	<i>Premium Serv. Corp. v. Sperry and Hutch Co.</i>	Antitrust	31	Jury.
Maryland	<i>U.S.A. v. Black and Decker Mfg. Co.</i>	Antitrust	31	Nonjury.
Florida, Middle	<i>Gregg v. U.S. Industries Inc.</i>	Securities, commodities, and exchanges	31	Jury.
Texas, Northern	<i>Tasby v. Estes</i>	Civil rights	30	Nonjury.
Tennessee, Eastern	<i>Speros Adminx. etc. v. Jerrico Inc. et al.</i>	Personal injury—airplane	28	Jury.
Michigan, Eastern	<i>Connor v. Dumke</i>	Civil rights—employment	28	Nonjury.
Ohio, Northern	<i>Murphy v. Local Union No. 18 et al.</i>	Labor Management Reporting and Disclosure Act	28	Nonjury.
New York, Southern	<i>Alloys Unlimited v. Nortek, Inc.</i>	Contract	28	Nonjury.
Massachusetts	<i>Jolly v. McDonald</i>	Civil rights—voting	28	Nonjury.
Pennsylvania, Western	<i>Hussey Metals Div. v. Lectromelt Furnace</i>	Contract	27	Jury.
District of Columbia	<i>Kopan et al v. Washington Univ. et al.</i>	Personal injury—other	27	Jury.
Texas, Western	<i>El Paso Natural Gas Co. v. Sun Oil Co.</i>	Statutory actions—other	26	Nonjury.
California, Northern	<i>Robt v. Richmond Redevel. Agency</i>	Civil rights	26	Jury.
Kansas	<i>U.S. v. Unified School District No. 500</i>	Civil rights—employment	26	Nonjury.
Kansas	<i>Laptad v. Stewart, et al.</i>	Personal injury—other	26	Jury.
Illinois, Northern	<i>Dore Wrecking v. Reder. Auth. of Laundale</i>	Contract	25	Nonjury.
Alabama, Southern	<i>Stevenson Co. v. 81,193 Bags of Flour</i>	Contract	24	Nonjury.
New York, Southern	<i>Big Seven Music Co. v. Lennon</i>	Antitrust	24	Nonjury.

See footnote at end of table.

TABLE C-9.—U.S. district courts, civil and criminal trials
requiring 20 or more days, terminated during fiscal year 1976 —
Continued

District	Style of the case	Nature of proceeding	Number of trial ¹ days	Type of trial
Ohio, Northern	<i>Intl. Liquid et al v. F. Hoffman LaRoche</i>	Antitrust	23	Nonjury.
Nebraska	<i>Omaha Poll Con. v. Carver Greenfield Co.</i>	Contract	23	Nonjury.
New York, Southern	<i>Neburger Loeb v. Gross, et al.</i>	Securities, commodities, and exchanges.	23	Jury.
Florida, Middle	<i>Gainesville Utilities v. Florida Power Corp.</i>	Antitrust	23	Jury.
Alabama, Northern	<i>Va. Bankshares v. Benson</i>	Securities, commodities, and exchanges.	22	Jury.
Alabama, Southern	<i>Potashnick v. Port City Const. Co.</i>	Contract	22	Jury.
District of Columbia	<i>Norair Engineering v. District of Columbia</i>	Contract	22	Nonjury.
Hawaii	<i>Kennedy v. Matson Navigation</i>	Personal injury—marine.	22	Jury.
California, Central	<i>Bennuall Corp. v. FL-KEM Products</i>	Fraud	22	Nonjury.
California, Northern	<i>Palmer Data Corp. v. Burroughs Corp.</i>	Antitrust	22	Jury.
Canal Zone	<i>Kondo v. Panama Canal Co.</i>	Personal injury—other.	21	Nonjury.
Illinois, Northern	<i>Electronic Proc. v. Redaction</i>	Patent	21	Nonjury.
Minnesota	<i>Soo Line Railroad Co. v. Fruehauf Corp.</i>	Contract	21	Jury.
California, Northern	<i>Stecker, et al v. K.D.I. Corp., et al.</i>	Securities, commodities, and exchanges.	21	Nonjury.
California, Central	<i>Case v. McDonnell Aircraft Co.</i>	Personal injury—airplane.	21	Jury.
California, Central	<i>U.S. v. Hughes Tool Co.</i>	Patent	21	Nonjury.
Nevada	<i>U.S. v. Truckee Carson Irrigation Dist.</i>	Statutory actions—other.	20	Nonjury.
Kansas	<i>Egger v. Ortho Pharmaceutical Corp.</i>	Personal injury—other.	20	Jury.
New York, Southern	<i>Crane Co. v. American Standard Inc.</i>	Securities, commodities, and exchanges.	20	Nonjury.
Pennsylvania, Eastern	<i>Coleco Ind. v. Berman, et al.</i>	Securities, commodities, and exchanges.	20	Jury.

Criminal cases

Michigan, Eastern	<i>U.S. v. Giacalone, Anthony J.</i>	Fraud—income tax	108	Jury.
Florida, Middle	<i>U.S. v. Gurney, Edward J., et al.</i>	Racketeering—bribery.	106	Jury.
Pennsylvania, Western	<i>U.S. v. United States Gypsum, et al.</i>	Federal statutes—other.	71	Jury.
Connecticut	<i>U.S. v. Moeller, Charles D., et al.</i>	Federal statutes—other.	71	Jury.
New York, Southern	<i>U.S. v. Brovo, Alberto, et al.</i>	Narcotics	48	Jury.
California, Northern	<i>U.S. v. Titus, Dewayne F.</i>	Fraud—income tax	47	Nonjury.
California, Southern	<i>U.S. v. Smith, Dalton C., et al.</i>	Fraud—securities and exchange	47	Jury.
California, Central	<i>U.S. v. Dondich, James, et al.</i>	Larceny and theft	44	Jury.
New York, Southern	<i>U.S. v. Robinson, Warren, et al.</i>	Narcotics	43	Jury.
California, Northern	<i>U.S. v. Hearst, Patricia C.</i>	Bank robbery	40	Jury.
New York, Eastern	<i>U.S. v. Clifford, Patrick J., et al.</i>	Embezzlement	38	Jury.
Maryland	<i>U.S. v. DeVaughn, John A., et al.</i>	Fraud—income tax	37	Jury.
New York, Southern	<i>U.S. v. Munoz, Robert, et al.</i>	Extortion, racketeering and threats.	37	Jury.
Michigan, Eastern	<i>U.S. v. Esquivel, Roberto, et al.</i>	Narcotics	36	Jury.
New York, Eastern	<i>U.S. v. Matthews, Frank, et al.</i>	Narcotics	35	Jury.
New York, Eastern	<i>U.S. v. King, Francis E., et al.</i>	Federal statutes—other.	35	Jury.
Tennessee, Western	<i>U.S. v. Peraino, Anthony, et al.</i>	Fraud—conspiracy, other.	35	Jury.
California, Eastern	<i>U.S. v. Soliah, Steven F.</i>	Immigration laws	34	Jury.
New York, Southern	<i>U.S. v. Mejias, Alberto, et al.</i>	Narcotics	33	Jury.
Michigan, Eastern	<i>U.S. v. Wind, Robert C., et al.</i>	Narcotics	33	Jury.
New Mexico	<i>U.S. v. Riebold, Em, et al.</i>	Embezzlement	32	Jury.
New York, Southern	<i>U.S. v. Tutino, Ralph, et al.</i>	Narcotics	32	Jury.
Rhode Island	<i>U.S. v. Paul, Joseph, et al.</i>	Fraud—lending, credit institutions.	31	Jury.
New Jersey	<i>U.S. v. Tarnopol, Nat, et al.</i>	Fraud—income tax	31	Jury.
New Jersey	<i>U.S. v. Netelkos, Christos L., et al.</i>	Fraud—securities and exchange.	30	Jury.
Massachusetts	<i>U.S. v. Inbruglia, Frank, et al.</i>	Forgery—postal.	28	Jury.
California, Central	<i>U.S. v. Kosseff, Joseph W., et al.</i>	Fraud—postal, inter-state wire, radio, etc.	27	Jury.
California, Northern	<i>U.S. v. Ohlson, George, et al.</i>	Gambling and lottery	27	Nonjury.
Wisconsin, Eastern	<i>U.S. v. Papia, Sally, A., et al.</i>	Extortion, racketeering and threats.	27	Jury.
Connecticut	<i>U.S. v. Guillette, David</i>	Civil rights	27	Jury.
Maryland	<i>U.S. v. Offit, Benson I.</i>	Fraud—postal, inter-state wire, radio, etc.	27	Jury.

See footnote at end of table.

TABLE C-9.—U.S. district courts, civil and criminal trials requiring 20 or more days, terminated during fiscal year 1976 — Continued

District	Style of the case	Nature of proceeding	Number of trial ¹ days	Type of trial
Florida, Middle.....	<i>U.S. v. Dare to Be Great, Inc., et al</i>	Fraud—postal, inter-state wire, radio, etc.	26	Jury.
Wisconsin, Eastern.....	<i>U.S. v. Picciurro, Peter F.</i>	Fraud—income tax.....	26	Jury.
Tennessee, Western.....	<i>U.S. v. Gerber, Paul D., et al</i>	Interstate commerce of obscene matter	25	Jury.
New York, Southern.....	<i>U.S. v. Corr, James E.III, et al</i>	Fraud—securities and exchange.	25	Jury.
New York, Southern.....	<i>U.S. v. Stassi, Joseph, et al</i>	Narcotics.....	24	Jury.
Illinois, Northern.....	<i>U.S. v. Craig, Robert, et al</i>	Fraud—postal, inter-state wire, radio, etc.	24	Jury.
California, Northern.....	<i>U.S. v. Kaplan, David, et al</i>	Transport, forged securities	24	Jury.
California, Eastern.....	<i>U.S. v. De Leon, Reynaldo</i>	Narcotics.....	24	Jury.
California, Central.....	<i>U.S. v. Adair, Herbert S., et al</i>	Embezzlement.....	23	Jury.
New York, Southern.....	<i>U.S. v. Magnano, Joseph et al</i>	Narcotics.....	23	Jury.
New York, Southern.....	<i>U.S. v. Gardner, Michael S., et al</i>	Transportation—stolen property.	23	Jury.
New York, Eastern.....	<i>U.S. v. Anzalone, Albert et al</i>	Civil rights.....	23	Jury.
Georgia, Northern.....	<i>U.S. v. Moten, Francis P., et al</i>	Gambling and lottery...	22	Jury.
Connecticut.....	<i>U.S. v. Schwartz, Albert K.</i>	Fraud—social security...	22	Jury.
New Jersey.....	<i>U.S. v. D'Agostino, Amerigo, et al</i>	Fraud—false claims and statements.	22	Jury.
California, Northern.....	<i>U.S. v. Beattie, John J.</i>	Embezzlement.....	21	Jury.
New Jersey.....	<i>U.S. v. Palladino, Joseph</i>	Embezzlement.....	20	Jury.
Pennsylvania, Eastern.....	<i>U.S. v. Byrne, Neil, et al</i>	National defense—other.	20	Jury.
California, Eastern.....	<i>U.S. v. Dumbra, Carl D.</i>	Fraud—postal, inter-state wire, radio, etc.	20	Jury.
Michigan, Eastern.....	<i>U.S. v. Black, Leonard, et al</i>	Gambling and lottery...	20	Jury.
California, Southern.....	<i>U.S. v. Shinafelt, Richard L., et al</i>	Narcotics.....	20	Jury.

¹This list is provided in order by length.

TABLE C-10.—U.S. district courts, time intervals from issue to trial of civil cases in which a trial was completed during the fiscal year ended June 30, 1976, by district

Circuit and district	Total trials ¹				Nonjury trials				Jury trials			
	Number of trials	Time interval in months ²			Number of trials	Time interval in months ²			Number of trials	Time interval in months ²		
		10 percent less than	Median	10 percent more than		10 percent less than	Median	10 percent more than		10 percent less than	Median	10 percent more than
Total all districts	8,041	2	11	31	4,483	1	10	30	3,558	4	12	32
District of Columbia	113	2	12	40	56	2	8	33	57	5	21	44
First Circuit	226	1	16	40	101	1	13	36	125	7	18	43
Maine	18				14				4			
Massachusetts	75	2	29	47	35	1	13	41	40	11	34	48
New Hampshire	58	1	16	24	17				41	11	17	25
Rhode Island	72				5				17			
Puerto Rico	3	1	12	34	30	1	12	34	23			
Second Circuit	706	2	17	43	422	1	15	41	284	6	19	46
Connecticut	63	1	22	41	35	1	20	40	28	2	27	42
New York												
Northern	20				17				3			
Eastern	151	1	16	32	96	1	13	28	55	9	18	46
Southern	367	4	21	46	217	2	21	46	150	7	21	50
Western	46	1	15	41	27	1	3	32	19			
Vermont	59	1	11	23	30	1	10	22	29	5	12	23
Third Circuit	925	3	15	34	417	1	13	30	508	5	16	36
Delaware	26	1	9	25	19				7			
New Jersey	131	1	23	45	51	1	16	41	80	3	28	45
Pennsylvania												
Eastern	407	6	16	28	173	5	14	29	234	6	17	28
Middle	100	2	10	23	24				76	3	10	23
Western	175	1	10	27	106	1	6	23	69	6	12	29
Virgin Islands	86	1	20	37	44	1	17	36	42	3	20	38
Fourth Circuit	684	3	8	22	296	2	7	25	388	4	8	21
Maryland	101	2	9	27	58	1	8	22	43	3	11	28
North Carolina												
Eastern	18				12				6			
Middle	10				3				7			
Western	71	4	10	19	14				57	4	10	17
South Carolina	163	3	8	18	41	1	8	27	122	4	8	16
Virginia												
Eastern	229	3	6	12	122	2	6	12	107	4	6	11
Western	35	1	10	25	15				20			
West Virginia												
Northern	4				2				2			
Southern	53	1	17	38	29	1	18	38	24			
Fifth Circuit	2,142	1	9	24	1,219	1	8	25	923	2	10	23
Alabama												
Northern	209	1	6	19	100	1	4	29	109	2	6	15
Middle	39	1	3	7	21				18			
Southern	46	1	6	19	26	1	6	19	20			
Florida												
Northern	29	1	9	26	20				9			
Middle	101	1	12	25	75	1	10	20	26	3	17	35
Southern	156	3	6	14	99	3	6	12	57	3	6	19
Georgia												
Northern	205	3	14	26	98	1	15	26	107	6	13	24
Middle	62	3	7	18	21				41	3	9	19
Southern	89	5	12	33	28	1	15	51	61	6	11	20
Louisiana												
Eastern	209	5	11	24	93	4	10	23	116	6	12	25
Middle	18				8				10			
Western	102	2	14	24	63	1	12	24	39	6	15	22
Mississippi												
Northern	77	4	11	19	43	4	11	19	34	4	11	23
Southern	116	1	10	25	76	1	9	29	40	3	11	19

See footnotes at end of table.

TABLE C-10.—*U.S. district courts, time intervals from issue to trial of civil cases in which a trial was completed during the fiscal year ended June 30, 1976, by district — Continued*

Circuit and district	Total trials ¹				Nonjury trials				Jury trials			
	Number of trials	Time interval in months ²			Number of trials	Time interval in months ²			Number of trials	Time interval in months ²		
		10 percent less than	Median	10 percent more than		10 percent less than	Median	10 percent more than		10 percent less than	Median	10 percent more than
Texas:												
Northern	211	1	9	22	115	1	8	22	96	1	9	18
Eastern	150	1	5	14	79	1	6	15	71	1	4	10
Southern	106	4	18	44	75	1	17	35	31	10	18	46
Western	86	5	13	31	48	2	15	33	38	8	13	29
Canal Zone	131	1	1	5	131	1	1	5				
Sixth Circuit	798	2	11	33	426	1	10	29	372	3	12	36
Kentucky:												
Eastern	34	3	27	71	10				24			
Western	27	5	12	33	9				18			
Michigan:												
Eastern	127	8	18	39	79	7	17	35	48	9	18	51
Western	27	1	25	41	13				14			
Ohio:												
Northern	171	2	12	30	104	1	9	31	67	4	16	30
Southern	108	5	14	30	62	4	13	27	46	5	15	31
Tennessee:												
Eastern	130	1	4	11	49	1	3	11	81	1	6	11
Middle	76	1	7	20	40	1	5	16	36	4	11	21
Western	98	3	10	24	60	3	10	24	38	3	9	17
Seventh Circuit	341	2	14	38	222	2	14	32	119	2	16	40
Illinois:												
Northern	134	2	11	29	105	2	12	25	29	1	11	34
Eastern	29	5	16	56	7				22			
Southern	18				3				15			
Indiana:												
Northern	29	3	24	41	22				7			
Southern	67	1	11	29	39	1	11	17	28	3	10	38
Wisconsin:												
Eastern	41	7	29	40	30	7	29	44	11			
Western	23				16				7			
Eighth Circuit	592	2	12	31	310	1	10	32	282	4	14	30
Arkansas:												
Eastern	55	2	18	30	31	1	19	32	24			
Western	45	2	13	42	16				29	2	15	44
Iowa:												
Northern	25	6	14	30	14				11			
Southern	32	8	23	32	15				17			
Minnesota	86	3	16	37	36	1	21	41	50	3	12	25
Missouri:												
Eastern	144	1	6	16	86	1	6	15	58	2	6	16
Western	58	2	14	45	35	4	18	49	23			
Nebraska	85	3	17	31	42	1	12	27	43	8	17	32
North Dakota	29	1	10	25	19				10			
South Dakota	33	1	14	31	16				17			
Ninth Circuit	794	5	14	35	536	4	14	34	228	7	15	39
Alaska:												
Alaska	18				16				2			
Arizona:												
Arizona	36	6	25	53	28	1	23	47	8			
California:												
Northern	170	5	15	41	116	5	13	39	54	3	16	50
Eastern	20				12				8			
Central	151	2	11	27	114	2	11	29	37	5	11	20
Southern	51	8	16	28	37	8	16	28	14			
Hawaii:												
Hawaii	28	6	17	28	21				7			
Idaho:												
Idaho	13				5				8			
Montana:												
Montana	36	1	10	30	24				12			
Nevada:												
Nevada	26	9	19	41	20				6			
Oregon:												
Oregon	149	5	14	29	96	3	13	29	53	8	14	27

See footnotes at end of table.

TABLE C-10.—U.S. district courts, time intervals from issue to trial of civil cases in which a trial was completed during the fiscal year ended June 30, 1976, by district — Continued

Circuit and district	Total trials ¹				Nonjury trials				Jury trials			
	Number of trials	Time interval in months ²			Number of trials	Time interval in months ²			Number of trials	Time interval in months ²		
		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than		10 per cent less than	Median	10 per cent more than
Washington:												
Eastern	17				9				8			
Western	63	7	16	30	55	7	16	30	8			
Guam	16				13				3			
Tenth Circuit	720	1	9	24	448	1	8	22	272	3	10	26
Colorado	217	1	10	24	177	1	9	21	40	8	14	28
Kansas	81	5	21	35	39	2	21	35	42	7	21	35
New Mexico	124	1	3	10	84	1	2	9	40	1	6	12
Oklahoma:												
Northern	41	3	10	16	20				21			
Eastern	40	2	12	15	16				24			
Western	112	4	7	20	53	3	9	20	59	4	6	7
Utah	56	4	9	29	27	4	12	32	29	4	8	18
Wyoming	49	4	9	20	32	3	8	14	17			

¹Includes all jury trials, as well as all preliminary injunctions and temporary restraining orders requiring more than a day in trial. Excludes certain nonjury trials as follows: land condemnation cases; forfeiture and penalty cases; prisoner petitions including habeas corpus and motions to vacate sen-

tence under 28 U.S.C. 2255; and hearings on evidentiary matters, preliminary injunctions and bankruptcy petitions. Excludes three judge courts.

²Time interval computed only where there are 25 or more trials.

TABLE D-1.—U.S. district courts, criminal cases commenced and terminated, fiscal year 1976 (includes all offenses reported)

The data presented on this table should be regarded as non-comparable to criminal statistics published in previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975) necessitated changes in the reporting of information.

Circuit and district	Cases							
	Pending July 1, 1975		Commenced			Total terminated ¹	Pending June 30, 1976	
	Total	Cases with fugitive defendants ¹	Total	Original proceedings	Received by transfer		Total	Cases with fugitive defendants ¹
Total all districts	22,411	7,037	41,020	39,147	1,873	43,675	19,756	7,088
District of Columbia	399	45	893	879	14	892	400	49
First Circuit	928	272	977	910	67	1,197	708	243
Maine	72	41	83	65	18	97	58	39
Massachusetts	543	138	499	460	39	602	440	135
New Hampshire	42	22	41	39	2	54	29	20
Rhode Island	66	7	1098	104	5	98	77	8
Puerto Rico	205	64	245	242	3	346	104	41
Second Circuit	2,766	813	2,940	2,814	126	2,972	2,734	921
Connecticut	321	90	309	294	15	359	271	100
New York:								
Northern	138	83	151	134	17	137	152	80
Eastern	855	418	886	847	39	859	922	413
Southern	896	71	1,282	1,248	34	1,275	903	186
Western	414	92	229	214	15	256	387	81
Vermont	102	59	83	77	6	86	99	61
Third Circuit	1,383	177	2,603	2,498	105	2,804	1,182	166
Delaware	66	9	147	142	5	163	50	11
New Jersey	491	26	671	631	40	804	358	22
Pennsylvania:								
Eastern	269	8	740	712	28	771	238	6
Middle	105	45	192	182	10	208	89	44
Western	268	75	338	318	20	382	224	74
Virgin Islands	184	14	515	513	2	476	223	9
Fourth Circuit	1,512	362	4,456	4,319	137	4,562	1,406	389
Maryland	465	97	1,353	1,322	31	1,199	619	105
North Carolina:								
Eastern	110	16	257	247	10	298	69	14
Middle	64	27	335	325	10	335	64	25
Western	81	20	289	269	20	313	57	16
South Carolina	239	34	421	401	20	515	145	44
Virginia:								
Eastern	348	122	1,254	1,232	22	1,314	288	126
Western	60	15	222	215	7	247	35	19
Western Virginia:								
Northern	29	10	72	68	4	83	18	9
Southern	116	21	253	240	13	258	111	31
Fifth Circuit	3,693	1,209	10,157	9,779	378	10,393	3,457	1,180
Alabama:								
Northern	150	48	591	560	31	599	142	40
Middle	18	1	248	237	11	234	32	3
Southern	51	7	164	155	9	168	47	7
Florida:								
Northern	75	39	208	192	16	238	45	3
Middle	318	99	529	487	42	564	283	103
Southern	534	261	842	772	70	820	556	298
Georgia:								
Northern	322	81	514	478	36	574	262	85
Middle	67	30	267	242	25	265	69	31
Southern	133	15	1,579	1,572	7	1,485	227	36
Louisiana:								
Eastern	280	35	730	718	12	857	153	10
Middle	39	4	113	111	2	116	36	4
Western	82		1,007	996	11	963	126	4
Mississippi:								
Northern	56	7	79	70	9	115	20	5
Southern	43	5	106	102	4	105	44	4

See footnotes at end of table.

TABLE D-1.—U.S. district courts, criminal cases commenced and terminated, fiscal year 1976 (includes all offenses reported) —
Continued

Circuit and district	Cases							
	Pending July 1, 1975		Commenced			Total terminated ²	Pending June 30, 1976	
	Total	Cases with fugitive defendants ¹	Total	Original proceedings	Received by transfer		Total	Cases with fugitive defendants ¹
Texas:								
Northern.....	240	89	622	582	40	652	210	73
Eastern.....	46	11	176	166	10	182	40	10
Southern.....	723	310	1,280	1,262	18	1,225	778	310
Western.....	444	150	779	754	25	896	327	134
Canal Zone.....	72	17	323	323		335	60	20
Sixth Circuit.....	2,514	631	4,168	3,958	210	4,594	2,088	593
Kentucky:								
Eastern.....	225	36	296	285	11	380	141	34
Western.....	66	29	370	348	22	362	74	26
Michigan:								
Eastern.....	1,250	260	1,442	1,388	54	1,658	1,034	256
Western.....	214	72	278	273	5	302	190	67
Ohio:								
Northern.....	413	178	766	722	44	829	350	156
Southern.....	98	7	376	350	26	405	69	6
Tennessee:								
Eastern.....	46	9	174	160	14	190	30	12
Middle.....	80	3	293	270	23	310	63	2
Western.....	122	37	173	162	11	158	137	34
Seventh Circuit.....	1,477	518	1,984	1,820	164	2,178	1,283	457
Illinois:								
Northern.....	553	237	905	819	86	791	667	239
Eastern.....	101	33	152	147	5	207	46	2
Southern.....	125	43	92	88	4	147	70	37
Indiana:								
Northern.....	324	87	324	315	9	435	213	77
Southern.....	166	65	250	220	30	290	126	53
Wisconsin:								
Eastern.....	149	39	163	144	19	189	123	33
Western.....	59	14	98	87	11	119	38	16
Eighth Circuit.....	1,416	323	2,773	2,654	119	3,192	997	303
Arkansas:								
Eastern.....	167	30	257	247	10	338	86	33
Western.....	40	6	86	83	3	90	36	3
Iowa:								
Northern.....	50	24	91	87	4	101	40	23
Southern.....	58	15	151	142	9	156	53	15
Minnesota:								
.....	222	64	243	227	21	323	147	65
Missouri:								
Eastern.....	150	51	369	363	6	393	126	40
Western.....	298	49	896	861	35	1,024	170	41
Nebraska:								
.....	132	55	142	129	13	159	115	56
North Dakota.....	35	17	121	106	15	122	34	15
South Dakota.....	264	12	412	409	3	486	190	12
Ninth Circuit.....	5,552	2,469	8,191	7,783	408	8,873	4,870	2,576
Alaska.....	94	21	193	186	7	203	84	14
Arizona.....	916	523	1,284	1,270	14	1,266	934	612
California:								
Northern.....	275	19	707	644	63	772	210	21
Eastern.....	423	89	983	944	39	1,141	265	88
Central.....	1,155	481	1,793	1,641	152	1,909	1,039	475
Southern.....	1,667	1,010	1,611	1,567	44	1,777	1,501	1,068
Hawaii.....	134	39	145	138	7	178	101	35
Idaho.....	60	18	115	107	8	132	43	19
Montana.....	91	38	194	191	3	211	74	39
Nevada.....	133	33	261	242	19	281	113	35
Oregon.....	195	69	254	233	21	279	170	39
Washington:								
Eastern.....	105	35	132	121	11	163	74	35
Western.....	255	94	486	466	20	490	251	93
Guam.....	49		33	33		71	11	3

See footnotes at end of table

TABLE D-1.—U.S. district courts, criminal cases commenced and terminated, fiscal year 1976 (includes all offenses reported) —
Continued

Circuit and district	Cases							
	Pending July 1, 1975		Commenced			Total terminated ²	Pending June 30, 1976	
	Total	Cases with fugitive defendants ¹	Total	Original proceedings	Received by transfer		Total	Cases with fugitive defendants ¹
Tenth Circuit	771	218	1,878	1,733	145	2,018	631	211
Colorado	173	73	311	274	37	350	134	63
Kansas	174	54	472	433	39	453	193	55
New Mexico	173	60	315	302	13	370	118	58
Oklahoma:								
Northern	61	13	165	149	16	170	56	15
Eastern	14	2	66	65	1	72	8	4
Western	65	6	283	261	22	291	57	7
Utah	92	10	158	146	12	195	55	7
Wyoming	19		108	103	5	117	10	2

¹Includes only those cases with fugitive defendants which had been pending 6 months or more at the end of the fiscal year.

²Includes transfers.

TABLE D-1A.—U.S. district courts, criminal defendants commenced and terminated, fiscal year 1976 (includes all offenses reported)

The data presented on this table should be regarded as non-comparable to criminal statistics published in previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975) necessitated changes in the reporting of information.

Circuit and district	Defendants							
	Pending July 1, 1975 total	Commenced				Total terminated ¹	Pending June 30, 1976	
		Total	Original proceedings	Re-opened	Received by transfer		Total	Triable defendants ²
Total all districts	31,872	55,409	53,027	336	2,046	59,511	27,770	11,014
District of Columbia	508	1,089	1,072	2	15	1,105	492	231
First Circuit	1,339	1,365	1,283	4	78	1,734	970	364
Maine	85	97	79		18	123	59	11
Massachusetts	855	721	678	2	41	941	635	215
New Hampshire	46	54	43		11	61	39	16
Rhode Island	77	150	143	2	5	138	89	61
Puerto Rico	276	343	340		3	471	148	61
Second Circuit	4,883	4,727	4,437	157	133	4,926	4,684	2,360
Connecticut	495	400	384	1	15	489	406	139
New York:								
Northern	169	216	198		17	170	215	75
Eastern	1,606	1,411	1,347	21	43	1,424	1,593	597
Southern	1,904	2,255	2,088	132	35	2,371	1,788	1,298
Western	586	314	296	1	17	352	543	220
Vermont	123	131	124	1	6	120	134	31
Third Circuit	2,156	3,584	3,420	52	112	4,050	1,690	896
Delaware	83	200	193		7	227	56	14
New Jersey	869	904	814	47	43	1,211	562	318
Pennsylvania:								
Eastern	432	1,124	1,095		29	1,169	387	214
Middle	138	252	238	3	11	272	118	44
Western	426	472	450	2	20	587	311	63
Virgin Islands	208	632	630		2	584	256	213
Fourth Circuit	2,006	5,566	5,414	2	150	5,806	1,766	834
Maryland	628	1,635	1,599	1	35	1,486	767	366
North Carolina:								
Eastern	146	351	341		10	410	87	41
Middle	79	421	409		12	427	73	36
Western	120	375	354		21	414	81	48
South Carolina	345	633	613		20	760	218	115
Virginia:								
Eastern	428	1,478	1,453	1	24	1,579	327	110
Western	72	249	240		9	285	36	11
West Virginia:								
Northern	38	87	81		6	107	18	1
Southern	150	337	324		13	328	159	106
Fifth Circuit	5,262	13,394	12,951	38	405	14,031	4,625	1,702
Alabama:								
Northern	226	812	774	3	35	850	188	84
Middle	19	374	361	2	11	331	62	44
Southern	68	248	239		9	260	56	30
Florida:								
Northern	105	293	277		16	324	74	32
Middle	506	820	774	1	45	922	404	162
Southern	802	1,307	1,224	7	76	1,300	809	179
Georgia:								
Northern	428	770	723	8	39	789	409	143
Middle	85	390	365		25	382	93	28
Southern	150	1,709	1,702		7	1,603	256	158
Louisiana:								
Eastern	443	1,008	991	3	14	1,236	215	123
Middle	110	171	166		5	236	45	21
Western	93	1,049	1,026	8	15	1,009	133	85
Mississippi:								
Northern	61	114	105		9	149	26	7
Southern	67	155	150		5	164	58	28

See footnotes at end of table.

TABLE D-1A.—U.S. district courts, criminal defendants commenced and terminated, fiscal year 1976 (includes all offenses reported) —
Continued

Circuit and district	Defendants							
	Pending July 1, 1975 total	Commenced				Total terminated ¹	Pending June 30, 1976	
		Total	Original proceedings	Re-opened	Received by transfer		Total	Triable defendants ²
Texas:								
Northern.....	301	743	701	2	40	806	238	96
Eastern.....	63	202	191	1	10	222	43	20
Southern.....	1,060	1,804	1,785	1	18	1,872	992	291
Western.....	594	1,069	1,041	2	26	1,203	460	154
Canal Zone.....	81	356	356			373	64	17
Sixth Circuit.....	3,588	5,656	5,392	28	236	6,273	2,971	1,390
Kentucky:								
Eastern.....	372	406	393		13	588	190	96
Western.....	101	526	503		23	477	150	80
Michigan:								
Eastern.....	1,822	1,998	1,928	8	62	2,387	1,433	640
Western.....	269	317	312		5	369	217	105
Ohio:								
Northern.....	464	964	916	2	46	978	450	216
Southern.....	147	501	468	5	28	561	87	36
Tennessee:								
Eastern.....	56	236	220	1	15	260	32	12
Middle.....	101	403	367	5	31	388	116	83
Western.....	256	305	285	7	13	265	296	122
Seventh Circuit.....	2,021	2,920	2,734	8	178	3,050	1,891	739
Illinois:								
Northern.....	763	1,489	1,388	6	95	1,163	1,089	411
Eastern.....	152	192	186	1	5	287	57	37
Southern.....	169	121	117		4	191	99	36
Indiana:								
Northern.....	402	468	457	1	10	590	280	103
Southern.....	249	323	289		34	416	156	60
Wisconsin:								
Eastern.....	218	219	200		19	268	169	78
Western.....	68	108	97		11	135	41	14
Eighth Circuit.....	1,682	3,379	3,249	4	126	3,868	1,193	422
Arkansas:								
Eastern.....	204	306	296		10	408	102	50
Western.....	44	95	91		4	100	39	10
Iowa:								
Northern.....	63	119	115		4	133	44	11
Southern.....	61	171	160		11	175	57	24
Minnesota.....	278	373	352		21	440	211	41
Missouri:								
Eastern.....	173	519	509	4	6	543	149	53
Western.....	363	979	943		36	1,144	198	85
Nebraska.....	168	203	190		13	227	144	43
North Dakota.....	37	146	129		17	149	34	15
South Dakota.....	291	468	464		4	544	215	90
Ninth Circuit.....	7,459	11,328	10,844	36	448	12,095	6,692	1,783
Alaska.....	127	237	228	1	8	246	118	70
Arizona.....	1,176	1,964	1,943	6	15	1,918	1,222	238
California:								
Northern.....	419	929	853	8	68	1,033	315	131
Eastern.....	532	1,146	1,105		41	1,334	344	124
Central.....	1,561	2,460	2,273	3	174	2,635	1,376	393
Southern.....	2,364	2,400	2,342	13	45	2,567	2,197	414
Hawaii.....	189	218	209		9	253	154	85
Idaho.....	74	178	169		9	203	49	12
Montana.....	95	208	204	1	3	228	75	16
Nevada.....	193	393	369	1	23	425	161	51
Oregon.....	239	356	333	2	21	342	253	56
Washington:								
Eastern.....	117	148	136		12	183	82	24
Western.....	309	651	630	1	20	628	332	160
Guam.....	64	50	50			100	14	9

See footnotes at end of table

TABLE D-1A.—U.S. district courts, criminal defendants commenced and terminated, fiscal year 1976 (includes all offenses reported) —
Continued

Circuit and district	Defendants							
	Pending July 1, 1975 total	Commenced				Total termi- nated ¹	Pending June 30, 1976	
		Total	Original proceed- ings	Re- opened	Received by transfer		Total	Triable defend- ants ²
Tenth Circuit	968	2,401	2,231	5	165	2,573	796	293
Colorado	198	371	332		39	417	152	41
Kansas	222	610	567	2	41	594	238	79
New Mexico	212	421	405	3	13	483	150	29
Oklahoma:								
Northern	90	229	200		29	226	93	77
Eastern	27	83	82		1	102	8	2
Western	72	331	308		23	330	73	23
Utah	125	202	188		14	255	72	39
Wyoming	22	154	149		5	166	10	3

¹Includes transfers and defendants in more than one case.

²Includes all defendants triable, i.e., available for final plea or trial by judge or jury as of June 30.

1976. Does not include those defendants awaiting sentence, those committed for observation and study, or fugitives.

TABLE D-2.—U.S. district courts, criminal cases commenced during the fiscal years 1972 through 1976, by nature of offense (excludes transfers)

The data presented on this table should be regarded as non-comparable to criminal statistics published in previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975) necessitated changes in the reporting of information.

Nature of proceedings and offense	1972	1973	1974	1975	All offenses reported 1976	Felonies and other misdemeanors only 1976
Total	47,043	40,367	37,667	41,108	39,147	34,213
Proceedings commenced by:						
Indictment	31,601	29,152	25,448	26,775	26,150	26,031
Information—indictment waived	4,402	3,481	3,023	2,782	2,583	2,572
Information—other	10,268	6,894	8,278	10,384	9,577	4,861
Removed from State court	62	68	78	69	95	65
Juvenile delinquency proceedings	668	699	727	522	300	287
All other proceedings	42	73	113	576	442	397
General offenses:						
Homicide total	309	144	160	149	158	158
Murder—1st degree	137	52	65	65	74	74
Murder—2nd degree	125	41	31	20	31	31
Manslaughter	47	51	64	64	53	53
Robbery, total	2,422	1,568	1,556	2,166	2,042	2,040
Bank	1,455	1,379	1,468	2,032	1,905	1,905
Postal	56	43	42	63	68	68
Other	911	146	46	71	69	67
Assault	646	695	710	833	832	778
Burglary—breaking and entering, total	357	269	271	411	354	354
Bank	21	38	48	100	42	42
Postal	52	43	37	55	61	61
Interstate shipments	20	11	9	9	6	6
Other	264	177	177	247	245	245
Larceny and theft, total	3,742	3,516	3,565	4,626	4,006	3,580
Bank	234	179	171	264	168	168
Postal	1,374	1,373	1,398	1,798	1,527	1,519
Interstate shipments	981	736	771	948	699	655
Other U.S. property	507	533	523	662	661	476
Transportation, etc., of stolen property	296	309	239	330	266	266
Other	350	386	463	624	685	496
Embezzlement, total	1,810	1,571	1,612	1,870	1,778	1,753
Bank	900	832	896	1,149	1,087	1,087
Postal	553	451	394	367	319	312
Other	357	288	322	354	372	354
Fraud, total	2,748	3,076	3,073	3,666	3,930	3,647
Income tax	945	1,285	1,292	1,275	1,271	1,271
Lending institutions	246	336	384	550	435	430
Postal	603	626	605	743	844	839
Veterans and allotments	12	11	15	9	23	22
Other	942	818	777	1,089	1,357	1,085
Auto theft	2,350	1,960	1,790	1,591	1,430	1,419
Forgery and counterfeiting, total	4,685	4,104	4,360	4,607	3,972	3,946
Transportation of forgery securities	949	898	923	1,014	982	982
Postal forgery	126	86	141	126	101	101
Other forgery	2,551	2,482	2,791	2,851	2,511	2,485
Counterfeiting	1,059	638	505	616	378	378
Sex offenses, total	274	180	189	176	127	124
Rape	199	90	103	101	78	78
White slave traffic	52	63	62	50	29	29
Other	23	27	24	25	20	17

See footnotes at end of table.

TABLE D-2.—U.S. district courts, criminal cases commenced during the fiscal years 1972 through 1976, by nature of offense (excludes transfers) — Continued

Nature of proceedings and offense	1972	1973	1974	1975	All offenses reported 1976	Felonies and other misdemeanors only 1976
Narcotics, total	6,758	8,817	7,374	7,331	6,198	6,007
Marihuana Tax Act	361	71	26	8		
Border registrations						
Other	404	70	54	25	66	64
Drug Abuse Prevention and Control Act, total	5,993	8,676	7,294	7,298	6,132	5,943
DAPCA marihuana	2,641	3,448	2,842	2,672	2,046	1,926
DAPCA narcotics	2,474	4,284	3,392	3,484	3,222	3,195
DAPCA controlled substances	878	944	1,060	1,142	864	822
Miscellaneous general offenses, total	5,066	5,020	6,021	7,230	7,971	5,740
Bribery	183	181	189	286	178	176
Drunk driving and traffic	124	211	531	1,220	2,587	516
Escape ^a	1,215	1,377	1,505	1,297	1,233	1,382
Extortion, racketeering, and threats	332	402	353	394	406	402
Gambling and lottery	259	152	112	163	130	130
Kidnapping	122	98	127	134	75	75
Perjury	188	230	204	225	187	186
Weapons and firearms	2,377	2,224	2,911	3,165	2,847	2,800
Other	66	145	89	146	128	71
Special offenses:						
Immigration laws	5,904	2,208	1,921	1,947	2,070	1,782
Liquor, Internal Revenue	1,254	901	641	349	187	178
Federal statutes total	8,718	6,338	4,424	4,156	4,092	2,707
Agricultural acts	249	549	508	451	426	334
Antitrust violations	14	20	24	36	19	19
Civil rights ^b	91	136	134	127	85	66
Fair Labor Standards Act	4	3	1	1	1	1
Food and Drug Act	211	108	116	85	61	45
Migratory bird laws	389	232	253	361	944	223
Motor Carrier Act	230	252	225	146	113	91
Selective Service Act	5,142	3,043	1,008	274	120	119
Other national defense laws	107	87	99	105	172	131
Mail, transport obscene material	71	76	78	73	37	36
Other	2,210	1,832	1,978	2,497	2,114	1,642

^aThe Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513) became effective May 1, 1971.

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

^cThese include cases removed from State courts under provision of the Civil Rights Act, § 28 U.S.C. § 1443.

^dAll offenses reported include some petty offenses, other minor offenses, other misdemeanors and felonies. *Petty offense* - any misdemeanor for which the penalty does not exceed 6 months imprisonment or

a fine of not more than \$500, or both. (18 U.S.C. § 1); *Other minor offense* - any misdemeanor, other than a petty offense, for which the penalty does not exceed one year's imprisonment or a fine of not more than \$1,000, or both. (18 U.S.C. § 3401); *Other misdemeanor* - any criminal offense where conviction could result in no more than one year's imprisonment and/or a fine greater than \$1,000, or any offense specifically excepted under 18 U.S.C. § 3401(f); *Felony* - a criminal offense punishable by imprisonment for a term exceeding one year. (18 U.S.C. § 1)

TABLE D-3.—U.S. district courts, criminal cases commenced during

The data presented on this table should be regarded as non-comparable to criminal statistics published in January 3, 1975; necessitated changes

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bezzle- ment	Fraud	Auto theft
Total all districts	39,147	158	2,042	832	354	4,006	1,778	3,930	1,430
District of Columbia	879	6	57	8	5	99	14	42	41
First Circuit	910		46	20	10	103	54	136	10
Maine	65			1	1	4	4	15	1
Massachusetts	460		29	13	7	62	29	67	3
New Hampshire	39		4			5	2	5	
Rhode Island	104			2		10	5	18	6
Puerto Rico	242		13	4	2	22	14	31	
Second Circuit	2,814	1	205	27	8	283	174	500	23
Connecticut	294		16			33	24	62	2
New York:									
Northern	134		5	2	1	7	15	25	7
Eastern	847		63	9	3	95	40	146	3
Southern	1,248		93	14	2	128	82	230	1
Western	214	1	28	2	2	16	12	29	4
Vermont	77					4	1	8	6
Third Circuit	2,498	26	227	92	58	264	135	483	65
Delaware	142		11	3	1	8	15	21	8
New Jersey	631		63	7	6	76	32	224	17
Pennsylvania:									
Eastern	712	2	96	9	11	66	30	115	14
Middle	182	2	19	5	1	17	17	21	5
Western	318		28	4	3	18	24	57	16
Virgin Islands	513	22	10	64	37	79	17	45	5
Fourth Circuit	4,319	14	205	95	22	675	209	360	122
Maryland	1,322	2	52	21		273	43	77	21
North Carolina:									
Eastern	247		18	8	3	21	22	33	15
Middle	325		12	2	1	61	23	35	15
Western	269	3	8	20	5	24	17	28	9
South Carolina	401	1	33	1	5	48	21	52	19
Virginia:									
Eastern	1,232	8	71	40	7	194	44	79	17
Western	215		8			27	16	30	3
Western Virginia:									
Northern	68					6	5	7	7
Southern	240		3	3	1	21	18	19	16
Fifth Circuit	9,779	8	203	90	61	668	302	661	495
Alabama:									
Northern	560	1	19	1	2	54	17	36	111
Middle	237		5	1	2	30	8	13	28
Southern	155		7	2		7	8	12	9
Florida:									
Northern	192	1	6	4	2	10	6	10	29
Middle	487	3	32	3	1	43	51	70	23
Southern	772	1	23	10		52	37	66	33
Georgia:									
Northern	478		23	6		34	10	51	65
Middle	242		9	3		12	6	87	17
Southern	1,572		9	5	1	121	11	8	17
Louisiana:									
Eastern	718		19	8	1	46	15	73	21
Middle	111		1			9	4	7	4
Western	996		8	2	1	36	15	34	37
Mississippi:									
Northern	70		1	2		6	6	9	16
Southern	102		4	5	2	7	4	11	7

See footnotes at end of table

previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved in the reporting of information.

General offenses—continued						Special offenses				Circuit and district
Forgery and counterfeiting	Sex of-fenses	Narcotics laws		Weapons and fire-arms	Other	Immi-gra-tion laws	Liq-uor, Inter-nal revenue	Selective Service Act	Other	
		Old	New							
3,972	127	66	6,132	2,847	5,124	2,070	187	120	3,972	Total all districts.
95	3	3	273	94	83	1	1		54	District of Columbia.
109	4		137	79	58	46		3	95	First Circuit.
9			10	8	4	2			4	Maine.
34	2		84	40	41	2		3	6	Massachusetts.
7				13	1				2	New Hampshire.
24			6	13	6	3			11	Rhode Island.
35	2		37	5	6	39			32	Puerto Rico.
286		13	538	148	188	53	1	33	333	Second Circuit.
37			26	32	28	2	1	8	23	Connecticut.
11			13	4	4	11			29	New York.
54		3	190	20	51	13			157	Northern.
151		10	250	69	90	6		23	99	Eastern.
27			39	12	13	5		2	22	Southern.
6			20	11	2	16			3	Vermont.
271	18	7	268	192	205	39		14	134	Third Circuit.
34			16	5	15				5	Delaware.
50			32	17	22	2		11	72	New Jersey.
94		5	141	69	39	3		1	17	Pennsylvania.
22			13	18	31				12	Eastern.
52	2	2	27	40	24			1	15	Middle.
14	16		39	43	74	34			13	Western.
552	10	3	303	478	489	6	72	6	298	Fourth Circuit.
97	1	2	137	62	444	2	1		87	Maryland.
48	1		14	31	9		4	1	19	North Carolina.
66	1		6	34	9		33		27	Eastern.
48			15	26	10		21		35	Middle.
92			5	68	29		3		24	Western.
121	5	1	104	144	331	4		1	61	South Carolina.
28	1		1	65	10		10	2	14	Virginia.
13	1			6	20				3	Eastern.
39			21	42	27			2	28	Western.
842	18	21	1,703	629	1,765	598	74	6	1,635	West Virginia.
117	2		41	87	18		23		31	Northern.
32	1		33	33	23		5		23	Middle.
18			19	18	7	3	6		39	Southern.
19	5		32	14	43				11	Florida.
74			76	19	31	25		1	35	Northern.
103		1	220	9	66	79			72	Middle.
85	3		38	64	55	1	10		33	Southern.
33			20	14	12	2	9	3	15	Georgia.
27	2	1	46	34	1,127		5		158	Northern.
79	2	6	64	32	17	57			278	Middle.
19			2	15	4	17			29	Southern.
34			9	19	87	1			713	Louisiana.
6				8	2		3		11	Eastern.
16			6	22	5		10		3	Middle.
										Western.
										Mississippi.
										Northern.
										Southern.

TABLE D-3.—U.S. district courts, criminal cases commenced
(offenses reported)

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bez- zle- ment	Fraud	Auto theft
Texas:									
Northern	582		14	3	2	71	32	58	20
Eastern	166		4	1	2	18	15	16	19
Southern	1,262	1	7	9		37	27	42	29
Western	754		8	13	5	46	20	49	10
Canal Zone	323	1	4	12	40	29	10	9	
Sixth Circuit	3,958	6	322	40	13	537	248	416	202
Kentucky:									
Eastern	285		13	6	2	24	8	10	33
Western	348		22	3	1	46	12	35	33
Michigan:									
Eastern	1,388	1	98	8	1	173	76	178	21
Western	273	2	21	3	3	38	29	28	2
Ohio:									
Northern	722		62	13	1	161	60	69	39
Southern	350	2	74	3	2	43	16	34	12
Tennessee:									
Eastern	160	1	7	2	1	14	10	13	22
Middle	270		14	2		20	17	23	27
Western	162		11		2	18	20	26	13
Seventh Circuit	1,820	6	118	24	5	295	125	265	63
Illinois:									
Northern	819	1	43	8		139	39	141	12
Eastern	147	3	3	2		23	19	12	12
Southern	88		3	2		11	7	26	2
Indiana:									
Northern	315	1	22	2	1	72	15	24	13
Southern	220	1	28	3	4	36	22	24	6
Wisconsin:									
Eastern	144		11	3		8	16	28	6
Western	87		8	4		6	7	10	12
Eighth Circuit	2,654	38	114	191	101	253	101	231	113
Arkansas:									
Eastern	247		19	2	1	25	14	32	13
Western	83		9	8	1	9	5	12	3
Iowa:									
Northern	87		8		2	18	10	14	4
Southern	142		6	4		24	5	29	12
Minnesota:									
Northern	227		11	6	1	31	21	30	7
Missouri:									
Eastern	363		21	5		57	17	43	20
Western	861		14	3		22	17	24	28
Nebraska:									
Northern	129	3	10	2	1	5	5	19	13
South Dakota	106	6	8	23	21	6	1	16	1
South Dakota	409	29	8	138	73	56	6	12	12
Ninth Circuit	7,783	40	490	192	50	656	320	653	135
Alaska	186		3	6	1	11	13	13	3
Arizona	1,270	29	32	53	15	73	21	44	18
California:									
Northern	644	1	101	11		80	50	104	7
Eastern	944	1	39	19	10	60	26	41	16
Central	1,641		170	22	1	180	141	235	48
Southern	1,567		34	25		41	14	56	8
Hawaii	138	1	14	3	2	21	4	19	
Idaho	107	2	7	4		17	3	13	4
Montana	191	1		13	16	65	2	21	2
Nevada	242		5	8	2	19	5	31	11
Oregon	233	1	31	7	1	28	14	36	11
Washington:									
Eastern	121	1	1	8	1	24	4	8	5
Western	466	2	51	11	1	35	21	31	2
Guam	33	1	2	2		2	2	1	

See footnotes at end of table.

during fiscal year 1976 (excludes transfers) (includes all
— Continued

General offenses—continued						Special offenses				Circuit and district
Forgery and counterfeiting	Sex offenses	Narcotics laws		Weapons and firearms	Other	Immigration laws	Liquor, Internal revenue	Selective Service Act	Other	
		Old ¹	New ²							
86			73	71	95	11	1	2	43	Texas:
25			9	28	13				16	Northern.
26	1	3	632	75	71	227	1		74	Eastern.
40		10	228	66	50	167	1		41	Southern.
3	2		155	1	39	8			10	Western.
633	6	6	404	365	254	34	28	17	429	Canal Zone
Sixth Circuit.										
27			1	76	40		5		40	Kentucky:
48	3		20	56	36				33	Eastern.
178			304	115	49	28	1	6	151	Michigan:
47	1	1	10	26	16	5	4		37	Eastern.
174		2	32	19	28	1	2	7	52	Ohio:
83	2	1	12	30	20			1	15	Northern.
28			3	16	15		10	1	17	Southern.
42			14	19	15		1	2	74	Tennessee:
6		2	8	6	35		5		10	Eastern.
189	1	1	341	157	104	16	2	2	106	Middle.
Seventh Circuit.										
82	1		210	50	38	9	1	1	44	Illinois:
10			10	32	10	2	1		8	Northern.
15			2	8	3	2			7	Eastern.
30		1	68	31	18	2		1	14	Southern.
25			19	15	23	1			13	Indiana:
18			17	19	5				13	Northern.
9			15	2	7				7	Southern.
259	18		197	162	706	12	4	3	152	Wisconsin:
Eighth Circuit.										
48			13	46	14	4	1	1	14	Arkansas:
6			2	11	3	1	2		11	Eastern.
15			2	4	5				5	Western.
25			3	11	8				15	Iowa:
16	1		63	18	11	2	1		8	Northern.
74	1		52	29	18	2			24	Southern.
32	2		42	20	622	1		1	33	Minnesota:
26	1		11	6	9	2			1	Missouri:
3	2		4	1	2				1	Eastern.
14	11		5	16	14				15	Western.
498	37	10	1,746	392	689	1,232	3	35	605	Nebraska:
Ninth Circuit.										
11			62	8	22	1			32	Alaska.
41	14		540	36	149	140		1	64	Arizona.
62		1	85	19	42		1		38	California:
74	1	1	82	49	34	412		7	72	Northern.
154	1	2	174	128	193	74		20	98	Eastern.
37	1	4	598	20	127	461		1	140	Central.
14	2		26	8	6	1			17	Southern.
4	1		7	31	6			2	10	Hawaii.
11	3		11	9	16	2		2	9	Idaho.
32	2	2	35	16	18	39		2	15	Montana.
8			13	31	10	12			30	Nevada.
12	5		11	13	1	17			10	Oregon.
34	5		87	24	70	24	2		66	Washington:
	2		15		1	1			4	Eastern.
										Western.
										Guam.

TABLE D-3.—*U.S. district courts, criminal cases commenced
offenses reported)*

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bezzle- ment	Fraud	Auto theft
Tenth Circuit	1,733	13	55	53	22	173	96	183	161
Colorado	274		12	22	1	36	29	36	14
Kansas	433		14	7	1	62	22	39	53
New Mexico	302	10	8	8	10	7	8	9	22
Oklahoma:									
Northern	149		8		1	10	8	17	11
Eastern	65	1	4			6	4	4	9
Western	261	1	6	10	2	18	11	40	29
Utah	146		1	3	3	18	13	32	8
Wyoming	103	1	2	3	4	16	1	6	15

¹Old Law—Harrison Narcotic Drug Act, Marihuana Tax Act and Border registration of addicts and narcotic law violators was repealed May 1, 1971. It was replaced by the:

during fiscal year 1976 (excludes transfers) (includes all
— Continued

General offenses—continued						Special offenses				Circuit and district
For- gery and coun- terfeit- ing	Sex of fenses	Narcotics laws		Weap- ons and fire- arms	Other	Immi- gra- tion laws	Liq- uor, Inter- nal rev- enue	Selec- tive Serv- ice Act	Other	
		Old ¹	New ²							
238	12	2	222	153	183	33	2	1	131	Tenth Circuit.
33	1		24	9	32				25	Colorado.
76			41	29	56	4		1	28	Kansas.
23	8	1	87	33	26	23			19	New Mexico.
										Oklahoma:
32		1	13	27	12	3			6	Northern.
12			1	14	3		2		5	Eastern.
35			32	23	43				11	Western.
18	2		4	12	6	1			25	Utah.
9	1		20	6	5	2			12	Wyoming.

²Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) which became effective May 1, 1971.

TABLE D-3A.—*U.S. district courts, criminal cases*
(includes felonies and

The data presented on this table should be regarded as non-comparable to criminal statistics published in January 3, 1975; necessitated changes

Circuit and district	Total	General offenses							
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft
Total all districts	34,213	158	2,040	778	354	3,580	1,753	3,647	1,419
District of Columbia	830	6	57	7	5	97	13	36	40
First Circuit	837		46	15	10	100	52	133	10
Maine	62			1	1	4	4	15	1
Massachusetts	433		29	9	7	62	28	65	3
New Hampshire	39		4			5	2	5	
Rhode Island	93			2		8	4	17	6
Puerto Rico	210		13	3	2	21	14	31	
Second Circuit	2,743	1	205	27	8	281	173	498	23
Connecticut	290		16			32	23	62	2
New York									
Northern	112		5	2	1	7	15	25	7
Eastern	817		63	9	3	95	40	144	3
Southern	1,237		93	14	2	128	82	230	1
Western	213	1	28	2	2	15	12	29	4
Vermont	74					4	1	8	6
Third Circuit	2,257	26	227	90	58	239	133	354	65
Delaware	135		11	2	1	8	15	18	8
New Jersey	440		63	7	6	58	31	100	17
Pennsylvania									
Eastern	705	2	96	9	11	63	30	115	14
Middle	173	2	19	5		13	16	20	7
Western	315		28	4	3	18	24	56	16
Virgin Islands	489	22	10	63	37	79	17	45	5
Fourth Circuit	3,191	14	205	81	22	410	202	339	121
Maryland	661	2	52	15		101	42	77	21
North Carolina									
Eastern	239		18	8	3	20	22	32	15
Middle	317		12	1	1	58	23	35	15
Western	247	3	8	19	5	20	17	26	9
South Carolina	384	1	33	1	5	38	20	52	19
Virginia									
Eastern	826	8	71	34	7	119	39	61	16
Western	213		8			27	16	30	3
West Virginia									
Northern	65					6	5	7	7
Southern	239		3	3	1	21	18	19	16
Fifth Circuit	7,847	8	201	84	61	626	298	584	488
Alabama									
Northern	549	1	19	1	2	54	17	35	111
Middle	223		5	1	2	25	8	13	28
Southern	151		7	2		7	8	12	9
Florida									
Northern	188	1	6	4	2	10	6	9	29
Middle	480	3	32	3	1	43	51	70	23
Southern	764	1	23	10		51	37	65	33
Georgia									
Northern	469		22	6		33	9	51	65
Middle	166		9	3		12	6	16	17
Southern	674		9	5	1	110	11	8	16
Louisiana									
Eastern	414		18	4	1	39	15	73	18
Middle	75		1			9	4	6	4
Western	481		8	1	1	20	13	34	34
Mississippi									
Northern	70		1	2		6	6	9	16
Southern	101		4	5	2	7	4	11	7

See footnotes at end of table.

*commenced during fiscal year 1976 (excludes transfers)
misdemeanors only)*

previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved in the reporting of information.

[illegible]

TABLE D-3A.—U.S. district courts, criminal cases commenced and misdemeanors

Circuit and district	Total	General offenses							
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft
Texas:									
Northern	560		14	3	2	70	31	56	20
Eastern	162		4		2	18	15	16	19
Southern	1,257	1	7	9		37	27	42	29
Western	741		8	13	5	46	20	49	10
Canal Zone	322	1	4	12	40	20	10	9	
Sixth Circuit	3,826	6	322	39	13	526	247	412	200
Kentucky:									
Eastern	269		13	6	2	22	8	10	33
Western	330		22	3	1	46	12	35	33
Michigan:									
Eastern	1,352	1	98	8	1	171	76	78	20
Western	258	2	21	3	3	36	28	28	2
Ohio:									
Northern	714		62	13	1	160	60	67	39
Southern	347	2	74	3	2	43	16	33	12
Tennessee:									
Eastern	152	1	7	2	1	14	10	13	21
Middle	244		14	1		16	17	22	27
Western	160		11		2	18	20	26	13
Seventh Circuit	1,794	6	118	24	5	291	125	263	63
Illinois:									
Northern	801	1	43	8		136	39	141	12
Eastern	144	3	3	2		22	19	11	12
Southern	88		3	2		11	7	26	2
Indiana:									
Northern	314	1	22	2	1	72	15	23	13
Southern	219	1	28	3	4	36	22	24	6
Wisconsin:									
Eastern	141		11	3		8	16	28	6
Western	87		8	4		6	7	10	12
Eighth Circuit	2,016	38	114	183	100	241	101	228	113
Arkansas:									
Eastern	247		19	2	1	25	14	32	13
Western	82		9	8	1	9	5	12	3
Iowa:									
Northern	76		8		2	10	10	14	4
Southern	142		6	4		24	5	29	12
Minnesota:									
Northern	224		11	6	1	31	21	28	7
Missouri:									
Eastern	361		21	5		57	17	42	20
Western	588		14	3		21	17	24	26
Nebraska:									
Northern	126	3	10	2	1	5	5	19	13
South	103	6	8	23	21	6	1	16	1
South Dakota	397	29	8	130	73	59	6	12	12
Ninth Circuit	7,246	40	490	178	50	609	316	636	135
Alaska:									
Northern	163		3	6	1	10	13	13	3
Eastern	1,247	29	32	51	15	69	21	42	18
California:									
Northern	591	1	101	9		63	47	99	7
Eastern	827	1	39	17	10	55	26	41	16
Central	1,590		170	22	1	172	141	230	48
Southern	1,387		34	21		34	13	53	8
Hawaii:									
Northern	137	1	14	3	2	21	4	18	
Eastern	107	2		4		17	3	13	4
Central	182	1	7	13	16	65	2	21	2
Southern	240		5	7	2	19	5	31	11
Oregon	231	1	31	7	1	28	14	36	11
Washington:									
Eastern	115	1	1	8	1	20	4	8	5
Western	391	2	51	8	1	34	21	30	2
Guam:									
Northern	32	1	2	2		2	2	1	

See footnotes at end of table.

General offenses—Continued						Special offenses				Circuit and district
Forgery and counterfeiting	Sex of-fenses	Narcotics laws		Weapons and fire-arms	Other	Immigra-tion laws	Liquor, Internal revenue	Selective Service Act	Other	
		Old ¹	New ²							
86			73	71	93	11	1	2	27	Texas:
25			9	28	13				10	Northern.
26	1	3	632	75	71	225	1		70	Eastern.
40		10	225	66	43	166	1		39	Southern.
3	2		155	1	38	8			10	Western.
										Canal Zone.
633	6	6	492	361	234	30	28	17	344	Sixth Circuit.
27			1	76	40		5		26	Kentucky:
48	3		20	56	25				26	Eastern.
178			303	113	48	25	1	6	125	Michigan:
47	1	1	10	26	15	4	4		27	Eastern.
174			32	19	28	1	2	7	47	Ohio:
83	2	1	12	30	20			1	13	Northern.
28			3	16	10		10	1	15	Southern.
42			13	19	14		1	2	56	Tennessee:
6		2	8	6	34		5		9	Eastern.
										Middle.
										Western.
189	1	1	341	157	104	16	2	2	86	Seventh Circuit.
82	1		210	50	38	9	1	1	29	Illinois:
10			10	32	10	2	1		7	Northern.
15			2	8	3	2			7	Eastern.
30		1	68	31	18	2		1	14	Southern.
25			19	15	23	1			12	Indiana:
18			17	19	5				10	Northern.
9			15	2	7				7	Southern.
										Wisconsin:
										Eastern.
										Western.
258	18		196	162	120	12	4	3	125	Eighth Circuit.
48			13	46	14	4	1	1	14	Arkansas:
6			2	11	3	1	2		10	Eastern.
15			2	4	5				2	Western.
25			3	11	8				15	Iowa:
16	1		62	18	11	2	1		8	Northern.
74	1		52	29	18	2			23	Southern.
31	2		42	20	37	1		1	17	Minnesota:
26	1		11	6	9	2			13	Missouri:
3	2		4	1	2			1	8	Eastern.
14	11		5	16	13				15	Western.
										Nebraska.
										North Dakota.
										South Dakota.
493	37	10	1,725	388	619	1,015	3	34	468	Ninth Circuit.
11			62	7	14	1			19	Alaska.
41	14		539	36	147	132		1	60	Arizona.
60		1	81	19	41	39	1		22	California:
74	1	1	80	49	29	326		7	55	Northern.
154	1	2	171	128	181	72		20	77	Eastern.
35	1	4	587	19	126	344			108	Central.
14	2		26	8	6	1			17	Southern.
8	1		7	31		6			9	Hawaii.
11	3		11	9	16	2		2	9	Idaho.
32	2	2	35	16	18	39		2	14	Montana.
8			13	31	10	12			28	Nevada.
										Oregon.
12	5		11	13	1	17			8	Washington:
33	5		87	22	29	23	2		41	Eastern.
	2		15		1				3	Western.
										Guam.

TABLE D-3A.—*U.S. district courts criminal cases commenced and misdemeanors*

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bezzle- ment	Fraud	Auto theft
Tenth Circuit	1,626	13	55	50	22	160	93	164	161
Colorado	255		12	20	1	34	29	36	14
Kansas	409		14	6	1	62	21	39	53
New Mexico	289	10	8	8	10	7	8	9	22
Oklahoma									
Northern	147		8		1	10	8	16	11
Eastern	65	1	4			6	4	4	9
Western	220	1	6	10	2	7	9	22	29
Utah	139		1	3	3	18	13	32	8
Wyoming	102	1	2	3	4	16	1	6	15

¹Old Law—Harrison Narcotic Drug Act, Marihuana Tax Act and Border registration of addicts and narcotic law violators was repealed May 1, 1971. It was replaced by the

during fiscal year 1976 (excludes transfers) (includes felonies only) — Continued

General offenses—Continued						Special offenses				Circuit and district
For- gery and coun- terfeit- ing	Sex of fenses	Narcotics laws		Weap- ons and fire- arms	Other	Immi- gra- tion laws	Liq- uor, Inter- nal rev- enue	Selec- tive Serv- ice Act	Other	
		Old ¹	New ²							
235	12	2	217	152	154	27	2	1	106	Tenth Circuit.
33	1		24	9	19				23	Colorado.
75			36	28	46	4		1	23	Kansas.
23	8	1	87	33	23	17			15	New Mexico.
										Oklahoma:
31		1	13	27	12	3			6	Northern.
12			1	14	3		2		5	Eastern.
34			32	23	40				5	Western.
18	2		4	12	6	1			18	Utah.
9	1		20	6	5	2			11	Wyoming.

¹Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) which became effective May 1, 1971.

TABLE D-4.—U.S. district courts criminal defendants disposed of by nature of offense and type of disposition (territorial courts excluded), fiscal year 1976

The data presented on this table should be regarded as non-comparable to criminal statistics published in previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975) necessitated changes in the reporting of information.

Nature of offense	Total defendants	Not convicted				Convicted and sentenced			
		Total	Dis-missed ²	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
Total	51,612	11,500	9,762	508	1,240	40,112	34,041	1,587	4,484
Civil rights removed from State court ¹	62	62	62						
Total (excluding civil rights)	51,550	11,438	9,690	508	1,240	40,112	34,041	1,587	4,484
General Offenses:									
Homicide, total	161	53	38	2	13	108	68	3	37
Murder:									
1st degree	82	28	23	1	4	54	26	3	25
2nd degree	29	12	7		5	17	9		8
Manslaughter	50	13	8	1	4	37	33		4
Robbery, total	2,695	409	329	18	62	2,286	1,777	42	467
Bank	2,516	378	303	17	58	2,138	1,672	36	430
Postal	91	16	12	1	3	75	55		20
Other	88	15	14		1	73	50	6	17
Assault	914	290	232	13	45	624	478	38	108
Burglary—breaking and entering, total	314	66	64	2		248	232	4	12
Bank	50	8	8			42	36	1	5
Postal	81	8	8			73	72		1
Interstate shipments	9	3	2	1		6	4	2	
Other	174	47	46	1		127	120	1	6
Larceny and theft, total	5,230	1,023	861	63	99	4,207	3,656	171	380
Bank	229	36	29	3	4	193	176	2	16
Postal	1,839	275	251	5	19	1,564	1,458	33	73
Interstate shipments	1,232	223	157	22	44	1,009	810	30	169
Other U.S. property	865	191	166	10	15	674	587	30	57
Transportation, etc., of stolen property	401	108	95		13	293	231	9	53
Other	664	190	163	23	4	474	394	67	13
Embezzlement, total	1,910	260	199	11	50	1,650	1,552	21	77
Bank	1,212	155	115	8	32	1,057	1,001	10	46
Postal	311	31	27		4	280	256	7	17
Other	387	74	57	3	14	313	295	4	14
Fraud, total	4,760	1,069	859	31	179	3,691	3,146	93	452
Income tax	1,385	228	157	14	57	1,157	967	30	160
Lending institutions	540	150	127	2	21	390	342	5	43
Postal	1,218	280	224	7	49	938	759	29	150
Veterans and allotments	21					21	21		
Securities and exchange	155	69	64		5	86	57	5	24
Social security	79	18	18			61	60		1
Nationality laws	72	6	6			66	63		3
False claims and state-ments	528	162	132	5	25	366	316	6	44
Other	762	156	131	3	22	606	561	18	27
Auto theft	1,802	311	264	11	36	1,491	1,273	25	193
Forgery and counterfeiting, total	5,044	906	805	17	84	4,138	3,722	66	350

See footnotes at end of table.

TABLE D-4.—U.S. district courts criminal defendants disposed of by nature of offense and type of disposition (territorial courts excluded), fiscal year 1976 — Continued

Nature of offense	Total defendants	Not convicted				Convicted and sentenced			
		Total	Dis-mitted ²	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
Transportation of forged securities	1,313	304	270	5	29	1,009	897	18	94
Postal forgery	151	23	18	1	4	128	108		20
Other forgery	2,954	454	411	8	35	2,500	2,305	39	156
Counterfeiting	626	125	106	3	16	501	412	9	80
Sex offenses, total	161	61	57		4	100	67	5	28
Rape	89	33	31		2	56	40	2	14
White slave traffic	53	19	17		2	34	18	3	13
Other	19	9	9			10	9		1
Narcotics, total	10,762	2,721	2,404	73	244	8,041	6,324	446	1,271
Marihuana Tax Act	49	43	43			6	5	1	
Border registrations	1	1	1						
Other	171	85	84		1	86	61	5	20
Drug abuse prevention and control act, total	10,541	2,592	2,276	73	243	7,949	6,258	440	1,251
Marihuana	3,234	800	700	28	72	2,434	1,899	227	308
Narcotics	5,832	1,469	1,275	41	153	4,363	3,401	161	801
Controlled substances	1,475	323	301	4	18	1,152	958	52	142
Miscellaneous general offenses, total	9,419	2,358	1,934	152	272	7,061	5,760	458	843
Bribery	235	60	44	2	14	175	138	4	33
Drunk driving and traffic	2,270	517	430	86	1	1,753	1,557	184	12
Escape, total	1,191	247	228	6	13	944	869	20	55
Escape from custody	776	129	123	2	4	647	609	8	30
Bail jumping	264	75	72	1	2	189	180	3	6
Other	151	43	33	3	7	108	80	9	19
Extortion, racketeering and threats	826	321	241	9	71	505	296	38	171
Gambling and lottery	983	264	228	13	23	719	530	52	137
Kidnapping	135	42	36		6	93	62	1	30
Perjury	230	94	58	6	30	136	75	15	46
Weapons and firearms	3,412	761	619	28	114	2,651	2,168	128	355
Other	137	52	50	2		85	65	16	4
Special offenses:									
Immigration laws	2,246	267	244	9	14	1,979	1,869	50	60
Liquor, Internal Revenue	322	42	35		7	280	252	8	20
Federal statutes, total	5,810	1,602	1,365	106	131	4,208	3,865	157	186
Agricultural acts	607	148	122	14	12	459	416	17	26
Antitrust violations	245	70	50	14	6	175	154	8	13
Civil rights	83	38	13	2	23	45	26		19
Contempt	105	50	43	6	1	55	42	8	5
Fair Labor Standards Act	1	1	1						
Food and Drug Act	152	49	36	5	8	103	100	2	1
Customs laws	251	69	59	3	7	182	171	3	8
Migratory bird laws	1,003	109	68	41		894	866	25	3
Motor Carrier Act	125	20	19		1	105	104		1
Selective Service Act	696	573	562	4	7	123	105	13	5
Other national defense laws	184	41	32	5	4	143	123	14	6
Mail, transport obscene material	136	74	66	5	3	62	44	4	14
Postal laws	1,091	88	84	1	3	1,003	970	21	12
Other	1,131	272	210	6	56	859	744	42	73

¹Removed under provisions of the Civil Rights Act, 28 U.S.C. 1443. The 62 defendants whose cases are shown as dismissed were remanded to State courts.

²Included in this column are 6 defendants who were committed pursuant to title 28 U.S.C. 2902, of the Narcotic Addict Rehabilitation Act of 1966.

**TABLE D-5.—U.S. district courts, criminal defendants sentenced after conviction, by nature of offense
(territorial courts excluded), fiscal year 1976**

The data presented on this table should be regarded as non-comparable to criminal statistics published in previous years. The implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975) necessitated changes in the reporting of information.

Nature of offense	Total defendants sentenced	Type of sentence								Average sentence of imprisonment (Months) ¹	
		Imprisonment ¹						Pro-bation	Fine only		Other
		Total	Split ² sentence	1 year and 1 day and under	Over 1 year and 1 day to 3 years	3 to 5 years	5 years and over				
Total	40,112	18,477	2,258	3,530	3,096	4,731	4,862	18,208	3,199	228	47.2
General offenses:											
Homicide, total	108	84	1	4	6	16	57	23			125.1
Murder:											
1st degree	54	52		1	3	6	42				151.0
2nd degree	17	15		1	1	4	9				
Manslaughter	37	17	1	2	2	6	6	23			
Robbery, total	2,286	2,031	37	17	57	333	1,587	254		1	134.3
Bank	2,138	1,917	33	11	53	296	1,524	220		1	136.7
Postal	75	63		1	2	15	45	12			128.6
Other	73	51	4	5	2	22	18	22			53.6
Assault	624	288	16	94	48	71	59	298	26	13	41.8
Burglary--breaking and entering, total	248	135	9	15	19	57	35	113			49.9
Bank	42	27	1	1	4	3	18	15			101.4
Postal	73	51	4	4	7	26	10	22			38.6
Interstate shipments	6	5			1	3	1	1			
Other	127	52	4	10	7	25	6	75			35.1
Larceny and theft, total	4,207	1,624	274	248	340	512	250	2,429	145	9	31.9
Bank	193	99	14	12	6	32	35	91	3		49.0
Postal	1,564	702	102	88	187	260	65	857	2	3	29.5
Interstate shipments	1,009	379	93	48	73	94	71	603	25	2	31.2
Other U.S. property	674	189	33	49	29	46	32	421	63	1	31.3
Transportation, etc. of stolen property	293	163	25	17	27	54	40	128	2		38.4
Other	474	92	7	34	18	26	7	329	50	3	24.7

Embezzlement, total.....	1,650	289	115	44	45	57	28	1,339	14	8	22.4
Bank.....	1,057	183	71	28	30	40	14	861	7	6	22.6
Postal.....	280	47	28	6	5	4	6	229	3	1	16.2
Other.....	313	59	18	10	10	13	8	249	4	1	26.9
Fraud, total.....	3,691	1,234	360	303	236	203	132	2,218	222	17	22.7
Income tax.....	1,157	340	130	124	44	22	20	745	68	4	15.4
Lending institutions.....	390	121	40	23	42	11	5	255	12	2	18.4
Postal.....	938	404	84	50	95	105	70	497	37		31.1
Veterans and allotments.....	21	1		1				20			
Securities and exchange.....	86	40	11	4	10	4	11	34	12		45.7
Social security.....	61	10	7	2			1	41	9	1	
Nationality laws.....	66	17	6	2	6	2	1	44	1	4	
False claims and statements.....	366	111	41	31	12	19	8	215	38	2	16.9
Other.....	606	190	41	66	27	40	16	367	45	4	20.1
Auto theft.....	1,491	1,086	54	92	218	504	218	396	6	3	36.8
Forgery and counterfeiting, total.....	4,138	2,039	234	225	442	700	438	2,069	8	2	37.9
Transportation of forged securities.....	1,009	602	55	42	114	209	182	405	2		45.4
Postal forgery.....	128	73	2	5	15	27	24	64	1		43.0
Other forgery.....	2,500	1,101	128	143	262	395	173	1,394	3	2	34.0
Counterfeiting.....	501	263	49	35	51	69	59	236	2		35.4
Sex offenses, total.....	100	66	5	8	3	29	21	31	3		69.3
Rape.....	56	36	3	5		11	17	20			84.2
White slave traffic.....	34	24	1	1	3	16	3	10			
Other.....	10	6	1	2		2	1	1	3		

See footnotes at end of table.

CONTINUED

4 OF 6

TABLE D-5.—U.S. district courts, criminal defendants sentenced after conviction, by nature of offense (territorial courts excluded), fiscal year 1976 — Continued

Nature of offense	Total defendants sentenced	Type of sentence									Average sentence of imprison- ment (Months) ¹
		Imprisonment ¹						Pro- bation	Fine only	Other	
		Total	Split ² sentence	1 year and 1 day and under	Over 1 year and 1 day to 3 years	3 to 5 years	5 years and over				
Narcotics, total	8,041	5,039	206	1,015	790	1,544	1,484	2,927	57	18	47.6
Marihuana Tax Act	6	3	1		1		1	3			
Border registrations											
Other	86	59	3	11	5	20	20	27			50.5
Drug Abuse Prevention and Control Act, total	7,949	4,977	202	1,004	784	1,524	1,463	2,897	57	18	47.6
Marihuana	2,434	1,323	98	397	269	371	188	1,061	38	12	30.2
Narcotics	4,363	3,063	71	484	407	937	1,164	1,283	12	5	57.2
Controlled substances	1,152	591	33	123	108	216	111	553	7	1	36.8
Miscellaneous general offenses, total	7,061	2,763	401	690	558	572	442	3,051	1,185	62	33.0
Bribery	175	62	28	16	7	9	2	98	14	1	15.7
Traffic	1,754	28	11	16				698	978	49	4.0
Escape, total	944	782	57	405	143	121	56	145	12	5	19.5
Escape from custody	647	583	47	340	104	64	28	58	2	4	16.2
Bail jumping	189	132	4	47	28	39	14	56		1	26.6
Other	108	67	6	18	11	18	14	31	10		33.8
Extortion, racketeering and threats	505	279	34	30	52	81	82	212	14		45.0
Gambling and lottery	719	160	81	21	33	16	9	483	76		15.8
Kidnapping	93	88	1			4	83	5			196.4
Perjury	136	78	23	21	23	7	4	55	3		18.2
Weapons and firearms	2,651	1,272	166	175	398	330	203	1,318	56	5	31.9
Other	85	14		6	1	4	3	37	32	2	

Special offenses:											
Immigration laws.....	1,979	1,166	411	531	164	32	28	738	25	50	9.0
Liquor, Internal Revenue.....	280	69	17	9	23	16	4	205	6		23.9
Federal statutes, total	4,208	564	118	235	47	85	79	2,097	1,502	45	39.2
Agricultural acts.....	459	37	13	12	5	6	1	214	203	5	20.0
Antitrust violations.....	175							37	138		
Civil rights.....	45	19	2	7	1	2	7	20	6		
Contempt.....	55	20	2	11	2	3	2	10	18	7	
Fair Labor Standards Act.....											
Food and Drug Act.....	103	6	1	2	1	1	1	19	78		
Customs laws.....	182	36	11	8	9	5	3	111	34	1	19.9
Migratory bird laws.....	894	17	7	10				235	621	21	
Motor Carrier Act.....	105							8	97		
Selective Service Act.....	123	12	2	3	2	4	1	108	2	1	
Other national defense laws.....	143	38	12	18	5	1	2	86	18	1	16.5
Mail, transport obscene material.....	62	9	4		1	1	3	34	18	1	
Postal laws.....	1,003	150	30	109	3	7	1	814	32	7	7.6
Other.....	859	220	34	55	18	55	58	401	237	1	49.0

¹Includes sentences of more than 6 months which are to be followed by a term of probation (mixed sentences).

²A split sentence is a sentence on a 1-count indictment of 6 months or less in a jail-type institution, followed by a term of probation, 18 U.S.C. 3651. Included in these

figures are mixed sentences involving confinement for 6 months or less on 1 count, to be followed by a term of probation on 1 or more other counts.

³Average sentence is not shown where the number of defendants sentenced to imprisonment was less than 25.

TABLE D-6.—U.S. district courts, median time intervals from filing to disposition of criminal defendants disposed of during the fiscal year ended June 30, 1976, by district¹

Circuit and district	Total		Dismissed		Plea of guilty		Court trial		Jury trial	
	Num- ber	Me- dian (mos.)	Num- ber	Me- dian (mos.)	Num- ber	Me- dian (mos.)	Num- ber	Me- dian (mos.)	Num- ber	Me- dian (mos.)
District of Columbia	1,004	3.9	119	4.4	714	3.5	57	5.8	114	5.6
Total 90 districts	50,608	3.3	9,633	5.5	33,327	2.7	2,038	3.5	5,610	5.3
First Circuit	1,539	6.5	377	9.5	884	4.9	64	9.7	214	8.6
Maine	93	3.7	29	3.7	56	3.6			8	
Massachusetts	840	7.5	148	9.7	504	5.8	45	10.5	143	9.3
New Hampshire	57	3.8	6		49	3.9	1		10	
Rhode Island	127	6.4	31	4.5	83	6.5	3		10	
Puerto Rico	422	5.8	163	15.5	201	3.3	15		43	8.0
Second Circuit	4,241	5.8	1,158	10.9	2,481	4.2	61	9.2	541	7.7
Connecticut	405	6.6	112	9.7	256	5.4	4		34	10.2
New York:										
Northern	149	4.3	29	8.0	99	3.2	1		20	
Eastern	1,235	5.2	241	10.8	822	3.8	25	9.8	147	7.4
Southern	2,030	5.7	671	10.3	1,038	4.1	26	5.0	295	6.8
Western	318	13.4	89	24.5	189	7.2	4		36	19.0
Vermont	103	5.3	16		77	4.4	1		9	
Third Circuit	3,140	4.8	532	6.0	2,152	4.1	101	5.2	355	8.0
Delaware	186	3.9	52	5.2	119	3.6	4		11	
New Jersey	1,120	7.4	202	13.7	766	5.4	7		145	10.4
Pennsylvania:										
Eastern	1,054	3.9	159	4.4	751	3.6	46	4.4	98	6.3
Middle	256	3.1	54	3.2	175	2.9	5		22	
Western	524	6.0	65	7.0	341	5.1	39	7.3	79	7.7
Fourth Circuit	5,122	2.6	910	2.7	3,458	2.4	265	2.3	489	3.8
Maryland	1,351	3.8	305	3.4	867	3.7	85	3.8	94	5.6
North Carolina:										
Eastern	375	2.6	44	4.0	257	2.1	15		59	4.0
Middle	360	2.0	36	3.0	288	1.9	13		23	
Western	360	1.5	47	2.0	266	1.3	11		36	2.7
South Carolina	639	2.9	80	4.5	455	2.8	10		94	3.8
Virginia:										
Eastern	1,424	2.0	318	1.8	840	2.0	123	1.8	143	3.2
Western	252	1.0	24		215	.9	3		10	
West Virginia:										
Northern	90	2.8	7		76	2.7	2		5	
Southern	271	3.8	49	5.2	194	3.4	3		25	5.5
Fifth Circuit	12,304	2.4	1,917	4.0	8,427	1.9	689	2.7	1,271	4.8
Alabama:										
Northern	755	2.0	68	2.7	632	1.9	8		47	2.6
Middle	308	1.7	42	2.1	193	1.4	17		56	2.4
Southern	244	2.9	29	3.0	170	2.7	5		40	3.5
Florida:										
Northern	279	3.5	92	7.7	125	2.4	2		60	4.1
Middle	808	4.3	128	4.4	529	3.7	23		128	6.3
Southern	1,162	3.6	167	5.6	725	3.1	66	4.5	204	4.6
Georgia:										
Northern	706	4.2	151	6.1	427	3.5	7		121	6.9
Middle	356	2.1	26	5.0	293	2.0	6		31	3.3
Southern	1,533	.8	158	2.1	1,137	.8	202	.8	36	3.6
Louisiana:										
Eastern	1,095	2.7	217	5.7	723	1.9	70	2.8	85	6.1
Middle	186	2.7	32	6.2	134	2.2	6		14	
Western	951	.9	99	1.7	765	.8	58	1.6	29	5.0
Mississippi:										
Northern	132	2.5	19		77	1.8	2		34	4.1
Southern	148	3.4	21		106	2.7	1		20	
Texas:										
Northern	709	2.4	87	7.2	521	2.0	24		77	4.9
Eastern	204	2.8	22		155	1.9	5		22	
Southern	1,678	2.9	284	4.4	1,069	2.0	141	5.9	184	6.3
Western	1,050	2.9	275	4.1	646	2.2	46	2.9	83	4.2

¹See footnote at end of table.

TABLE D-6.—U.S. district courts, median time intervals from filing to disposition of criminal defendants disposed of during the fiscal year ended June 30, 1976, by district—Continued

Circuit and district	Total		Dismissed		Plea of guilty		Court trial		Jury trial	
	Number	Median (mos.)	Number	Median (mos.)	Number	Median (mos.)	Number	Median (mos.)	Number	Median (mos.)
Sixth Circuit	5,448	3.9	985	7.6	3,746	3.2	100	5.4	617	5.3
Kentucky:										
Eastern	509	4.5	120	10.0	261	2.9	8		120	5.2
Western	433	1.5	35	2.3	363	1.3	3		32	3.9
Michigan:										
Eastern	2,019	5.7	495	8.8	1,305	4.8	37	9.7	182	8.7
Western	329	4.9	71	17.0	234	3.8	3		21	
Ohio:										
Northern	847	3.0	104	5.7	663	2.7	16		64	4.7
Southern	492	2.8	62	3.8	368	2.5	9		53	4.2
Tennessee:										
Eastern	232	2.6	21		153	2.5	7		51	3.3
Middle	349	2.2	56	3.7	242	1.8	15		36	3.5
Western	238	5.3	21		157	4.7	2		58	6.6
Seventh Circuit	2,738	5.2	499	9.9	1,764	4.5	83	7.3	392	6.2
Illinois:										
Northern	1,060	5.4	164	24.0	707	4.5	47	7.8	14	6.2
Eastern	264	4.3	67	13.5	145	3.6	1		51	5.1
Southern	165	6.3	26	16.6	105	5.6	5		29	7.0
Indiana:										
Northern	519	5.1	105	7.1	314	4.5	7		93	5.7
Southern	374	4.7	41	6.5	293	4.6	11		29	5.0
Wisconsin:										
Eastern	242	7.2	60	8.6	140	5.5	7		35	8.9
Western	114	4.8	36	4.2	60	3.9	5		13	
Eighth Circuit	3,482	3.1	687	4.5	2,245	2.6	147	3.2	403	4.6
Arkansas:										
Eastern	350	3.9	39	8.0	217	3.4	18		76	7.5
Western	94	3.0	16		60	2.5	3		15	
Iowa:										
Northern	127	2.0	18		92	1.6	1		16	
Southern	159	3.6	23		94	3.3	3		39	3.9
Minnesota:										
Eastern	376	4.5	47	6.0	271	4.0	11		47	4.9
Missouri:										
Eastern	494	2.7	72	3.4	327	2.4	18		77	3.1
Western	1,053	1.9	253	2.1	677	1.9	72	1.9	51	7.4
Nebraska:										
Eastern	207	5.0	48	7.0	132	4.2	5		22	
Western	129	2.8	15		104	2.5	7		13	
South Dakota:										
Eastern	283	4.8	156	6.6	271	4.2	9		47	4.9
Ninth Circuit	10,373	3.1	2,110	4.8	6,827	2.5	470	3.5	966	4.6
Alaska:										
Eastern	224	4.1	44	8.5	159	3.2	2		19	
Western	1,683	3.0	387	3.2	1,035	2.8	73	3.0	188	3.6
California:										
Northern	848	3.3	197	4.4	544	2.6	31	3.7	76	5.2
Eastern	1,209	2.1	198	6.9	936	1.4	14		61	6.0
Central	2,259	3.2	417	4.3	1,519	2.8	101	3.7	222	4.3
Southern	2,152	2.9	363	6.9	1,512	2.2	114	4.4	163	4.8
Hawaii:										
Eastern	204	5.0	54	11.7	120	3.7	7		23	
Western	179	3.2	41	2.5	111	3.1	7		20	
Idaho:										
Eastern	213	2.3	49	3.2	145	1.9	4		15	
Western	357	3.9	117	4.8	176	2.8	6		58	4.6
Nevada:										
Eastern	296	5.4	108	8.6	139	3.4	21		28	6.2
Oregon:										
Eastern	168	3.4	25	5.0	109	2.7	11		23	
Western	581	3.0	110	4.9	322	2.6	79	8	70	4.9
Tenth Circuit	2,221	2.8	458	3.6	1,343	2.3	58	4.5	362	4.1
Colorado:										
Eastern	350	3.1	46	6.0	221	2.4	8		75	4.9
Western	525	3.2	138	3.4	323	2.8	4		60	5.3
Kansas:										
Eastern	492	3.0	116	4.0	237	2.4	7		42	3.7
New Mexico:										
Eastern	205	2.5	37	3.0	139	2.2	1		28	3.2
Western	95	3.2	10		41	3.1	2		42	3.6
Oklahoma:										
Eastern	275	1.9	27	2.0	190	1.7	7		51	2.5
Western	224	4.6	68	4.0	83	3.6	26	4.7	47	8.0
Utah:										
Eastern	145	1.8	16		109	1.6	3		17	
Wyoming:										

* Excludes Canal Zone, Guam and Virgin Islands.

Medians computed only where there are 25 or more defendants.

TABLE D-7.—U.S. district courts, disposition of defendants charged
year

Circuit and district	Total defendants	Not convicted					Convicted and sentenced			
		Total	NARA ¹	Dismissed	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
					Court	Jury			Court	Jury
Total	51,612	11,500	6	9,746	508	1,240	40,112	34,041	1,587	4,484
District of Columbia	1,004	152	1	118	9	24	852	714	48	90
90 districts	50,608	11,348	5	9,628	499	1,216	39,260	33,327	1,539	4,394
First Circuit	1,539	448		377	18	53	1,091	884	46	161
Maine	93	30		29		1	63	56		7
Massachusetts	840	185		148	11	26	655	504	34	117
New Hampshire	57	13		6	1	6	44	40		4
Rhode Island	127	33		31		2	94	83	3	8
Puerto Rico	422	187		163	6	18	235	201	9	25
Second Circuit	4,241	1,310		1,158	18	134	2,931	2,481	43	407
Connecticut	406	119		112	1	6	287	256	3	28
New York:										
Northern	149	33		29	1	3	116	99		17
Eastern	1,235	291		241	10	40	944	822	15	107
Southern	2,030	742		671	5	66	1,288	1,038	21	229
Western	318	108		89	1	18	210	189	3	18
Vermont	103	17		16		1	86	77	1	8
Third Circuit	3,140	635		532	25	78	2,505	2,152	76	277
Delaware	186	55		52	3		131	119	1	11
New Jersey	1,120	243		202	2	39	877	766	5	106
Pennsylvania:										
Eastern	1,054	188		159	14	15	866	751	32	83
Middle	256	61		54		7	195	175	5	15
Western	524	88		65	6	17	436	341	33	62
Fourth Circuit	5,122	1,056		910	43	103	4,066	3,458	222	386
Maryland	1,351	344		305	21	18	1,007	867	64	76
North Carolina:										
Eastern	375	60		44	1	15	315	257	14	44
Middle	360	39		36	2	1	321	288	11	22
Western	360	55		47	1	7	305	266	10	29
South Carolina	639	99		80	1	18	540	455	9	76
Virginia:										
Eastern	1,424	362		318	16	28	1,062	840	107	115
Western	252	27		24		3	225	215	3	7
West Virginia:										
Northern	90	9		7	1	1	81	76	1	4
Southern	271	61		49		12	210	194	3	13
Fifth Circuit	12,304	2,384	1	1,916	193	274	9,920	8,427	496	997
Alabama:										
Northern	755	77		68	1	8	678	632	7	39
Middle	308	60		42	8	10	248	193	9	46
Southern	244	34		29	1	4	210	170	4	36
Florida:										
Northern	279	111		92		19	168	125	2	41
Middle	808	147		128	6	13	661	529	17	115
Southern	1,162	228	1	166	13	48	934	725	53	156
Georgia:										
Northern	706	172		151	3	18	534	427	4	103
Middle	356	35		26	2	7	321	293	4	24
Southern	1,533	228		158	62	8	1,305	1,137	140	28
Louisiana:										
Eastern	1,095	259		217	21	21	836	723	49	64
Middle	186	41		32	4	5	145	134	2	9
Western	951	146		99	32	15	805	765	26	14
Mississippi:										
Northern	132	32		19	1	12	100	77	1	22
Southern	148	22		21		1	126	106	1	19

See footnotes at end of table.

TABLE D-7.—U.S. district courts, disposition of defendants charged
year 1976

Circuit and district	Total de- fend- ants	Not convicted					Convicted and sentenced			
		Total	NARA ¹	Dis- missed	Acquitted by		Total	Plea of guilty or nolo con- tendere	Convicted by	
					Court	Jury			Court	Jury
Texas:										
Northern	709	101		87	3	11	608	521	21	66
Eastern	204	34		22	3	9	170	155	2	13
Southern	1,678	355		284	15	56	1,323	1,069	126	128
Western	1,050	302		275	18	9	748	646	28	74
Sixth Circuit	5,448	1,136		985	23	125	4,312	3,746	74	492
Kentucky:										
Eastern	509	142		120	2	20	367	261	6	100
Western	433	47		35		12	386	363	3	20
Michigan:										
Eastern	2,019	541		495	10	36	1,478	1,305	27	146
Western	329	79		71	2	6	250	234	1	15
Ohio:										
Northern	847	119		104	1	14	728	653	15	50
Southern	492	67		62	2	3	425	368	7	50
Tennessee:										
Eastern	232	37		21	4	12	195	153	3	39
Middle	349	67		56	5	6	282	242	10	30
Western	238	37		21		16	201	157	2	42
Seventh Circuit	2,738	622		499	20	103	2,116	1,764	63	289
Illinois:										
Northern	1,060	215		164	10	41	845	707	37	101
Eastern	264	80		67		13	184	145	1	38
Southern	165	33		26	1	6	132	105	4	23
Indiana:										
Northern	519	125		105	3	17	394	314	4	76
Southern	374	52		41	2	9	322	293	9	20
Wisconsin:										
Eastern	242	71		60		11	171	140	7	24
Western	114	46		36	4	6	68	60	1	7
Eighth Circuit	3,482	826		687	41	98	2,656	2,245	106	305
Arkansas:										
Eastern	350	55		39	1	15	295	217	17	61
Western	94	27		16	1	10	67	60	2	5
Iowa:										
Northern	127	22		18	1	3	105	92		13
Southern	159	30		23	3	4	129	94		35
Minnesota:										
Northern	376	59		47	2	10	317	271	9	37
Missouri:										
Eastern	494	91		72	2	17	403	327	16	60
Western	1,053	287		253	23	11	766	677	49	40
Nebraska:										
Northern	207	55		48		7	152	132	5	15
South Dakota	139	21		15	3	3	118	104	4	10
South Dakota	483	179		156	5	18	304	271	4	29
Ninth Circuit	10,373	2,379		2,110	94	175	7,994	6,827	376	791
Alaska	224	50		44	2	4	174	159		15
Arizona	1,683	433		387	9	37	1,250	1,035	64	151
California:										
Northern	848	221		197	10	14	627	544	21	62
Eastern	1,209	210		198	2	10	999	936	12	51
Central	2,259	485		417	24	44	1,774	1,519	77	178
Southern	2,152	409		363	22	24	1,743	1,512	92	139
Hawaii	204	62		54	5	3	142	120	2	20
Idaho	179	44		41	1	2	135	111	6	18
Montana	213	55		49		6	158	145	4	9
Nevada	357	139		117	3	19	218	176	3	39
Oregon	296	115		108	4	3	181	139	17	25
Washington:										
Eastern	168	26		25	1		142	109	10	23
Western	581	130		110	11	9	451	322	68	61

See footnotes at end of table.

with federal offenses, showing type of sentence, by district, fiscal
— Continued

Type of sentence										Average sentence of imprisonment (months) ¹	Circuit and district
Imprisonment ¹						Probation	Fine only	Other			
Total	Split sentence ¹	1 year and 1 day and under	Over 1 year 1 day to 3 years	3 to 5 years	5 years and over						
366	30	46	75	124	91	222	19	1	42.8	Texas:	
74	11	11	13	26	13	86	10		33.7	Northern.	
639	80	85	89	201	184	629	39	16	44.5	Eastern.	
524	29	39	89	171	196	213	9	2	64.1	Southern.	
										Western.	
2,194	194	340	425	610	625	1,885	230	3	56.0	Sixth Circuit.	
261	20	41	74	56	70	93	13		48.8	Kentucky:	
211	18	40	43	47	63	142	32	1	60.1	Eastern.	
										Western.	
784	52	117	166	252	197	625	69		51.4	Michigan:	
73	3	12	2	20	36	143	34		73.2	Eastern.	
										Western.	
286	36	51	45	80	74	420	22		49.6	Ohio:	
243	20	16	35	62	110	170	10	2	93.5	Northern.	
										Southern.	
108	16	16	19	34	23	71	16		42.0	Tennessee:	
119	13	27	24	29	26	142	21		46.2	Eastern.	
109	16	20	17	30	26	79	13		45.5	Middle.	
										Western.	
1,075	143	194	192	262	284	965	64	12	44.9	Seventh Circuit.	
425	70	70	95	88	102	406	10	4	38.8	Illinois:	
95	11	2	21	32	29	87	2		49.2	Northern.	
48	9	10	1	14	14	72	12		50.9	Eastern.	
										Southern.	
223	24	30	29	71	69	163	8		50.0	Indiana:	
176	21	33	26	47	49	133	11	2	55.2	Northern.	
										Southern.	
66	7	23	11	7	18	83	18	4	46.0	Wisconsin:	
42	1	26	9	3	3	21	3	2	18.4	Eastern.	
										Western.	
1,061	117	141	168	335	300	1,498	94	3	52.2	Eighth Circuit.	
159	47	12	28	46	26	124	11	1	42.6	Arkansas:	
25	3	2	6	6	8	40	2		47.6	Eastern.	
										Western.	
32	1		7	14	10	61	12		72.1	Iowa:	
54	2	5	3	17	27	63	12		58.6	Northern.	
178	8	48	43	35	44	137	2		41.9	Southern.	
										Minnesota.	
251	24	14	19	93	101	147	3	2	67.5	Missouri:	
169	16	21	33	70	49	586	11		60.1	Eastern.	
50	6	5	8	16	15	85	17		39.9	Western.	
47	2	14	5	18	8	58	13		36.4	Nebraska.	
96	8	20	16	40	12	197	11		38.1	North Dakota.	
										South Dakota.	
4,098	706	1,259	612	731	788	3,510	328	58	34.5	Ninth Circuit.	
43	3	13	6	10	11	80	51		40.4	Alaska.	
838	42	245	236	202	113	399	11	2	31.0	Arizona.	
										California:	
284	27	55	38	62	102	310	32	1	62.8	Northern.	
618	318	163	24	37	76	322	38	21	20.5	Eastern.	
831	156	206	104	140	225	914	24	5	41.0	Central.	
867	70	468	118	114	97	841	17	18	22.5	Southern.	
53	6	8	11	17	11	70	19		38.9	Hawaii.	
53	7	17	13	11	5	68	13	1	26.1	Idaho.	
39	4	4	2	18	11	101	16	2	54.6	Montana.	
106	15	17	9	30	35	103	4	5	53.5	Nevada.	
95	14	9	10	29	33	66	20		58.0	Oregon.	
										Washington:	
60	15	5	12	13	15	76	6		48.4	Eastern.	
211	31	49	29	48	54	160	77	3	47.7	Western.	

TABLE D-7.—*U.S. district courts, disposition of defendants charged year 1976*

Circuit and district	Total defendants	Not convicted					Convicted and sentenced			
		Total	NARA ¹	Dismissed	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
					Court	Jury			Court	Jury
Tenth Circuit	2,221	552	4	454	21	73	1,669	1,343	37	289
Colorado	350	61		46	4	11	289	221	4	64
Kansas	525	148	4	134		10	377	323	4	50
New Mexico	402	120		116		4	282	237	7	38
Oklahoma:										
Northern	205	40		37		3	165	139	1	25
Eastern	95	33		10	2	21	62	41		21
Western	275	38		27	1	10	237	190	6	41
Utah	224	94		68	12	14	130	83	14	33
Wyoming	145	18		16	2		127	109	1	17

¹Includes sentences of more than 6 months which are to be followed by a term of probation (mixed sentences).

²Defendants who were committed under 28 U.S.C. 2902(b) of the Narcotic Addict Rehabilitation Act.

³A split sentence is a sentence on a one-count indictment of 6 months or less in a jail-type institu-

with federal offenses, showing type of sentence, by district, fiscal
— Continued

Type of sentence									Average sentence of imprisonment (months) ^a	Circuit and district
Imprisonment ^c						Probation	Fine only	Other		
Total	Split sentence ^a	1 year and 1 day and under	Over 1 year 1 day to 3 years	3 to 5 years	5 years and over					
873	70	134	132	282	255	724	66	6	49.1	Tenth Circuit.
130	11	18	29	35	37	143	15	1	52.4	Colorado.
201	17	15	15	71	83	152	22	2	54.4	Kansas.
182	29	35	19	58	41	98	1	1	37.2	New Mexico.
76	4	5	24	30	13	88	1	.....	47.4	Oklahoma.
25	.....	3	3	6	13	37	.....	.....	47.4	Northern.
164	4	48	32	41	39	69	3	1	83.0	Eastern.
38	1	5	4	4	24	80	11	1	44.1	Western.
57	4	5	6	37	5	57	13	.....	79.3	Utah.
									42.4	Wyoming.

tion followed by a term of probation, 18 U.S.C. 3651. Included in these figures are mixed sentences involving confinement for 6 months or less on one count, to be followed by a term of probation on one or more counts.

¹Excludes districts where number imprisoned was 25 or less.

TABLE D-8.—U.S. district courts, criminal cases pending on

The data presented on this table should be regarded as non-comparable to criminal statistics published in January 3, 1975) necessitated changes

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bez- zle- ment	Fraud	Auto theft
Total all districts	19,756	56	780	263	133	1,441	542	2,176	531
District of Columbia	400	5	26	5	6	56	2	22	13
First Circuit	708		37	5	5	48	14	104	16
Maine	58		1	1		4		7	1
Massachusetts	440		24	2	5	31	9	60	5
New Hampshire	29		2			2		6	
Rhode Island	77					7	2	22	10
Puerto Rico	104		10	2		4	3	9	
Second Circuit	2,734	1	135	18	4	216	92	441	14
Connecticut	271		10			17	11	58	1
New York									
Northern	152		1	2	1	6	8	21	1
Eastern	922		45	4		88	23	115	3
Southern	903		55	11	2	87	37	178	
Western	387	1	23	1	1	14	12	65	5
Vermont	99		1			4	1	4	4
Third Circuit	1,182	13	92	36	25	88	45	245	33
Delaware	50		4	2			5	7	4
New Jersey	358	1	33	4	3	33	20	126	12
Pennsylvania									
Eastern	238		29	4	1	16	8	49	4
Middle	89	1	10			4	1	6	2
Western	224		12	4	2	11	2	33	6
Virgin Islands	223	11	4	22	19	24	9	24	5
Fourth Circuit	1,406	5	66	17	2	150	39	125	41
Maryland	619	1	21	10		87	13	45	8
North Carolina									
Eastern	69	2	6	1		4	3	3	2
Middle	64		5			3	1	11	6
Western	57		3	3	1	3	2	8	1
South Carolina	145	1	15		1	15	5	18	9
Virginia									
Eastern	288	1	12	3		28	7	21	6
Western	35		2			1		5	
West Virginia									
Northern	18						2	3	
Southern	111		2			9	6	11	9
Fifth Circuit	3,457	3	69	16	17	209	70	286	159
Alabama									
Northern	142		4		1	8	2	9	29
Middle	32		1		2	4	2	2	3
Southern	47					3	3	7	1
Florida									
Northern	45		4	2		1	1	5	8
Middle	283	1	8	1		26	12	45	12
Southern	556	1	9	4		23	11	50	20
Georgia									
Northern	262		13	1		19	2	39	27
Middle	69		1			3	2	9	9
Southern	227		6		1	24	4	6	3
Louisiana									
Eastern	153		7	1		14	1	14	6
Middle	36					4		4	3
Western	126		4	1		5	4	5	7
Mississippi									
Northern	20					1			5
Southern	44		1	1		5	1	3	3

See footnotes at end of table.

TABLE D-8.—U.S. district courts, criminal cases pending on

Circuit and district	Total	General offenses							
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft
Texas:									
Northern	210		3			18	6	35	9
Eastern	49		1			6		7	1
Southern	778		1			22	10	23	10
Western	327		6	5	1	16	6	21	3
Canal Zone	60	1			12	7	3	2	
Sixth Circuit	2,088	2	79	25	8	224	87	208	75
Kentucky:									
Eastern	141		4	5	1	3	1	5	15
Western	74		1		2	3	2	5	6
Michigan:									
Eastern	1,034	1	38	7	1	109	42	129	17
Western	190		5	1	2	23	11	15	1
Ohio:									
Northern	350		12	8	1	46	18	25	12
Southern	69	1	13			6	4	4	1
Tennessee:									
Eastern	30					3	1	1	4
Middle	63		3	3		6		3	8
Western	137		3	1	1	19	8	21	11
Seventh Circuit	1,283	3	54	12	2	137	48	178	29
Illinois:									
Northern	667	1	18	5		86	27	104	7
Eastern	46	1				4	1	8	8
Southern	70		1	1	1	2	2	8	1
Indiana:									
Northern	213	1	14	2	1	30	6	17	5
Southern	126		12			10	4	11	5
Wisconsin:									
Eastern	123		7	3		5	8	26	1
Western	38		2	1				4	2
Eighth Circuit	997	13	29	69	47	74	27	113	41
Arkansas:									
Eastern	86		2			9	2	16	6
Western	36		1	3		4	1	7	
Iowa:									
Northern	40	1	3		1	2		6	1
Southern	53			1		7	3	8	3
Minnesota:	147		4	3		10	6	20	3
Missouri:									
Eastern	126		4	2		12	2	17	5
Western	170		3	2		7	6	12	7
Nebraska	115	1	8	1	2	2	3	14	7
North Dakota	34		2	4	1			7	1
South Dakota	190	11	2	53	43	21	4	6	8
Ninth Circuit	4,870	10	178	54	15	183	96	376	69
Alaska	84		1	1	1	2	8	9	
Arizona	934	5	10	10	3	15	7	18	11
California:									
Northern	210		30	3		12	15	42	4
Eastern	265	1	15	1	2	21	8	26	7
Central	1,039		69	11	2	67	22	159	23
Southern	1,501		12	17		10	5	19	5
Hawaii	101	1	6	1	1	4	2	13	1
Idaho	43					5	1	4	
Montana	74		4	3	2	10	1	9	
Nevada	113		2	3	1	6	1	22	6
Oregon	170	1	14	3		16	8	32	7
Washington:									
Eastern	74					3	1	4	3
Western	251	2	15	1	1	12	17	19	2
Guam	11				2				

See footnotes at end of table

June 30, 1976, by nature of offense and district — Continued

General offenses—continued						Special offenses				Circuit and district
For- gery and counter- feit- ing	Sex of- fenses	Narcotics laws		Weap- ons and fire- arms	Other	Immi- gra- tion laws	Liq- uor, Inter- nal re- venue	Select- ive Serv- ice Act	Other	
		Old ¹	New ²							
27		1	24	16	42	2		18	9	Texas:
4			2	9	1			7	2	Northern.
13	1	22	400	36	130	5*	2	33	17	Eastern.
17	1	14	120	21	22	41	1	13	13	Southern.
	1		26		6	2				Western.
										Canal Zone
233	3	2	331	172	158	15	9	331	126	Sixth Circuit
8			4	37	20		1	11	20	Kentucky:
11			9	7	8	1		10	9	Eastern.
										Western.
113		1	258	73	57	13	2	128	45	Michigan:
20	1	1	12	19	9		1	59	10	Eastern.
										Western.
43			25	10	23	1	1	111	14	Ohio:
11	1		7	12	5				4	Northern.
										Southern.
7			1	5	4		1	2	1	Tennessee:
12			6	6	4		2	2	8	Eastern.
8	1		9	3	28		1	8	15	Middle.
										Western.
165	2	14	262	91	161	15		172	58	Seventh Circuit
58	1	14	181	38	49	10		41	27	Illinois:
4				7	10	1			2	Northern.
8			1	4	6	1		27	7	Eastern.
										Southern.
10	1		41	19	16	1		42	7	Indiana:
11			11	7	8	1		40	6	Northern.
										Southern.
10			18	16	9	1		13	6	Wisconsin:
4			10	3	3			9	3	Eastern.
										Western.
79	9	2	82	42	129	3	4	176	58	Eighth Circuit
14			6	12	4			9	6	Arkansas:
5				1	2		3	2	7	Eastern.
										Western.
2					3			17	4	Iowa:
9		1	2	2	3	1		7	6	Northern.
7	1		28	4	10		1	45	5	Southern.
										Minnesota.
18		1	13	8	15			20	9	Missouri:
10			20	5	72	2		18	6	Eastern.
8	1		8	3	10			41	6	Western.
1				1	3			10	4	Nebraska.
5	7		5	6	7			7	5	North Dakota.
										South Dakota.
221	11	375	1,296	174	898	273	6	420	215	Ninth Circuit
4		1	37	3	8			5	4	Alaska.
11	3	25	351	24	368	26		33	16	Arizona.
										California:
16		1	32	9	21	6		6	13	Northern.
26		9	33	18	21	15		38	24	Eastern.
79		37	178	51	65	29	4	175	48	Central.
12	1	275	17	15	356	170	1	22	62	Southern.
9	1	4		7	8	1		12	8	Hawaii.
2				5		1		18	1	Idaho.
5			6	1	1	1	1	28	2	Montana.
14			19	5	9	7		9	9	Nevada.
11			17	19	11	2		16	13	Oregon.
										Washington:
6	3		16	10	4	5		23	2	Eastern.
26	2	3	62	7	26	9		35	12	Western.
			7			1			1	Guam.

TABLE D-8.—U.S. district courts, criminal cases pending on

Circuit and district	Total	General offenses							
		Homi- cide	Rob- bery	As- sault	Bur- glary	Lar- ceny	Em- bezzle- ment	Fraud	Auto theft
Tenth Circuit	631	1	15	6	2	56	22	78	41
Colorado	134		3	1		8	7	22	4
Kansas	193		4	1		19	2	19	17
New Mexico	118	1	2	2		3	1	1	9
Oklahoma:									
Northern	56		3			7	2	8	2
Eastern	8		1			1	1	1	
Western	57		2	1	1	8	4	7	8
Utah	55			1	1	8	5	20	1
Wyoming	10					2			

¹Old law—Harrison Narcotic Drug Act, Marihuana Tax Act and Border registration of addicts and narcotic law violators was repealed May 1, 1971. It was replaced by the:

June 30, 1976, by nature of offense and district — Continued

General offenses—continued						Special offenses					Circuit and district
Forgery and counterfeiting	Sex of-fenses	Narcotics laws		Weap- ons and fire- arms	Other	Immig- ra- tion laws	Liquor. Internal revenue	Selective Service Act	Other		
		Old¹	New²								
77	3	5	122	40	68	7	1	56	31	Tenth Circuit.	
11	1	2	36	5	7	1		22	4	Colorado.	
37			29	16	23	1		15	10	Kansas.	
7		3	38	9	23	1		11	7	New Mexico.	
										Oklahoma:	
9			7	6	4	4		4		Northern.	
1					1		1	1		Eastern.	
9			7		8			2		Western.	
2	1		2	4	1			1	8	Utah.	
1	1		3		1				2	Wyoming.	

¹Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) which became effective May 1, 1971.

TABLE D-8A.—U.S. district courts, criminal cases pending on pending 6 months or more), by

The data presented on this table should be regarded as non-comparable to criminal statistics published in January 3, 1975) necessitated changes

Circuit and district	Total	General offenses								
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft	Forgery and counterfeiting
Total all districts	12,668	50	685	234	120	1,223	493	1,840	425	1,204
District of Columbia	351	4	23	3	6	52	2	18	12	36
First Circuit	465		33	4	4	38	12	89	15	49
Maine	19			1		2		7	1	4
Massachusetts	305		23	2	4	25	7	52	4	19
New Hampshire	9		2					3		2
Rhode Island	69					7	2	21	10	14
Puerto Rico	63		8	1		4	3	6		10
Second Circuit	1,813		113	18	4	171	76	394	10	137
Connecticut	171		3			13	10	51		16
New York										
Northern	72		1	2	1	5	7	17		3
Eastern	509		36	4		67	18	99	2	34
Southern	717		51	11	2	67	33	164		59
Western	306		22	1	1	15	9	59	5	21
Vermont	38					4	1	4	3	4
Third Circuit	1,016	12	89	34	24	81	44	235	29	95
Delaware	39		4	1			5	5	4	8
New Jersey	336	1	32	4	3	30	20	123	10	33
Pennsylvania										
Eastern	232		28	4	1	15	8	46	4	25
Middle	45	1	9			4	1	6	1	1
Western	150		12	3	1	10	1	31	5	20
Virgin Islands	214	10	4	22	19	22	9	24	5	8
Fourth Circuit	1,017	4	54	15	2	135	34	100	27	123
Maryland	514	1	17	10		82	12	36	6	38
North Carolina										
Eastern	55	1	6	1		5	3	3	2	11
Middle	39		3			3		8	5	9
Western	41		2	2	1	2	2	7		7
South Carolina	101	1	13		1	14	5	14	6	20
Virginia										
Eastern	162	1	9	2		21	5	16	4	21
Western	16		2			1		3		2
West Virginia										
Northern	9						1	2		3
Southern	80		2			7	6	11	4	12
Fifth Circuit	2,277	3	57	11	14	160	65	242	127	209
Alabama										
Northern	102		2		1	7	2	5	24	30
Middle	29		1		1	4	2	3	2	2
Southern	40					2	3	6	1	4
Florida										
Northern	42		4	1		1	1	5	8	3
Middle	180	1	5	1		18	11	40	10	23
Southern	258	1	8	4		17	10	31	12	29
Georgia										
Northern	177		9			14	2	35	20	31
Middle	38		1				1	9	6	2
Southern	191		6		1	18	4	4	1	2
Louisiana										
Eastern	143		7	1		14	1	14	6	18
Middle	32					4		5	3	6
Western	122		3	1		5	4	5	7	10

See footnotes at end of table

General offenses—continued					Special offenses				Circuit and district
Sex of- fenses	Narcotics laws		Weap- ons and fire- arms	Other	Immig- ra- tion laws	Liq- uor, Inter- nal re- venue	Select- ive Serv- ice Act	Other	
	Old ¹	New ²							
47	65	2,579	865	1,457	226	24	248	883	Total all districts.
2	3	106	42	25				17	District of Columbia.
1	1	90	32	40	2		23	32	First Circuit.
1	1	2 67	26	35 1			23	2 16	Maine Massachusetts.
		4	5	3	1			2	New Hampshire.
		17	1	1	1			11	Rhode Island. Puerto Rico.
2	14	359	76	167	12	3	105	150	Second Circuit.
		13	18	17	1	1	18	10	Connecticut.
		3	1	7	3		2	20	New York:
	5	106	13	44	3		18	60	Northern.
2	9	169	28	73	1	2	10	38	Eastern.
		55	11	26	1		57	21	Southern.
		13	5		3			1	Western. Vermont.
8	1	126	63	116	7		14	38	Third Circuit.
	1	2 23	1 6	9 25					Delaware.
		62	16	18	1			4	New Jersey.
		2	4	10			1	5	Pennsylvania:
1		16	22	13			11	4	Eastern.
7		21	14	41	5			3	Middle. Western. Virgin Islands.
1	2	103	90	253			13	61	Fourth Circuit.
		67	30	185				30	Maryland.
		9	7	2			1	4	North Carolina.
		4	4	4			1	2	Eastern.
		7	5	4				2	Middle.
		2	8	11				6	Western.
1	2	13	20	35			7	5	South Carolina.
			5	1			1	1	Virginia.
				1			2		Eastern.
		5	11	10			1	11	Western. West Virginia: Northern. Southern
7	10	577	172	303	75	10	11	224	Fifth Circuit.
1		3 5 10	18 3 4	3 4 1		2		4 2 4	Alabama: Northern. Middle. Southern.
2		9 34 90	1 6 2	6 16 27			1	1 9 18	Florida: Northern. Middle. Southern.
1	1	7 4 4	22 2 8	24 8 115		1 1	4 2 1	7 3 26	Georgia: Northern. Middle. Southern.
1		19 1 1	11 11 4	8 4 1	5			38 1 77	Louisiana: Eastern. Middle. Western.

TABLE D-8A.—U.S. district courts, criminal cases pending on June or more), by nature of offense

Circuit and district	Total	General offenses								
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft	Forgery and counterfeiting
Mississippi:										
Northern	15					1			4	5
Southern	40		1			5	1	3	3	7
Texas:										
Northern	137		3			13	5	29	7	19
Eastern	30					6		7	1	2
Southern	468		1			15	9	20	10	6
Western	193		6	3	1	14	6	19	2	10
Canal Zone	10	1			10	2	3	2		
Sixth Circuit	1,495	2	71	22	7	189	83	188	61	195
Kentucky:										
Eastern	107		2	5	1	9	1	5	12	5
Western	48		1		2	2	2	4	3	9
Michigan:										
Eastern	778	1	37	5	1	93	41	116	16	95
Western	123		5	1	1	20	10	15	1	19
Ohio:										
Northern	194		10	7	1	36	16	21	8	36
Southern	63	1	11			6	4	4	1	10
Tennessee:										
Eastern	18					3	1	1	2	4
Middle	61		3	3		6		3	8	12
Western	103		2	1	1	14	8	19	10	5
Seventh Circuit	826	3	47	11	1	126	41	150	26	73
Illinois:										
Northern	428	1	14	4		78	21	84	5	38
Eastern	44	1				4	1	7	8	4
Southern	33		1	1		2	2	7		7
Indiana:										
Northern	136	1	12	2	1	28	5	17	5	8
Southern	73		11			9	4	10	5	7
Wisconsin:										
Eastern	90		7	3		5	8	21	1	7
Western	22		2	1				4	2	2
Eighth Circuit	694	11	28	67	46	68	24	94	35	62
Arkansas:										
Eastern	53		2			8	2	12	5	8
Western	33		1	3		4	1	7		5
Iowa:										
Northern	17		3		1	2		4	1	1
Southern	38			1		5	3	6	3	8
Minnesota:										
Eastern	82		4	2		9	5	16	2	5
Missouri:										
Eastern	86		4	2		11	2	13	4	16
Western	129		3	2		6	5	12	7	8
Nebraska:										
Eastern	59	1	7	1	1	2	2	13	5	5
Western	19		4					5		1
North Dakota:										
Eastern	178	10	2	52	43	21	4	6	8	5
South Dakota:										
Ninth Circuit	2,294	10	159	43	10	157	90	266	49	163
Alaska:										
Eastern	70		1	1	1	2	8	6		4
Western	322	5	9	9	3	14	5	11	6	6
California:										
Northern	189		29	3		13	15	40	4	14
Eastern	177	1	12	1	2	19	7	19	7	20
Central	564		61	11		49	20	98	16	55
Southern	433		11	8		6	5	14	1	7
Hawaii:										
Eastern	66	1	6	1	1	4	2	10		5
Idaho:										
Eastern	24					5	1	4		2
Montana:										
Eastern	35		4	3	1	8	1	8		4
Nevada:										
Eastern	78		2	2	1	7	1	12		13
Oregon:										
Eastern	131	1	11	3		16	8	27	6	9

See footnotes at end of table.

30, 1976 (exclusive of fugitive defendants in cases pending 6 months and district — Continued

General offenses—continued					Special offenses					Circuit and district
Sex of offenses	Narcotics laws		Weap- ons and fire- arms	Other	Immi- gra- tion laws	Liq- uor. Inter- nal rev- enue	Selec- tive Serv- ice Act	Other		
	Old ¹	New ²								
		5	3 11	4				2	Mississippi: Northern. Southern.	
		15	14	23	2			7	Texas: Northern. Eastern.	
1	8	244	30	41	29	1	1	13	Southern. Western.	
1	1	72	13	11	24			10	Canal Zone	
		13		6	2					
2	1	273	135	117	12	6	21	110	Sixth Circuit.	
		3	32	13		1		18	Kentucky: Eastern. Western.	
		9	3	4				9	Michigan: Eastern. Western.	
1	1	211	54	44	12	1	11	40	Ohio: Northern. Southern.	
		7	17	8		1	6	10	Tennessee: Eastern. Middle. Western.	
1		23	8	16		1	1	10		
		6	11	4				4		
		1	2	3			1			
		6	6	4		1	1	8		
		7	2	21		1	1	11		
1	1	157	60	74	8		6	41	Seventh Circuit.	
1	1	98	20	37	5		2	19	Illinois: Northern. Eastern. Southern.	
		1	2	3	1			2	Indiana: Northern. Southern.	
		26	14	11	1		1	4	Wisconsin: Eastern. Western.	
		10	3	6	1		1	6		
		13	14	7			1	3		
		9		1			1			
9		65	31	100	1	3	1	49	Eighth Circuit.	
		3	8	3				2	Arkansas: Eastern. Western.	
			1	1		3		7	Iowa: Northern. Southern.	
		2	2	2				3	Minnesota: Eastern. Western.	
1		22	4	6				6	Missouri: Eastern. Western.	
		11	6	10				7	Nebraska.	
1		14	1	64	1			6	North Dakota. South Dakota.	
		8	2	7				4		
7		5	6	5				4		
11	32	649	136	221	107	1	50	140	Ninth Circuit.	
		35	2	5			1	4	Alaska.	
3		136	15	66	22		4	8	Arizona. California: Northern. Eastern. Central. Southern.	
		26	7	19	5		1	13	Hawaii.	
	1	24	17	13	4		11	19	Idaho.	
	22	86	42	37	14	1	21	31	Montana.	
1	9	240	10	46	45		1	29	Nevada.	
		18	4	6	1		1	5	Oregon.	
1		5	4		1		1	1		
		1	1	1			2	2		
		13	3	7	4			7		
		12	17	7	2		1	11		

TABLE D-8A.—U.S. district courts, criminal cases pending on June or more), by nature of offense

Circuit and district	Total	General offenses								
		Homicide	Robbery	Assault	Burglary	Larceny	Embezzlement	Fraud	Auto theft	Forgery and counterfeiting
Washington:										
Eastern	39					3	1	3	3	4
Western	158	2	13	1	1	11	16	14	2	20
Guam	8									
Tenth Circuit	420	1	11	6	2	46	20	64	34	62
Colorado	71		1	1		8	6	15	2	7
Kansas	138		3	1		16	2	15	16	30
New Mexico	60	1	2	2			1	1	6	6
Oklahoma:										
Northern	41		3			5	2	7	2	7
Eastern	4		1					1		1
Western	50		1	1	1	7	4	7	8	9
Utah	48			1	1	8	5	18		1
Wyoming	8					2				1

¹Old Law—Harrison Narcotic Drug Law, Marihuana Tax Act and Border Registration of addicts and narcotic law violators was repealed May 1, 1971. It was replaced by the:

30, 1976 (exclusive of fugitive defendants in cases pending 6 months and district — Continued

General offenses—continued					Special offenses				Circuit and district
Sex f. females	Narcotics laws		Weapons and fire- arms	Other	Immigra- tion laws	Liquor, Internal revenue	Selective Service Act	Other	
	Old ¹	New ²							
3		6	8	1	4		1	2	Washington: Eastern. Western. Guam.
2		41	6	13	4		3	9	
		6			1			1	
3		74	28	41	2	1	4	21	Tenth Circuit.
1		19	4	6				1	Colorado.
		18	11	16	1		3	6	Kansas.
		22	5	8	1		1	4	New Mexico.
		6	6	3					Oklahoma: Northern.
						1			Eastern.
		6		6					Western.
1		2	2	1				8	Utah.
1		1		1				2	Wyoming.

¹Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) which became effective May 1, 1971.

TABLE D-8B.—U.S. district courts, criminal cases pending, by district and length of time pending, as of June 30, 1976

Circuit and district	Total	Pend- ing less than 6 months	Age of pending cases without fugi- tive defendants				Age of pending cases with fugi- tive defendants			
			Total	6-12 months	1-2 years	3 years or more	Total	6-12 months	1-2 years	3 years or more
Total all districts	19,756	9,058	3,580	1,576	1,526	478	7,088	867	2,070	4,151
District of Columbia	400	293	58	23	19	16	49	12	14	23
First Circuit	708	278	187	78	90	19	243	18	85	140
Maine	58	16	3	2		1	39	3	6	30
Massachusetts	440	173	132	50	67	15	135	6	46	83
New Hampshire	29	8	1		1		20	1	3	16
Rhode Island	77	40	29	15	14		8		8	
Puerto Rico	104	41	22	11	8	3	41	8	22	11
Second Circuit	2,734	921	892	315	443	134	921	104	279	538
Connecticut	271	115	56	26	27	3	100	7	27	66
New York:										
Northern	152	44	28	19	8	1	80	5	10	65
Eastern	922	280	229	97	91	41	413	24	96	293
Southern	903	367	350	123	178	49	186	61	97	28
Western	387	82	224	46	138	40	81	3	27	51
Vermont	99	33	5	4	1		61	4	22	35
Third Circuit	1,182	711	305	141	138	26	166	20	45	101
Delaware	50	31	8	5	3		11	2	4	5
New Jersey	358	213	123	35	72	16	22	7	7	8
Pennsylvania:										
Eastern	238	178	54	33	21		6	2		4
Middle	89	38	7	5	1	1	44	4	12	28
Western	224	77	73	32	32	9	74	5	15	54
Virgin Islands	223	174	40	31	9		9		7	2
Fourth Circuit	1,406	798	219	119	75	25	389	71	100	218
Maryland	619	415	99	61	33	5	105	18	26	61
North Carolina:										
Eastern	69	39	16	7	9		14	2	2	10
Middle	64	31	8	4		4	25	3	8	14
Western	57	38	3	1	1	1	16	3	3	10
South Carolina	145	89	12	8	4		44	10	14	20
Virginia:										
Eastern	288	119	43	21	11	11	126	20	31	75
Western	35	15	1	1			19	4	7	8
West Virginia:										
Northern	18	6	3	1		2	9		1	8
Southern	111	46	34	15	17	2	31	11	8	12
Fifth Circuit	3,457	1,849	428	223	154	51	1,180	189	416	575
Alabama:										
Northern	142	83	19	12	7		40	10	14	16
Middle	32	29					3	3		
Southern	47	34	6	4	2		7	1	4	2
Florida:										
Northern	45	31	11	9	2		3	1	2	
Middle	283	155	25	10	5	10	103	8	45	50
Southern	556	204	54	29	20	5	298	42	112	144
Georgia:										
Northern	262	133	44	27	13	4	85	19	27	39
Middle	69	25	13	1	9	3	31	7	6	18
Southern	227	165	26	17	9		36	23	7	6
Louisiana:										
Eastern	153	108	35	17	17	1	10	3	5	2
Middle	36	27	5	4	1		4		1	3
Western	126	113	9	7	2		4	4		
Mississippi:										
Northern	20	15					5	1	2	2
Southern	44	32	8	2	4	2	4		1	3
Texas:										
Northern	210	117	20	11	8	1	73	10	18	45
Eastern	40	24	6	2	3	1	10	1	5	4
Southern	778	392	76	37	28	11	310	40	107	163
Western	327	130	63	30	22	11	134	12	44	78
Canal Zone	60	32	8	4	2	2	20	4	16	

TABLE D-8B.—U.S. district courts, criminal cases pending, by district and length of time pending, as of June 30, 1976 —
Continued

Circuit and district	Total	Pend- ing less than 6 months	Age of pending cases without fugi- tive defendants				Age of pending cases with fugi- tive defendants			
			Total	6-12 months	1-2 years	3 years or more	Total	6-12 months	1-2 years	3 years or more
Sixth Circuit	2,088	1,010	485	220	207	58	593	60	132	401
Kentucky:										
Eastern	141	70	37	18	15	4	34	5	10	19
Western	74	37	11	7	4		26	3	10	13
Michigan:										
Eastern	1,034	473	305	117	149	39	256	28	64	164
Western	190	85	38	24	10	4	67		14	53
Ohio:										
Northern	350	160	34	21	11	2	156	7	19	130
Southern	69	55	8	6	2		6	4	1	1
Tennessee:										
Eastern	30	15	3	1	2		12	4	3	5
Middle	63	49	12	5	3		2	1		1
Western	137	66	37	21	11	5	34	8	11	15
Seventh Circuit	1,283	623	203	106	80	17	457	62	126	269
Illinois:										
Northern	667	310	118	70	45	3	239	55	77	107
Eastern	46	33	11	6	5		2		2	
Southern	70	21	12	6	4	2	37		5	32
Indiana:										
Northern	213	108	28	12	12	4	77	4	26	47
Southern	126	62	11	5	3	3	53	1	7	45
Wisconsin:										
Eastern	123	72	18	5	10	3	33	1	9	23
Western	38	17	5	2	1	2	16	1		15
Eighth Circuit	997	567	127	72	50	5	303	32	52	219
Arkansas:										
Eastern	86	38	15	9	6		33	4	16	13
Western	36	25	8	2	5	1	3			3
Iowa:										
Northern	40	15	2		2		23	1	3	17
Southern	53	32	6	5	1		15	2	1	12
Minnesota:	147	58	24	11	12	1	65	7	8	50
Missouri:										
Eastern	126	75	11	10	1		40	3	8	29
Western	170	113	16	11	4	1	41	10	7	24
Nebraska:	115	49	10	2	6	2	56	2	4	50
North Dakota:	34	13	6	6			15	1	1	13
South Dakota:	190	149	29	16	13		12	2	2	8
Ninth Circuit	4,870	1,692	602	245	239	118	2,576	268	751	1,557
Alaska:	84	56	14	8	6		14	1	5	8
Arizona:	934	277	45	23	15	7	612	84	232	296
California:										
Northern	210	157	32	21	9	2	21	5	5	11
Eastern	265	119	58	24	29	5	88	9	23	56
Central	1,039	412	152	35	51	66	475	46	105	324
Southern	1,501	278	155	51	76	23	1,068	94	304	670
Hawaii:	101	40	26	13	13		35		12	23
Idaho:	43	24					19	2		17
Montana:	74	27	8	6	1	1	39	2	1	36
Nevada:	113	58	20	11	3	6	35	13	8	14
Oregon:	170	80	51	28	23		39	4	15	20
Washington:										
Eastern	74	33	6	2	3	1	35		5	30
Western	251	125	33	22	10	1	93	7	34	52
Guam:	11	6	2	1		1	3	1	2	
Tenth Circuit	631	346	74	34	31	9	211	31	70	110
Colorado:	134	57	14	3	8	3	63	3	25	35
Kansas:	193	110	28	10	17	1	55	7	15	33
New Mexico:	118	43	17	9	3	5	58	11	17	30
Oklahoma:										
Northern	56	37	4	4			15	2	6	7
Eastern	8	3	1	1			4	2	1	1
Western	57	50					7	3	1	3
Utah:	55	39	9	6	3		7	1	5	1
Wyoming:	10	7	1	1			2	2		

TABLE E-1.—U.S. district courts, persons received for and district, fiscal

Circuit and district	Persons under supervision July 1, 1975	Total received	Received for supervision								Received by transfer
			Total less transfers	Court probation	De-ferred prosecution	U.S. magistrate probation	Pa role	Man-datory release	Military pa-role	Special pa-role	
Total all districts	64,261	44,620	35,102	18,375	1,711	5,358	6,286	1,935	232	1,205	9,518
District of Columbia	2,285	1,197	1,043	430		215	328	54	2	14	154
First Circuit	1,584	1,148	932	576	33	101	121	46	8	47	216
Maine	116	74	50	32		3	10	5			24
Massachusetts	963	716	611	388	24	58	71	29	4	37	105
New Hampshire	106	72	44	34		3	7				28
Rhode Island	140	100	78	46		14	15	3			22
Puerto Rico	259	186	149	76	9	23	18	9	4	10	37
Second Circuit	5,410	3,432	2,720	1,704	195	36	442	162	20	161	712
Connecticut	533	343	267	177	16	1	48	18		7	76
New York											
Northern	263	160	123	60	19	9	21	6	3	5	37
Eastern	2,089	1,189	865	534	28	3	196	49	11	44	304
Southern	2,014	1,459	1,219	758	131		155	75	5	95	240
Western	364	221	187	127	1	23	14	14	1	7	34
Vermont	147	80	59	48			8			3	21
Third Circuit	4,751	3,425	2,983	1,477	124	838	346	111	8	79	442
Delaware	231	145	127	69	3	36	17	1		1	18
New Jersey	1,529	1,221	1,005	469	8	346	111	46	3	22	216
Pennsylvania											
Eastern	1,850	1,411	1,379	582	62	417	133	37	3	45	132
Middle	289	192	156	102	15	19	12	5	1	2	36
Western	852	456	416	255	36	20	73	22	1	9	40
Fourth Circuit	6,475	4,312	3,622	1,800	157	859	647	107	25	27	690
Maryland	1,442	1,242	1,116	356	21	553	149	28	4	5	126
North Carolina											
Eastern	592	411	322	178	7	67	55	12	3		89
Middle	816	326	254	155	20	5	56	16		2	72
Western	700	402	345	173		100	57	12		3	57
South Carolina	953	616	510	313	53	42	84	9	5	4	106
Virginia											
Eastern	1,022	765	627	334	33	61	163	20	8	8	138
Western	565	285	239	165	22	18	30	3		1	46
West Virginia											
Northern	117	67	48	32			13	1	1	1	19
Southern	268	198	161	94	1	13	40	6	4	3	37
Fifth Circuit	13,220	10,473	7,783	3,637	313	1,484	1,531	477	67	274	2,690
Alabama											
Northern	930	662	570	397	31	13	92	31	5	1	92
Middle	402	230	190	113	6	16	43	10	2		40
Southern	277	162	130	93		4	25	6		2	32
Florida											
Northern	312	171	115	42	1	8	44	9	3	8	56
Middle	1,283	907	643	348	14	30	180	38	7	26	264
Southern	1,245	839	608	330		48	116	35	8	71	231
Georgia											
Northern	1,141	858	715	248	36	187	170	46	2	26	143
Middle	398	307	242	171	23	8	32	6	1	1	85
Southern	641	443	394	87	6	268	23	9	1		49
Louisiana											
Eastern	671	611	523	284	55	25	102	43		14	88
Middle	133	114	74	41	2	5	21	5			40
Western	462	384	263	121	62	30	32	10	4	4	121
Mississippi											
Northern	236	121	87	60		7	18	2			34
Southern	356	184	130	70		25	22	9	3	1	54
Texas											
Northern	1,354	987	642	302	23	23	183	79	12	20	345
Eastern	322	280	157	93	3	13	29	11	4	4	123
Southern	1,665	2,177	1,568	627	22	593	192	56	9	69	609
Western	1,392	1,036	732	210	29	181	207	72	6	27	304

*removed from supervision, Federal Probation System, by
year 1976*

Total re- moved	Removed from supervision								Re- moved by trans- fer	Per- sons under super- vision June 30, 1976	Circuit and district
	Total less trans- fers	Court proba- tion	De- ferred prose- cution	U.S. magis- trate proba- tion	Pa- role	Man- datory release	Mili- tary pa- role	Spe- cial pa- role			
44,635	35,086	19,373	1,205	4,701	6,775	2,349	200	483	9,549	64,246	Total all districts.
1,442	1,343	795	1	254	246	41	1	5	99	2,040	District of Columbia.
1,060	906	521	14	131	163	62	3	12	154	1,672	First Circuit.
76	63	41	1	4	12	5			13	114	Maine.
630	551	307	4	82	106	40	1	11	79	1,049	Massachusetts.
86	66	44		12	9	1			20	92	New Hampshire.
114	94	52		20	19	3			20	126	Rhode Island.
154	132	77	9	13	17	13	2	1	22	291	Puerto Rico.
3,307	2,531	1,648	155	38	421	192	20	57	776	5,535	Second Circuit.
301	245	181	2	3	42	16		1	56	575	Connecticut.
184	169	125	13	8	14	7		2	15	239	New York.
1,110	886	603	14	1	173	64	13	18	224	2,148	Northern.
1,406	997	579	120	6	159	95	5	33	409	2,067	Eastern.
240	200	137	6	20	23	10	2	2	40	345	Southern.
66	34	23			10			1	32	161	Vermont.
3,121	2,632	1,318	87	757	303	128	13	26	489	5,055	Third Circuit.
166	131	63	10	35	22	1			35	210	Delaware.
1,157	965	476	6	303	115	55	2	8	192	1,593	New Jersey.
1,220	1,067	482	42	387	87	46	6	17	153	2,041	Pennsylvania:
178	135	84	17	15	15	2	1	1	43	303	Eastern.
400	334	213	12	17	64	24	4		66	908	Middle. Western.
4,236	3,400	1,761	122	731	643	119	12	12	836	6,551	Fourth Circuit.
1,110	870	320	12	331	170	34		3	240	1,574	Maryland.
326	239	119	4	51	51	12	2		87	677	North Carolina:
369	318	215	12	13	63	14	1		51	773	Eastern.
503	419	152	10	184	55	16		2	84	599	Middle.
553	473	294	27	55	76	13	3	5	80	1,016	Western.
779	581	303	28	61	155	19	3	2	198	1,008	South Carolina
345	294	223	15	21	31	4			51	505	Virginia.
70	58	38	3	2	13	1	1		12	114	Eastern.
181	148	97	1	13	29	6	2		33	285	Western. West Virginia: Northern. Southern.
10,289	7,418	3,828	251	1,059	1,567	551	56	106	2,871	13,404	Fifth Circuit.
646	545	335	37	24	105	39	4	1	101	946	Alabama:
263	211	141	13	9	34	10	3	1	52	369	Northern.
146	108	67		3	29	7	2		38	293	Middle. Southern.
207	155	75	3	10	55	9	2	1	52	276	Florida:
904	661	399	8	46	154	39	4	11	243	1,286	Northern.
869	640	387	7	40	112	51	8	35	229	1,215	Middle. Southern.
861	736	303	15	199	142	66	2	9	125	1,138	Georgia:
221	179	97	13	26	25	12	2	4	12	484	Northern.
565	430	214	2	169	33	12			135	519	Middle. Southern.
536	438	234	30	25	110	35	3	1	98	746	Louisiana:
106	74	47	4	2	14	7			32	141	Eastern.
356	242	144	23	21	35	13	6	1	114	490	Middle. Western.
138	104	86		16		2			34	219	Mississippi:
216	172	123	2	15	19	11	2		44	324	Northern. Southern.
933	693	285	17	59	231	83	6	12	240	1,408	Texas:
259	166	89	15	13	35	10	2	2	93	343	Northern.
1,987	1,105	494	24	275	214	69	7	22	882	1,855	Eastern. Southern.
1,076	759	308	39	123	204	76	3	6	317	1,352	Western.

TABLE E-1.—U.S. district courts, persons received for and removed
1976 —

Circuit and district	Persons under supervision July 1, 1975	Total received	Received for supervision								Received by transfer
			Total less transfers	Court probation	Deferred prosecution	U.S. magistrate probation	Po role	Mandatory release	Military po role	Special po role	
Sixth Circuit	6,931	4,440	3,728	1,993	178	405	803	225	26	98	712
Kentucky:											
Eastern	496	285	214	134	3	7	60	19		1	71
Western	554	485	417	187	105	32	59	28	2	4	61
Michigan:											
Eastern	2,111	1,218	1,115	558	42	153	239	74	6	43	133
Western	413	277	217	129	16	38	27	3	2	2	60
Ohio:											
Northern	1,267	815	703	489	11	31	114	30	8	20	112
Southern	688	443	339	185		23	95	26	3	7	104
Tennessee:											
Eastern	523	333	252	115		37	85	12	1	2	81
Middle	392	313	272	104	1	83	52	21	1	10	41
Western	487	241	199	102		1	72	12	5	9	42
Seventh Circuit	4,636	2,730	2,160	1,170	214	51	467	164	14	80	570
Illinois:											
Northern	2,430	1,195	983	485	159	10	293	79	6	41	212
Eastern	346	212	175	103	8	3	40	13	1	7	67
Southern	330	188	132	89	2		31	9	1		56
Indiana:											
Northern	538	396	318	188	10	2	79	23		16	78
Southern	661	448	356	192	7	30	89	28	3	17	92
Wisconsin:											
Eastern	241	196	158	90	25	4	17	10	5	9	38
Western	90	65	38	23	3	2	8	2			27
Eighth Circuit	3,552	2,527	2,062	1,204	150	120	375	146	13	54	465
Arkansas:											
Eastern	349	260	207	137	1	9	38	12		10	53
Western	154	113	73	53	1	1	7	8	2	1	40
Iowa:											
Northern	125	103	82	65	2		10	4		1	21
Southern	204	154	117	72		3	29	6	1	6	37
Minnesota:											
Eastern	569	369	307	158	14	25	53	29	4	24	62
Missouri:											
Eastern	832	457	393	179	47	7	125	28	1	6	64
Western	737	495	399	165	51	72	71	33	2	5	96
Nebraska:											
Eastern	221	188	154	101	13	2	26	9	2	1	34
North Dakota	109	127	92	72			12	7	1		35
South Dakota:											
Eastern	252	261	238	202	21	1	4	10			23
Ninth Circuit	12,400	8,611	6,418	3,600	300	943	906	313	34	322	2,193
Alaska:											
Eastern	184	154	108	87	3		9	2	1	2	46
Arizona:											
Eastern	1,153	982	809	434	12	69	137	52	2	103	17

from supervision, Federal Probation System, by district, fiscal year
Continued

Total removed	Removed from supervision								Removed by transfer	Persons under supervision June 30, 1976	Circuit and district
	Total less transfers	Court probation	Deferred prosecution	U.S. magistrate probation	Parole	Mandatory release	Military parole	Special parole			
4,630	3,899	2,139	129	349	972	270	18	22	731	6,741	Sixth Circuit
339 450	262 362	128 165	16 58	6 33	81 76	27 26	1 4	3	77 88	442 589	Kentucky: Eastern Western
1,296 258	1,166 214	654 145	8 10	136 22	280 30	76 5	4 1	8 1	130 44	2,063 432	Michigan: Eastern Western
845 456	732 361	463 157	12	7 25	161 143	53 31	2 2	4 5	113 92	1,237 675	Ohio: Northern Southern
383 365 298	323 235 244	175 108 141	19 6	22 63 4	89 40 72	16 17 19	2 1 1		60 70 57	473 400 430	Tennessee: Eastern Middle Western
2,919	2,453	1,402	153	65	574	215	15	29	466	4,447	Seventh Circuit
1,309 240 203	1,166 187 145	632 97 90	109 9 7	17 9 1	269 53 35	118 16 9	5 2 3	15 1	143 53 58	2,316 348 415	Illinois: Northern Eastern Southern
357 528	287 433	170 245	9 4	8 25	63 118	31 31		6 4	70 87	577 589	Indiana: Northern Southern
211 79	174 61	122 46	14 1	1 4	27 9	9 1		1	37 18	226 76	Wisconsin: Eastern Western
2,615	2,136	1,173	87	170	493	182	12	19	479	3,464	Eighth Circuit
214 111	163 82	103 45	10 5	2 2	32 17	13 12	1	2 1	51 29	395 156	Arkansas: Eastern Western
87 160 449	65 139 411	40 85 208		3 4	19 29 104	2 6 40	1		22 30 38	141 198 489	Iowa: Northern Southern
474 605 195 118 302	379 494 161 90 161	143 232 117 75 125	39 16 3 1 8	6 103 3 1 2	145 97 28 8 14	44 40 9 5 11	2 4 1 1 1		95 111 34 28 41	815 627 214 118 311	Minnesota: Missouri: Eastern Western Nebraska North Dakota South Dakota
8,727	6,639	3,901	171	852	1,054	455	34	172	2,088	12,384	Ninth Circuit
152 912	116 713	80 373	1 15	14 65	13 128	3 61	1 1	4 70	36 199	186 1,223	Alaska Arizona California:
1,359 796	1,046 595	568 420	26 2	251 61	124 68	57 31	5 7	15 6	213 201	1,858 976	Northern Eastern
2,669 1,163	2,168 659	1,250 422	62 1	246 122	361 76	196 19	8 8	45 19	501 304	4,299 1,133	Central Southern
168 128 170 223 361	132 102 135 85 274	93 72 89 117 156	1 1 19 2 29	7 6 16 4 16	26 12 22 24 47	5 10 5 15 19	5 1 5 2 5		36 26 35 89 87	254 189 277 266 541	Hawaii Idaho Montana Nevada Oregon
178 548	125 440	75 218	5 7	13 47	26 127	4 30	2 4		53 108	228 854	Washington: Eastern Western
2,289	1,729	887	35	295	339	134	16	23	560	3,053	Tenth Circuit
497 472 365	372 333 270	233 191 139	6 20 1	21 41 32	70 94 61	34 28 26	2 6 1	6 3 10	125 89 95	765 604 464	Colorado Kansas New Mexico
150 113 461 130 101	98 70 364 99 73	63 44 95 69 53	2 1 1 5	2 4 189 2 4	16 19 52 22 5	12 1 23 6 4	3 1 2 1 1		52 43 97 31 28	269 133 432 254 132	Northern Eastern Western Utah Wyoming

TABLE E-2.—U.S. district courts, persons under the supervision of the Federal Probation System, by district, as of June 30, 1976

Circuit and district	Total	Court probation	Parole	Manda- tory release	Mili- tary parole	Deferred prose- cution	U. S. r. gis- trate probation	Special parole
Total all districts	64,246	39,234	14,090	1,352	339	1,763	6,038	1,430
District of Columbia	2,040	961	680	79	3	2	302	13
90 districts	62,206	38,273	13,410	1,273	336	1,761	5,736	1,417
First Circuit	1,672	1,073	348	24	14	40	112	61
Maine	114	84	24	2	1	1	1	1
Massachusetts	1,049	654	233	16	6	28	73	39
New Hampshire	92	72	15			1	3	1
Rhode Island	126	93	24	1			8	
Puerto Rico	291	170	52	5	7	10	27	20
Second Circuit	5,535	3,536	1,288	184	27	183	119	198
Connecticut	575	392	139	14	2	15	3	10
New York:								
Northern	239	173	44		4	10	6	2
Eastern	2,148	1,449	554	46	13	30	2	54
Southern	2,067	1,143	474	114	7	126	90	113
Western	345	245	57	9	1	2	19	13
Vermont	161	134	20	1				6
Third Circuit	5,055	3,143	797	56	13	127	836	83
Delaware	210	132	41	1		3	31	2
New Jersey	1,593	901	253	27	4	11	376	21
Pennsylvania:								
Eastern	2,041	1,260	293	11	5	54	374	44
Middle	303	218	42	3	2	16	18	4
Western	908	632	168	14	2	43	37	12
Fourth Circuit	6,551	4,131	1,262	60	34	171	842	51
Maryland	1,574	757	298	16	4	16	467	16
North Carolina:								
Eastern	677	455	117	9	4	9	81	2
Middle	773	619	107	7	1	26	10	3
Western	599	396	81	4	1	4	108	5
South Carolina	1,016	658	194	11	6	54	85	8
Virginia:								
Eastern	1,008	585	297	7	13	32	67	7
Western	505	379	70	2	1	29	19	5
West Virginia:								
Northern	114	86	24	2			1	1
Southern	285	196	74	2	4	1	4	4
Fifth Circuit	13,404	7,653	3,213	273	89	339	1,451	386
Alabama:								
Northern	946	700	173	16	9	34	11	3
Middle	369	247	86	7	2	14	13	
Southern	293	223	58	2			6	4
Florida:								
Northern	276	160	50	2	5	2	10	7
Middle	1,286	815	337	20	8	15	59	32
Southern	1,215	687	298	19	10	1	48	152
Georgia:								
Northern	1,138	576	299	17	4	37	174	31
Middle	484	374	64	2	3	27	8	6
Southern	519	311	46	3	2	5	152	
Louisiana:								
Eastern	746	413	181	36		57	42	17
Middle	141	82	45	1	1	2	10	
Western	490	321	59	6	4	64	32	4
Mississippi:								
Northern	219	173	35	1			9	1
Southern	324	237	40	5	3	2	36	1
Texas:								
Northern	1,408	725	439	38	14	21	149	22
Eastern	343	224	64	10	7	5	27	6
Southern	1,855	905	411	36	8	20	405	70
Western	1,352	480	488	52	9	33	260	30

TABLE E-2.—U.S. district courts, persons under the supervision of the Federal Probation System, by district, as of June 30, 1976 —
Continued

Circuit and district	Total	Court probation	Parole	Mandatory release	Military parole	Deferred prosecution	U.S. magistrate probation	Special parole
Sixth Circuit	6,741	4,152	1,537	158	47	172	561	114
Kentucky:								
Eastern	442	299	115	3		1	22	2
Western	589	322	120	17	3	85	38	4
Michigan:								
Eastern	2,063	1,201	453	66	20	48	222	53
Western	432	304	51	5	6	18	44	4
Ohio:								
Northern	1,237	893	229	13	9	15	59	19
Southern	675	426	186	18	4		37	4
Tennessee:								
Eastern	473	264	134	18	2	2	50	3
Middle	400	182	103	13	1	2	87	12
Western	430	261	146	5	2	1	2	13
Seventh Circuit	4,447	3,013	901	104	26	212	108	83
Illinois:								
Northern	2,316	1,542	450	60	11	161	54	38
Eastern	348	259	64	3	1	7	7	7
Southern	315	227	65	10	3	6	3	1
Indiana:								
Northern	577	398	132	11	1	11	5	19
Southern	589	392	142	11	4	6	26	8
Wisconsin:								
Eastern	226	140	38	8	6	18	7	9
Western	76	55	10	1		3	6	1
Eighth Circuit	3,464	2,300	737	89	20	167	92	59
Arkansas:								
Eastern	395	284	67	13	1	4	13	13
Western	156	132	16	1	3	3	1	
Iowa:								
Northern	141	113	18	4		3	1	2
Southern	198	119	63	4	2		5	5
Minnesota:								
Eastern	489	299	96	14	7	16	32	25
Missouri:								
Eastern	815	478	240	20	3	60	8	6
Western	627	364	159	21	1	51	26	5
Nebraska	214	149	46	2	1	10	5	1
North Dakota	118	94	15	7				2
South Dakota	311	268	17	3	2	20	1	
Ninth Circuit	12,284	7,473	2,655	240	49	289	1,262	316
Alaska	186	135	31	5	1	3	11	
Arizona	1,223	733	310	27	6	14	74	59
California:								
Northern	1,858	954	391	34	3	41	410	25
Eastern	976	702	162	18	6	16	62	10
Central	4,299	2,678	960	85	13	79	384	100
Southern	1,133	712	170	8	4	4	192	43
Hawaii	254	188	38	14		2	5	7
Idaho	189	124	39	4		9	10	3
Montana	277	186	68	3	4	11	5	
Nevada	266	191	47	1	1	4	8	14
Oregon	541	317	124	12	4	54	17	13
Washington:								
Eastern	228	158	40	2	2	6	11	9
Western	854	395	275	27	5	46	73	33
Tenth Circuit	3,053	1,799	672	85	17	61	353	66
Colorado	765	458	185	21	1	7	57	36
Kansas	604	315	145	21	12	37	65	9
New Mexico	464	240	113	18	1	2	83	7
Oklahoma:								
Northern	269	176	59	8		4	16	6
Eastern	133	107	18	1	1		2	4
Western	432	194	102	7		1	125	3
Utah	254	208	37	5		1	3	
Wyoming	132	101	13	4	1	10	2	1

TABLE F-1.—U.S. district courts, bankruptcy cases commenced and terminated during the fiscal year ended June 30, 1976, by district

Circuit and district	Pending July 1, 1975	Commenced	Terminated	Pending June 30, 1976
Total all districts	262,283	246,549	237,793	271,039
District of Columbia	278	238	151	365
First Circuit	9,662	6,630	5,485	10,807
Maine	4,062	1,577	1,426	4,213
Massachusetts	4,009	3,520	2,641	4,888
New Hampshire	450	586	581	455
Rhode Island	569	631	637	563
Puerto Rico	572	316	200	688
Second Circuit	18,110	17,093	1	22,627
Connecticut	2,087	2,436	1	2,537
New York:				
Northern	2,979	3,196	2,690	3,485
Eastern	3,548	3,669	967	5,250
Southern	3,383	2,948	87	4,234
Western	5,937	4,459	418	6,978
Vermont	176	385	418	143
Third Circuit	7,260	10,090	6,813	10,537
Delaware	345	324	299	370
New Jersey	2,767	3,915	3,011	3,671
Pennsylvania:				
Eastern	2,283	2,670	958	3,995
Middle	744	1,411	1,253	902
Western	1,075	1,757	1,280	1,552
Virgin Islands	46	13	12	47
Fourth Circuit	18,195	16,162	13,916	20,441
Maryland	1,167	1,530	1,001	1,696
North Carolina:				
Eastern	1,249	1,289	780	1,758
Middle	4,655	1,851	2,063	4,443
Western	2,206	1,253	362	3,097
South Carolina	223	560	509	274
Virginia:				
Eastern	3,193	4,740	4,495	3,438
Western	4,165	2,936	2,430	4,671
West Virginia:				
Northern	573	719	704	588
Southern	764	1,284	1,572	476
Fifth Circuit	40,161	34,950	32,475	42,636
Alabama:				
Northern	8,631	4,684	5,005	8,310
Middle	2,485	1,497	1,456	2,526
Southern	2,437	1,511	1,475	2,473
Florida:				
Northern	389	395	186	598
Middle	1,834	3,492	2,965	2,361
Southern	1,266	2,087	1,725	1,628
Georgia:				
Northern	4,604	5,133	4,215	5,522
Middle	3,059	2,252	2,549	2,762
Southern	1,764	1,126	1,201	1,689
Louisiana:				
Eastern	1,516	2,339	2,489	1,366
Middle	483	604	544	543
Western	2,906	2,239	2,286	2,859
Mississippi:				
Northern	550	719	775	494
Southern	2,580	2,175	1,856	2,899
Texas:				
Northern	2,002	1,621	1,235	2,388
Eastern	232	261	228	265
Southern	1,772	1,209	1,103	1,878
Western	1,651	1,606	1,182	2,075

TABLE F-1.—U.S. district courts, bankruptcy cases commenced and terminated during the fiscal year ended June 30, 1976, by district
— Continued

Circuit and district	Pending July 1, 1975	Commenced	Terminated	Pending June 30, 1976
Sixth Circuit	41,233	38,003	40,318	38,918
Kentucky:				
Eastern	2,205	1,677	1,615	2,267
Western	4,160	4,199	4,538	3,821
Michigan:				
Eastern	6,790	6,082	6,480	6,392
Western	2,678	2,138	2,478	2,338
Ohio:				
Northern	8,574	7,710	7,769	8,515
Southern	7,748	7,633	8,515	6,886
Tennessee:				
Eastern	3,095	3,241	3,395	2,941
Middle	2,208	2,425	2,469	2,164
Western	3,775	2,898	3,059	3,614
Seventh Circuit	24,486	31,637	33,541	22,582
Illinois:				
Northern	9,656	11,994	11,752	9,898
Eastern	938	1,663	1,773	828
Southern	3,792	3,394	3,957	3,229
Indiana:				
Northern	1,725	3,372	3,386	1,711
Southern	4,147	6,614	8,114	2,647
Wisconsin:				
Eastern	2,838	2,986	2,892	2,932
Western	1,390	1,614	1,667	1,337
Eighth Circuit	19,696	17,915	18,654	18,957
Arkansas:				
Eastern	2,113	1,335	1,289	2,159
Western	296	375	404	267
Iowa:				
Northern	1,305	1,329	1,484	1,150
Southern	1,628	1,742	1,785	1,585
Minnesota:				
Northern	7,332	4,008	4,168	7,172
Missouri:				
Eastern	2,467	2,614	3,131	1,950
Western	2,605	3,650	3,389	2,866
Nebraska:				
Eastern	1,357	2,062	2,280	1,139
Western	461	409	354	516
South Dakota:				
Eastern	132	391	370	153
Ninth Circuit	66,685	57,448	56,122	68,011
Alaska	216	234	203	247
Arizona	4,859	4,011	3,738	5,132
California:				
Northern	14,532	9,918	9,513	14,937
Eastern	8,674	6,488	5,791	9,371
Central	21,119	20,067	21,468	19,708
Southern	4,870	3,414	3,091	5,193
Hawaii	484	518	616	386
Idaho	1,453	1,513	1,148	1,818
Montana	809	861	896	774
Nevada	1,731	1,880	1,614	1,997
Oregon	3,343	3,967	4,123	3,187
Washington:				
Eastern	1,262	1,005	670	1,597
Western	3,318	3,561	3,236	3,643
Guam	15	21	15	21
Tenth Circuit	16,517	16,383	17,742	15,158
Colorado	6,523	4,609	5,511	5,621
Kansas	5,112	4,509	4,746	4,875
New Mexico	833	1,482	1,618	797
Oklahoma:				
Northern	1,249	1,372	1,546	1,075
Eastern	251	380	425	206
Western	1,016	2,316	2,328	1,004
Utah	1,271	1,227	1,177	1,321
Wyoming	262	488	491	259

TABLE F-2.—U.S. district courts, voluntary and involuntary cases commenced¹ during the fiscal year ended June 30, 1976, by chapters of the Bankruptcy Act

Circuit and district	Total	Voluntary						Involuntary		
		Total	Straight bankruptcy	Chapter X	Chapter XI	Chapter XII	Chapter XIII	Total	Straight bankruptcy	Chapter X
Total all districts	246,549	245,383	207,926	116	3,235	525	33,579	1,166	1,141	25
District of Columbia	238	235	215		2	1	17	3	3	
First Circuit	6,630	6,514	4,411		308	36	1,759	116	115	1
Maine	1,577	1,576	685		33	3	855	1	1	
Massachusetts	3,520	3,418	2,462		130	31	795	102	101	1
New Hampshire	586	582	573		7		2	4	4	
Rhode Island	631	625	601		9		15	6	6	
Puerto Rico	316	313	90		129	2	92	3	3	
Second Circuit	17,093	16,946	15,349	3	507	45	1,042	147	147	
Connecticut	2,436	2,419	2,273	1	55	5	85	17	17	
New York										
Northern	3,196	3,191	3,140		23	6	22	5	5	
Eastern	3,669	3,615	3,456	1	95	3	60	54	54	
Southern	2,948	2,892	2,551		289	24	28	56	56	
Western	4,459	4,449	3,556		42	7	844	10	10	
Vermont	385	380	373	1	3		3	5	5	
Third Circuit	10,090	9,991	9,469	4	280	23	215	99	98	1
Delaware	321	319	301		8	3	7	5	5	
New Jersey	3,915	3,875	3,573	1	125	8	168	40	35	1
Pennsylvania										
Eastern	2,670	2,645	2,528		88	5	24	25	25	
Middle	1,411	1,396	1,351	3	33	2	7	15	15	
Western	1,757	1,745	1,706		25	5	9	12	12	
Virgin Islands	13	11	10		1			2	2	
Fourth Circuit	16,162	16,080	11,887	23	185	66	3,919	82	77	5
Maryland	1,530	1,516	1,424	1	33	14	44	14	14	
North Carolina										
Eastern	1,289	1,286	828	7	16	7	428	3	2	1
Middle	1,851	1,848	391	10	18	18	1,411	3	3	
Western	1,253	1,245	327		25	15	878	8	8	
South Carolina	560	551	510	3	13	2	23	9	9	
Virginia										
Eastern	4,740	4,712	4,334		40	5	333	28	27	1
Western	2,936	2,927	2,122	2	38	5	760	9	9	
West Virginia										
Northern	719	714	704				10	5	4	1
Southern	1,284	1,281	1,247		2		32	3	1	2
Fifth Circuit	34,950	34,749	25,785	24	666	93	8,181	201	200	1
Alabama										
Northern	4,684	4,676	1,609	1	17	3	3,046	8	7	1
Middle	1,497	1,495	535				960	2	2	
Southern	1,511	1,508	369		6		1,133	3	3	
Florida										
Northern	395	388	359	2	22	1	4	7	7	
Middle	3,492	3,470	3,307	4	110	17	32	22	22	
Southern	2,087	2,039	1,847	5	137	13	37	48	48	
Georgia										
Northern	5,133	5,114	3,985	3	60	27	1,039	19	19	
Middle	2,252	2,250	1,520		8	3	719	2	2	
Southern	1,126	1,123	626		15	1	481	3	3	
Louisiana										
Eastern	2,339	2,331	2,194	2	11	3	121	8	8	
Middle	604	604	593		6	1	4			
Western	2,239	2,234	1,958		20	3	253	5	5	
Mississippi										
Northern	719	711	708	1	1		1	8	8	
Southern	2,175	2,169	2,128		15	2	24	6	6	
Texas										
Northern	1,621	1,580	1,472	2	91	4	11	41	41	
Eastern	261	258	247		10		1	3	3	
Southern	1,209	1,203	1,073	3	116	4	7	6	6	
Western	1,606	1,596	1,255	1	21	11	308	10	10	

See footnotes at end of table.

TABLE F-2.—U.S. district courts, voluntary and involuntary cases commenced¹ during the fiscal year ended June 30, 1976, by chapters of the Bankruptcy Act — Continued

Circuit and district	Total	Voluntary						Involuntary		
		Total	Straight bankruptcy	Chapter X	Chapter XI	Chapter XII	Chapter XIII	Total	Straight bankruptcy	Chapter X
Sixth Circuit	38,003	37,907	32,063	6	203	18	5,617	96	95	1
Kentucky:										
Eastern.....	1,677	1,672	1,398	.....	5	.....	269	5	5	.....
Western.....	4,199	4,196	3,702	.....	2	.....	492	3	3	.....
Michigan:										
Eastern.....	6,082	6,064	5,470	1	48	2	543	18	18	.....
Western.....	2,138	2,120	2,061	2	13	3	41	18	17	1
Ohio:										
Northern.....	7,710	7,701	7,049	.....	40	3	609	9	9	.....
Southern.....	7,633	7,610	6,439	2	32	3	1,134	23	23	.....
Tennessee:										
Eastern.....	3,241	3,231	2,271	1	36	1	922	10	10	.....
Middle.....	2,425	2,421	2,185	.....	6	.....	230	4	4	.....
Western.....	2,898	2,892	1,488	.....	21	6	1,377	6	6	.....
Seventh Circuit	31,637	31,536	27,713	6	206	27	3,584	101	101	.....
Illinois:										
Northern.....	11,994	11,944	9,237	3	128	18	2,558	50	50	.....
Eastern.....	1,663	1,661	1,600	.....	9	.....	52	2	2	.....
Southern.....	3,394	3,389	3,020	.....	5	1	363	5	5	.....
Indiana:										
Northern.....	3,372	3,359	3,253	1	12	.....	93	13	13	.....
Southern.....	6,614	6,599	6,502	1	20	7	69	15	15	.....
Wisconsin:										
Eastern.....	2,986	2,973	2,622	.....	26	.....	325	13	13	.....
Western.....	1,614	1,611	1,479	1	6	1	124	3	3	.....
Eighth Circuit	17,915	17,851	15,764	11	119	19	1,938	64	63	1
Arkansas:										
Eastern.....	1,335	1,332	701	6	9	1	615	3	3	.....
Western.....	375	375	321	.....	.....	.....	54	.....	.....	.....
Iowa:										
Northern.....	1,329	1,326	1,275	1	3	.....	47	3	3	.....
Southern.....	1,742	1,739	1,556	1	6	8	168	3	3	.....
Minnesota:										
.....	4,008	3,976	3,487	.....	70	2	417	32	31	1
Missouri:										
Eastern.....	2,614	2,609	2,591	3	2	.....	13	5	5	.....
Western.....	3,650	3,639	3,102	.....	12	5	520	11	11	.....
Nebraska:										
.....	2,062	2,055	1,938	.....	12	3	102	7	7	.....
North Dakota:										
.....	409	409	402	.....	5	.....	2	.....	.....	.....
South Dakota:										
.....	391	361	391	.....	.....	.....	.....	.....	.....	.....
Ninth Circuit	57,448	57,254	50,311	28	673	167	6,075	194	192	2
Alaska.....	234	233	219	.....	12	.....	2	1	1	.....
Arizona.....	4,011	4,001	3,806	3	65	7	120	10	9	1
California:										
Northern.....	9,918	9,900	8,147	2	110	28	1,613	18	18	.....
Eastern.....	6,488	6,477	5,470	.....	81	9	917	11	11	.....
Central.....	20,057	19,990	18,679	7	230	68	1,006	67	67	.....
Southern.....	3,414	3,399	2,620	.....	44	34	701	15	15	.....
Hawaii.....	518	514	454	11	21	4	24	4	3	1
Idaho.....	1,513	1,508	1,042	1	9	.....	456	5	5	.....
Montana.....	861	855	835	4	.....	.....	16	6	6	.....
Nevada.....	1,880	1,860	1,784	.....	40	9	27	20	20	.....
Oregon.....	3,967	3,950	3,776	.....	8	.....	166	17	17	.....
Washington:										
Eastern.....	1,005	1,005	838	1	10	.....	156	.....	.....	.....
Western.....	3,561	3,541	2,626	.....	36	8	871	20	20	.....
Guam.....	21	21	15	3	3	.....	.....	.....	.....	.....
Tenth Circuit	^a 16,383	16,320	14,959	11	86	30	1,232	63	50	13
Colorado.....	^a 4,609	4,592	4,182	.....	22	14	373	17	15	2
Kansas.....	4,509	4,500	3,755	1	17	2	725	9	9	.....
New Mexico.....	1,482	1,476	1,421	2	11	1	41	6	6	.....
Oklahoma:										
Northern.....	1,372	1,370	1,348	4	4	.....	14	2	2	.....
Eastern.....	380	377	373	.....	.....	2	2	3	3	.....
Western.....	^a 2,316	2,298	2,247	4	12	10	24	18	7	11
Utah.....	1,227	1,219	1,154	.....	19	1	45	8	8	.....
Wyoming.....	488	488	479	.....	1	.....	8	.....	.....	.....

¹Cases commenced reflect initial filings, therefore exclude subsequent transfers during the year from one chapter to another.

^aThese figures include the following type cases not reflected elsewhere: Colorado, Chapter IX, 1; and Oklahoma, Western, Chapter IX, 1.

TABLE F-3.—U.S. district courts, voluntary bankruptcy cases commenced during the fiscal year ended June 30, 1976, by occupation of bankrupt or debtor

Circuit and district	Total voluntary	Business					Nonbusiness	
		Farmer	Professional	Merchant	Manufacturer	Others	Employee	Others
Total all districts	245,383	672	2,809	6,124	681	23,870	166,394	44,833
District of Columbia	235		8	5		15	188	19
First Circuit	6,514	11	58	225	24	952	4,406	838
Maine	1,576	6	8	61	7	155	1,180	159
Massachusetts	3,418	2	36	76	9	517	2,285	493
New Hampshire	582	2	7	40	5	84	345	99
Rhode Island	625	1	6	13		70	448	87
Puerto Rico	313		1	35	3	126	148	
Second Circuit	16,946	57	327	723	140	2,056	9,794	3,849
Connecticut	2,419	5	64	157	17	271	1,265	640
New York								
Northern	3,191	22	41	73	4	437	1,757	867
Eastern	3,615	4	124	210	45	330	2,208	694
Southern	2,892	4	23	189	61	397	1,548	670
Western	4,449	13	70	78	9	578	2,860	841
Vermont	380	9	5	16	4	53	156	137
Third Circuit	9,991	22	169	441	59	1,677	4,963	2,660
Delaware	319	1	1	12		26	185	94
New Jersey	3,875	3	132	234	33	869	1,761	843
Pennsylvania								
Eastern	2,645	2	11	86	9	431	1,430	676
Middle	1,396	9	14	50	10	230	737	346
Western	1,745	7	8	55	7	115	849	701
Virgin Islands	11		3	1		6	1	
Fourth Circuit	16,080	28	133	301	36	1,205	11,953	2,424
Maryland	1,516	3	40	27	3	136	986	321
North Carolina								
Eastern	1,286	7	17	34	5	101	756	366
Middle	1,848		3	38	6	94	1,626	81
Western	1,245		1	39	7	99	1,077	22
South Carolina	551	1	7	39	6	83	312	103
Virginia								
Eastern	4,712	5	39	67	5	355	3,632	609
Western	2,927	6	6	31	4	262	2,221	397
West Virginia								
Northern	714	3	9	17		33	453	199
Southern	1,281	3	11	9		42	890	326
Fifth Circuit	34,749	110	499	1,135	117	3,591	24,168	5,139
Alabama								
Northern	4,676	2	12	42	1	132	4,168	319
Middle	1,495	6		16		97	1,276	100
Southern	1,508		9	17		77	1,342	63
Florida								
Northern	388	1	11	29		68	195	84
Middle	3,470	4	31	131	14	476	2,054	760
Southern	2,039		54	113	21	300	963	588
Georgia								
Northern	5,114	4	89	83	5	630	3,818	485
Middle	2,250	7	9	74	5	124	1,810	221
Southern	1,123	8	20	30	1	71	892	101
Louisiana								
Eastern	2,331	8	67	73	2	115	1,558	508
Middle	604	2	1	8		72	426	95
Western	2,234	20	43	78	1	193	1,349	550
Mississippi								
Northern	711	4	11	21	5	59	553	58
Southern	2,189	8	24	41	8	127	1,822	439
Texas								
Northern	1,580	9	29	163	27	457	645	250
Eastern	258	19	11	29	4	60	93	42
Southern	1,203	5	32	113	18	340	499	196
Western	1,596	3	36	74	5	193	1,005	280

TABLE F-3.—U.S. district courts, voluntary bankruptcy cases commenced during the fiscal year ended June 30, 1976, by occupation of bankrupt or debtor — Continued

Circuit and district	Total volun- tary	Business					Nonbusiness	
		Farmer	Profes- sional	Mer- chant	Manu- fac- turer	Others	Em- ployee	Others
Sixth Circuit	37,907	71	229	582	62	2,095	29,308	5,560
Kentucky:								
Eastern	1,672	8	8	35	3	68	1,246	304
Western	4,196	14	15	29	2	155	2,985	996
Michigan:								
Eastern	6,064	8	68	77	7	371	4,766	767
Western	2,120	3	2	45	21	226	1,770	53
Ohio:								
Northern	7,701	5	28	119	15	426	5,884	1,224
Southern	7,610	11	40	106	4	365	5,814	1,270
Tennessee:								
Eastern	3,231	6	7	62	5	187	2,587	377
Middle	2,421	8	21	65	1	191	1,779	356
Western	2,892	8	40	44	4	106	2,477	213
Seventh Circuit	31,536	82	226	437	30	1,989	23,914	4,853
Illinois:								
Northern	11,944	7	25	152	8	778	9,497	1,477
Eastern	1,661	7	12	68	1	174	1,047	352
Southern	3,389	7	9	23	2	189	2,533	626
Indiana:								
Northern	3,359	6	7	44	5	154	2,721	422
Southern	6,599	10	114	67	6	307	5,040	1,055
Wisconsin:								
Eastern	2,973	14	32	47	4	241	2,007	628
Western	1,611	31	27	36	4	146	1,069	298
Eighth Circuit	17,851	146	239	562	44	1,543	11,917	3,400
Arkansas:								
Eastern	1,332	19	7	58	3	103	1,044	98
Western	375	5	7	30	3	49	217	64
Iowa:								
Northern	1,326	13	9	56	1	135	773	339
Southern	1,739	26	13	47	4	125	1,104	420
Minnesota:								
Southern	3,976	17	39	145	17	415	2,481	862
Missouri:								
Eastern	2,609	14	70	64	5	226	1,913	317
Western	3,639	22	58	77	5	229	2,873	675
Nebraska:								
Southern	2,055	14	27	47	2	137	1,381	447
North Dakota:								
Southern	409	1	4	20	1	51	250	82
South Dakota:								
Southern	391	15	5	18	3	73	181	96
Ninth Circuit	57,254	71	740	1,201	127	6,954	35,796	12,365
Alaska	233		1	5	1	51	129	46
Arizona	4,001	3	77	63	18	266	2,603	966
California:								
Northern	9,900		118	184	28	945	6,780	1,845
Eastern	6,477	22	42	178	18	554	4,302	1,361
Central	19,990	5	401	309	29	2,806	11,349	5,091
Southern	3,399	3	23	60		330	2,220	763
Hawaii	514	1	1	18	4	79	283	128
Idaho	1,508	16	10	66	6	208	1,060	142
Montana	855	8	4	20	7	66	481	269
Nevada	1,860	2	6	56		270	1,266	260
Oregon	3,950	6	49	130	11	627	2,042	1,085
Washington:								
Eastern	1,005	3	1	29	1	73	753	145
Western	3,541	2	6	77	4	670	2,518	264
Guam	21		1	1		9	10	
Tenth Circuit	16,320	74	191	512	42	1,793	9,987	3,721
Colorado	4,592	17	60	176	22	490	2,756	1,071
Kansas	4,500	23	10	80	3	383	3,008	993
New Mexico	1,476	12	44	46	1	168	696	509
Oklahoma:								
Northern	1,370	4	4	27	2	156	910	267
Eastern	377		3	24	3	69	172	106
Western	2,298	13	48	121	10	302	1,383	421
Utah	1,219	1	13	15		153	802	235
Wyoming	488	4	9	23	1	72	260	119

TABLE G-1.—*U.S. Customs Court report for the fiscal years ended June 30, 1975 and 1976*

Type of cases	Fiscal year 1976	Fiscal year 1975	Explanation of categories
Protest cases:			
Cases pending at the beginning of the year.	22,998	45,316	Protest cases usually involve the classification of imported merchandise or charges imposed thereon by the Regional Commissioners or District Directors of Customs (formerly Collectors of Customs) at the various ports of entry and are tried before a division of three judges. Appeals from the Court's decision lie to the U.S. Court of Customs and Patent Appeals.
Cases received during the year.	50	242	
Cases received on rehearing during the year.	-----	-----	
Cases decided during the year.	10,899	32,364	
Cases pending at the close of the year.	12,149	13,194	
Appeals for reappraisement:			
Pending at beginning of year.	90,848	101,513	Appeals for reappraisement are cases in which the importer or the Government disputes the valuation of imported merchandise as found by the Regional Commissioners or District Directors of Customs (formerly local appraisers) at the various ports of entry. The cases are heard and determined by a single judge, and the decisions are final unless a rehearing is granted or an application for review is filed within the time prescribed by the statute.
Received during the year.	204	479	
Received on rehearing.	-----	-----	
Received on remand from Division	-----	-----	
Total received.	-----	-----	
Decided during the year.	10,012	11,144	
Pending at close of year.	81,040	90,848	
Applications for review:			
Pending at beginning of year.	7	12	Appeals from decisions rendered by single judges in reappraisement cases lie to a division of three judges who must consider the case on the record made below. The statute provides that the judges must either affirm, reverse, or modify the decision, or remand the case to the single judge for further proceedings. Appeals from such decisions lie to the United States Court of Customs and Patent Appeals on questions of law only.
Received during the year.	—	0	
Decided during the year.	7	4	
Pending at close of year.	—	8	
Remands of protests:			
Pending at beginning of year.	48	155	Remands of protests are cases in which the Court on protest has declared the appraisements to be null and void, and, pursuant to the Administrative Act of 1938, remanded the matters to a single judge for a determination of the proper dutiable value.
Received during the year.	-----	-----	
Decided during the year.	5	7	
Pending at close of year.	43	48	

See footnotes at end of table.

TABLE G-1.—*U.S. Customs Court report for the fiscal years ended June 30, 1974 and 1976—Continued*

Type of cases	Fiscal year 1976	Fiscal year 1975	Explanation of categories
Civil actions:			
Pending at the beginning of the year.	9,991	17,837	The Customs Courts Act of 1970 (Public Law 91-271), effective Oct. 1, 1970, provides for a single judicial proceeding, known as a civil action, in which all issues, including both the classification and valuation of imported merchandise, may be presented. A civil action is commenced by the filing of a summons and the payment of a filing fee. Civil actions are tried and decided by a single judge, except when constitutional issues are involved or when there are broad and significant issues concerning the interpretation or administration of the customs laws, a civil action may be heard and determined by three judges. Appeals from decisions in civil actions go directly to the Court of Customs and Patent Appeals.
Received during the year. ²	3,289	3,570	
Decided during the year.	2,171	1,416	
Pending at the close of the year.	11,109	9,991	

¹ Revised.² The Customs Courts Act of 1970, as implemented by the rules of the U.S. Customs Court, permits importer to consolidate into a single civil action any number of denied protests and entries of merchandise involving the same category of merchandise and presenting a common issue.

The 3,576 civil actions filed in the 1975 fiscal year included approximately 14,104 denied protests covering 30,157 entries of merchandise.

The 3,289 civil actions filed in the 1976 fiscal year included approximately 9,593 denied protests covering 23,200 entries of merchandise.

TABLE G-2a.—*U.S. Court of Customs and Patent Appeals, cases filed, terminated, and pending, fiscal year 1976*

Type of case	Pending July 1, 1975	Cases filed	Cases terminated			Pending June 30, 1976
			Total	With opinions	Dismissals	
Total	125	209	199	155	44	135
Customs, Commerce and International Trade	26	28	29	23	6	25
Patents and Trademarks	99	181	170	132	38	110

TABLE G-2b.—*U.S. Court of Customs and Patent Appeals, average times of cases disposed of with opinions, fiscal years 1972-1976*

Interval	1972	1973	1974	1975	1976
Customs, Commerce, and International Trade:					
Filing to decision	17.7	17.4	14.3	12.7	11.6
Filing to hearing	15.4	14.5	12.3	10.8	10.0
Hearing to decision	2.3	2.9	2.0	1.9	1.6
Patents and Trademarks:					
Filing to decision	32.4	31.5	22.5	12.9	9.9
Filing to hearing	30.0	28.3	20.0	10.8	8.2
Hearing to decision	2.4	3.2	2.5	2.1	1.7

TABLE G-3a.—*Report of the U.S. Court of Claims for the court year ended Sept. 30, 1976*

Type of case	Pending Sept. 30, 1975		Filed		Disposed		Pending Sept. 30, 1976	
	Peti- tions	Plain- tiffs	Peti- tions ²	Plain- tiffs	Peti- tions	Plain- tiffs	Peti- tions	Plain- tiffs
Cases other than class cases.....	2,094	3,909	489	959	1,331	1,493	1,252	3,375
Service pay.....	88	88	43	43	41	41	90	90
Civilian pay.....	82	82	50	50	51	51	81	81
Contract.....	274	289	87	87	99	101	262	275
Indian.....	11	11	0	0	1	1	10	10
Patent.....	48	49	12	12	17	18	43	43
Property (taken).....	117	1,680	29	98	25	141	121	1,637
Tax.....	393	444	143	160	124	145	412	459
Renegotiation.....	119	119	14	15	24	24	199	110
Transportation.....	922	937	11	11	914	929	19	19
Miscellaneous.....	40	210	100	483	35	42	105	651
Class cases: ¹								
Civilian pay.....	27	623	8	197	9	244	26	576
Service pay.....	3	18	9	873	2	16	10	875
Indian.....	14	10,178	0	0	0	0	14	10,178
Appeals from the Indian Claims Commission.....	9	9	5	5	9	9	5	5

¹ Multiple-plaintiff petitions.² Of the total number of petitions filed 9 were reinstated by order of the Court or of the Supreme Court.TABLE G-3b.—*Report of the U.S. Court of Claims for the court year ended Sept. 30, 1976*

Amount of Judgments	
Amount claimed by plaintiffs (does not include amounts claimed in 90 petitions, wherein amounts were not stated)...	\$522,879,706.51
Amount of judgments rendered by the court in favor of plaintiffs.....	30,356,104.96
Amount of above judgments carrying interest.....	5,055,568.02
Amount of judgments in favor of the United States on counterclaims or offsets.....	196,424.58
Amount of judgments in favor of the United States on counterclaims or offsets carrying interest.....	89,958.22
Amount determined in Renegotiation cases.....	9,503,938.40
Judgments for the United States, with interest, regarding Renegotiation cases.....	12,207,657.40

See footnote at end of table.

TABLE G-3b.—*Report of the U.S. Court of Claims for the court year ended Sept. 30, 1976*—Continued

Opinions and motions	
Written majority opinions rendered by the court involving 138 cases.....	127
Written dissenting opinions.....	16
Concurring opinions, opinions dissenting, and concurring in part.....	11
Cases in the hands of the court awaiting decisions.....	*21
Motions for new trial acted on.....	91
Trial Judges' Dockets	
General Jurisdiction:	
Cases pending as of the close of business Sept. 30, 1976, on trial judges' dockets: 1,225 petitions representing 14,750 claimants.	
Reports made by trial judges: (106 reports, 120 memorandum reports).	
Congressional reference:	
Cases pending as of the close of business Sept. 30, 1976, on Commissioners dockets: 15 petitions representing 96 claimants.	
Reports made by Commissioners: (4 trial reports, 6 panel reports).	
Alaska Native Claims:	
Cases pending as of the close of business Sept. 30, 1976, on Commissioners dockets: 16 petitions representing 16 claimants.	
Petitions to the Supreme Court for Writs of Certiorari	
Petitions for certiorari pending Oct. 1, 1975	19
Petitions for certiorari filed Oct. 1, 1975 to Sept. 30, 1976	40
	<u>59</u>
Record for court year Oct. 1, 1975 to Sept. 30, 1976:	
Petitions for certiorari denied	32
Petitions for certiorari granted	3
Petitions for certiorari granted, decision reversed and case remanded	1
Petitions for certiorari dismissed	1
Petitions for certiorari filed but not acted upon	22
	<u>59</u>

*Of which 16 were disposed of on or before Oct. 20, 1976, leaving 2 under submission, assigned for an opinion. The remaining 3 cases are being held pending action in other courts.

TABLE K-1.—Federal public defenders, statistical summary of activities by district, fiscal year 1976

District	Pending July 1975 ¹	Cases opened ²	Cases closed ³			Pending June 1976
			Number	Hours in court	Average hours in court	
Total	*3,035	12,895	12,678	21,320.16	1.68	3,252
Criminal cases	*2,385	8,915	8,864	19,759.90	2.22	2,416
Other representations	*650	3,980	3,794	1,560.26	.41	836
Arizona	330	1,327	1,321	1,730.65	1.31	336
Criminal cases	294	1,174	1,195	1,630.00	1.36	273
Other representations	36	153	126	100.65	.80	63
California, Northern	296	881	963	1,751.25	1.82	214
Criminal cases	218	722	786	1,566.75	1.99	154
Other representations	78	159	177	184.50	1.04	60
California, Central	561	2,085	1,987	4,474.05	2.25	659
Criminal cases	469	1,597	1,549	4,094.60	2.64	517
Other representations	92	488	438	379.45	.87	142
California, Eastern	135	624	675	590.51	.87	84
Criminal cases	107	450	500	515.60	1.03	57
Other representations	28	174	175	74.91	.43	27
Colorado	8	268	221	320.80	1.45	55
Criminal cases	8	228	198	315.80	1.59	38
Other representations		40	23	5.00	.22	17
Connecticut	*107	264	300	834.05	2.78	71
Criminal cases	*99	196	233	808.70	3.47	62
Other representations	*8	68	67	25.35	.38	9
Florida, Southern	*229	688	664	1,613.00	2.43	253
Criminal cases	178	570	553	1,556.00	2.81	195
Other representations	*51	118	111	57.00	.51	58
Kansas	91	360	355	936.95	2.64	96
Criminal cases	64	307	307	916.10	2.98	64
Other representations	27	53	48	20.85	.43	32
Kentucky, Eastern		235	200	548.00	2.74	35
Criminal cases		200	177	532.75	3.01	23
Other representations		35	23	15.25	.66	12
Louisiana, Eastern	*94	350	337	574.15	1.70	107
Criminal cases	67	290	282	522.20	1.85	75
Other representations	*27	60	55	51.95	.94	32
Maryland	146	546	561	651.10	1.16	131
Criminal cases	120	446	465	596.65	1.28	101
Other representations	26	100	96	54.45	.57	30
Missouri, Western	173	2,114	2,185	1,059.50	.48	102
Criminal cases	38	246	257	843.75	3.28	27
Other representations	135	*1,868	*1,928	215.75	.11	75

See footnotes at end of table.

TABLE K-1.—Federal public defenders, statistical summary of activities by district, fiscal year 1976 — Continued

District	Pending July 1975 ¹	Cases opened ²	Cases closed ³			Pending June 1976
			Number	Hours in court	Average hours in court	
Nevada	50	268	271	378.40	1.40	47
Criminal cases	44	213	220	155.25	1.61	37
Other representations	6	55	51	23.15	.45	10
New Jersey	291	421	393	1,526.50	3.88	319
Criminal cases	249	297	301	1,435.50	1.77	245
Other representations	42	124	92	91.00	.99	74
New Mexico	72	300	274	454.70	1.66	98
Criminal cases	39	157	168	437.05	2.60	28
Other representations	33	143	106	17.65	.17	70
Ohio, Northern	*116	397	422	636.45	1.63	91
Criminal cases	*105	323	349	647.50	1.86	79
Other representations	*11	74	73	38.95	.53	12
Pennsylvania, Western	55	185	153	304.20	1.99	87
Criminal cases	50	152	132	287.55	2.18	70
Other representations	5	33	21	16.65	.79	17
Tennessee, Western	39	119	122	369.90	3.03	36
Criminal cases	30	103	105	357.40	3.40	28
Other representations	9	16	17	12.50	.74	8
Texas, Southern	111	626	601	955.65	1.59	136
Criminal cases	83	531	525	864.75	1.65	89
Other representations	28	95	76	90.90	1.20	47
Texas, Western ⁴		282	184	227.95	1.24	98
Criminal cases		249	165	206.10	1.25	84
Other representations		33	19	21.85	1.15	14
Virgin Islands	86	157	161	660.00	4.10	82
Criminal cases	79	145	146	640.00	4.38	78
Other representations	7	12	15	20.00	1.33	4
Washington, Western	45	398	328	672.40	2.05	115
Criminal cases	44	319	271	629.90	2.32	92
Other representations	1	79	57	42.50	.75	23

¹Cases pending at the beginning and the end of the reporting period include both active and inactive cases.

²Cases opened—A new case is counted as a case opened when: (a) there is an initial appointment in any type of case, and (b) the appointment is continued in a new type of case (continued for Appeal or New Trial granted).

Cases opened include cases reopened whenever: (a) counsel is reappointed after previously relieved as counsel, and (b) counsel is reappointed in same case after charges were previously dismissed.

³Cases closed—A case is counted as a case closed

when: (a) the appointment is terminated in any type of case for any reason, and (b) services are completed.

⁴Pending figures as of July 1, 1975 revised to reflect more accurate count of cases and to eliminate certiorari petitions.

⁵Includes 1,144 miscellaneous inmate requests by federal prisoners of the U.S. Medical Center for Federal Prisoners at Springfield, Missouri served under the Inmate Assistance Program through the end of FY 76.

⁶Texas, Western reporting period January 1976 to June 30, 1976.

TABLE K-2.—Federal public defenders, statistical summary of criminal cases represented, by counsel, by type of offense, during fiscal year 1976

	Pending July 1, 1975 ¹	Opened	Closed	Pending June 30, 1976	Hours in court (closed cases)	
					Total	Per case
Total	2,385	8,915	8,884	2,416	19,759.90	2.22
Adults	2,368	8,813	8,778	2,403	19,577.95	2.23
Juveniles	17	102	106	13	181.95	1.72
Nature of offense						
Homicide	15	46	48	13	608.20	12.67
Robbery:						
Bank	148	560	558	150	641.80	3.66
Postal and other	10	47	39	18	179.35	4.60
Assault	52	167	173	46	373.65	2.16
Burglary	54	95	98	51	265.35	2.71
Larceny and theft:						
Postal	126	485	453	158	844.65	1.86
Interstate Commerce	32	154	160	36	429.80	2.87
Other	140	437	455	122	1,413.00	3.11
Embezzlement:						
Postal	35	95	98	32	145.65	1.49
Bank and other	74	285	276	83	451.80	1.64
Fraud:						
Postal/Wire	27	131	112	46	455.60	4.07
Other	149	530	481	198	1,395.25	2.90
Auto (NMVTA)	61	393	370	84	820.75	2.22
Forgery and counterfeiting:						
Transportation forged sec	41	144	150	35	363.10	2.42
Other forgery	294	661	761	194	1,344.90	1.77
Counterfeiting	80	175	191	64	544.05	2.85
Sex offenses	14	40	41	13	230.70	5.63
Drug offenses:						
Marihuana	145	448	439	154	762.75	1.74
Narcotics	218	616	608	226	1,536.10	2.53
Controlled substances	81	208	224	65	391.55	1.75
Miscellaneous offenses:						
Escape	69	636	600	105	781.10	1.30
Weapons	134	457	468	123	1,795.70	3.84
Other	68	269	259	78	726.75	2.81
Immigration laws	52	660	604	108	648.05	1.07
Liquor, Internal Revenue		8	6	2	8.15	1.36
Federal statutes:						
Selective Service	62	54	88	28	86.05	0.98
Other	139	488	512	115	798.15	1.56
State statutes (not in above)	14	80	81	13	48.25	0.60
Petty offenses	51	546	541	56	269.70	0.50

¹Pending figures as of July 1, 1975 revised to reflect more accurate count of criminal cases.

TABLE K-3.—Federal public defenders, statistical summary of cases handled, by other representations during fiscal year 1976

Type of case	Pending July 1, 1975 ¹	Opened	Closed	Pending June 30, 1976	Hours in court (closed cases)	
					Total	Per case
Total	1650	3,980	3,794	836	1,560.26	0.41
Appeal (not including certiorari petition)	276	456	334	398	159.85	0.48
Habeas Corpus	139	645	656	128	146.60	0.22
Motion to correct (2255 and Rule 35)	55	226	221	60	97.45	0.44
Witness	17	253	204	66	161.70	0.79
New trial	7	7	7	7	27.25	3.89
Court directed prisoner representation	23	1,222	1,229	16	9.00	0.01
Supreme Court	(1)					
Probation revocation	59	698	663	94	621.41	0.94
Parole violation	50	347	354	43	274.25	0.77
Narcotic addict (Title III)	1	2	3		0.90	0.30
Bail/Prementment	16	93	90	19	53.25	0.58
Other	17	31	33	5	9.60	0.29

¹Pending figures as of July 1, 1975 revised to reflect more accurate count of types of other repre-

sentations and to eliminate certiorari petitions.

TABLE K-4.—Federal public defenders, summary of types of dispositions during fiscal year 1976

Disposition	Number of cases	Hours in court
Total	12,678	21,320.16
1. Lower Court		
Guilty		
On plea:		
Guilty	5,612	7,861.30
Nolo contendere	40	120.00
After trial:		
Jury	333	6,255.45
Court	168	601.95
Not Guilty		
After trial:		
By jury	98	1,607.80
By court	40	129.60
Judgment of acquittal	24	371.40
Dismissal of		
Complaint	909	590.55
Indictment	503	803.30
Information	4	3.25
DEFERMENT	137	146.75
Case Transferred		
Removal on Rule 40	640	453.95
Out on Rule 20	68	62.40
Change of Venue (Rule 21)	7	5.65
NEW TRIALS	8	137.35
Counsel Relieved		
Substitute:		
Appointed	319	279.50
Retained	507	289.35
Withdrew	26	0.50
Defendant waived counsel	16	24.40
2. Appellate Courts		
Courts of Appeals		
Counsel relieved	3	0.00
Remanded	2	1.50
By client:		
Affirmed	187	101.75
Reversed	27	23.15
Withdrawn	21	4.50
Dismissed	30	5.35
By United States:		
Affirmed	30	20.05
Reversed	1	1.00
Dismissed	5	0.00
Supreme Court		
(Certiorari denied)	(30)	0.00
Appeal by client:		
Affirmed	2	1.00
Reversed		
Dismissed		
Appeal by United States:		
Affirmed		
Reversed		
Dismissed		

TABLE K-4.—Federal public defenders, summary of types of dispositions during fiscal year 1976 — Continued

Disposition	Number of cases	Hours in court
3. Probation and Parole		
Probation:		
Revoked	362	387.91
Restored	252	237.75
Terminated	38	34.05
Parole:		
Revoked	169	166.60
Restored	33	23.55
Terminated	6	4.75
Referred to institution	74	23.45
4. Prisoner Matters		
Habeas Corpus:		
Granted	52	40.75
Denied	105	90.00
Dismissed	469	29.50
Transferred	1	0.00
Sentence Motion (2255, Rule 35, etc.):		
Granted	60	30.35
Denied	130	51.15
Dismissed	30	7.00
5. Other		
Services completed	1,724	286.25
NARA III commitment	5	4.35

TABLE L-1.—Community defender organizations, statistical summary of activities by district, fiscal year 1976

District	Pending July 1975 ¹	Cases opened ²	Cases closed ³			Pending June 1976
			Number	Hours in court	Average hours in court	
Total	*2,317	6,573	6,380	16,298.50	2.55	2,510
Criminal cases	*1,858	4,939	4,933	14,412.95	2.92	1,864
Other representations	*459	1,634	1,447	1,885.55	1.30	646
California, Southern ⁵	459	1,685	1,731	4,411.00	2.55	413
Criminal cases	320	1,208	1,304	3,826.00	2.93	224
Other representations	139	477	427	585.00	1.37	189
7 community defender organizations	*1,858	4,888	4,649	11,887.50	2.56	2,097
Criminal cases	*1,538	3,731	3,629	10,586.95	2.92	1,640
Other representations	*320	1,157	1,020	1,300.55	1.28	457
Georgia, Northern	128	349	359	921.45	2.57	118
Criminal cases	109	252	268	846.15	3.16	93
Other representations	19	97	91	75.30	.83	25
Illinois, Northern	247	635	635	1,408.00	2.22	247
Criminal cases	225	492	521	1,281.00	2.46	196
Other representations	22	143	114	127.00	1.11	51
Michigan, Eastern	428	915	814	1,984.00	2.44	529
Criminal cases	332	701	655	1,755.50	2.68	370
Other representations	96	214	159	228.50	1.44	159
Minnesota	*17	62	55	62.00	1.13	24
Criminal cases	*8	46	37	42.00	1.14	17
Other representations	*9	16	18	20.00	1.11	7
Total, New York	710	1,795	1,705	4,734.00	2.78	800
Criminal cases	618	1,359	1,295	4,315.00	3.33	682
Other representations	92	436	410	419.00	1.02	118
New York, Eastern	301	661	676	1,617.00	2.39	286
Criminal cases	285	573	588	1,530.00	2.60	270
Other representations	16	88	88	87.00	.99	16
2nd Circuit	54	124	129	129.00	1.00	49
New York, Southern	355	1,010	900	2,988.00	3.32	465
Criminal cases	333	786	707	2,785.00	3.94	412
Other representations	22	224	193	203.00	1.05	53
Oregon	66	218	193	333.05	1.75	94
Criminal cases	51	178	153	290.30	1.90	76
Other representations	15	40	37	42.75	1.16	18
Pennsylvania, Eastern	262	914	891	2,445.00	2.74	285
Criminal cases	195	703	700	2,057.00	2.94	198
Other representations	67	211	191	388.00	2.03	87

¹Cases pending at the beginning and the end of the reporting period include both active and inactive cases.

²Cases opened—A new case is counted as a case opened when: (a) there is an initial appointment in any type of case, and (b) the appointment is continued in a new type of case (continued for Appeal or New Trial granted).

Cases opened include cases reopened whenever: (a) counsel is reappointed after previously relieved as counsel, and (b) counsel is reappointed in same case after charges were previously dismissed.

³Cases closed—A case is counted as a case closed when: (a) the appointment is terminated in any type of case for any reason, and (b) services are completed.

⁴Minnesota pending reduced by 214 cases to accurately reflect the pending cases of the single community defender. Total pendencies also reduced by 214 cases.

⁵Community Defender paid on case by case basis during fiscal year 1976.

TABLE L-2.—Community defender organizations, statistical summary of criminal cases represented by counsel, by type of offense during fiscal year 1976

	Pending July 1, 1975 ¹	Opened	Closed	Pending June 30, 1976	Hours in court (closed cases)	
					Total	Per case
Total	1,858	4,939	4,933	1,864	14,412.95	2.92
Adults	1,845	4,894	4,879	1,860	14,285.10	2.93
Juveniles	13	45	54	4	127.85	2.37
Nature of Offense						
Homicide	1	5	3	3	117.25	39.08
Robbery:						
Bank	128	331	331	128	1,290.20	3.90
Postal and other	4	21	19	6	141.50	7.45
Assault	38	61	72	27	229.70	3.19
Burglary	10	19	21	8	65.00	3.10
Larceny and theft:						
Postal	182	444	426	200	914.70	2.15
Interstate commerce	34	63	73	24	332.50	4.55
Other	55	167	154	68	439.25	2.85
Embezzlement:						
Postal	70	162	171	61	311.00	1.82
Bank and other	34	140	111	63	196.05	1.77
Fraud:						
Postal/wire	27	78	63	42	388.80	6.17
Other	92	435	410	117	1,012.35	2.47
Auto (NMVTA)	31	93	94	30	250.55	2.67
Forgery and counterfeiting:						
Transportation forged securities	19	61	52	28	129.30	2.49
Other forgery	275	542	554	263	1,275.50	2.30
Counterfeiting	44	105	91	58	299.15	3.29
Sex offenses	2	3	5	.....	38.75	7.75
Drug offenses:						
Marihuana	135	233	254	114	1,040.75	4.10
Narcotics	266	715	710	271	2,353.15	3.31
Controlled substances	26	56	59	23	231.30	3.92
Miscellaneous offenses:						
Escape	64	313	333	44	528.65	1.59
Weapons	92	190	197	85	786.50	3.99
Other	39	86	74	51	649.85	8.78
Immigration laws	14	246	249	11	714.30	2.87
Liquor, Internal Revenue .....	.....	1	.....	1	.....	.....
Federal statutes:						
Selective Service	53	38	67	24	74.10	1.11
Other	79	195	191	83	380.80	1.99
State statutes (not classified above)	18	27	24	21	44.25	1.84
Petty offenses	26	109	125	10	177.75	1.42

¹Pending figures as of July 1, 1975 revised to reflect more accurate count of criminal cases.

TABLE L-3.—Community defender organizations, statistical summary of cases handled by other representations during fiscal year 1976

Type of case	Pending July 1, 1975 ¹	Opened	Closed	Pending June 30, 1976	Hours in court (closed cases)	
					Total	Per case
Total	1459	1,634	1,447	646	1,885.55	1.30
Appeal (not including certiorari petition)	154	314	255	213	246.45	0.97
Habeas Corpus	21	16	14	23	36.25	2.59
Motion to correct (2255 and Rule 35)	89	234	235	88	210.55	0.90
Witness	26	168	116	78	113.75	0.98
New trial	6	6	7	5	60.00	8.57
Supreme Court	1	2	2	1		
Probation revocation	101	585	527	159	853.45	1.62
Parole violation	18	120	96	42	100.90	1.05
Narcotic addict (Title III)	27	8	7	28	16.25	2.32
Bail/Presentment	3	78	75	6	42.00	0.56
Other	13	103	113	3	205.95	1.82

¹Pending figures as of July 1, 1975 revised to reflect more accurate count of types of other representations.

TABLE L-4.—Community defender organizations, summary of types of dispositions during fiscal year 1976

Disposition	Number of cases	Hours in court
Total	6,380	16,298.50
1. Lower Court		
Guilty		
On plea:		
Guilty	2,539	6,559.15
Nolo contendere	7	15.00
After trial:		
Jury	155	3,119.30
Court	61	420.50
Not Guilty		
After trial:		
By jury	36	1,294.90
By court	15	127.25
Judgment of acquittal	5	36.25
Dismissal of		
Complaint	718	834.20
Indictment	229	457.50
DEFERMENT	263	387.75
Case Transferred		
Removal on Rule 40	257	283.55
Out on Rule 20	27	37.70
Change of Venue (Rule 21)	5	7.00
NEW TRIALS	5	16.80
Counsel Relieved		
Substitute:		
Appointed	258	332.20
Retained	362	411.60
Withdrew	1	0.00
Defendant waived counsel	5	0.50
2. Appellate Courts		
Courts of Appeals		
Remanded	2	1.00
By client:		
Affirmed	170	180.00
Reversed	25	32.25
Withdrawn	15	1.50
Dismissed	13	5.75
By United States:		
Affirmed	3	3.50
Reversed	6	19.95
Dismissed	5	0.50
Supreme Court		
(Certiorari denied)	(24)	0.00
Appeal by client:		
Affirmed	1	0.00
Reversed		
Dismissed	1	1.00
Vacated	1	0.00
Appeal by United States:		
Affirmed		
Reversed		
Dismissed		
3. Probation and Parole		
Probation:		
Revoked	227	408.35
Restored	200	329.10
Terminated	65	93.75
Parole:		
Revoked	47	57.40
Restored	18	25.00
Terminated	4	0.00
Referred to institution	7	5.25

TABLE 1-4.—Community defender organizations, summary of types of dispositions during fiscal year 1976 — Continued

Disposition	Number of cases	Hours in court
4. Prisoner Matters		
Habeas Corpus:		
Granted	4	17.00
Denied	5	25.00
Dismissed	5	8.00
Sentence motion (2255, Rule 35, etc.):		
Granted	85	79.50
Denied	126	109.80
Dismissed	11	3.00
5. Other		
Services completed	386	550.75
NARA III commitment		

TABLE M-1.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by nature of offense

Circuit and district	Total all defendants	Minor offenses other than petty offenses						Petty offenses							
		Total	Traffic	Theft	Food and drug	Weapons	Other	Total	Traffic	Immigration	Food and drug	Mail	Drunk, disorderly	Hunting, fishing, camping	Other
Total	90,166	11,692	6,399	2,661	602	169	1,861	78,474	50,988	13,273	677	1,754	1,368	5,837	4,577
District of Columbia	228	114		42	45	9	18	114	29	1	4	72		1	7
First Circuit	1,791	152	17	70	4		61	1,639	1,337	28	17	15	11	186	45
Maine	49	8					8	41	31	1		1		4	4
Massachusetts	1,464	69		55			34	1,375	1,147	1	17	10	6	159	35
New Hampshire	22	4					4	18	4					14	
Rhode Island	55	36	17	9	2		8	19	4					9	6
Puerto Rico	201	15		6	2		7	186	151	26		4	5		
Second Circuit	1,872	238	1	222	5	1	9	1,634	1,366	62	2	22	4	75	103
Connecticut	5	2					2	3					3		
New York:															
Northern	103	18	1	8	5		4	85	1	38	2	6		31	7
Eastern	1,351	205		205				1,146	1,026				1	30	89
Southern	324	1					1	323	315					5	3
Western	79	10		9		1		69	23	19		16		7	4
Vermont	10	2					2	8	1	5				2	
Third Circuit	2,984	439	28	242	31	2	136	2,545	1,713		4	674	27	73	54
Delaware	94	5	2	3				89	14			35		39	1
New Jersey	2,262	367	17	190	30		130	1,915	1,616		2	224	23	26	24
Pennsylvania:															
Eastern	446	53	5	45			3	393	12		2	358	2		19
Middle	72	6	2	1		2	1	66	47			12			7
Western	90	8	2	3	1		2	82	24			45	2	8	3
Fourth Circuit	18,768	2,879	1,554	672	202	65	386	15,889	14,256		110	195	245	362	721
Maryland	4,954	834	500	209	61	13	51	4,120	3,897		13	62	64	22	62
North Carolina:															
Eastern	1,507	40	2	19	1		18	1,467	1,201			11	37	116	79
Middle	45	10		5			5	35	14			1		17	2
Western	207	80		4	14		62	127	26			6	9	5	49
South Carolina	144	32		18			14	112	31			12	1	47	21

TABLE M-1.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by nature of offense — Continued

Circuit and district	Total all defendants	Minor offenses other than petty offenses						Petty offenses							
		Total	Traffic	Theft	Food and drug	Weapons	Other	Total	Traffic	Immigration	Food and drug	Mail	Drunk, disorderly	Hunting, fishing, camping	Other
Virginia:															
Eastern	11,532	1,851	1,044	411	117	52	227	9,681	8,920		32	70	88	100	471
Western	332	29	8	4	9		8	303	166		10	7	45	42	33
West Virginia:															
Northern															
Southern	47	3		2			1	44	1			26		13	4
Fifth Circuit	27,007	4,338	3,294	474	160	36	374	22,669	10,375	9,148	178	246	234	1,665	823
Alabama:															
Northern	606	181	140	4	11	4	22	425	392				1	14	18
Middle	1,143	70	37	11	13	1	8	1,073	1,025	1	1	2	1	32	11
Southern	23	5		1		2	2	18	9					6	3
Florida:															
Northern	478	27	8	1	1		17	451	256				9	148	38
Middle	506	24		11			13	482	333	1	2	5	15	36	90
Southern	265	58		21	1	2	34	207	102			10	31	47	17
Georgia:															
Northern	660	139	64	36	6	2	31	521	289		3	98	22	40	69
Middle	642	8	1	5			2	634	599			1	1	30	3
Southern	4,812	3,360	3,031	115	55	18	141	1,452	1,245		4	6	1	114	82
Louisiana:															
Eastern	412	14		12			2	398	41	34	1	22	18	276	6
Middle	60	3					3	57		18		1		38	
Western	1,683	23	2	13		1	7	1,860	1,087	1	1	2	20	715	34
Mississippi:															
Northern	475	11		7	1		3	464	425					4	35
Southern	1,014	35		17	1	1	16	979	92				22		29
Texas:															
Northern	488	13	1	3	5		4	475	344	3	5	16	4	31	72
Eastern	168	22		10	1		11	146	88			6	1	28	23
Southern	6,441	139	10	21	65	5	38	6,302	132	5,941	125	34	22	19	29
Western	6,931	206		186			20	6,725	3,080	3,149	36	43	66	87	264
Sixth Circuit	4,713	447	144	200	14	11	78	4,266	3,210	12	47	230	86	385	296
Kentucky:															
Eastern	334	8				1	7	326	196		4	4	1	73	48
Western	2,042	185	66	92	9	4	14	1,857	1,587		17	13	56	78	106

Michigan:																	
Eastern	354	69		40		4	25	285	145	9		72	1		33	25	
Western	159	30		20			10	129	72	3	1	13			21	19	
Ohio:																	
Northern	57	10	1	6			3	47				23			23	1	
Southern	307	39	7	25	1		6	268	235			6			9	18	
Tennessee:																	
Eastern	275	19	7	5	2	1	4	256	97		19	18	18		72	32	
Middle	1,061	87	63	12	2	1	9	974	804		6	80	8		48	28	
Western	124							124	74			1	2		28	19	
Seventh Circuit	2,096	144	27	32	9	2	74	1,952	1,196		16	7	174		339	220	
Illinois:																	
Northern	873	83	8		9	2	64	790	575		14	7	29		8	157	
Eastern	686	13	6	7				673	224		1		68		323	57	
Southern	71	6	6					65	64						1		
Indiana:																	
Northern	81							81	72		1		2		4	2	
Southern	290	35	7	20			8	255	196				57		2		
Wisconsin:																	
Eastern	86	4		2			2	82	63				18			1	
Western	9	3		3				6	2						1	3	
Eighth Circuit	1,294	61	508	56	7	7	33	683	263	6	22	29	71		172	120	
Arkansas:																	
Eastern	45	13		2			11	32	20	1					4	7	
Western	252	53		41	5	6	1	199	83		5		60		27	24	
Iowa:																	
Northern	12	6		6				6	4							2	
Southern	57	4					4	53	38						9	6	
Minnesota:																	
Northern	139							139	25		1	27	1		62	23	
Missouri:																	
Eastern	108	6		2			4	102	40		16	1	5		4	36	
Western	594	525	508	5	1		11	69	46				4		7	12	
Nebraska:																	
Northern	20	2				1	1	18							14	4	
North Dakota:	48	2			1			46	3	5		1			31	6	
South Dakota:	19							19	4				1		14		
Ninth Circuit	21,874	1,783	439	586	124	30	604	20,091	11,345	3,957	273	207	450		1,972	1,887	
Alaska:																	
Northern	742	38	27	4			7	704	701				1		2		
Arizona:																	
Northern	1,635	24		12	1	1	10	1,611	270	919	78	3	63		93	185	
California:																	
Northern	4,428	273	18	127	24	2	102	4,155	3,616	60	4	67	24		85	299	
Eastern	2,709	125		8			117	2,384	855	309	44	21	41		500	814	
Central	2,163	455		236	24	9	186	1,708	453	8	71	50	51		952	123	
Southern	3,701	162	2	54	52	4	50	3,539	649	2,638	20	59	94		36	43	
Hawaii:																	
Northern	819	8	6	1				811	539				67		45	205	
Idaho:																	
Northern	193	41	24				17	152	23	20					64	64	
Montana:																	
Northern	194							194	64						100	29	
Nevada:																	
Northern	653	11		6			5	642	435		31		90		19	67	

TABLE M-1.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by nature of offense — Continued

Circuit and district	Total all defendants	Minor offenses other than petty offenses						Petty offenses							
		Total	Traffic	Theft	Food and drug	Weapons	Other	Total	Traffic	Immigration	Food and drug	Mail	Drunk, disorderly	Hunting, fishing, camping	Other
Oregon	100	28	2	6	1		19	72	20		4		2	23	23
Washington:															
Eastern	182	21	6	1			14	161	82			2		77	
Western	4,355	597	354	131	22	14	76	3,758	3,638	3	21	5	16	40	35
Tenth Circuit	7,539	547	387	65	1	6	88	6,992	5,898	59	4	57	66	607	301
Colorado	2,128	225	211	5			9	1,903	1,584			1	11	287	20
Kansas	1,508	47	31	5			9	1,462	1,384			37	3	30	8
New Mexico	680	3					3	677	406	48		4	36	135	48
Oklahoma:															
Northern	81	50		1			49	31	3	11		1		12	4
Eastern	48	2	1				1	46	16			1	6	14	9
Western	2,824	202	136	54		1	11	2,622	2,408		1	13	3	38	159
Utah															
Wyoming	269	18	8		1	3	6	251	97		3		7	91	53

TABLE M-2.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by type of disposition

Circuit and district	Total all defendants	Minor offenses other than petty					Petty offenses				
		Total	Dismissed or acquitted		Convicted		Total	Dismissed or acquitted		Convicted	
			Without trial	With trial	On guilty plea	With trial		Without trial	With trial	On guilty plea	With trial
Total	90,166	11,692	521	748	7,623	2,800	78,474	10,959	5,672	51,500	10,343
District of Columbia	228	114			114		114	5		103	6
First Circuit	1,791	152	11	17	121	3	1,639	113	88	1,332	106
Maine	49	2		1	7		41		6	29	6
Massachusetts	1,464	89		6	82	1	1,375	76	34	1,226	39
New Hampshire	22	4			4		18	1	1	6	10
Rhode Island	55	36	8	10	16	2	19	4	3	12	
Puerto Rico	201	15	3		12		186	32	44	59	51
Second Circuit	1,872	298	12	3	223		1,634	365	221	932	116
Connecticut	5	2			2		3	1		2	
New York											
Northern	103	18	6		12		85		5	61	19
Eastern	1,351	205	6	2	197		1,146	237	160	661	88
Southern	324	1			1		323	123	53	145	2
Western	79	10		1	9		69	2	3	57	7
Vermont	10	2			2		8	2		6	
Third Circuit	2,984	439	7	8	402	22	2,545	154	209	1,759	423
Delaware	94	5	2		3		89	6	7	38	38
New Jersey	2,282	367	1	7	341	18	1,915	121	180	1,265	349
Pennsylvania:											
Eastern	446	53	3		50		393	10	3	378	2
Middle	72	6	1		1	4	66	16	10	15	25
Western	90	8		1	7		82	1	9	63	9
Fourth Circuit	18,766	2,679	163	432	1,256	1,028	15,889	4,199	2,241	6,182	3,267
Maryland	4,954	834	38	48	581	167	4,120	662	491	1,956	1,011
North Carolina:											
Eastern	1,507	40	2	5	28	5	1,467	443	108	752	164
Middle	45	10			6	4	35	4	1	14	16
Western	207	80	7	12	51	10	127	3	6	78	40
South Carolina	144	32	2	1	23	6	112	8	13	56	35

TABLE M-2.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by type of disposition — Continued

Circuit and district	Total all defendants	Minor offenses other than petty					Petty offenses				
		Total	Dismissed or acquitted		Convicted		Total	Dismissed or acquitted		Convicted	
			Without trial	With trial	On guilty plea	With trial		Without trial	With trial	On guilty plea	With trial
Virginia:											
Eastern	11,532	1,851	112	361	555	823	9,681	3,018	1,602	3,167	1,894
Western	332	29	2	5	9	13	303	61	20	117	105
West Virginia:											
Northern											
Southern	47	3			3		44			42	2
Fifth Circuit	27,007	4,338	79	160	2,853	1,246	22,669	1,087	749	18,186	2,647
Alabama:											
Northern	606	181	15	9	137	20	425	56	15	303	51
Middle	1,143	70	4	2	56	8	1,073	61	2	966	44
Southern	23	5			5		18			16	
Florida:											
Northern	478	27	6	1	12	8	451	65	41	236	109
Middle	506	24			20	4	482	107	51	262	62
Southern	265	58		2	56		207	45	10	95	57
Georgia:											
Northern	660	139	6	6	104	23	521	40	23	396	62
Middle	642	8			5	3	634		19	575	40
Southern	4,812	3,360	23	121	2,129	1,087	1,452	1	54	973	424
Louisiana:											
Eastern	412	14	1	1	12		398	18	28	119	33
Middle	60	3			3		57		4	50	3
Western	1,883	23			11	12	1,860	201		1,414	190
Mississippi:											
Northern	475	11		1	10		464	99	14	304	47
Southern	1,014	35			35		979	31	36	791	121
Texas:											
Northern	488	13	1		12		475	137	32	278	28
Eastern	168	22	2		17	3	146	5	1	124	16
Southern	6,441	139	15	7	54	63	6,302	70	41	6,068	123
Western	6,931	206	6	10	175	15	6,725	151	323	5,014	1,237
Sixth Circuit	4,713	447	5	9	404	29	4,266	449	235	2,951	631
Kentucky:											
Eastern	334	8	1		7		326	21	20	230	55
Western	2,042	185	1	5	168	11	1,857	172	80	1,384	221

Michigan:													
Eastern.....	354	69	3		65	1	285	51	16	130	88		
Western.....	159	30			30		129	8	4	109	8		
Ohio:													
Northern.....	57	10			10		47	4	1	24	18		
Southern.....	307	39		1	31	7	268	6	9	250	3		
Tennessee:													
Eastern.....	275	19			16	3	256	24	42	133	57		
Middle.....	1,061	87		3	77	7	974	146	40	661	127		
Western.....	124						124	17	23	30	54		
Seventh Circuit.....	2,096	144	68	17	54	5	1,952	358	262	1,020	312		
Illinois:													
Northern.....	873	83	64	11	5	3	790	192	168	225	205		
Eastern.....	686	13		1	11	1	673	64	11	560	38		
Southern.....	71	6		3	3		65		5	44	16		
Indiana:													
Northern.....	81						81	13	2	51	15		
Southern.....	290	35	4	1	29	1	255	73	23	127	32		
Wisconsin:													
Eastern.....	86	4		1	3		82	13	53	10	6		
Western.....	9	3			3		6	3		3			
Eighth Circuit.....	1,294	611	25	27	485	74	683	186	36	349	112		
Arkansas:													
Eastern.....	45	13	1		12		32	5		22	5		
Western.....	252	53	2	6	31	14	199	69	15	86	29		
Iowa:													
Northern.....	12	6			6		6			6			
Southern.....	57	4			4		53	11	1	35	6		
Minnesota:													
.....	139						139	25	11	66	37		
Missouri:													
Eastern.....	108	6			6		102	23	2	68	9		
Western.....	594	525	22	21	423	59	69	41	3	21	4		
Nebraska:													
.....	20	2			2		18	2		16			
North Dakota:													
.....	48	2			1	1	46	7	3	18	18		
South Dakota:													
.....	19						19	3	1	11	4		
Ninth Circuit.....	21,874	1,783	137	62	1,243	341	20,091	2,750	1,166	14,185	1,990		
Alaska:													
.....	742	38	1	2	29	6	704	161	149	219	175		
Arizona:													
.....	1,635	24	2	2	20		1,611	51	18	1,486	56		
California:													
Northern.....	4,428	273	47	24	175	27	4,155	1,351	329	1,823	652		
Eastern.....	2,709	125			69	56	2,584	310	183	1,794	297		
Central.....	2,163	455	12	3	363	77	1,708	176	98	1,162	272		
Southern.....	3,701	162	40	3	119		3,539	167	40	3,304	28		
Hawaii:													
.....	819	8			7	1	811	43	36	663	69		
Idaho:													
.....	193	41			41		152	5	1	138	8		
Montana:													
.....	194						194	36	9	136	13		
Nevada:													
.....	653	11			10	1	642	192	16	400	34		

TABLE M-2.—U.S. district courts, minor offense cases—defendants disposed of by United States magistrates during the fiscal year ended June 30, 1976, by type of disposition — Continued

Circuit and district	Total all defendants	Minor offenses other than petty					Petty offenses				
		Total	Dismissed or acquitted		Convicted		Total	Dismissed or acquitted		Convicted	
			Without trial	With trial	On guilty plea	With trial		Without trial	With trial	On guilty plea	With trial
Oregon.....	100	28			27	1	72	7	2	36	27
Washington:											
Eastern.....	182	21	1		6	14	161	71	4	59	27
Western.....	4,355	597	34	28	377	158	3,758	180	281	2,965	332
Tenth Circuit.....	7,539	547	14	13	468	52	6,992	1,293	465	4,501	733
Colorado.....	2,128	225	12	1	205	7	1,903	532	72	1,178	121
Kansas.....	1,509	47	1	3	29	14	1,462	355	213	717	177
New Mexico.....	680	3			3		677	180	43	302	152
Oklahoma:											
Northern.....	81	50		1	49		31	2		23	6
Eastern.....	48	2				2	46	2	4	22	18
Western.....	2,824	202		6	174	22	2,622	205	105	2,095	217
Utah.....											
Wyoming.....	269	18	1	2	8	7	251	17	28	164	42

TABLE M-3.—U.S. district courts, matters disposed of by United States magistrates pursuant to 28 U.S.C. 636(a) during the fiscal year ended June 30, 1976¹

Circuit and district	Total	Search warrants	Summons	Arrest warrants	Bail proceedings			Bail review	Preliminary examinations	Removal hearings
					Initial appearances	Initial probation	Material witness			
Total	86,084	6,068	2,627	19,904	37,837	1,576	2,048	7,155	7,142	1,727
District of Columbia	2,985	304	196	497	1,104	171	1	220	471	21
First Circuit	2,310	195	40	530	1,043	17		176	222	87
Maine	69	3	4	14	38			1	4	5
Massachusetts	1,370	147	14	349	605	10		75	135	35
New Hampshire	64	4		14	40				3	3
Rhode Island	280	30	8	61	93	2		17	33	36
Puerto Rico	527	11	14	92	277	5		83	47	8
Second Circuit	4,797	380	62	954	2,700	55	28	385	104	100
Connecticut	340	25	1	79	174	2		41	8	10
New York:										
Northern	232	8		59	113	1		18	23	10
Eastern	1,478	119	58	340	790	34	26	90	19	2
Southern	2,064	179		374	1,246	17	2	171	4	71
Western	571	44	3	111	309	1		53	47	3
Vermont	112	5		20	68			12	3	4
Third Circuit	5,800	425	236	1,698	2,299	160	6	202	664	110
Delaware	166	25	5	38	89			1	6	2
New Jersey	1,656	185	201	339	807	26	1	47	38	12
Pennsylvania:										
Eastern	2,843	135		1,004	923	117	1	95	498	70
Middle	235	11		86	112	5	2	2	12	5
Western	900	69	30	231	368	12	2	57	110	21
Fourth Circuit	9,040	620	458	2,565	3,176	153	30	480	1,342	216
Maryland	1,920	111	24	645	769	72		70	189	40
North Carolina:										
Eastern	835	26	273	259	139	1	15	28	78	16
Middle	708	76	2	224	223	15		119	36	13
Western	624	42	4	174	258			84	46	16
South Carolina	1,064	76	34	301	430	13	1	60	136	13

See footnote at end of table.

TABLE M-3.—U.S. district courts, matters disposed of by United States magistrates pursuant to 28 U.S.C. 636(a) during the fiscal year ended June 30, 1976¹ — Continued

Circuit and district	Total	Search warrants	Summons	Arrest warrants	Bail proceedings			Bail review	Preliminary examinations	Removal hearings
					Initial appearances	Initial probation	Material witness			
Virginia:										
Eastern.....	3,048	213	120	605	1,103	43	11	95	765	93
Western.....	458	33		215	144	2		7	51	6
West Virginia:										
Northern.....	85	15		31	29	1	1	1	5	2
Southern.....	298	28	1	111	81	6	2	16	36	17
Fifth Circuit.....	19,592	1,024	824	3,714	9,369	323	600	1,401	1,902	435
Alabama:										
Northern.....	1,160	96	22	361	523	38		62	52	6
Middle.....	588	79	36	121	263	7		37	39	6
Southern.....	710	147	2	78	391	5		45	42	
Florida:										
Northern.....	400	23	9	118	148	4		44	34	20
Middle.....	1,773	85	182	312	652	71	8	181	175	107
Southern.....	2,545	124	3	321	1,388	19	2	180	439	69
Georgia:										
Northern.....	1,337	66	20	297	681	24		111	109	29
Middle.....	248	15	1	99	78	1		1	24	29
Southern.....	487	24		177	174	3			93	16
Louisiana:										
Eastern.....	1,154	76	13	128	725	23		108	67	14
Middle.....	190	3		47	107	5		14	11	3
Western.....	734	23	86	155	306	21		85	38	20
Mississippi:										
Northern.....	146	10	1	39	82	5			4	5
Southern.....	315	40		90	129	4	1	25	22	4
Texas:										
Northern.....	791	20	16	114	524	2	4	31	58	22
Eastern.....	214	15	4	83	82	5		2	15	8
Southern.....	2,564	63	9	213	1,584	50	374	60	177	34
Western.....	4,236	115	420	961	1,532	36	211	415	503	43
Sixth Circuit.....	9,007	983	202	2,509	3,506	218	4	744	701	140
Kentucky:										
Eastern.....	497	32	27	214	151	8		2	54	9
Western.....	991	41	21	338	322	12	1	25	195	36
Michigan:										
Eastern.....	2,845	240	5	527	1,317	131		566	47	12
Western.....	355	28		127	135	11		20	33	1

Ohio:										
Northern.....	1,684	402	17	431	608	39		37	134	16
Southern.....	1,213	156	85	410	422	5	3	29	81	22
Tennessee:										
Eastern.....	541	53	26	199	153	3		29	65	13
Middle.....	679	16	20	231	287	2		36	77	10
Western.....	202	15	1	32	111	7			15	21
Seventh Circuit.....	4,934	227	135	1,690	1,714	60	24	509	492	83
Illinois:										
Northern.....	3,021	101		1,118	982	4	3	417	360	36
Eastern.....	197	8		51	74	8		6	35	15
Southern.....	155	39	1	61	30	2		11	7	4
Indiana:										
Northern.....	472	32		137	235		1	10	52	5
Southern.....	601	22	11	125	297	44		44	35	23
Wisconsin:										
Eastern.....	337	20	119	174	3		20	1		
Western.....	151	5	4	24	93	2		20	3	
Eighth Circuit.....	4,018	336	72	1,048	1,666	99	11	383	299	104
Arkansas:										
Eastern.....	312	32		95	102	18		30	28	7
Western.....	112	9		47	29	1		8	14	4
Iowa:										
Northern.....	165	2	1	54	93		5		5	5
Southern.....	202	56	8	50	62	4	1	12	5	4
Minnesota.....	1,066	106	19	293	377	10		95	151	15
Missouri:										
Eastern.....	485	55	3	156	165	7	1	70	16	12
Western.....	928	47		175	540	44		63	26	33
Nebraska.....	280	17	29	80	85	5		18	28	18
North Dakota.....	137	5	12	48	49	5	1	9	7	1
South Dakota.....	331	7		50	164	5	3	78	19	5
Ninth Circuit.....	19,292	1,388	355	3,546	9,422	248	1,244	2,242	534	313
Alaska.....	262	26	1	20	127			47	25	16
Arizona.....	4,137	91	45	343	2,411	17	366	669	157	38
California:										
Northern.....	2,475	147	183	607	1,022	60	5	300	41	110
Eastern.....	1,074	98	10	425	460	12	9	49	1	10
Central.....	4,076	515	2	1,146	2,013	47		230	3	28
Southern.....	4,165	159	1	321	2,153	59	755	692		25
Hawaii.....	344	65	2	65	122	3		22	51	14
Idaho.....	116	5		32	62			1	4	12

See footnote at end of table.

TABLE M-3.—U.S. district courts, matters disposed of by United States magistrates pursuant to 28 U.S.C. 636(a) during the fiscal year ended June 30, 1976¹ — Continued

Circuit and district	Total	Search warrants	Summons	Arrest warrants	Bail proceedings			Bail review	Preliminary examinations	Removal hearings
					Initial appearances	Initial probation	Material witness			
Montana	197	54	1	50	71	.....	.....	3	7	11
Nevada	505	62	1	142	220	7	1	61	2	9
Oregon	429	52	2	152	120	5	1	60	34	3
Washington:										
Eastern	307	29	41	62	76	.....	15	31	47	6
Western	1,205	85	66	181	565	38	.....	77	162	31
Tenth Circuit	4,309	186	47	1,124	1,838	72	100	413	411	118
Colorado	844	58	3	189	444	1	1	63	71	14
Kansas	915	18	10	254	515	26	.....	50	14	28
New Mexico	897	22	2	165	366	23	85	157	75	2
Oklahoma:										
Northern	279	22	.....	78	104	7	12	17	21	18
Eastern	166	10	.....	57	69	.....	1	17	11	1
Western	418	20	.....	153	147	6	.....	64	23	5
Utah	375	31	19	72	54	5	1	20	123	50
Wyoming	415	5	13	156	139	4	.....	25	73	.....

¹Excludes trials of minor offenses pursuant to 18 U.S.C. 3401. See Tables M-1 and M-2.

TABLE M-4.—U.S. district courts, matters disposed of by U.S. magistrates pursuant to 28 U.S.C. 636(b) during the fiscal year ended June 30, 1976

Circuit and district	Total	Criminal cases						Civil cases								
		Total criminal	Post-indictment arraignments	Pre-trial conferences	Motions	Probation revocation	Other	Total civil	Prisoner petitions			Pre-trial conferences	Motions	Special master reports	Social security	Other
									State habeas	Federal habeas	Civil rights					
Total	75,894	35,596	18,694	5,397	7,861	726	2,918	40,298	4,357	1,743	2,131	17,559	9,583	684	1,480	2,761
District of Columbia	968	436	84		213	100	39	532	48	17		187	132	6		142
First Circuit	5,921	2,914	874	145	1,617	13	265	3,007	72	8	89	603	1,972	21	15	227
Maine	257	75	29	28	18			182				125	46	5	4	2
Massachusetts	2,699	1,935	461	9	1,453	12		764	22	1	1	9	721	2		8
New Hampshire	905	44	36	3	5			861	13		78	163	558	4		55
Rhode Island	657	193	115	47	23	1	7	464	13	2	5	55	348	3	3	35
Puerto Rico	1,403	667	233	58	118		258	736	24	5	5	261	299	7	8	127
Second Circuit	8,705	603	371	8	98	4	122	8,102	80	86	87	6,396	1,213	39	8	193
Connecticut	689	22			20	1	1	667	3	10	4	107	481		5	57
New York:																
Northern	259	35	9	3	16		7	224	71	76	75					2
Eastern	459	85	80	3			2	374				368		5	1	
Southern	6,661	211	140		1	2	68	6,450	6		8	5,544	724	32	2	134
Western	637	250	142	2	61	1	44	387				377	8	2		
Vermont																
Third Circuit	4,850	1,556	1,293	4	101	87	71	3,294	239	36	229	2,078	152	34	449	77
Delaware	6	4		1	1	1	1	2					2			
New Jersey	1,184	128	14		73	2	39	1,056	45			895	53	8	49	6
Pennsylvania:																
Eastern	2,624	1,024	918	3	4	70	29	1,600	121	25	157	1,152	63	22	13	46
Middle	314	3				3		311							309	2
Western	722	397	361		23	11	2	325	73	11	72	30	34	4	78	23
Fourth Circuit	3,586	1,442	1,172	25	140	76	29	2,144	562	77	348	311	210	16	237	383
Maryland	645	492	404	2	45	33	8	153	29	5	11	8	4		3	93
North Carolina:																
Eastern	442	237	148	23	53		13	205	18	8	10	97	56	1		15
Middle	449	16			16			433	101	21	79	151	81			
Western	436	140	111		16	13		296	99							197

TABLE M-4.—U.S. district courts, matters disposed of by U.S. magistrates pursuant to 28 U.S.C. 636(b) during the fiscal year ended June 30, 1976 — Continued

Circuit and district	Total	Criminal cases						Civil cases								
		Total criminal	Post-indictment arraignments	Pre-trial conferences	Motions	Probation revocation	Other	Total civil	Prisoner petitions			Pre-trial conferences	Motions	Special master reports	Social security	Other
									State habeas	Federal habeas	Civil rights					
South Carolina.....	775	516	505		1	9	1	259	66	10	56			2	125	
Virginia:																
Eastern.....	397	26			1	18	7	371	196	8	96			6	13	52
Western.....	143	5	4		1			138	3		57		1	2	65	10
West Virginia:																
Northern.....	96							96				55	23		3	15
Southern.....	203	10			7	3		193	50	25	39		45	5	28	1
Fifth Circuit.....	21,050	10,322	4,336	1,930	3,193	207	656	10,728	2,130	463	907	3,952	2,299	288	136	553
Alabama:																
Northern.....	1,789	1,356	673	565	113		5	433	232	60	92	2	4	17	3	23
Middle.....	270	35	35					235	199	3	5	1	5	3	10	9
Southern.....	537	207		103	90			330	28	5	31	9	250		6	1
Florida:																
Northern.....	261	18	12		6			243	113	37	84				3	6
Middle.....	2,497	1,889	722	687	353		119	608	250		57	123	148	3	2	25
Southern.....	3,733	3,419	1,232		2,047	6	134	314	214	32	26		20	3	1	18
Georgia:																
Northern.....	1,139	1,069	580	169	243	9	68	70		1		26	3	12	23	5
Middle.....	4	4	2			2										
Southern.....	7	7				5	2									
Louisiana:																
Eastern.....	4,146	701	440	155	79	5	22	3,445	108	49	11	1,657	1,433	105		82
Middle.....	887	351	98	110	56	1	76	536	77	2	120	198	42	27		70
Western.....	1,111	277	76	2	153	16	30	834	114	19	21	492	148	10	25	5
Mississippi:																
Northern.....	217	87	74	1	12			130	58	2	21	9	34		2	4
Southern.....	491	63	47	5	5	5	1	428	31	4	1	116	201	33	21	21
Texas:																
Northern.....	745	65	41		12	3	9	680	401	38	41		5	16	26	153
Eastern.....	242	6	1				5	236	119	70	18	1		10	13	5
Southern.....	2,502	653	227	133	10	125	158	1,849	104	8	323	1,283	6	23	1	101
Western.....	472	115	76		4	22	13	357	82	133	56	35		26		25

Sixth Circuit	6,723	4,514	2,646	1,143	434	50	241	2,209	236	75	91	922	324	25	399	137
Kentucky:																
Eastern	358	117	1		44		72	241	34	40		25		1	134	7
Western	141	30		2	3	11	14	111	47	17	27	1				19
Michigan:																
Eastern	3,412	2,989	1,720	944	202	20	103	423				300	110	6	3	4
Western	816	605	312	130	149	1	13	211	51	6	40	11	71	1	23	8
Ohio:																
Northern	425	382	362	8	7	2	3	43				27	8		5	3
Southern	1,106	96	6	58	28	4		1,010	88	4	21	558	135	5	183	16
Tennessee:																
Eastern	25	7	3	1		3		18	10	6	2					
Middle	56	11			1	9	1	45							45	
Western	384	277	242				35	107	6	2	1			12	6	80
Seventh Circuit	2,958	1,051	359	29	607	11	45	1,907	47	150	5	1,261	250	24	108	62
Illinois:																
Northern	1,514	984	350		606	2	26	530	1	2	1	240	236	22	2	26
Eastern	346							346	3	15		212	9	1	103	3
Southern	5	2				2		3								3
Indiana:																
Northern	13							13				12				1
Southern	889	11	8			3		878	31	129		716		1		1
Wisconsin:																
Eastern	27	1	1					26				2			2	22
Western	164	53		29	1	4	19	111	12	4	4	79	5		1	6
Eighth Circuit	4,054	1,943	1,067	387	266	10	213	2,111	139	572	135	699	483	20	30	28
Arkansas:																
Eastern	408	222	222					186	76		102	2		3	1	2
Western	3	3	3													
Iowa:																
Northern	414	113	61	5	35		12	301	11	7	9	85	182	1		6
Southern	476	193	146	5	41	1		283			3	162	102	8		8
Minnesota:																
Eastern	777	222	152	6	63	1		555	12	27		305	184	5	21	1
Missouri:																
Eastern	426	377	125		53	1	198	49	23	9	9			1	5	2
Western	1,110	552	108	371	67	5	1	558		525	11			2		6
Nebraska:																
Eastern	240	86	78		6		2	154				131	20			3
North Dakota:																
South Dakota:	200	175	172		1	2		25	17	4	1				3	
Ninth Circuit	13,407	9,623	5,860	1,328	1,168	148	1,119	3,784	513	134	184	403	1,466	194	88	802
Alaska	164	161	150		7		4	3				3				
Arizona	1,374	1,241	1,182		36	3	20	133	47	11	14	10		2		49

TABLE M-4.—U.S. district courts, matters disposed of by U.S. magistrates pursuant to 28 U.S.C. 636(b) during the fiscal year ended June 30, 1976 — Continued

Circuit and district	Total	Criminal cases							Civil cases							
		Total criminal	Post-indictment arraignments	Pre-trial conferences	Motions	Probation revocation	Other	Total civil	Prisoner petitions			Pre-trial conferences	Motions	Special master reports	Social security	Other
									State habeas	Federal habeas	Civil rights					
California:																
Northern.....	2,309	1,574	680	6	192	59	637	735				84	330	124	1	196
Eastern.....	9	9	6		2	1										
Central.....	3,634	2,656	1,931	1	433	14	277	978	412	64	131	5	61	6	55	244
Southern.....	3,560	3,233	1,549	1,302	254	56	72	327				143	13	26		145
Hawaii.....	205	128	94	7	20	5	2	77				44	33			
Idaho.....	5							5				5				
Montana.....	15	15		4	11											
Nevada.....	162	53			13		40	109								
Oregon.....	1,665	449	251	8	155	1	34	1,216	30	1	33	11	85			13
Washington:																
Eastern.....	20	7	1			2	4	13				2			9	2
Western.....	285	97	16		45	7	29	188	24	58	6	32	21	23	6	18
Tenth Circuit.....	3,672	1,192	632	398	24	20	118	2,480	291	125	56	747	1,077	17	10	157
Colorado.....	101	16	2				14	85	20	4	3		28			30
Kansas.....	1,791	626	124	398	3	7	94	1,165				537	555	1		72
New Mexico.....	890	376	369		1	5	1	514	109	11	37	209	139	9		
Oklahoma:																
Northern.....	323	103	83		8	3	9	220	30	7		1	169	1	5	7
Eastern.....	36							36	27	1			2		5	1
Western.....	531	71	54		12	5		460	105	102	16		184	6		47
Utah.....																
Wyoming.....																

TABLE P-1.—U.S. district courts. Passport applications, petitions for naturalization and aliens naturalized during the fiscal year 1976

Circuit and district	Passport applications processed by U.S. district courts	Other agencies processing passport applications			Petitions for naturalization	Aliens naturalized
		U.S. Postal Service	U.S. State Department	State courts		
Total	55,293				129,317	115,946
District of Columbia		No	Yes	No	910	811
First Circuit	2,035				5,966	5,675
Maine	1,548	Yes	No	Yes	202	192
Massachusetts		Yes	Yes	Yes	3,313	3,050
New Hampshire	229	Yes	No	Yes	106	106
Rhode Island	256	Yes	No	Yes	510	402
Puerto Rico		No	No	No	1,835	1,925
Second Circuit	319				27,218	30,477
Connecticut	45	Yes	No	No	3,503	4,109
New York:						
Northern	20	Yes	No	No		
Eastern		Yes	Yes	Yes	14,861	17,470
Southern		Yes	Yes	No	7,971	7,932
Western		Yes	No	No	781	863
Vermont	254	Yes	No	Yes	102	103
Third Circuit	6,843				7,603	6,646
Delaware	350	Yes	No	No	270	260
New Jersey		No	No	Yes	3,840	3,151
Pennsylvania:						
Eastern		Yes	Yes	Yes	1,666	1,590
Middle		Yes	No	No	181	223
Western	2,869	Yes	No	Yes	799	704
Virgin Islands	3,624	No	No	No	847	718
Fourth Circuit	7,159				4,928	4,415
Maryland	1,146	Yes	No	Yes	1,623	1,589
North Carolina:						
Eastern	134	Yes	No	Yes	273	240
Middle	83	Yes	No	Yes	154	147
Western		Yes	No	No	167	126
South Carolina	422	Yes	No	Yes	414	383
Virginia:						
Eastern	2,199	Yes	No	No	1,920	1,687
Western	2,013	Yes	No	Yes	206	110
West Virginia:						
Northern	340	Yes	No	Yes	99	61
Southern	822	Yes	No	No	72	72
Fifth Circuit	6,936				26,834	17,465
Alabama:						
Northern		Yes	No	No	165	166
Middle	27	Yes	Yes	Yes	82	88
Southern		Yes	No	No	47	52
Florida:						
Northern	2	Yes	No	No	419	414
Middle	58	Yes	No	No	1,895	1,496
Southern		Yes	Yes	Yes	17,011	9,253
Georgia:						
Northern	1	Yes	No	No	550	663
Middle	341	Yes	No	No	198	204
Southern	311	Yes	No	No	53	60
Louisiana:						
Eastern		No	Yes	No	706	611
Middle		Yes	No	No	102	80
Western	1,328	Yes	No	No	182	159
Mississippi:						
Northern	180	Yes	No	No	38	29
Southern		Yes	No	No	157	128
Texas:						
Northern	1,607	Yes	No	Yes	845	641
Eastern	471	Yes	No	No	162	152
Southern	361	Yes	No	No	1,512	992
Western	2,249	Yes	No	Yes	2,710	2,277
Canal Zone		No	No	No		

See footnote at end of table.

TABLE P-1.—U.S. district courts. Passport applications, petitions for naturalization and aliens naturalized during the fiscal year 1976 — Continued

Circuit and district	Passport applications processed by U.S. district courts	Other agencies processing passport applications			Petitions for naturalization	Aliens naturalized
		U.S. Postal Service	U.S. State Department	State courts		
Sixth Circuit	12,033				7,088	6,324
Kentucky:						
Eastern	729	Yes	No	Yes	116	113
Western		Yes	No	No	312	265
Michigan:						
Eastern	994	Yes	No	No	2,939	2,218
Western	1,097	Yes	No	No	262	350
Ohio:						
Northern	3,951	Yes	No	No	2,066	2,002
Southern	3,507	Yes	No	Yes	1,048	1,012
Tennessee:						
Eastern	123	Yes	No	No	113	137
Middle	1,632	Yes	No	No	108	117
Western		Yes	No	No	124	110
Seventh Circuit	815				13,070	11,593
Illinois:						
Northern	338	No	No	Yes	10,586	9,252
Eastern		Yes	No	No	200	162
Southern	4	Yes	No	Yes	259	211
Indiana:						
Northern		Yes	No	Yes	659	693
Southern	442	Yes	No	No	513	462
Wisconsin:						
Eastern	19	Yes	No	Yes	705	672
Western	12	Yes	No	Yes	148	141
Eighth Circuit	4,449				2,890	2,914
Arkansas:						
Eastern		Yes	No	No	74	42
Western	315	Yes	No	Yes	34	26
Iowa:						
Northern		Yes	No	Yes	169	182
Southern		Yes	No	Yes	278	271
Minnesota	1,704	Yes	No	Yes	877	872
Missouri:						
Eastern	2,037	Yes	No	No	651	671
Western		Yes	No	No	347	382
Nebraska		Yes	No	No	268	311
North Dakota	2	Yes	No	Yes	133	95
South Dakota	391	Yes	No	Yes	69	62
Ninth Circuit	13,666				30,807	27,593
Alaska	1,242	Yes	No	Yes	235	218
Arizona	4,488	Yes	No	Yes	1,172	755
California:						
Northern		No	Yes	No	9,045	7,990
Eastern	3,172	Yes	No	No	1,139	1,084
Central		No	No	Yes	9,343	8,149
Southern		No	No	Yes	2,135	2,156
Hawaii		No	No	No	2,958	2,875
Idaho	1,701	Yes	No	Yes	142	124
Montana	139	Yes	No	Yes	51	44
Nevada	2,923	Yes	No	Yes	477	396
Oregon	1	Yes	No	Yes	702	690
Washington:						
Eastern		Yes	No	No	164	154
Western		Yes	Yes	No	1,744	1,958
Guam		No	No	No	1,500	1,000
Tenth Circuit	1,038				2,003	2,033
Colorado	10	Yes	No	No	1,066	1,138
Kansas		Yes	No	Yes	390	394
New Mexico	28	Yes	No	No	191	174
Oklahoma:						
Northern	2	No	No	Yes	83	76
Eastern		Yes	No	No	13	11
Western	995	Yes	No	Yes	177	163
Utah		No	No	No	55	54
Wyoming	3	Yes	No	Yes	28	33

*The State Department of the Commonwealth of Puerto Rico processes passport applications.

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Total	-	-	433	3,211	1,965	1,246	-	-	433	3,211	1,977	1,234
Total D. C.	1	-	1	1	-	1	-	-	-	-	-	-
Dist. of Col.	1 Gesell	Pa., E.	1	1	-	1	-	-	-	-	-	-
First Circuit	7	-	20	98	64	34	-	-	29	343	64	276
Maine	1 Gignoux	N.H.	1	1	1	-	Bownes	N.H.	2	5	5	-
		P.R.	1	1	1	-	Skinner	Mass.	1	1	1	-
Massachusetts	3 Caffrey	N.H.	2	3	3	-	Aldrich	1st Cir.	7	30	30	-
	Skinner	Maine	1	1	1	-	Bootle	Ga., M.	1	26	-	26
	Wyzanski ²	Calif., N.	2	34	-	34	Brewster ²	Texas, N.	1	29	-	29
							Byrne	Calif., C.	1	26	-	26
							Lucas	Calif., C.	1	27	-	27
							Watson	Customs Ct.	2	33	-	33
New Hampshire	1 Bownes	Maine	2	5	5	-	Gignoux	Maine	1	1	1	-
		P.R.	3	21	21	-	Caffrey	Mass.	2	3	3	-
							Robinson ²	Nebraska	1	17	-	17
Rhode Island	1 Pettine	P.R.	1	2	2	-	-	-	-	-	-	-
Puerto Rico	-	-	-	-	-	-	Gignoux	Maine	1	1	1	-
							Bownes	N.H.	3	21	21	-
							Pettine	R.I.	1	2	2	-
							Bootle	Ga., M.	1	29	-	29
							Grant ²	Ind., N.	1	28	-	28
							Gordon	Wisc., E.	1	31	-	31
							Watson	Customs Ct.	1	33	-	33

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Ct. of Appeals	1 Aldrich	Mass.	7	30	30	-	-	-	-	-	-	-
Second Circuit	13	-	64	464	226	138	-	-	72	471	326	145
Connecticut	-	-	-	-	-	-	MacMahon	N.Y., S.	1	1	1	-
							Murphy ²	N.Y., S.	6	83	83	-
							Anderson ²	Ct. of Appeals	15	15	15	-
							Lumbard ²	Ct. of Appeals	9	28	28	-
							Moore ²	Ct. of Appeals	1	10	10	-
New York: Northern	-	-	-	-	-	-	Brieant	N.Y., S.	1	9	9	-
							MacMahon	N.Y., S.	12	108	108	-
							Werker	N.Y., S.	5	16	16	-
							Holden	Vermont	1	3	3	-
							Gagliardi	N.Y., S.	3	14	14	-
Eastern	-	-	-	-	-	-	Coffrin	Vermont	1	11	11	-
							Moore ²	Ct. of Appeals	3	6	6	-
							Watson	Customs Ct.	2	96	-	96
Southern	6 Brieant	N.Y., N	1	9	9	-	McFadden	Ala., N.	5	14	-	14
		N.Y., W.	1	10	10	-	Lucas	Calif., C.	1	3	-	3
	Gagliardi	N.Y., N.	3	14	14	-						
	MacMahon	N.Y., N.	12	108	108	-	Solomon ²	Oregon	1	2	-	2
		Conn.	1	1	1	-	Boldt ²	Wash., W.	1	30	-	30

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued												
New York: Southern	Murphy ²	Conn.	6	83	83	-						
	Ariz.		1	100	-	100						
	Palmieri ²	La., E.	1	38	-	38						
	Werker	N.Y., N.	5	16	16	-						
Western	-	-	-	-	-	-	Brieant	N.Y., S.	1	10	10	-
							VanGraafeiland	Ct. of Appeals	1	10	10	-
Vermont	2 Coffrin	N.Y., E.	1	11	11	-	Waterman ²	Ct. of Appeals	2	2	2	-
	Holden	N.Y., N.	1	3	3	-						
Ct. of Appeals	5 Anderson ²	Conn.	15	15	15	-						
	Lumbard ²	Conn.	9	28	28	-						
	Moore ²	Conn.	1	10	10	-						
		N.Y., E.	3	6	6	-						
	VanGraafeiland											
		N.Y., W.	1	10	10	-						
	Waterman ²	Vermont	2	2	2	-						
Third Circuit	9	-	13	211	5	206	-	-	4	6	5	1
Delaware	1 Stappleton	Pa., E.	1	1	1	-	Weber	Pa., W.	1	3	3	-
New Jersey	-	-	-	-	-	-	-	-	-	-	-	-

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Pennsylvania: Eastern	4 Bechtle Clary ² Gorbey Kraft ²	Fla., M. Texas, S. Mo., W. Fla., S.	1 2 1 2	3 86 1 54	- - - -	3 86 1 54	Stapleton Gesell	Delaware D.C.	1 1	1 1	1 -	- 1
Middle	-	-	-	-	-	-	Miller	Pa., W.	1	1	1	-
Western	4 McCune Miller ² Weber Wilson ²	Iowa, S. Fla., M. Pa., M. Delaware Ga., N. Fla., M.	1 1 1 1 1 1	11 19 1 3 3 29	- - 1 3 - -	11 19 - - 3 29						
Fourth Circuit	12	-	34	138	107	31	-	-	32	132	107	25
Maryland	1 Young	W.Va., S.	6	22	22	-						
North Carolina: Eastern	1 Dupree	S.C.	1	16	16	-	Hemphill MacKenzie Merhige Dalton Craven Widener	S.C. Va., E. Va., E. Va., W. Ct. of Appeals Ct. of Appeals	1 3 1 1 2 1	3 8 5 5 8 2	3 8 5 5 8 2	- - - - - -
Middle	-	-	-	-	-	-	Warlick ² Craven	N.C., W. Ct. of Appeals	3 1	9 2	9 2	- -

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued												
North Carolina: Western	1 Warlick ²	N.C., M.	3	9	9	-						
South Carolina	1 Hemphill	N.C., E.	1	3	3	-	Dupree	N.C., E.	1	16	16	-
							Merhige	Va., E.	2	11	11	-
							Juergens ²	Ill., E.	1	25	-	25
Virginia: Eastern	4 Lewis ²	Tenn., E.	1	11	-	11						
	MacKenzie	N.C., E.	3	8	8	-						
	Merhige	N.C., E.	1	5	5	-						
		S.C.	2	11	11	-						
		S.D.	2	20	-	20						
	Warriner	Va., W.	1	2	2	-						
Western	1 Dalton	N.C., E.	1	5	5	-	Warriner	Va., E.	1	2	2	-
							Widener	Ct. of Appeals	6	9	9	-
West Virginia: Northern	-	-	-	-	-	-	Knapp	W.Va., N.	2	5	5	-
Southern	1 Knapp	W.Va., N.	2	5	5	-	Young	Maine	6	22	22	-
Ct. of Appeals	2 Craven	N.C., E.	2	8	8	-						
		N.C., M.	1	2	2	-						
	Widener	N.C., E.	1	2	2	-						
		Va., W.	6	9	9	-						

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

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	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Fifth Circuit	27	-	74	464	267	197	-	-	77	675	267	408
Alabama:												
Northern	5 Allgood ²	Fla., N.	4	12	12	-	Thomas ²	Ala., S.	4	4	4	-
	Grooms ²	Ky., E.	2	23	-	23						
	Lynne ²	Ala., M.	2	2	2	-						
	McFadden	Ala., M.	1	1	1	-						
		N.Y., S.	5	14	-	14						
	Pointer	Fla., M.	1	12	12	-						
Middle	-	-	-	-	-	-	Lynne ²	Ala., N.	2	2	2	-
							McFadden	Ala., N.	1	1	1	-
							Goßbold	Ct. of Appeals	1	1	1	-
Southern	2 Hand	Texas, S.	1	12	12	-	Arnow	Fla., N.	1	4	4	-
		Fla., N.	2	21	21	-	Stafford	Fla., N.	1	11	11	-
	Thomas ²	Ala., N.	4	4	4	-						
		Fla., M.	1	12	12	-						
		Fla., N.	2	2	2	-						
		Tenn., M.	1	6	-	6						
		Miss., S.	4	7	7	-						
Florida:												
Northern	2 Arnow	Ala., S.	1	4	4	-	Allgood ²	Ala., N.	4	12	12	-
							Thomas	Ala., S.	2	2	2	-
	Stafford	Ala., S.	1	11	11	-	Roettger	Fla., S.	1	2	2	-
		Texas, W.	3	22	22	-	Sessions	Tex., W.	1	19	19	-
							Hand	Ala., S.	2	21	21	-
Middle	-	-	-	-	-	-	Pointer	Ala., N.	1	12	12	-
							Thomas	Ala., S.	1	12	12	-
							Owens	Ga., M.	1	5	5	-

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued Florida: Middle							Pittman	Ct. of Appeals	1	5	5	-
							Freeman ²	Mich., E.	1	19	-	19
							Bechtle	Pa., E.	1	3	-	3
							Miller ²	Pa., W.	1	19	-	19
							Willson ²	Pa., W.	1	29	-	29
							Wood	Texas, W.	1	12	12	-
							Robinson ²	Neb.	1	28	-	28
							Halbert	Calif., E.	1	18	-	18
							Templar ²	Kansas	1	26	-	26
Southern	2 Mehrtens ²	S.D.	1	11	-	11	Ingraham ²	Ct. of Appeals	3	5	5	-
	Roettger	Fla., N.	1	2	2	-	Kraft ²	Pa., E.	2	54	-	54
		Texas, S.	1	5	5	-	Regan	Mo., E.	1	30	-	30
Georgia: Northern	-	-	-	-	-	-	Weber	Pa., W.	1	3	-	3
Middle	2 Bootle ²	Tenn., E.	1	6	-	6						
		Mass.	1	26	-	26						
		P.R.	1	29	-	29						
	Owens	Fla., M.	1	5	5	-						
Southern	-	-	-	-	-	-						

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Louisiana: Eastern	2 Mitchell Rubin	La., W. La., W.	1 1	1 3	1 3	-	Palmieri Davies Kelleher	N.Y., S. N.D. Calif., C.	1 1 1	38 26 26	- - -	38 26 26
Middle	-	-	-	-	-	-						
Western	1 Hunter ²	Texas, W.	1	7	7	-	Mitchell Rubin Fisher	La., E. La., E. Texas, E.	1 1 1	1 3 2	1 3 2	- - -
Mississippi: Northern	-	-	-	-	-	-						
Southern	-	-	-	-	-	-	Thomas Clark	Ala., S. Ct. of Appeals	4 6	7 29	7 29	- -
Texas: Northern	2 Brewster ²	Mass. Arizona Calif., N. Texas, S.	1 2 1 2	29 27 26 5	- - - 5	29 27 26 -						
Eastern	1 Fisher	La., W.	1	2	2	-	Noel	Texas, S.	1	5	5	-
Southern	1 Noel	Texas, E.	1	5	5	-	Hand Roettger Hill Ingraham ²	Ala., S. Fla., S. Texas, N. Ct. of Appeals	1 1 2 3	12 5 5 18	12 5 5 18	- - - -

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued Texas: Southern							Clary ²	Pa., E.	2	86	-	86
							Gee	Ct. of Appeals	5	21	21	-
Western	2 Sessions	Fla., N.	1	19	19	-	Hunter ²	La., W.	1	7	7	-
	Wood	Fla., M.	1	12	12	-	Real	Calif., C.	3	3	-	3
							Stafford	Fla., N.	3	22	22	-
Ct. of Appeals	5 Clark	Miss., S.	6	29	29	-						
	Gee	Texas, S.	5	21	21	-						
	Godbold	Ala., M.	1	1	1	-						
	Ingraham ²	Fla., S.	3	5	5	-						
		Texas, S.	3	18	18	-						
	Pittman	Fla., M.	1	5	5	-						
Sixth Circuit	10	-	14	134	115	19	-	-	20	191	115	76
Kentucky: Eastern	-	-	-	-	-	-	Allen	Ky., W.	1	5	5	-
							Grooms ²	Ala., N.	2	23	-	23
							Wellford	Tenn., W.	1	6	6	-
							Lively	Ct. of Appeals	2	14	14	-
Western	1 Allen	Ky., E.	1	5	5	-						
Michigan: Eastern	2 Freeman ²	Fla., M.	1	19	-	19	Rubin	Ohio, S.	3	17	17	-

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued Michigan: Eastern	Harvey	Mich., W. Ct. of Appeals	1 1	11 12	11 12	- -						
Western	-	-	-	-	-	-	Harvey	Mich., E.	1	11	11	-
Ohio: Northern	-	-	-	-	-	-						
Southern	4 Duncan Hogan Kinneary Rubin	Tenn., E. Tenn., E. Tenn., E. Mich., E.	1 1 1 3	11 13 13 17	11 13 13 17	- - - -						
Tennessee: Eastern	-	-	-	-	-	-	Boldt ² Duncan Bootle ² Lewis ² Hogan Kinneary Brown Turrentine	Wash., W. Ohio, S. Ga., M. Va., E. Ohio, S. Ohio, S. Tenn., W. Calif., S.	1 1 1 1 1 1 1 1	17 11 6 11 13 13 13 13	- 11 - - 13 13 - -	17 - 6 11 - - - 13
Middle	-	-	-	-	-	-	Thomas	Ala., S.	1	6	-	6
Western	2 Brown Wellford	Tenn., E. Ky., E.	1 1	13 6	13 6	- -						

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Ct. of Appeals	1 Lively	Ky., E.	2	14	14	-	Harvey	Mich., E.	1	12	12	-
Seventh Circuit	9	-	20	168	59	109	-	-	16	59	59	-
Illinois: Northern	1 Will	Wisc., E.	5	9	9	-	Bauer	Ct. of Appeals	1	1	1	-
Eastern	1 Juergens ²	S.C. Utah	1	25	-	25	-	-	-	-	-	-
Southern	2 Morgan Wood	Wisc., W.	2	20	20	-	-	-	-	-	-	-
		Wisc., W.	2	2	2	-	-	-	-	-	-	-
		Wisc., E.	1	16	16	-	-	-	-	-	-	-
Indiana: Northern	1 Grant ²	P.R.	1	28	-	28	-	-	-	-	-	-
Southern	-	-	-	-	-	-	-	-	-	-	-	-
Wisconsin: Eastern	2 Gordon	P.R.	1	31	-	31	Will	Ill., N.	5	9	9	-
Western	Warren	Wisc., W.	1	1	1	-	Wood	Ill., S.	1	16	16	-
		Wisc., W.	3	9	9	-	Swygert	Ct. of Appeals	1	1	1	-
		-	-	-	-	-	Morgan	Ill., S.	2	20	20	-
							Wood	Ill., S.	2	2	2	-
							Gordon	Wisc., E.	1	1	1	-
							Warren	Wisc., E.	3	9	9	-

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Ct. of Appeals	2 Bauer Swygert	Ill., N. Wisc., E.	1 1	1 1	1 1	-						
Eighth Circuit	14	-	56	336	229	107	-	-	58	284	229	55
Arkansas: Eastern	-	-	-	-	-	-	Urbom Benson Nichol Henley	Neb. N.D. S.D. Ct. of Appeals	2 4 1 6	30 23 21 9	30 23 21 9	- - - -
Western	-	-	-	-	-	-	-	-	-	-	-	-
Iowa: Northern	1 McManus	Minn.	5	5	5	-	-	-	-	-	-	-
Southern	-	-	-	-	-	-	Stephenson McCune	Ct. of Appeals Pa., W.	1 1	31 11	31 -	- 11
Minnesota	-	-	-	-	-	-	McManus Bright Heaney Ross	Iowa, N. Ct. of Appeals Ct. of Appeals Ct. of Appeals	5 1 16 3	5 11 36 5	5 11 36 5	- - - -
Missouri: Eastern	1 Regan	Fla., S.	1	30	-	30	-	-	-	-	-	-

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	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Missouri: Western	-	-	-	-	-	-	Gorbey Lay	Pa., E. Ct. of Appeals	1 1	1 1	- 1	1 -
Nebraska	2 Robinson ²	N.H.	1	17	-	17	VanSickle	N.D.	9	52	52	-
		Fla., M.	1	28	-	28						
	Urbom	Ark., E.	2	30	30	-						
		N.D.	2	5	5	-						
North Dakota	3 Benson	Ark., E.	4	23	23	-	Urbom	Neb.	2	5	5	-
	Davies ²	Calif., C.	1	6	-	6						
		La., E.	1	26	-	26						
	VanSickle	Neb.	9	52	52	-						
South Dakota	1 Nichol	Ark., E.	1	21	21	-	Merhige	Va., E.	2	20	-	20
							Mehrtens ²	Fla., S.	1	11	-	11
							Kelleher	Calif., C.	2	12	-	12
Ct. of Appeals	6 Bright	Minn.	1	11	11	-						
	Heaney	Minn.	16	36	36	-						
	Henley	Ark., E.	6	9	9	-						
	Lay	Mo., W.	1	1	1	-						
	Ross	Minn.	3	5	5	-						
	Stephenson	Iowa, S.	1	31	31	-						
Ninth Circuit	41	-	114	953	749	204	-	-	101	942	749	193
Alaska	2 Fitzgerald	Ariz.	2	55	55	-						
		Calif., E.	1	14	14	-						
		Oregon	1	12	12	-						
	Plummer ²	Calif., N.	1	5	5	-						

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Arizona	3 Craig	Oregon	1	25	25	-	Fitzgerald	Alaska	2	55	55	-
	Frey	Calif., N.	1	12	12	-	Peckham	Calif., N.	1	25	25	-
	Muecke	Calif., S.	1	12	12	-	Neilsen	Calif., S.	1	1	1	-
							Murphy	N.Y.	1	100	-	100
							Brewster ²	Texas, N.	2	27	-	27
							Battin	Montana	1	19	19	-
							Murray ²	Montana	2	16	16	-
							Skopil	Oregon	1	20	20	-
							Solomon ²	Oregon	2	20	20	-
							Belloni	Oregon	1	12	12	-
							Burns	Oregon	1	11	11	-
							Boldt ²	Wash., W.	1	18	18	-
							Lindberg ²	Wash., W.	1	42	42	-
							Conti	Calif., N.	2	11	11	-
California: Northern	4 Peckham	Ariz.	1	25	25	-	Frey	Ariz.	1	12	12	-
	Renfrew	Wash., W.	1	3	3	-	Wyzanski ²	Mass.	2	34	-	34
	Williams	Calif., E.	13	26	26	-	Brewster ²	Texas, N.	1	26	-	26
	Conti	Ariz.	2	11	11	-	Plummer ²	Alaska	1	5	5	-
							McNichols	Idaho	3	5	5	-
							Neill	Wash., E.	1	4	4	-
							Boldt ²	Wash., W.	3	4	4	-
							Pregerson	Calif., C.	1	5	5	-
							Smith	Montana	2	2	2	-
Eastern	1 Halbert ²	Utah	4	16	-	16	Fitzgerald	Alaska	1	14	14	-
		Fla., M.	1	18	-	18	Williams	Calif., N.	13	26	26	-
							Ferguson	Calif., C.	3	13	13	-
							Gray	Calif., C.	1	13	13	-

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued California: Eastern							Kelleher	Calif., C.	1	5	5	-
							Real	Calif., C.	1	1	1	-
							Williams	Calif., C.	3	6	6	-
							Battin	Montana	1	2	2	-
Central	8 Byrne	Mass.	1	26	-	26	Davies ²	N.D.	1	6	-	6
	Curtis ²	Hawaii	1	3	3	-	McNichols	Idaho	3	5	5	-
		Guam	1	20	20	-	Smith	Montana	1	1	1	-
	Ferguson	Calif., E.	3	13	13	-	Beeks ²	Wash., W.	1	3	3	-
	Gray	Calif., E.	1	13	13	-						
	Hauk	Nevada	2	17	17	-						
	Kelleher	Calif., E.	1	5	5	-						
		La., E.	1	26	-	26						
		S.D.	2	12	-	12						
	Lucas	Mass.	1	27	-	27						
		N.Y., S.	1	3	-	3						
	Real	Calif., E.	1	1	1	-						
		Texas., W.	3	3	-	3						
	Williams	Calif., E.	3	6	6	-						
	Pregerson	Calif., N.	1	5	5	-						
Southern	3 Neilsen	Ariz.	1	1	1	-	Muecke	Ariz.	1	12	12	-
		Nevada	1	2	2	-	King	Hawaii	1	12	12	-
	Thompson	Wash., E.	1	4	4	-	McNichols	Idaho	2	107	107	-
	Turrentine	Nevada	1	2	2	-	Smith	Montana	1	26	26	-
		Tenn., E.	1	13	-	13	Beeks ²	Wash., W.	1	11	11	-
Hawaii	1 King	Calif., S.	1	12	12	-	Curtis ²	Calif., C.	1	3	3	-

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				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Idaho	2 Anderson McNichols	Nevada Calif., N. Calif., C. Calif., S.	7 3 3 2	69 5 5 107	69 5 5 107	- - - -	Smith	Montana	1	1	1	-
Montana	3 Battin Murray ² Smith	Calif., E. Ariz. Ariz. Calif., N. Calif., C. Calif., S. Idaho	1 1 2 2 1 1 1	2 19 16 2 1 26 1	2 19 16 2 1 26 1	- - - - - - -						
Nevada	-	-	-	-	-	-	Hauk Neilsen Anderson Turrentine Boldt ² Bowen ²	Calif., C. Calif. S. Idaho Calif., S. Wash., W. Wash., W.	2 1 7 1 1 1	17 2 69 2 11 20	17 2 69 2 11 20	- - - - - -
Oregon	4 Skopil Solomon ²	Ariz. Ariz. N.Y., S. Wash., W.	1 2 1 1	20 20 2 1	20 20 - 1	- - 2 -	Fitzgerald Craig Goodwin Kilkenny ²	Alaska Ariz. Ct. of Appeals Ct. of Appeals	1 1 4 1	12 25 6 1	12 25 6 1	- - - -
	Belloni Burns	Ariz. Ariz.	1 1	12 11	12 11	- -	Beeks ²	Wash., W.	2	5	5	-
Washington: Eastern	1 Neill	Calif., N.	1	4	4	-	Thompson	Calif., S.	1	4	4	-

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Continued Washington; Eastern							McGovern Kilkenny ²	Wash., W. Ct. of Appeals	2 1	2 1	2 1	- -
Western	5 Beeks ²	Calif., C.	1	3	3	-	Renfrew Solomon ²	Calif., N. Oregon	1 1	3 1	3 1	- -
		Calif., S.	1	11	11	-						
		Oregon	2	5	5	-						
	Boldt ²	N.Y., S.	1	30	-	30						
		Okla.,	2	11	-	11						
		Tenn., E.	1	17	-	17						
		Ariz.	1	18	18	-						
		Calif., N.	3	4	4	-						
		Nevada	1	11	11	-						
	Bowen ²	Nevada	1	20	20	-						
	Lindberg ²	Ariz.	1	42	42	-						
	McGovern	Wash., E.	2	2	2	-						
Guam	-	-	-	-	-	-	Curtis	Calif., C.	1	20	20	-
Ct. of Appeals	2 Goodwin	Oregon	4	6	6	-						
	Kilkenny ²	Oregon	1	1	1	-						
		Wash., E.	1	1	1	-						
Tenth Circuit	9	-	18	82	56	26	-	-	24	108	56	52
Colorado	2 Finesilver	Wyoming	2	2	2	-	Bratton	N. Mex.	1	1	1	-
	Winner	Wyoming	1	4	4	-	Doyle	Ct. of Appeals	4	19	19	-
		N. Mex.	1	5	5	-						

TABLE V 1. SERVICE OF VISITING JUDGES IN THE UNITED STATES DISTRICT COURTS DURING THE FISCAL YEAR ENDING JUNE 30, 1976

District and Circuit	Service given to other courts						Service received from other courts					
	Number and names of judges undertaking assignments	District to which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure			Names of visiting judges	District from which assigned	Number of assignments ¹	Days spent on assignment from arrival to departure		
				Total days	To districts within circuit	To districts without circuit				Total days	From districts within circuit	From districts without circuit
Kansas	1 Templar ²	Fla., M. Okla., W.	1	26	-	26	Bohanon ²	Okla., N. Ct. of Appeals	1	2	2	-
			2	7	7	-	Seth		1	1	1	-
New Mexico	2 Bratton Payne	Colorado Wyoming	1	1	1	-	Winner	Colorado	1	5	5	-
			2	5	5	-						
Oklahoma: Northern	1 Bohanon ²	Kansas	1	2	2	-	Boldt ²	Wash., W.	2	11	-	11
Eastern	-	-	-	-	-	-						
Western	-	-	-	-	-	-	Templar ²	Kansas	2	7	7	-
Utah							Juergens ²	Ill., E.	1	25	-	25
							Halbert ²	Calif., E.	4	16	-	16
							Brimmer	Wyoming	2	10	10	-
Wyoming	1 Brimmer	Utah	2	10	10	-	Pinesilver	Colorado	2	2	2	-
							Winner	Colorado	1	4	4	-
							Payne	N. Mex.	2	5	5	-
Ct. of Appeals	2 Doyle Seth	Colorado Kansas	4	19	19	-						
			1	1	1	-						
Special Courts	1	-	5	162	-	162						
Court of Customs	1 Watson	Mass.	2	33	-	33						
		N.Y., E.	2	96	-	96						
		P.R.	1	33	-	33						

¹Individual visits to the court of assignment. Assignments to other districts specifically for sitting in three-judge courts are excluded.²Senior judges during all or part of fiscal year 1976.

TABLE V-2.—U.S. courts of appeals. Service of visiting judges during fiscal year 1976

Visiting judges, by circuit visited	Total number of visiting judges and assigned court	Days of service	Cases heard
District of Columbia	Visiting judges, 15	89	256
Broderick, R.	Pennsylvania, Eastern	6	18
Kaufman, F. A.	Maryland	6	14
McMillan, J. B.	North Carolina, Western	7	21
Bryan Jr., A. V.	Virginia, Eastern	6	20
Merhige Jr., R. R.	—do	6	16
Justice, W. W.	Texas, Eastern	5	18
Weigel, S. A.	California, Northern	4	16
Matthews, B. S. (SJ) ..	District of Columbia	1	1
VanPelt, R. (SJ)	Nebraska	7	20
Jameson, W. J. (SJ) ..	Montana	6	18
Solomon, G. J. (SJ) ..	Oregon	6	17
Christensen, A. S. (SJ) ..	Utah	9	20
Lumbard, J. E. (SJ) ..	Second Circuit	8	19
Hastie, W. H. (SJ) ..	Third Circuit	7	20
Clark, T. C. (SJ)	Supreme Court	5	18
First Circuit	Visiting judges, 7	21	60
Julian, A.	Massachusetts	2	2
Skinner, W. J.	—do	2	2
Murray, F. J.	—do	1	1
Freedman, F. H.	—do	2	2
Caffrey, A. A.	—do	1	1
Thomsen, R. C. (SJ) ..	Maryland	6	24
Matthes, M. C. (SJ) ..	Eighth Circuit	7	28
Second Circuit	Visiting judges, 16	56	184
Newman, J. O.	Connecticut	5	18
Judd, O. G.	New York, Eastern	3	7
Neuher, E. R.	—do	2	4
Ward, R. J.	New York, Southern	2	6
Pollack, M.	—do	1	1
Tenney, C. H.	—do	1	5
Bryan, F. V.	—do	1	18
Pierce, L. W.	—do	5	7
MacMahon, L. F.	—do	1	3
Bricant, C. L.	—do	1	5
Owen, R.	—do	3	7
Coffrin, A. W.	Vermont	5	21
Holden, J. S.	—do	2	9
Wyzanski, C. E. (SJ) ..	Massachusetts	4	16
Palmieri, E. L. (SJ) ..	New York, Southern	5	20
Clark, T. C. (SJ)	Supreme Court	12	37
Third Circuit	Visiting judges, 7	12	65
Schwartz, M. M.	Delaware	2	15
Siern, H. J.	New Jersey	2	14
Clarke Jr., J. C.	Virginia, Eastern	1	2
VanGraafeiland, E. A.	Second Circuit	1	2
Clark, C.	Fifth Circuit	1	2
Markey, H. T.	Customs and Patent Appeals	2	14
Clark, T. C. (SJ)	Supreme Court	3	16
Fourth Circuit	Visiting judges, 12	39	143
Kaufman, F. A.	Maryland	1	4
Watkins, R. D.	—do	4	16
Jones, W. W.	North Carolina, Western	1	3
Warriner, D. D.	Virginia, Eastern	1	4
Merhige Jr., R. R.	—do	3	11
Clarke Jr., J. C.	—do	2	7
Haden, C. H.	West Virginia, Southern	5	19
Wyzanski, C. E. (SJ) ..	Massachusetts	5	18
Thomsen, R. C. (SJ) ..	Maryland	4	16
Kunzig, R. L.	Court of Claims	4	14
Markey, H. T.	Customs and Patent Appeals	4	15
Clark, T. C. (SJ)	Supreme Court	5	16
Fifth Circuit	Visiting judges, 12	39	183
Lynne, S. H.	Alabama, Northern	4	18
Grooms, H. H.	—do	4	17
O'Kelley, W. C.	Georgia, Northern	1	5
Rubin, A. B.	Louisiana, Eastern	1	4
Cox, W. H.	Mississippi, Southern	1	4
Kraft Jr., C. W.	Pennsylvania, Eastern	4	20

See note at end of table.

TABLE V-2.—U.S. courts of appeals. Service of visiting judges during fiscal year 1976 — Continued

Visiting judges, by circuit visited	Total number of visiting judges and assigned court	Days of service	Cases heard
Hoffman, W. E. (SJ)	Virginia, Eastern	4	20
Mehrtens, W. O. (SJ)	Florida, Southern	4	23
McCree, W. H.	Sixth Circuit	4	17
Lively, F. P.	—do	4	19
Miller, J. R.	Customs and Patent Appeals	4	17
Markey, H. T.	—do	4	19
Sixth Circuit	Visiting judges, 8	26	131
Churchill, J. P.	Michigan, Eastern	3	15
Harvey, R. J.	—do	3	15
Green, E. C.	Ohio, Northern	4	20
Lambros, T. D.	—do	3	15
Rubin, C. B.	Ohio, Southern	3	14
Hogan, T. S.	—do	1	5
Adams, A. M.	Third Circuit	3	15
Markey, H. T.	Customs and Patent Appeals	6	32
Seventh Circuit	Visiting judges, 19	74	434
Campbell, W. J.	Illinois, Northern	12	71
Perry, J. S.	—do	8	46
Hoffman, J. J.	—do	6	37
McLaren, B. W.	—do	1	6
Parsons, J. B.	—do	2	13
Grant, R. A.	Indiana, Northern	6	36
Steckler, W. E.	Indiana, Southern	2	12
Noland, J. E.	—do	2	13
Warren, R. W.	Wisconsin, Eastern	1	5
Wyzanski, C. E. (SJ)	Massachusetts	3	16
Whelan, F. C.	California, Central	3	17
Jameson, W. J. (SJ)	Montana	4	22
East, W. G. (SJ)	Oregon	4	24
Christensen, A. S. (SJ)	Utah	2	12
Adams, A. M.	Third Circuit	2	12
Rives, R. T. (SJ)	Fifth Circuit	2	12
Kunzig, R. L.	Court of Claims	3	18
Markey, H. T.	Customs and Patent Appeals	3	17
Clark, T. C. (SJ)	Supreme Court	8	45
Eighth Circuit	Visiting judges, 9	37	163
Devitt, E. J.	Minnesota	1	4
Nangle, J. F.	Missouri, Eastern	1	1
Regan, J. K.	—do	2	9
Meredith, J. H.	—do	1	5
Urbom, W. K.	Nebraska	2	9
Schatz, A. G.	—do	3	14
Smith, T. (SJ)	Michigan, Eastern	8	38
VanPelt, R. (SJ)	Nebraska	8	37
Clark, T. C. (SJ)	Supreme Court	11	46
Ninth Circuit	Visiting judges, 51	217	1,023
Fitzgerald, J. M.	Alaska	4	16
von der Heydt, J. A.	—do	4	22
Schnacke, R. H.	California, Northern	3	17
Williams, S. M.	—do	2	10
Weigel, S. A.	—do	1	5
Conti, S.	—do	3	22
Orrick, W. H. Jr.	—do	5	24
Renfrew, C. B.	—do	5	25
Burke, L. H.	—do	1	5
Peckham, R. F.	—do	1	8
Zirpoli, A. J. (SJ)	—do	1	3
Real, M. L.	California, Central	3	15
Williams, D. W.	—do	4	21
Lucas, M. M.	—do	5	22
Pregerson, H.	—do	3	15
Ferguson, W. J.	—do	6	33
Whelan, F. C.	—do	4	22
Gray, W. P.	—do	3	14
Nielson, L. C.	California, Southern	1	5
Turrentine, H. B.	—do	2	8
Thompson, G., Jr.	—do	1	8
Enright, W. B.	—do	2	4
Wong, D. Y.	Hawaii	5	19
King, S. P.	—do	2	5
Anderson, J. B.	Idaho	4	23
Smith, R. E.	Montana	12	69

See note at end of table.

TABLE V-2.—U.S. courts of appeals. Service of visiting judges during fiscal year 1976 — Continued

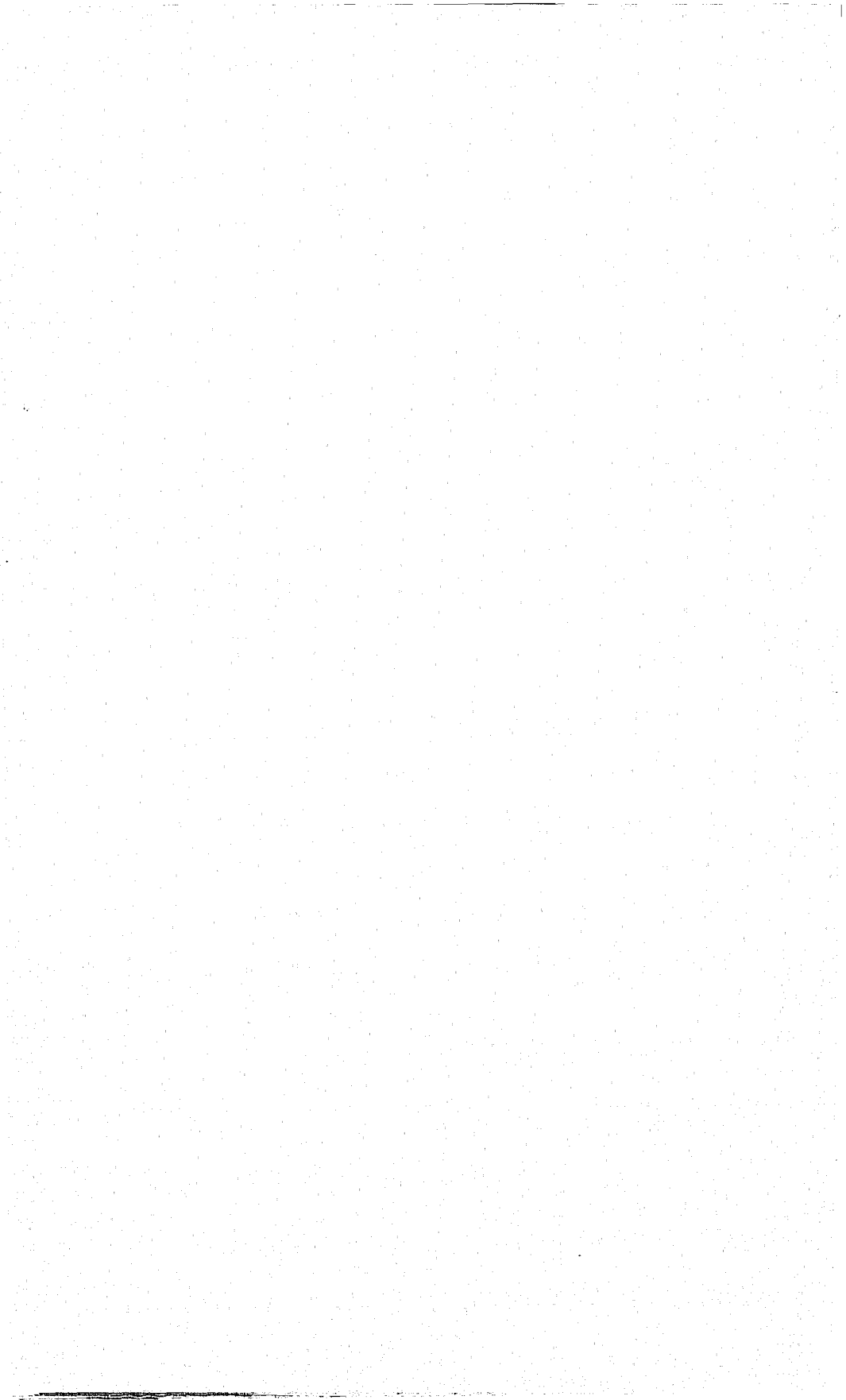
Visiting judges, by circuit visited	Total number of visiting judges and assigned court	Days of service	Cases heard
Battin, J. F.	—do	4	15
Thompson, B. R.	Nevada	4	23
Skopil Jr., O. R.	Oregon	2	9
Burns, J. M.	—do	6	30
Sharp, M. E.	Washington, Western	3	17
McGovern, W.	—do	1	4
Plummer, R. E. (SJ)	Alaska	5	21
Sweigert, W. T. (SJ)	California, Northern	8	28
Wollenberg, A. (SJ)	—do	3	11
Carr, C. M. (SJ)	California, Central	4	18
Crary, E. A. (SJ)	—do	3	16
Curtis, J. W. (SJ)	—do	4	21
Taylor, F. M. (SJ)	Idaho	8	37
Jameson, W. J. (SJ)	Montana	14	65
East, W. G. (SJ)	Oregon	20	93
Solomon, G. J. (SJ)	—do	8	35
Lindberg, W. J. (SJ)	Washington, Western	1	5
Palmieri, E. L. (SJ)	New York, Southern	4	21
VanPelt, R. (SJ)	Nebraska	5	29
Bohanon, L. L. (SJ)	Oklahoma, Northern	5	20
Christensen, A. S. (SJ)	Utah	5	18
Lewis, D. T.	Tenth Circuit	1	1
McWilliams, R. H.	—do	1	1
Doyle, W. E.	—do	1	1
Smith, J. J. (SJ)	Second Circuit	5	23
Moore, L. P. (SJ)	—do	5	21
Tenth Circuit	Visiting judges, 5	16	86
Stanley, A. J. J. (SJ)	Kansas	4	19
Templar, G. (SJ)	—do	5	25
Morris, J. W.	Oklahoma, Eastern	3	14
Zirpoli, A. J. (SJ)	California, Northern	3	14
Clark, T. C. (SJ)	Supreme Court	1	14

Note: (SJ) denotes Senior Judge status as of the end of the fiscal year.

TABLE X-2.—U.S. district courts, civil cases commenced during the fiscal year 1960 and 1966–76, and civil cases pending June 30, 1976 by nature of suit

Type of case	Civil cases filed, by fiscal year												Pending June 30, 1976
	1960	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	
Total	59,284	70,906	70,961	71,449	77,193	87,321	93,396	96,173	98,560	103,530	117,320	130,597	140,189
U.S. plaintiff, total	14,986	14,734	12,567	10,221	11,534	13,310	13,183	14,224	13,881	11,667	12,742	15,599	12,378
Note cases and overpayments	7,456	5,250	3,694	2,242	2,444	2,641	2,514	2,817	2,467	1,784	1,596	1,338	913
Antitrust	60	35	39	48	43	50	54	73	45	31	44	43	104
Labor cases	1,436	1,708	1,835	1,778	1,944	2,041	1,969	2,036	1,691	1,836	1,684	2,047	1,590
Tax	278	305	195	175	139	184	259	249	261	458	381	511	514
Other	5,755	7,436	6,804	5,978	6,964	8,394	8,387	9,049	9,417	7,558	9,037	11,660	9,257
U.S. defendant, total	5,854	8,447	9,026	9,445	10,761	11,655	11,903	12,505	13,603	15,918	19,037	24,265	21,911
Tort Claims Act	1,261	1,849	1,855	1,629	2,241	1,571	1,577	1,649	1,679	1,802	2,054	2,002	2,667
Marine injury	53	235	423	662	596	474	313	149	100	75	115	136	180
Prisoner petitions	1,305	2,292	2,639	2,851	3,612	4,185	4,121	4,179	4,535	4,987	5,047	4,780	1,646
Tax refund	1,267	1,527	1,475	1,474	1,294	1,285	1,165	1,169	1,257	1,414	1,292	1,297	1,990
Social Security		1,091	960	1,188	1,572	1,735	1,792	2,288	2,497	3,585	5,846	10,354	10,122
Other	1,968	1,453	1,674	1,641	1,446	2,405	2,935	3,071	3,535	4,055	4,683	5,696	5,306
Federal question, total	13,175	22,718	24,140	26,065	28,534	34,846	39,612	41,547	43,291	46,797	52,688	56,822	64,722
Marine contracts	2,316	2,550	2,556	2,682	2,767	3,403	3,492	3,263	3,348	3,114	3,595	3,995	4,121
Jones Act	3,618	4,321	4,436	4,735	4,868	5,195	5,473	4,969	4,276	3,947	3,929	3,732	4,931
Federal Employers' Liability Act	1,096	1,050	976	1,074	1,233	1,272	1,353	1,391	1,164	1,202	1,243	1,329	1,677
Miller Act	866	1,281	1,158	915	735	916	718	572	553	646	1,037	955	954
State prisoner petitions	872	5,952	7,374	7,975	9,100	11,616	11,964	11,935	12,664	13,413	14,253	15,013	10,191
Labor cases	694	1,612	1,740	1,700	1,739	1,926	2,652	2,887	3,089	3,442	4,759	5,519	5,468
Antitrust	228	722	543	659	740	877	1,445	1,299	1,152	1,230	1,375	1,504	2,778
Patent	737	851	786	787	814	976	862	857	795	760	827	893	1,413
Copyright and trademark	730	879	915	967	974	1,126	1,142	1,306	1,230	1,302	1,426	1,711	1,448
Civil rights	280	1,154	1,006	1,480	2,180	3,583	4,609	5,482	6,691	7,294	9,037	10,585	12,911
Other	1,738	2,346	2,650	3,091	3,384	3,953	5,902	7,586	8,329	10,447	11,207	11,586	18,836

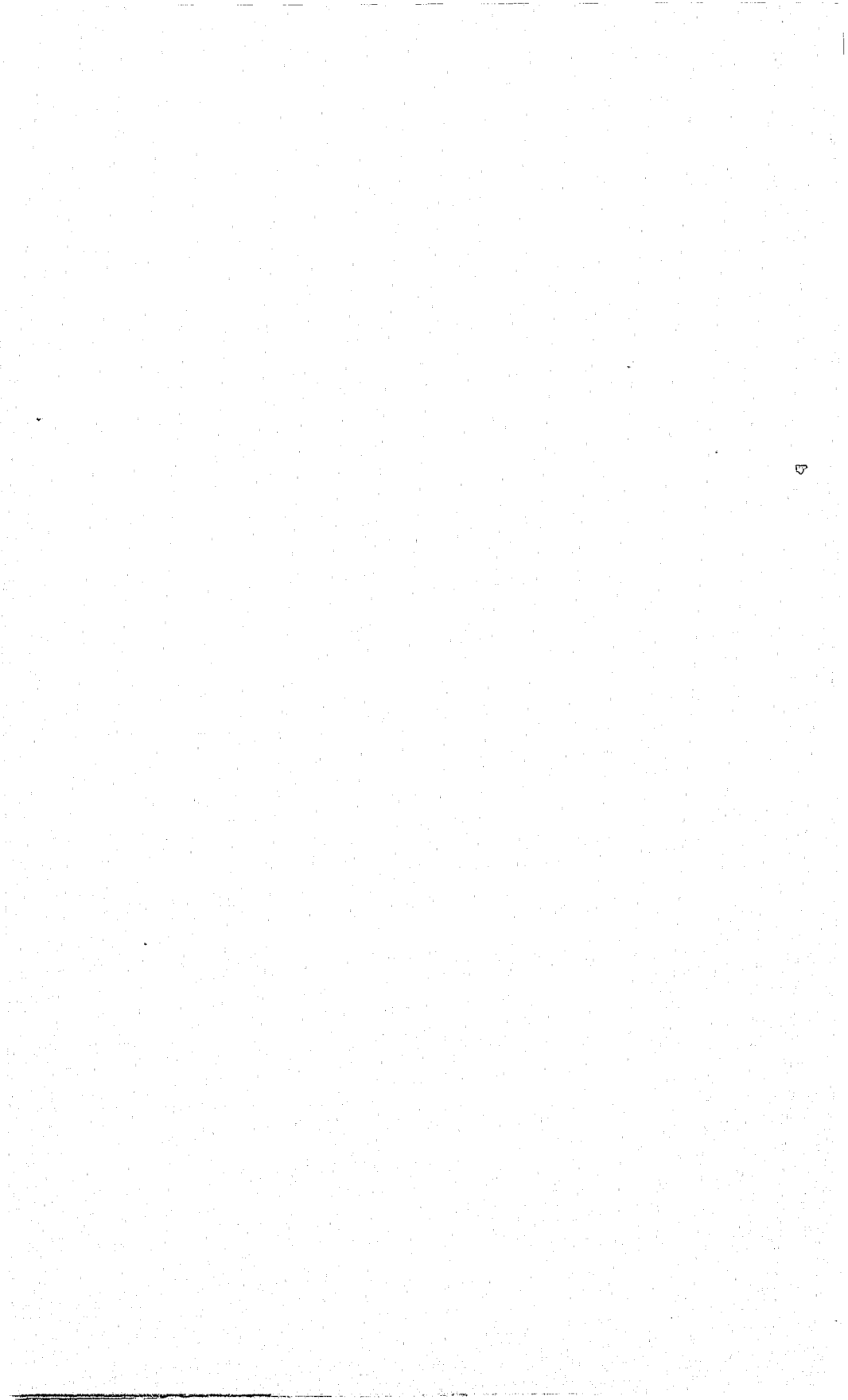
Diversity of citizenship, total	17,048	20,245	20,464	21,009	21,675	22,854	24,620	24,109	25,281	26,963	30,631	31,675	33,759
Contract actions.....	3,876	5,724	6,130	6,528	6,698	7,665	9,343	9,652	10,543	11,787	11,443	15,308	18,021
Stockholders' suits.....	73	29	38	19	58	70	52	38	58	6	.....	14	14
Real property	527	713	671	640	475	653	715	598	745	830	1,170	1,021	1,068
Personal injury, motor vehicle.....	7,035	7,943	7,976	8,062	7,842	7,621	7,374	6,829	6,594	6,641	6,036	5,351	6,293
Other personal injury.....	4,977	5,453	5,293	5,373	5,989	6,173	6,373	6,531	6,573	6,685	7,889	8,611	11,682
Other	560	383	356	387	673	672	763	661	768	1,014	1,093	1,384	1,681
Local jurisdiction, total	8,221	4,762	4,764	4,709	4,689	4,656	4,078	3,788	2,504	2,186	2,222	2,236	2,419
Contract	1,050	609	586	622	688	727	686	629	369	373	302	181	378
Real property	495	561	504	451	363	337	348	318	212	249	238	192	263
Torts	2,019	1,058	1,113	1,246	1,291	1,510	1,204	901	431	256	179	187	359
Prisoner petitions	29	296	430	326	212	196	181	153	19	10	7	16	15
Domestic relations.....	1,229	572	616	648	700	758	758	938	1,014	1,007	1,130	1,186	681
Insanity.....	2,503	899	805	820	816	536	317	272	55	14	40	18	32
Probate.....	107	104	132	119	145	128	132	166	143	128	176	180	373
Substitute trustee.....	410	155	109	43	52	23	41	15	18	3	.....	1	9
Suits involving local officials.....	138	74	79	61	60	48	68	39	19	21	6	.....	.....
Other	235	434	390	373	362	393	343	357	224	124	144	275	308



APPENDIX II

PAYMENTS UNDER THE CRIMINAL JUSTICE ACT FISCAL YEAR 1976

Exhibits J and K referring to summary data of defender organizations appear in this report as Tables K and L in Appendix 1. Detailed statistics for individual defender organizations do not appear in this volume but are available from the Administrative Office of the U.S. Courts.



*TO THE CHAIRMAN AND MEMBERS OF THE JUDICIAL CONFERENCE
COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT*

The following is a report on activities relating to the Criminal Justice Act through June 30, 1976:

Number of Persons Represented

During fiscal year 1976 (July 1, 1975 through June 30, 1976), approximately 48,000 persons will have been represented in the United States courts. Federal Public and Community Defender Organizations have represented approximately 16,639 persons or 35% of the total CJA caseload.

The proportion of appeals undertaken by defenders has risen from 5% in 1972 to 22% in 1976. Defender representations in the district courts have risen from 18% in 1972 to 36% of CJA appointments in 1976. The 10% increase in the number of persons represented in the U.S. courts between fiscal years 1974 and 1975 will be followed by an increase of only 2% for the current reporting period.

The following table reflects the number of persons who were assigned counsel in the U.S courts (district and appeals) during the past five years and the division of cases between CJA attorneys and defenders. Comparable projections have been made for fiscal years 1976, 1977 and 1978:

	<u>U. S. Courts of Appeals</u>			<u>U. S. District Courts</u>			
<u>Fiscal Year</u>	<u>Panel Attorneys^{1/}</u>	<u>Defender Offices</u>	<u>Total</u>	<u>Panel Attorneys</u>	<u>Defender Offices</u>	<u>Total</u>	<u>Grand Total</u>
Actual:							
1971	2,307		2,307	29,461		29,461	31,768
1972	2,575	145	2,720	32,834	7,019	39,853	42,573
1973	2,787	354	3,141	30,706	10,183	40,889	44,030
1974	2,487	427	2,914	28,404	11,393	39,797	42,711
1975	2,352	524	2,876	29,356	14,776	44,132	47,008
Estimate:							
1976	2,332 ^{2/}	656	2,988	29,029 ^{2/}	15,983	45,012	48,000
1977	2,250	902	3,152	25,958	20,890	46,848	50,000
1978	2,206	994	3,200	26,635	22,165	48,800	52,000

^{1/} Includes Community Defender, Southern District of California through FY 76 which sustained its operations on a fee basis during that period.

^{2/} Based on information as of June 30⁷, 1976 (plus an allowance for attorney orders in transit.

CONTINUED

5 OF 6

Cost of Representation by Panel Attorneys

Between fiscal years 1972 and 1976, average payments to private attorneys who were assigned cases in the courts of appeals and district courts have risen by only 4.5% and 14.9%, respectively. It is anticipated that between fiscal years 1976 and 1977 such costs will remain fairly constant.

The following table shows the average amounts paid (exclusive of transcripts, investigative, expert and other services) for the past four years and estimates for fiscal years 1975 through 1977:

<u>Fiscal Year</u>	<u>Average Payment to Counsel^{1/}</u>	
	<u>Courts of Appeals^{2/}</u>	<u>District Courts^{3/}</u>
1971	550	244
1972	722	309
1973	740	292
1974	737	308
1975 ^{4/}	707	324
1975 Projected	(750)	(340)
1976 ^{4/} (as of 6/30/76)	589	255
1976 Projected	(755)	(355)
1977 Estimate	760	360
1978 Estimate	760	360

^{1/} Includes Community Defender, Southern District of California which operated on a fee basis through FY 76.

^{2/} Does not include D. C. Court of Appeals.

^{3/} Does not include Superior Court of D. C. or D. C. Juvenile Court.

^{4/} There are a substantial number of outstanding claims. The average cost per case is expected to increase as these claims are settled. Normally, the later claims involve more extended and complex representations.

Exhibits A-1 and A-2 indicate, for fiscal years 1975 and 1976, the various categories for which counsel were provided, together with costs relating to such representations. Exhibits B-1 and B-2 contain the number and types of appointments made during fiscal years 1975 and 1976 in each circuit and district. Exhibits C-1 and C-2 contain details regarding the number of persons represented and the payments made to counsel in each circuit and district during fiscal year 1975 and 1976.

Average payments to counsel for services rendered in the courts of appeals for fiscal year 1976 (through June 30) ranged from \$443 in the Fifth Circuit to \$836 in the Second. The average for all circuits was \$589.

Payments for district court representations ranged in average from a low of \$127 in Georgia, Southern, to a high of \$732 in Mississippi, Northern. The overall average for such assignments was \$255.

Status of Appropriations

Congress has appropriated a total of \$19,046,000 (which includes a \$156,000 pay cost supplement and a \$2.3 million supplement) to cover CJA operations in fiscal year 1976.

Federal Public Defender costs for fiscal year 1976 averaged \$407 per case, compared with an average of \$360 per case in fiscal year 1975. Comparable average figures for community defender organizations are \$417 per case in 1976 versus \$374 per case in 1975. The higher costs in 1976 are attributable primarily to increased wages and administrative costs.

Extended or Complex Representations

The chief judges of the courts of appeals approved 196 claims for compensation in excess of \$1,000 in felony cases in 1976. These claims totaled \$507,536 resulting in an average of \$2,589 per case. The largest amount approved in 1976 was \$14,555 for representation in a conspiracy and explosives case in the District of Connecticut. Thirty-one claims in excess of \$250 were approved for services rendered by attorneys pursuant to discretionary appointments under subsection (g) of the Act. These claims totaled \$15,382 for an average of \$496. The largest amount approved was \$850 for services in a habeas corpus hearing in the Fourth Circuit Court of Appeals.

Investigative, Expert and Other Services

In fiscal year 1976, 52 claims in excess of \$300 were approved for expert or other services, totaling \$71,114 for an average of \$1,368. The largest amount approved was \$14,651 for an interpreter in the Southern District of New York.

As of June 30, 1976, a total of \$1,759,058 was paid out of the 1975 appropriation for transcripts, expert and other services, and \$1,702,711 out of the fiscal year 1976 appropriation. Outstanding claims for fiscal year 1976 are estimated at \$747,289. The following table reveals the increasing costs of providing these services (up 83% from fiscal year 1973 to date and a projected 39% in the last fiscal year alone).

Of particular concern is the projected increase in the cost of interpreters of 147% in one year (fiscal year 1975 to 1976). In the Southern District of New York, costs for interpreters so far in fiscal year 1976 have more than tripled that of fiscal year 1975, rising from \$15,101 to \$46,174, with additional outstanding claims still to be paid for fiscal year 1976.

	FY 1973	FY 1974	FY 1975	Estimate FY 1976	% Increase FY 1975-1976
Transcripts	\$1,042,419	\$1,249,757	\$1,351,756	\$1,900,000	40.6
Investigators	108,430	122,066	126,224	140,000	10.9
Interpreters	30,805	50,268	50,553	125,000	147.2
Psychiatrists	102,120	104,926	140,921	175,000	24.2
Other Services	55,000	75,831	89,604	110,000	22.8
Total	<u>\$1,338,774</u>	<u>\$1,602,848</u>	<u>\$1,759,058</u>	<u>\$2,450,000</u>	<u>39.3</u>

Exhibits G-1 and G-2 provide a breakdown of these costs by circuit and district for fiscal years 1975 and 1976.

Federal Public Defender Organizations

The estimated costs of operating the 22 federal public defender offices in fiscal year 1976 was approximately \$4.8 million. Exhibit H is a composite statement showing for each organization, the breakdown of obligations incurred according to object classification, the number of cases assigned, and the average cost per case. Exhibit I provides details of personnel compensation for each office.

Federal public defenders were assigned 11,751 cases during fiscal year 1976. The overall average cost of federal public defender representation, based upon case assignments, was \$407 per case, including appeals. In comparison, the average cost of panel attorney representation is projected at \$385. The slightly higher average expenditure required to maintain the federal public defender organizations is justified by the services they perform on behalf of the courts and the savings in paperwork and other administrative expenses.

Statistical summaries of the activities of the federal public defenders are included as Exhibit J.

Community Defender Organizations

Grants to community defender organizations for fiscal years 1976 and 1977 aggregated \$2,036,442 and \$2,956,921, respectively. The funds were allocated as follows:

COMMUNITY DEFENDER ORGANIZATIONS	Fiscal Year	
	1976	1977
Federal Defender Programs, Inc., Atlanta, Georgia	130,000	158,941
Federal Defender Program, Inc., Chicago, Illinois	272,000	293,000
Legal Aid and Defender Association of Detroit, Michigan	462,500	575,000
Community Defender Organization of Minneapolis, Minnesota	31,942	33,185
Federal Defender Services of the Legal Aid Society of New York, New York	780,000	863,295
Metropolitan Public Defender Portland, Oregon	110,000	130,000
Defender Association of Philadelphia, Pennsylvania	250,000	291,500
Federal Defenders of San Diego, Inc. San Diego, California ¹	-----	612,000
Grand Total	\$2,036,442	\$2,956,921

¹ Operated on a fee basis prior to FY 1977. Note that the major portion of the rise in the total from 1976 to 1977 is attributable to the addition of San Diego as a grant recipient.

The seven community defender organizations were assigned 4,888 cases and closed 4,649 cases during fiscal year 1976. The average cost of representation by community defender organizations for fiscal year 1976 was approximately \$417, compared with \$407 per case for federal public defender representation and \$385 per case for panel attorney representation. The higher costs of community defender organizations are attributable in part to their rental expenditures. Federal public defenders' budgets do not reflect costs associated with their space allocations in federal properties. In addition, public defender offices are not charged for judicial administrative services such as payroll, personnel, and fiscal. Also, supplies, equipment and lawbooks are obtainable at lower prices under GSA contracts, not available to the community defender.

Included as Exhibit K are statistical summaries of the activities of the community defender organizations.

James E. Macklin, Jr.
Chief, Criminal Justice Act Division



EXHIBIT A-1
Payments for Representation by Private Attorneys¹
and Payments for Other Services
by Category of Persons Represented for F.Y. 1975
as of June 30, 1976

<u>Category of Person Represented</u>	<u>Number of Persons Represented By Counsel</u>	<u>Number of Cases in Which Counsel Paid</u>	<u>Payments</u>	<u>Average Payment</u>
Adult Defendants	25,317	21,305	\$ 9,105,940	\$427
Juvenile Defendants	511	437	105,731	242
Appellants ^{2/}	1,921	1,244	1,075,366	864
Probation Violators	1,163	1,032	137,588	133
Parole Violators	293	241	41,024	170
Habeas Petitioners	815	530	225,873	426
2255 Petitioners	392	286	83,508	292
Material Witnesses	1,243	1,105	43,184	39
All Others	<u>53</u>	<u>38</u>	<u>5,598</u>	<u>147</u>
Total	31,708	26,218	\$10,823,812	\$413

^{1/} Including one Community Defender Organization in the Southern District of California (San Diego) which is being paid on a case-by-case basis.

^{2/} Appeals by habeas corpus and 2255 petitioners included in the respective categories below.

EXHIBIT A-2
Payments for Representation by Private Attorneys¹
and Payments for Other Services
By Category of Persons Represented for F.Y. 1976
as of June 30, 1976

<u>Category of Person Represented</u>	<u>Number of Persons Represented By Counsel</u>	<u>Number of Cases in Which Counsel Paid</u>	<u>Payments</u>	<u>Average Payment</u>
Adult Defendants	20,248	12,427	\$5,153,397	\$415
Juvenile Defendants	330	219	54,808	250
Appellants ^{2/}	1,781	323	310,792	962
Probation Violators	1,230	906	109,891	121
Parole Violators	371	253	39,815	157
Habeas Petitioners	726	185	73,226	396
2255 Petitioners	281	180	28,635	159
Material Witnesses	1,342	1,102	48,472	44
All Others	<u>88</u>	<u>49</u>	<u>4,703</u>	<u>96</u>
Total	26,397	15,644	\$5,823,739	\$372

^{1/} Including one Community Defender Organization in the Southern District of California (San Diego) which is being paid on a case-by-case basis.

^{2/} Appeals by habeas corpus and 2255 petitioners included in the respective categories below.

EXHIBIT B-1
Number of Persons Represented by Private Attorneys
in Each Circuit and District by Category for F.Y. 1975
as of June 30, 1976

Circuit and district	Adult Defendants	Juvenile Defendants	Appellants	Probation Violators	Parole Violators	Habeas Petitioners	2255 Petitioners	Material Witnesses	All Others	Total
<u>Grand Total</u>	25,317	511	1,921	1,163	293	815	392	1,243	53	31,708
Supreme Court.....	-	-	16	-	-	-	-	-	-	16
Total All Courts of Appeals.....	-	-	1,920	4	3	314	107	-	4	2,352
D.C. Circuit.....	-	-	124	-	-	-	-	-	-	124
First Circuit.....	-	-	31	-	-	3	2	-	1	37
Second Circuit.....	-	-	192	-	-	27	4	-	-	223
Third Circuit.....	-	-	160	-	-	26	9	-	-	195
Fourth Circuit.....	-	-	221	2	1	38	9	-	-	271
Fifth Circuit.....	-	-	355	-	2	78	49	-	-	484
Sixth Circuit.....	-	-	145	-	-	44	9	-	-	198
Seventh Circuit.....	-	-	134	-	-	28	9	-	-	171
Eighth Circuit.....	-	-	121	-	-	35	7	-	-	163
Ninth Circuit.....	-	-	319	2	-	30	7	-	3	361
Tenth Circuit.....	-	-	102	-	-	5	2	-	-	109
Total All District Courts..	25,317	511	1	1,159	290	501	285	1,243	49	29,356
District of Columbia.....	1,337	-	-	140	2	3	11	13	4	1,510
First Circuit.....	870	9	-	17	6	13	7	5	-	927
Maine.....	65	3	-	-	1	1	-	-	-	70
Massachusetts.....	456	4	-	13	3	8	4	1	-	489
New Hampshire.....	29	-	-	-	2	-	-	-	-	31
Rhode Island.....	54	-	-	-	-	-	-	4	-	58
Puerto Rico.....	266	2	-	4	-	4	3	-	-	279
Second Circuit.....	1,684	8	-	32	43	60	27	25	1	1,880
Connecticut.....	82	-	-	2	35	16	1	1	-	137
New York:										
Northern.....	91	1	-	1	-	1	2	1	-	97
Eastern.....	365	3	-	10	2	8	15	10	-	413
Southern.....	842	1	-	16	3	9	8	9	1	889
Western.....	228	3	-	2	3	26	-	2	-	264
Vermont.....	76	-	-	1	-	-	1	2	-	80

Third Circuit.....	1,258	6	-	47	23	28	19	2	3	1,386
Delaware.....	83	2	-	6	1	1	1	-	-	92
New Jersey.....	330	2	-	8	-	3	6	1	-	350
Pennsylvania:										
Eastern.....	354	-	-	13	5	6	11	-	1	390
Middle.....	123	3	-	7	15	5	-	-	2	155
Western.....	253	1	-	11	2	9	1	1	-	278
Virgin Islands.....	115	-	-	2	-	4	-	-	-	121
Fourth Circuit.....	2,942	82	-	152	16	54	8	10	3	3,267
Maryland.....	475	10	-	28	1	11	1	1	-	527
North Carolina:										
Eastern.....	217	5	-	7	1	2	3	-	-	235
Middle.....	303	21	-	16	-	1	-	-	-	341
Western.....	213	11	-	25	1	2	-	-	-	252
South Carolina.....	441	5	-	23	2	1	1	1	-	474
Virginia:										
Eastern.....	861	25	-	39	4	7	1	4	2	943
Western.....	178	-	-	10	-	6	2	-	1	197
West Virginia:										
Northern.....	41	5	-	2	4	17	-	-	-	69
Southern.....	213	-	-	2	3	7	-	4	-	229
Fifth Circuit.....	4,442	98	1	223	67	152	41	23	15	5,062
Alabama:										
Northern.....	359	2	-	11	-	2	2	2	-	378
Middle.....	214	16	-	7	1	11	2	-	2	253
Southern.....	98	-	-	2	1	3	3	-	-	107
Florida:										
Northern.....	147	3	-	3	10	4	3	1	-	171
Middle.....	615	8	1	37	7	38	11	2	1	720
Southern.....	156	-	-	3	1	2	-	-	-	162
Georgia:										
Northern.....	195	1	-	6	8	6	5	2	8	231
Middle.....	130	3	-	3	-	1	-	2	-	139
Southern.....	259	5	-	11	-	1	-	-	-	276
Louisiana:										
Eastern.....	126	2	-	8	-	7	1	-	-	144
Middle.....	63	2	-	1	1	-	-	-	-	67
Western.....	178	1	-	14	-	6	-	10	-	209
Mississippi:										
Northern.....	64	-	-	5	1	3	2	-	-	75
Southern.....	67	1	-	2	2	-	-	-	-	72
Texas:										
Northern.....	504	1	-	43	5	16	1	1	1	572
Eastern.....	101	-	-	2	16	6	4	1	1	131
Southern.....	331	6	-	28	2	30	3	2	2	404
Western.....	835	47	-	37	12	16	4	-	-	951

EXHIBIT B-1
Number of Persons Represented by Private Attorneys
In Each Circuit and District by Category for F.Y. 1975
as of June 30, 1976 (Concluded)

Circuit and district	Adult Defendants	Juvenile Defendants	Appellants	Probation Violators	Parole Violators	Habeas Petitioners	2255 Petitioners	Material Witnesses	All Others	Total
Sixth Circuit.....	2,533	46	-	71	39	42	14	6	-	2,751
Kentucky:										
Eastern.....	385	20	-	11	24	3	1	-	-	444
Western.....	318	21	-	5	1	8	1	1	-	355
Michigan:										
Eastern.....	709	1	-	16	3	2	4	1	-	736
Western.....	134	-	-	1	-	4	-	1	-	140
Ohio:										
Northern.....	280	-	-	9	2	10	-	-	-	301
Southern.....	260	2	-	5	4	2	1	-	-	274
Tennessee:										
Eastern.....	146	1	-	7	1	7	3	-	-	167
Middle.....	236	-	-	15	4	5	2	-	-	262
Western.....	63	1	-	2	-	1	2	3	-	72
Seventh Circuit.....	1,605	17	-	90	38	34	13	19	2	1,818
Illinois:										
Northern.....	515	10	-	25	3	7	5	4	1	570
Eastern.....	134	-	-	5	3	2	1	15	-	160
Southern.....	79	2	-	8	-	-	4	-	1	94
Indiana:										
Northern.....	294	2	-	12	1	-	2	-	-	311
Southern.....	416	3	-	36	22	-	-	-	-	477
Wisconsin:										
Eastern.....	119	-	-	1	-	10	1	-	-	131
Western.....	48	-	-	3	9	15	-	-	-	75
Eighth Circuit.....	1,461	88	-	69	19	71	18	9	6	1,733
Arkansas:										
Eastern.....	173	2	-	4	2	7	-	2	2	192
Western.....	78	2	-	1	-	6	1	-	-	88

Iowa:										
Northern.....	66	1	-	3	1	3	-	-	-	74
Southern.....	87	-	-	4	1	6	-	4	-	102
Minnesota.....	211	7	-	5	10	5	4	2	-	244
Missouri:										
Eastern.....	277	1	-	12	-	2	1	-	-	293
Western.....	109	3	-	3	1	1	4	-	-	121
Nebraska.....	161	1	-	14	2	21	4	1	1	205
North Dakota.....	55	15	-	8	-	1	1	-	-	80
South Dakota.....	244	48	-	15	2	19	3	-	3	334
Ninth Circuit.....	6,127	138	-	275	19	20	109	1,124	13	7,825
Alaska.....	125	3	-	4	-	1	1	-	-	134
Arizona.....	462	24	-	6	2	3	1	446	-	944
California:										
Northern.....	157	6	-	5	-	3	1	4	-	176
Eastern.....	631	19	-	26	2	2	1	4	-	685
Central.....	946	4	-	34	2	2	7	38	4	1,037
Southern.....	2,673	36	-	132	6	2	90	614	2	3,555
Hawaii.....	132	1	-	3	-	2	-	-	-	138
Idaho.....	90	5	-	3	-	-	1	8	1	108
Montana.....	111	32	-	11	-	1	-	-	2	157
Nevada.....	116	1	-	7	1	2	1	1	2	131
Oregon.....	121	2	-	11	-	1	3	2	2	142
Washington:										
Eastern.....	180	-	-	5	-	1	-	2	-	188
Western.....	371	5	-	27	6	-	3	5	-	417
Guam.....	12	-	-	1	-	-	-	-	-	13
Tenth Circuit.....	1,058	27	-	43	18	24	18	7	2	1,197
Colorado.....	276	6	-	18	8	-	4	2	-	314
Kansas.....	103	1	-	6	5	3	2	2	1	123
New Mexico.....	102	3	-	1	-	-	2	3	-	111
Oklahoma:										
Northern.....	138	-	-	3	-	1	7	-	-	149
Eastern.....	60	-	-	1	-	3	-	-	-	64
Western.....	200	1	-	7	5	13	1	-	1	228
Utah.....	91	6	-	5	-	4	2	-	-	108
Wyoming.....	88	10	-	2	-	-	-	-	-	100

EXHIBIT B-2
Number of Persons Represented by Private Attorneys
in Each Circuit and District by Category for F.Y. 1976
as of June 30, 1976

Circuit and district	Adult Defendants	Juvenile Defendants	Appellants	Probation Violators	Parole Violators	Habeas Petitioners	2255 Petitioners	Material Witnesses	All Others	Total
Grand Total.....	20,248	330	1,781	1,230	371	726	281	1,342	89	26,297
Supreme Court.....	-	-	1	-	-	2	-	-	-	3
Total All Courts of Appeals.....	-	-	1,780	6	3	279	50	1	1	2,120
D.C. Circuit.....	-	-	85	-	-	-	3	-	-	88
First Circuit.....	-	-	58	-	-	3	1	-	1	63
Second Circuit.....	-	-	166	-	-	7	-	-	-	173
Third Circuit.....	-	-	137	-	-	23	7	1	-	168
Fourth Circuit.....	-	-	263	3	-	37	4	-	-	307
Fifth Circuit.....	-	-	380	1	-	71	11	-	-	463
Sixth Circuit.....	-	-	190	-	-	32	2	-	-	224
Seventh Circuit.....	-	-	138	-	-	18	9	-	-	165
Eighth Circuit.....	-	-	161	1	-	45	9	-	-	216
Ninth Circuit.....	-	-	116	1	-	32	4	-	-	153
Tenth Circuit.....	-	-	85	-	3	9	-	-	-	97
Total All District Courts..	20,248	330	1	1,224	368	447	231	1,341	87	24,277
District of Columbia.....	1,156	-	-	171	20	9	5	21	8	1,390
First Circuit.....	636	3	-	35	6	33	8	1	1	723
Maine.....	30	-	-	2	1	1	-	-	-	34
Massachusetts.....	330	-	-	28	3	21	5	1	-	391
New Hampshire.....	32	-	-	-	-	-	-	-	-	32
Rhode Island.....	54	2	-	2	1	3	3	-	1	66
Puerto Rico.....	187	1	-	3	1	8	-	-	-	200
Second Circuit.....	1,172	14	-	19	33	34	7	10	3	1,292
Connecticut.....	71	-	-	-	30	5	-	3	-	109
New York:										
Northern.....	82	-	-	2	3	-	-	-	2	89
Eastern.....	294	4	-	5	-	6	2	3	-	314
Southern.....	482	5	-	11	-	4	5	3	1	515
Western.....	175	1	-	1	-	19	-	-	-	196
Vermont.....	68	-	-	-	-	-	-	1	-	69

Third Circuit.....	924	2	-	33	33	13	3	15	3	1,026
Delaware.....	84	-	-	8	2	1	-	-	-	95
New Jersey.....	198	-	-	3	1	1	2	7	1	213
Pennsylvania:										
Eastern.....	297	-	-	9	4	6	1	3	1	321
Middle.....	141	1	-	5	25	2	-	1	-	175
Western.....	106	-	-	8	1	2	-	4	1	122
Virgin Islands.....	98	1	-	-	-	1	-	-	-	100
Fourth Circuit.....	2,511	43	-	177	47	40	7	10	6	2,841
Maryland.....	547	-	-	24	2	8	1	5	3	590
North Carolina:										
Eastern.....	205	2	-	13	-	-	1	-	-	221
Middle.....	204	6	-	11	1	-	-	-	-	222
Western.....	134	8	-	33	4	1	2	-	-	182
South Carolina.....	305	6	-	26	1	-	2	-	-	340
Virginia:										
Eastern.....	761	11	-	56	17	4	-	2	2	853
Western.....	161	-	-	7	1	2	-	-	-	171
West Virginia:										
Northern.....	49	-	-	3	7	24	-	-	-	83
Southern.....	145	10	-	4	14	1	1	3	1	179
Fifth Circuit.....	3,805	33	1	215	66	135	18	19	25	4,317
Alabama:										
Northern.....	383	-	1	23	1	2	3	-	1	414
Middle.....	150	6	-	9	2	1	1	-	2	171
Southern.....	136	1	-	3	1	1	-	-	-	142
Florida:										
Northern.....	171	-	-	4	12	2	2	-	2	193
Middle.....	506	1	-	37	4	53	3	8	1	613
Southern.....	207	-	-	5	3	2	-	-	-	217
Georgia:										
Northern.....	181	2	-	4	10	5	-	1	9	212
Middle.....	76	-	-	2	1	2	-	1	-	82
Southern.....	339	4	-	13	-	-	-	-	2	358
Louisiana:										
Eastern.....	97	-	-	3	-	4	-	1	-	105
Middle.....	47	-	-	3	-	-	-	1	-	51
Western.....	142	-	-	19	1	3	1	1	-	167
Mississippi:										
Northern.....	56	-	-	-	-	1	2	-	-	59
Southern.....	55	-	-	1	-	1	-	-	-	57
Texas:										
Northern.....	380	3	-	27	5	11	3	-	3	432
Eastern.....	62	-	-	5	14	6	1	-	2	90
Southern.....	272	3	-	22	1	36	2	4	2	342
Western.....	545	13	-	35	11	5	-	2	1	612

EXHIBIT B-2
Number of Persons Represented by Private Attorneys
In Each Circuit and District by Category for F.Y. 1976
as of June 30, 1976 (Concluded)

Circuit and district	Adult Defendants	Juvenile Defendants	Appellants	Probation Violators	Parole Violators	Habeas Petitioners	2255 Petitioners	Material Witnesses	All Others	Total
Sixth Circuit.....	2,036	15	-	95	41	25	10	12	4	2,241
Kentucky:										
Eastern.....	84	-	-	8	26	-	-	-	-	118
Western.....	309	10	-	14	1	6	1	-	-	341
Michigan:										
Eastern.....	612	2	-	22	9	9	4	7	1	666
Western.....	120	-	-	8	1	-	-	-	-	129
Ohio:										
Northern.....	213	1	-	19	-	4	2	5	2	246
Southern.....	303	1	-	5	2	2	-	1	-	314
Tennessee:										
Eastern.....	120	1	-	2	-	1	-	-	-	124
Middle.....	232	-	-	14	1	1	1	-	1	250
Western.....	43	-	-	3	1	2	2	2	-	53
Seventh Circuit.....	1,226	8	-	99	52	45	13	3	12	1,458
Illinois:										
Northern.....	420	6	-	30	4	8	1	2	7	478
Eastern.....	120	-	-	6	3	14	-	-	-	143
Southern.....	49	-	-	7	3	-	4	-	2	65
Indiana:										
Northern.....	262	-	-	10	-	1	5	1	-	279
Southern.....	255	1	-	40	29	-	1	-	1	327
Wisconsin:										
Eastern.....	85	-	-	2	4	9	1	-	2	103
Western.....	35	1	-	4	9	13	1	-	-	63
Eighth Circuit.....	1,241	98	-	84	26	76	18	17	8	1,568
Arkansas:										
Eastern.....	133	-	-	7	2	12	-	-	-	154
Western.....	31	3	-	-	-	21	2	-	-	57

Iowa:										
Northern.....	65	1	-	4	3	4	-	-	-	77
Southern.....	80	5	-	5	1	5	1	5	-	102
Minnesota.....	157	-	-	10	5	2	4	4	1	183
Missouri:										
Eastern.....	266	3	-	19	6	2	2	-	3	301
Western.....	49	1	-	2	-	1	2	-	2	57
Nebraska.....	92	2	-	11	7	16	4	-	-	132
North Dakota.....	63	20	-	12	-	-	-	-	-	95
South Dakota.....	305	63	-	14	2	13	3	8	2	410
Ninth Circuit.....	4,793	102	-	264	29	23	129	1,221	13	6,574
Alaska.....	101	3	-	5	-	-	-	-	-	109
Arizona.....	458	13	-	4	1	2	2	350	-	830
California:										
Northern.....	258	-	-	10	-	2	2	5	1	278
Eastern.....	502	6	-	27	3	4	3	1	1	547
Central.....	791	-	-	28	3	1	8	14	4	849
Southern.....	1,969	26	-	111	5	1	101	826	3	3,042
Hawaii.....	129	-	-	7	5	1	-	-	-	142
Idaho.....	93	1	-	4	1	-	1	2	-	102
Montana.....	99	52	-	18	1	3	2	-	-	175
Nevada.....	45	-	-	-	-	2	1	2	-	50
Oregon.....	80	-	-	9	1	4	-	3	-	97
Washington:										
Eastern.....	104	1	-	9	-	3	1	16	3	137
Western.....	157	-	-	32	9	-	8	2	1	209
Guam.....	7	-	-	-	-	-	-	-	-	7
Tenth Circuit.....	748	12	-	32	15	14	13	9	-	847
Colorado.....	44	-	-	-	3	1	5	6	1	65
Kansas.....	96	2	-	5	8	1	1	-	2	115
New Mexico.....	124	-	-	7	-	1	2	3	-	137
Oklahoma:										
Northern.....	147	-	-	3	-	1	1	-	-	152
Eastern.....	43	-	-	-	-	-	-	-	-	43
Western.....	154	1	-	7	4	5	2	-	1	174
Utah.....	58	1	-	1	-	5	2	-	-	67
Wyoming.....	82	8	-	4	-	-	-	-	-	94

EXHIBIT C-1
Cumulative Payments to Private Attorneys out of the
Appropriation for F.Y. 1975 as of June 30, 1976

Circuit and district	Number of Persons Represented By Counsel	Number of Cases In Which Counsel Paid	In Court Compensation	Out-of-Court Compensation	Out of Pocket Expenses	Total Paid To Counsel	Average Payment To Counsel
<u>Grand Total.....</u>	31,708	26,218	3,529,043.73	5,159,393.73	376,316.56	9,064,754.02	345.74
Supreme Court.....	16	15	1,391.00	11,640.00	4,199.51	17,230.51	1,148.70
Total All Courts of Appeals.....	2,352	1,519	43,388.55	698,529.48	131,829.49	1,073,747.52	706.87
D.C. Circuit.....	124	72	1,856.50	54,262.93	4,676.29	60,795.72	844.38
First Circuit.....	37	27	1,657.50	17,160.85	1,235.11	20,053.46	742.72
Second Circuit.....	223	146	9,583.00	96,656.47	16,342.06	118,581.53	812.20
Third Circuit.....	195	103	1,647.00	65,717.60	5,772.24	73,136.84	710.06
Fourth Circuit.....	271	180	4,632.50	101,271.55	14,788.39	120,692.54	670.51
Fifth Circuit.....	484	255	5,723.00	120,536.01	18,932.68	145,191.69	569.37
Sixth Circuit.....	198	142	3,168.25	64,286.00	14,647.06	82,101.31	578.17
Seventh Circuit.....	171	106	3,225.00	63,517.95	8,815.53	75,558.48	712.81
Eighth Circuit.....	163	116	4,473.30	70,153.48	16,615.85	91,242.63	786.57
Ninth Circuit.....	361	284	8,393.50	192,300.17	21,398.80	222,092.47	782.01
Tenth Circuit.....	109	73	1,638.00	41,026.37	4,405.97	47,070.34	644.79
Total All District Courts..	29,356	24,699	3,485,655.18	4,260,864.25	244,467.07	7,991,006.50	323.53
District of Columbia.....	1,510	1,356	128,454.03	207,782.05	3,447.27	339,683.35	250.50
First Circuit.....	927	654	89,950.08	124,842.72	5,789.23	220,582.03	337.28
Maine.....	70	68	7,568.00	10,517.33	649.59	18,734.92	275.51
Massachusetts.....	489	355	51,959.00	80,203.98	3,126.35	135,289.33	381.09
New Hampshire.....	31	26	2,210.25	7,452.50	844.77	10,507.52	404.13
Rhode Island.....	58	48	6,351.50	7,275.53	251.82	13,878.85	289.14
Puerto Rico.....	279	157	21,861.33	19,393.38	916.70	42,171.41	268.60
Second Circuit.....	1,880	1,269	490,986.52	343,182.19	11,459.89	845,628.60	666.37
Connecticut.....	137	86	60,758.80	35,543.16	2,123.47	97,925.43	1,138.66
New York:							
Northern.....	97	87	20,917.00	20,047.34	1,734.35	32,698.69	375.84
Eastern.....	413	301	107,214.30	56,084.89	820.82	164,120.01	545.24
Southern.....	889	597	287,061.32	190,577.44	4,678.88	482,317.64	807.90
Western.....	264	132	18,966.10	24,434.21	225.60	43,625.91	330.49
Vermont.....	80	66	6,069.00	16,995.15	1,876.77	24,940.92	377.89

Third Circuit.....	1,386	1,121	246,043.11	277,231.39	10,521.29	533,795.79	476.17
Delaware.....	92	73	10,804.50	21,448.80	1,078.82	33,332.12	456.60
New Jersey.....	350	267	68,739.00	53,921.60	2,256.83	124,917.43	467.85
Pennsylvania:							
Eastern.....	390	297	74,516.70	89,815.10	1,840.08	166,171.88	559.50
Middle.....	155	147	15,695.30	41,356.62	2,204.95	59,256.87	403.10
Western.....	278	226	57,350.63	57,540.77	2,594.86	117,486.26	519.85
Virgin Islands.....	121	111	18,936.98	13,148.50	545.75	32,631.23	293.97
Fourth Circuit.....	3,267	2,879	308,305.54	468,605.69	26,675.68	803,586.91	279.12
Maryland.....	527	434	46,788.86	59,190.48	3,396.66	109,376.00	252.01
North Carolina:							
Eastern.....	235	209	38,953.25	41,438.26	2,927.30	83,318.81	398.65
Middle.....	341	298	19,296.20	52,814.46	3,500.40	75,611.06	253.72
Western.....	252	226	16,850.09	27,544.66	1,367.79	45,762.54	202.48
South Carolina.....	474	409	63,922.28	49,083.51	5,563.58	118,569.37	289.90
Virginia:							
Eastern.....	943	867	84,214.36	164,469.60	6,229.46	254,913.42	294.01
Western.....	197	183	9,700.00	15,665.72	846.63	26,212.35	143.23
West Virginia:							
Northern.....	69	68	3,581.50	10,236.00	830.56	14,648.06	215.41
Southern.....	229	185	24,999.00	48,163.00	2,013.30	75,175.30	406.35
Fifth Circuit.....	5,062	4,054	617,411.44	595,767.94	37,089.56	1,250,268.94	308.40
Alabama:							
Northern.....	378	334	33,766.85	26,135.86	1,822.27	61,724.98	184.00
Middle.....	253	210	20,537.50	19,529.42	860.05	40,926.97	194.89
Southern.....	107	103	18,359.39	12,240.76	451.37	31,051.52	301.47
Florida:							
Northern.....	171	144	16,220.00	28,363.60	1,926.01	46,509.61	322.98
Middle.....	720	615	175,113.14	167,337.06	8,201.63	350,651.83	570.16
Southern.....	162	114	32,821.75	30,905.29	1,720.53	65,447.57	574.10
Georgia:							
Northern.....	231	181	35,094.29	23,270.87	1,149.93	59,515.09	328.81
Middle.....	139	122	14,712.25	14,085.10	608.39	29,405.74	241.03
Southern.....	276	251	19,061.25	26,898.57	2,117.47	48,077.29	191.54
Louisiana:							
Eastern.....	144	95	14,078.00	14,994.17	361.92	29,434.09	309.83
Middle.....	67	51	6,056.50	10,572.77	199.38	16,828.65	329.97
Western.....	209	167	20,455.15	23,354.23	2,053.18	45,862.56	274.62
Mississippi:							
Northern.....	75	64	14,164.40	20,590.00	4,135.31	38,889.71	607.65
Southern.....	72	62	5,983.00	8,960.88	903.51	15,847.39	255.60
Texas:							
Northern.....	572	442	69,023.80	38,973.96	2,735.12	110,732.88	250.52
Eastern.....	131	100	9,968.00	14,710.21	899.58	25,577.79	255.77
Southern.....	404	299	40,269.32	39,921.01	3,577.64	83,767.97	289.85
Western.....	951	710	71,726.85	74,924.18	3,366.27	150,017.30	211.29

EXHIBIT C-1
Cumulative Payments to Private Attorneys out of the
Appropriation for F.Y. 1975 as of June 30, 1976 (Concluded)

Circuit and District	Number of Persons Represented By Counsel	Number of Cases In Which Counsel Paid	In Court Compensation	Out-Of-Court Compensation	Out of Pocket Expenses	Total Paid To Counsel	Average Payment To Counsel
Sixth Circuit.....	2,751	2,301	286,982.17	417,854.38	21,174.79	726,011.34	315.51
Kentucky:							
Eastern.....	444	364	32,412.98	75,879.66	5,623.73	113,916.37	312.95
Western.....	355	316	25,802.22	37,789.61	1,823.47	65,415.30	207.01
Michigan:							
Eastern.....	736	563	96,723.99	123,751.45	4,855.65	225,331.09	400.23
Western.....	140	122	15,010.00	30,269.41	2,690.48	47,969.89	393.19
Ohio:							
Northern.....	301	247	39,768.10	54,104.12	3,012.70	96,884.92	392.24
Southern.....	274	238	24,392.00	37,961.26	600.85	62,954.11	264.51
Tennessee:							
Eastern.....	167	150	13,725.17	15,325.20	872.69	29,923.06	199.48
Middle.....	262	236	20,057.15	29,439.81	1,036.79	50,533.75	214.12
Western.....	72	65	19,090.56	13,333.86	658.43	33,082.85	508.96
Seventh Circuit.....	1,818	1,448	319,722.92	386,756.14	20,440.58	726,919.64	502.01
Illinois:							
Northern.....	570	381	57,534.50	52,084.50	235.08	109,854.08	288.33
Eastern.....	160	131	14,022.50	21,316.63	1,123.83	36,462.96	278.34
Southern.....	94	79	8,417.50	18,270.60	519.87	27,207.97	344.40
Indiana:							
Northern.....	311	267	142,693.60	160,320.60	11,998.67	315,012.87	1,179.82
Southern.....	477	425	76,381.52	81,210.16	3,846.97	161,438.65	379.85
Wisconsin:							
Eastern.....	131	105	18,046.50	36,205.08	1,741.25	55,992.83	533.26
Western.....	75	60	2,626.80	17,348.57	974.91	20,950.28	349.17
Eighth Circuit.....	1,733	1,479	195,663.83	255,224.41	57,391.28	508,279.52	343.66
Arkansas:							
Eastern.....	192	164	18,751.35	26,678.92	1,531.52	46,961.79	286.35
Western.....	88	70	9,891.34	6,180.98	231.78	16,304.10	232.91

Iowa:							
Northern.....	74	70	6,533.00	9,648.50	1,588.26	17,769.76	253.85
Southern.....	102	95	9,560.50	14,949.34	700.14	25,209.98	265.36
Minnesota.....	244	197	28,827.00	54,338.69	3,509.66	86,675.35	439.97
Missouri:							
Eastern.....	293	234	43,682.82	30,384.01	2,132.50	76,199.33	325.63
Western.....	121	99	20,853.37	11,561.15	1,361.03	33,775.55	341.16
Nebraska.....	205	189	21,511.10	29,854.80	22,925.15	74,291.05	393.07
North Dakota.....	80	71	12,569.60	12,965.32	1,717.12	27,252.04	383.83
South Dakota.....	334	290	23,483.75	58,662.70	21,694.12	103,840.57	358.07
Ninth Circuit.....	7,825	7,147	685,363.01	1,051,798.83	43,492.93	1,780,654.77	249.14
Alaska.....	134	108	12,327.00	39,927.41	1,518.05	53,772.46	497.89
Arizona.....	944	813	55,551.50	89,013.00	3,252.25	147,816.75	181.81
California:							
Northern.....	176	146	31,121.40	53,416.85	3,551.76	88,090.01	603.35
Eastern.....	685	651	50,500.00	59,813.99	2,077.52	112,391.51	172.64
Central.....	1,037	1,002	131,238.40	146,130.62	8,635.75	286,004.77	285.43
Southern.....	3,555	3,335	306,318.20	420,355.88	12,561.01	739,235.09	221.65
Hawaii.....	138	108	10,973.90	25,488.56	1,691.15	38,153.61	353.27
Idaho.....	108	93	6,915.50	18,930.86	1,654.78	27,501.14	295.71
Montana.....	157	138	6,968.50	31,836.86	2,527.08	41,332.44	299.51
Nevada.....	131	99	12,699.50	29,246.50	654.54	42,600.54	430.30
Oregon.....	142	117	13,238.10	30,364.97	1,466.74	45,069.81	385.21
Washington:							
Eastern.....	188	159	16,055.40	32,430.50	1,067.91	49,553.81	311.65
Western.....	417	365	29,396.61	72,782.85	2,816.89	104,996.35	287.66
Guam.....	13	13	2,059.00	2,059.98	17.50	4,136.48	318.19
Tenth Circuit.....	1,197	991	116,772.53	131,818.51	7,004.57	255,595.61	257.91
Colorado.....	314	279	24,741.50	28,944.72	1,715.05	55,401.27	198.57
Kansas.....	123	111	30,887.00	22,215.50	1,503.22	54,605.72	491.94
New Mexico.....	111	88	8,913.00	16,320.61	650.75	25,884.36	294.14
Oklahoma:							
Northern.....	149	117	10,206.30	10,763.91	113.13	21,083.34	180.19
Eastern.....	64	56	9,409.25	8,638.20	384.56	18,432.01	329.14
Western.....	228	184	19,879.98	21,477.74	2,013.99	43,371.71	235.71
Utah.....	108	68	8,832.00	14,429.07	473.68	23,734.75	349.04
Wyoming.....	100	88	3,903.50	9,028.76	150.19	13,082.45	148.66

EXHIBIT C-2
Cumulative Payments to Private Attorneys out of the
Appropriation for F.Y. 1978 as of June 30, 1976

Circuit and district	Number of Persons Represented By Counsel	Number of Cases In Which Counsel Paid	In Court Compensation	Out-Of-Court Compensation	Out of Pocket Expenses	Total Paid To Counsel	Average Payment To Counsel
Grand Total.....	26,397	15,644	1,632,754.82	2,355,467.47	132,805.50	4,121,027.79	263.42
Supreme Court.....	3	3	120.00	2,880.00	1,351.82	4,351.82	1,450.60
Total All Courts of Appeals.....	2,120	396	8,221.50	192,645.94	32,301.01	233,168.45	588.80
D.C. Circuit.....	88	15	265.50	10,407.00	788.39	11,460.89	764.05
First Circuit.....	63	8	390.00	4,531.46	388.97	5,310.43	663.80
Second Circuit.....	173	48	1,635.50	31,804.94	6,700.17	40,140.61	836.26
Third Circuit.....	168	15	90.00	7,249.60	515.27	7,854.87	523.65
Fourth Circuit.....	307	68	1,005.00	27,924.20	4,138.10	33,067.30	486.28
Fifth Circuit.....	463	64	507.50	25,029.00	2,807.23	28,343.73	442.87
Sixth Circuit.....	224	35	589.50	13,898.20	2,990.51	17,478.21	499.37
Seventh Circuit.....	165	16	7.50	10,154.00	979.55	11,531.05	720.69
Eighth Circuit.....	216	58	2,095.00	25,245.38	6,646.78	33,987.16	585.98
Ninth Circuit.....	153	55	976.00	28,189.16	4,225.33	33,390.49	607.09
Tenth Circuit.....	97	11	150.00	5,333.00	768.89	6,251.89	568.35
Total All District Courts..	24,277	15,248	1,624,533.32	2,162,821.53	100,504.49	3,887,859.34	254.97
District of Columbia.....	1,390	810	58,772.34	107,184.83	1,640.94	167,598.11	206.91
First Circuit.....	723	358	48,163.58	55,969.00	2,775.11	106,907.69	298.62
Maine.....	34	27	2,293.50	3,325.00	213.59	5,832.09	216.00
Massachusetts.....	391	183	24,296.00	31,876.98	1,581.68	57,754.66	315.59
New Hampshire.....	32	30	1,467.25	4,763.25	434.86	6,665.36	222.17
Rhode Island.....	66	40	4,706.00	5,910.35	266.18	10,882.53	272.06
Puerto Rico.....	200	78	15,400.83	10,093.42	278.80	25,773.05	330.42
Second Circuit.....	1,292	543	195,013.55	106,462.81	4,275.46	305,751.82	563.07
Connecticut.....	109	56	32,795.50	10,872.00	1,470.71	45,138.21	806.03
New York:							
Northern.....	89	52	6,099.00	9,134.93	544.93	15,778.86	303.43
Eastern.....	314	128	44,077.07	22,060.22	256.97	66,394.26	518.70
Southern.....	515	214	100,475.23	45,170.75	1,033.37	146,679.35	685.41
Western.....	196	67	9,034.75	12,526.08	308.44	21,869.27	326.40
Vermont.....	69	26	2,532.00	6,698.83	661.04	9,891.87	380.45

Third Circuit.....	1,026	523	72,167.75	119,748.73	4,138.31	196,054.79	374.86
Delaware.....	95	33	2,962.00	8,979.16	375.74	12,316.90	373.23
New Jersey.....	213	91	14,850.50	17,630.82	657.08	33,138.40	364.15
Pennsylvania:							
Eastern.....	321	133	17,707.50	37,133.43	824.13	55,665.06	418.53
Middle.....	175	119	12,273.25	31,786.42	1,571.17	45,630.84	386.70
Western.....	122	67	9,720.50	12,201.50	615.49	22,537.49	336.38
Virgin Islands.....	100	81	14,654.00	12,017.40	94.70	26,766.10	330.44
Fourth Circuit.....	2,841	1,960	171,763.47	298,082.37	14,557.25	484,403.09	247.14
Maryland.....	590	325	25,200.50	36,429.18	1,535.83	63,165.51	194.35
North Carolina:							
Eastern.....	221	179	27,587.00	25,213.13	2,460.52	55,260.65	308.71
Middle.....	222	137	7,266.90	23,801.36	2,300.34	33,368.60	243.56
Western.....	182	151	9,030.26	17,704.52	870.44	27,605.22	182.81
South Carolina.....	340	178	17,615.75	19,353.57	1,160.93	38,130.25	214.21
Virginia:							
Eastern.....	853	666	61,444.56	131,772.78	4,090.75	197,308.09	296.25
Western.....	171	146	8,713.00	14,592.83	1,085.28	24,391.11	167.06
West Virginia:							
Northern.....	83	63	3,309.00	6,983.00	302.57	10,594.57	168.16
Southern.....	179	115	11,596.50	22,232.00	750.59	34,579.09	300.68
Fifth Circuit.....	4,317	2,697	290,855.84	334,202.50	16,870.02	641,928.36	238.01
Alabama:							
Northern.....	414	305	38,229.90	41,248.51	2,119.87	81,598.28	267.53
Middle.....	171	128	14,102.00	12,597.81	719.18	27,418.99	214.21
Southern.....	142	95	10,866.80	6,951.18	137.37	17,955.35	189.00
Florida:							
Northern.....	193	139	14,960.30	27,103.60	1,598.05	43,661.95	314.11
Middle.....	613	364	45,381.46	59,122.22	2,725.65	107,229.33	294.58
Southern.....	217	113	16,719.50	21,273.47	600.60	38,593.57	341.53
Georgia:							
Northern.....	212	99	16,073.00	12,016.35	528.78	28,618.13	289.07
Middle.....	82	56	4,832.25	4,817.07	109.47	9,758.79	174.26
Southern.....	358	305	16,795.80	21,324.46	610.83	38,731.09	126.98
Louisiana:							
Eastern.....	105	55	7,962.60	7,754.82	174.04	15,891.46	288.93
Middle.....	51	30	2,304.50	3,838.00	30.30	6,172.80	205.76
Western.....	167	116	8,829.00	14,542.62	1,162.53	24,534.15	211.50
Mississippi:							
Northern.....	59	36	9,100.00	14,592.17	2,662.89	26,355.06	732.08
Southern.....	57	23	2,828.50	4,620.25	132.64	7,581.39	329.62
Texas:							
Northern.....	432	251	26,785.28	25,055.26	1,077.31	52,917.85	210.82
Eastern.....	90	58	3,666.00	5,043.00	287.55	8,996.55	155.11
Southern.....	342	153	20,525.50	16,818.40	1,078.93	38,422.83	251.12
Western.....	612	371	30,893.45	35,483.31	1,114.03	67,490.79	181.91

EXHIBIT C-2
Cumulative Payments to Private Attorneys out of the
Appropriation for F.Y. 1978 as of June 30, 1975 (Concluded)

Circuit and district	Number of Persons Represented By Counsel	Number of Cases In Which Counsel Paid	In Court Compensation	Out-of-Court Compensation	Out of Pocket Expenses	Total Paid To Counsel	Average Payment To Counsel
Sixth Circuit.....	2,241	1,332	176,786.55	227,715.88	10,079.14	414,581.57	311.24
Kentucky:							
Eastern.....	118	87	8,258.75	17,668.06	1,605.12	27,531.93	316.45
Western.....	341	235	18,935.50	23,829.35	954.90	43,719.75	186.04
Michigan:							
Eastern.....	666	295	50,520.30	59,402.07	2,492.52	112,414.89	381.06
Western.....	129	65	9,017.90	14,725.52	1,618.57	25,361.99	390.18
Ohio:							
Northern.....	246	160	22,913.10	31,819.19	1,477.53	56,209.82	351.31
Southern.....	314	212	42,982.00	45,903.50	473.29	89,358.79	421.50
Tennessee:							
Eastern.....	124	83	7,211.00	10,867.92	643.44	18,722.36	225.57
Middle.....	250	166	12,904.00	19,492.55	681.32	33,077.87	199.26
Western.....	53	29	4,044.00	4,007.72	132.45	8,184.17	282.21
Seventh Circuit.....	1,458	716	85,187.60	145,941.59	5,382.88	236,512.07	330.32
Illinois:							
Northern.....	478	128	12,068.30	12,713.00	75.94	24,857.24	194.19
Eastern.....	143	78	11,584.50	14,011.64	879.71	26,475.85	339.43
Southern.....	65	26	1,441.00	3,783.12	191.91	5,416.03	208.30
Indiana:							
Northern.....	279	168	30,334.80	58,333.81	2,385.70	91,054.31	541.98
Southern.....	327	228	23,658.50	32,960.07	1,075.42	57,693.99	253.04
Wisconsin:							
Eastern.....	103	50	3,469.50	11,506.39	207.44	15,183.33	303.66
Western.....	63	38	2,631.00	12,633.56	566.76	15,831.32	416.61
Eighth Circuit.....	1,568	930	112,032.43	154,523.35	14,483.19	281,038.97	302.19
Arkansas:							
Eastern.....	154	105	12,794.00	17,622.93	532.92	30,949.85	294.76
Western.....	57	30	3,137.50	2,440.00	159.37	5,736.87	191.22

Iowa:							
Northern.....	77	57	5,650.50	10,115.00	762.06	16,527.56	289.95
Southern.....	102	72	19,288.25	10,473.28	797.50	30,559.03	424.43
Minnesota.....	183	94	6,759.00	18,711.05	593.94	26,063.99	277.27
Missouri:							
Eastern.....	301	221	26,811.93	30,398.14	2,826.96	60,037.03	271.66
Western.....	57	36	6,114.25	3,079.60	128.37	9,322.22	258.95
Nebraska.....	132	77	6,022.50	12,581.21	838.87	19,442.58	252.50
North Dakota.....	95	83	6,276.00	10,760.15	2,961.09	19,997.24	240.93
South Dakota.....	410	155	19,178.50	38,341.99	4,882.11	62,402.60	402.59
Ninth Circuit.....	6,574	4,814	356,802.88	542,703.18	23,292.11	922,798.17	191.69
Alaska.....	109	56	6,015.50	17,078.00	331.76	23,425.26	418.30
Arizona.....	830	556	22,916.90	47,421.50	1,341.67	71,680.07	128.92
California:							
Northern.....	278	173	26,726.25	44,054.16	3,036.77	73,817.18	426.68
Eastern.....	547	420	29,507.00	49,909.68	3,118.54	82,535.22	196.51
Central.....	849	695	85,469.60	80,392.38	5,196.83	171,058.81	246.12
Southern.....	3,042	2,365	145,457.03	203,858.70	6,447.47	355,763.20	150.42
Hawaii.....	142	60	7,906.50	12,003.66	459.19	20,369.35	339.48
Idaho.....	102	68	2,263.60	10,282.36	614.55	13,160.51	193.53
Montana.....	175	132	5,826.00	22,973.20	919.69	29,718.89	225.14
Nevada.....	50	36	5,214.00	12,258.50	299.53	17,772.03	493.66
Oregon.....	97	48	2,454.90	7,231.40	228.81	9,915.11	206.56
Washington:							
Eastern.....	137	78	5,928.50	13,320.00	312.26	19,560.76	250.77
Western.....	209	120	10,596.60	21,219.64	985.04	32,801.28	273.34
Guam.....	7	7	520.50	700.00	-	1,220.50	174.35
Tenth Circuit.....	847	565	56,987.33	70,287.29	3,010.08	130,284.70	230.59
Colorado.....	65	45	4,525.50	4,293.50	246.00	9,065.00	201.44
Kansas.....	115	68	10,659.00	11,681.50	267.33	22,607.83	332.46
New Mexico.....	137	95	10,835.50	11,189.97	519.27	22,544.74	237.31
Oklahoma:							
Northern.....	152	101	6,917.50	7,934.00	35.47	14,886.97	147.39
Eastern.....	43	35	4,693.00	4,410.99	229.35	9,333.34	266.66
Western.....	174	122	9,251.25	13,603.18	921.45	23,775.88	194.88
Utah.....	67	30	3,853.00	7,068.00	268.52	11,189.52	372.98
Wyoming.....	94	69	6,252.58	10,106.15	522.69	16,881.42	244.65

EXHIBIT D
Claims for Compensation in Excess of \$1,000 for Extended
or Complex Representation by Attorneys in Felony
Cases During Fiscal Year 1976

<u>Circuit/District</u>	<u>Charge</u>	<u>Compensation Paid</u>
<u>TOTAL - ALL COURTS</u>	(196 claims)	<u>\$507,535.58</u>
<u>I. COURTS OF APPEALS</u>	(14 claims)	<u>22,090.35</u>
First Circuit	(1 claim) Illegal Gambling	1,611.10 <u>1,611.10</u>
Second Circuit	(4 claims) Smuggling Bank Robbery Sales Loan Application Bank Robbery	6,084.00 1,045.00 1,080.00 1,459.00 <u>2,500.00</u>
Third Circuit	(2 claims) Bank Robbery Conspiracy, Mail Fraud	2,837.00 <u>1,402.00</u> <u>1,435.00</u>
Fourth Circuit	(1 claim) Principal's Offense	1,500.00 <u>1,500.00</u>
Fifth Circuit	(2 claims) Narcotics, Conspiracy Narcotics Violation	3,530.00 1,680.00 <u>1,850.00</u>
Sixth Circuit	(1 claim) Intimidating a Witness	1,294.75 <u>1,294.75</u>
Eighth Circuit	(1 claim) Assaulting Peace Officer	2,260.00 <u>2,260.00</u>
Ninth Circuit	(2 claims) Transporting Stolen Credit Cards Larceny, Indian Country	2,973.50 1,056.00 <u>1,917.50</u>
<u>II. DISTRICT COURTS</u>	(182 claims)	<u>485,445.23</u>
<u>First Circuit</u>	(11 claims)	<u>17,802.00</u>
Massachusetts	Selective Service Violation	1,250.00
"	Narcotics	1,290.00
"	Fraud, Transport of Stolen Goods	1,725.00
"	Illegal Gambling	1,863.00
"	Bank Robbery	2,109.00
"	Illegal Gambling	2,400.00
Puerto Rico	Narcotics, Importation	1,299.00
"	" "	1,299.00
"	" "	1,350.00
"	" "	1,462.00
"	" "	1,755.00
<u>Second Circuit</u>	(39 claims)	<u>140,446.32</u>
Connecticut	Conspiracy, Explosives	2,160.00
"	" "	2,334.00
"	" "	11,838.00
"	" "	14,555.00

EXHIBIT D
Claims for Compensation in Excess of \$1,000 for Extended
or Complex Representation by Attorneys in Felony
Cases During Fiscal Year 1976

Second Circuit (Cont'd)

New York (E)	Conspiracy, Theft	1,120.05
"	Bank Robbery	1,121.00
"	Mail Fraud	1,520.08
"	Armed Robbery	1,650.00
"	Conspiracy, Stolen Goods	1,660.04
"	Bank Robbery	2,200.00
"	Possession, Stolen Goods	2,295.00
"	Theft, Interstate Commerce	2,335.00
"	Bank Robbery	2,955.00
"	Possession, Stolen Property	4,470.00
"	Mail Fraud	4,922.50
New York (S)	Narcotics Violation	1,067.00
"	"	1,138.58
"	Bank Robbery	1,354.06
"	Narcotics Violation	1,375.37
"	Possession, Firearms	1,466.88
"	Narcotics Violation	1,619.30
"	Wire Fraud	1,620.00
"	Narcotics Violation	1,780.00
"	Counterfeiting, Conspiracy	1,797.50
"	Narcotics Violation	2,120.00
"	Conspiracy, Securities Laws	2,481.23
"	Conspiracy	2,750.00
"	Stock Fraud	2,850.00
"	Conspiracy	2,850.00
"	Conspiracy	2,850.00
"	Stock Fraud	3,380.00
"	Narcotics Violation	3,710.83
"	Bank Robbery	4,139.90
"	Narcotics Violation	5,000.00
"	"	5,500.00
"	"	5,500.00
"	"	7,210.00
"	Conspiracy, Narcotics	9,250.00
"	Narcotics Violation	10,500.00
<u>Third Circuit</u>	(19 claims)	<u>34,597.04</u>
New Jersey	Bank Robbery	1,200.00
"	Narcotics Violation	1,900.00
"	Mailing Injurious Articles	1,908.25
Pennsylvania (E)	Narcotics, Distribution	1,105.00
"	"	1,496.15
"	"	1,585.00
"	Mail Fraud	2,000.00
"	Narcotics Violation	3,000.00
Pennsylvania (M)	Narcotics, Dangerous Weapon	1,068.08
"	Contraband, Attempted Escape	1,374.00
"	Escape	1,381.60
"	Bank Robbery	1,468.00
"	Contraband, Attempted Escape	1,675.00
"	"	1,719.98
"	Assault on Correctional Officer	2,700.00
"	Murder	2,861.60
Pennsylvania (W)	Transport Stolen Checks	1,310.00
"	Bank Robbery, Weapon	2,861.88
Virgin Islands	Voluntary Manslaughter	1,982.50

EXHIBIT D
Claims for Compensation in Excess of \$1,000 for Extended
or Complex Representation by Attorneys in Felony
Cases During Fiscal Year 1976

<u>Fourth Circuit</u>	(5 claims)	<u>12,542.00</u>
Maryland	Narcotics Violation	1,650.00
"	Bank Robbery	2,000.00
Virginia (E)	Murder, Conspiracy	2,896.40
"	" "	2,995.60
"	" "	3,000.00
<u>Fifth Circuit</u>	(15 claims)	<u>29,140.30</u>
Alabama (M)	Conspiracy, Theft	3,454.00
Alabama (N)	False Declaration Under Oath	2,530.00
Florida (M)	Counterfeiting	1,120.00
"	Theft, Interstate Shipment	1,202.00
"	Conspiracy, Counterfeiting	1,272.38
"	" "	1,385.00
"	Mail Fraud, Conspiracy	2,010.00
"	Murder, Robbery	6,044.00
Georgia (N)	Bank Robbery	1,015.00
"	Transport Stolen Vehicles	1,270.00
"	Possession, Controlled Substance	1,400.00
Louisiana (E)	Narcotics Violation	1,370.00
Louisiana (W)	Transport Stolen Vehicles	1,347.92
"	Perjury	1,720.00
Mississippi (N)	Obstruction of Mail	2,000.00
<u>Sixth Circuit</u>	(25 claims)	<u>71,978.15</u>
Kentucky (E)	Armed Robbery	1,113.00
"	Conspiracy, Transport Stolen Vehicle	1,522.00
Kentucky (W)	Bank Robbery	1,112.00
"	Assault	1,140.00
"	Bank Robbery	1,352.65
Michigan (E)	Narcotics Violation	1,101.00
"	" "	1,215.00
"	Bank Robbery, Extortion	1,220.00
"	Stolen Forged Securities	1,647.00
"	Narcotics Violation	1,910.00
"	Armed Bank Robbery	2,025.00
"	Conspiracy, Theft	2,891.00
"	" "	2,938.00
"	" "	3,763.00
"	" "	4,377.00
"	Narcotics Violation	5,011.00
Michigan (W)	Threats on President	1,120.00
"	Bank Robbery	3,850.00
Ohio (N)	Armed Robbery	2,340.00
Ohio (S)	Bank Robbery	2,648.00
"	Bank Robbery, Conspiracy	5,235.00
"	" "	5,410.00
"	" "	5,537.50
"	" "	5,690.00
"	" "	5,810.00

EXHIBIT D
Claims for Compensation in Excess of \$1,000 for Extended
or Complex Representation by Attorneys in Felony
Cases During Fiscal Year 1976

<u>Seventh Circuit</u>	(10 claims)	<u>25,648.56</u>
Illinois (E)	Premeditated Murder	1,372.27
Indiana (N)	Narcotics Violation	1,751.00
"	False Declaration	1,912.00
"	Narcotics Violation	1,941.60
"	" "	2,379.80
"	Narcotics, Distribution	2,724.00
"	Narcotics Violation	2,805.00
"	Conspiracy, Narcotics	3,840.50
"	Mail Fraud, Conspiracy	5,675.00
Wisconsin (E)	Bank Robbery, Assault	1,247.39
<u>Eighth Circuit</u>	(14 claims)	<u>21,823.80</u>
Arkansas (E)	Armed Bank Robbery	1,242.00
"	Postal Robbery, Weapon	1,828.05
"	Conspiracy to Rob Bank	1,872.00
Iowa (S)	Firearms Violation	1,286.00
"	Conspiracy, Narcotics	1,713.75
"	" "	1,792.00
"	" "	2,078.75
"	" "	2,200.00
Nebraska	Bank Robbery	1,342.00
South Dakota (W)	Murder	1,001.00
"	Assault, Weapon	1,060.00
"	Murder	1,418.25
"	"	1,436.50
"	"	1,553.56
<u>Ninth Circuit</u>	(42 claims)	<u>128,757.06</u>
Alaska	Firearms, Stolen Securities	2,209.00
California (N)	Mail Robbery	1,535.00
"	Narcotics, Conspiracy	1,650.00
"	Armed Bank Robbery	2,248.00
"	" " "	2,637.00
"	Bank Robbery, Post Office	3,077.50
"	Forgery and Uttering	3,479.00
"	Narcotics Violation	3,522.75
"	Narcotics, Conspiracy	5,046.25
"	Narcotics Violation	6,410.00
"	Conspiracy, Wire Fraud	8,407.50
California (E)	Armed Bank Robbery	3,042.00
"	Bank Robbery, Murder	9,265.00
California (C)	Narcotics Violation	1,372.01
"	Narcotics, Manuf. & Dist.	1,642.50
"	Narcotics, Import & Dist.	1,670.00
"	Transport Stolen Vehicle	1,712.30
"	Counterfeit Currency	1,759.00
"	Conspiracy, Murder	1,785.00
"	Narcotics Violation	2,237.00
"	" "	2,240.00
"	Conspiracy, Murder	2,529.00
"	Narcotics Violation	2,614.00
"	" "	2,735.00
"	" "	2,910.00
"	Embezzlement, False Statement	3,287.50
"	Conspiracy, Fraud	10,770.00

EXHIBIT D
Claims for Compensation in Excess of \$1,000 for Extended
or Complex Representation by Attorneys in Felony
Cases During Fiscal Year 1976 (Concluded)

Ninth Circuit (Cont'd)

California (S)	Narcotics Violation	1,290.00
"	" "	1,630.00
"	Bank Robbery	1,652.50
"	Narcotics Violation	1,800.00
"	" "	2,117.50
"	" "	2,225.00
"	" "	2,590.00
"	Conspiracy, Mail Fraud	10,747.00
Hawaii	Narcotics Violation	1,500.00
"	Theft, Seagoing Ketch, Merchandise	2,120.00
Montana	Conspiracy	1,040.00
Nevada	Conspiracy, Import-Export Act	1,820.00
"	Instigating Escape	1,927.00
"	Conspiracy, Fraud	2,847.00
Washington (W)	Narcotics Violation	1,668.75
<u>Tenth Circuit</u>	(2 claims)	<u>2,710.00</u>
Kansas	Instigating Escape	1,510.00
New Mexico	Bank Robbery	1,200.00

* * *

Average Claim	- All Courts	\$2,589
Average Claim	- Courts of Appeals	\$1,578
Average Claim	- District Courts	\$2,668

EXHIBIT E
Claims for Compensation in Excess of \$250 For Extended
or Complex Representation by Private Attorneys in
Connection with Discretionary Appointments During
Fiscal Year 1976

<u>Circuit/District</u>	<u>Proceeding</u>	<u>Compensation Paid</u>
<u>TOTAL - ALL COURTS</u>	(31 claims)	<u>\$15,382.16</u>
<u>I. COURTS OF APPEALS</u>	(16 claims)	<u>7,582.97</u>
Second Circuit	(1 claim) Habeas Corpus	570.00 570.00
Fourth Circuit	(1 claim) Habeas Corpus	850.00 850.00
Fifth Circuit	(5 claim) 28 USC 2255 Habeas Corpus " " " " " "	1,803.00 294.00 355.00 372.00 389.00 393.00
Eighth Circuit	(7 claims) Habeas Corpus 28 USC 2255 Habeas Corpus " " " " " " " "	3,188.97 286.97 400.00 452.00 500.00 500.00 500.00 500.00
Ninth Circuit	(2 claims) Habeas Corpus " "	1,171.00 421.00 750.00
<u>II. DISTRICT COURTS</u>	(15 claims)	<u>7,799.19</u>
<u>Second Circuit</u>	(1 claim)	<u>365.38</u>
New York (N)	Probation Violation	365.38
<u>Third Circuit</u>	(1 claim)	<u>490.00</u>
Pennsylvania (E)	Habeas Corpus	490.00
<u>Fifth Circuit</u>	(2 claims)	<u>717.00</u>
Florida (M)	Habeas Corpus	314.00
Florida (N)	" "	403.00
<u>Sixth Circuit</u>	(3 claims)	<u>1,650.00</u>
Ohio (N)	Habeas Corpus	510.00
"	" "	810.00
Tennessee (M)	Probation Violation	330.00
<u>Seventh Circuit</u>	(1 claim)	<u>630.00</u>
Illinois (N)	Material Witness	630.00
<u>Eighth Circuit</u>	(2 claims)	<u>821.31</u>
Minnesota	Probation Violation	339.00
South Dakota	" "	482.31

EXHIBIT E
Claims for Compensation in Excess of \$250 for Extended
or Complex Representation by Private Attorneys in
Confection with Discretionary Appointments During
Fiscal Year 1976 (Concluded)

<u>Ninth Circuit</u>	(4 claims)	<u>2,363.50</u>
California (S)	Probation Violation	467.50
Montana	" "	840.00
Washington (W)	" "	306.00
"	28 USC 2255	750.00
<u>Tenth Circuit</u>	(1 claim)	<u>762.00</u>
Kansas	Habeas Corpus	762.00
	* * *	
Average Claim - All Courts	\$496	
Average Claim - Courts of Appeals	\$474	
Average Claim - District Courts	\$520	

EXHIBIT F
Claims for Compensation in Excess of \$300 for Expert
or Other Services of an Unusual Character or
Duration During Fiscal Year 1976

<u>Circuit/District</u>	<u>Type of Expert or Other Service</u>	<u>Compensation Paid</u>
<u>TOTAL - DISTRICT COURTS</u>	(52 claims)	<u>\$71,114.04</u>
<u>Second Circuit</u>	(21 claims)	<u>42,630.79</u>
New York (E)	Psychiatrist	600.00
" " "	Investigator	840.00
New York (S)	Interpreter	380.35
" " "	Investigator	414.25
" " "	Certified Public Accountant	414.25
" " "	Interpreter	415.66
" " "	"	568.28
" " "	Interpreter/Investigator	660.00
" " "	Investigator	730.00
" " "	Interpreter	737.52
" " "	"	875.00
" " "	Investigator	1,000.00
" " "	Interpreter	1,004.46
" " "	"	1,060.00
" " "	"	1,210.35
" " "	"	1,730.00
" " "	"	2,170.35
" " "	"	2,820.35
" " "	"	2,887.87
" " "	"	7,461.05
" " "	"	14,651.05

EXHIBIT F
Claims for Compensation in Excess of \$300 for Expert
or Other Services of an Unusual Character or
Duration During Fiscal Year 1976 (Concluded)

<u>Third Circuit</u>	(5 claims)	<u>3,013.00</u>
New Jersey	Psychiatrist	400.00
" "	Handwriting Expert	483.00
" "	Interpreter	550.00
" "	Psychiatrist	780.00
Pennsylvania (E)	Psychologist	800.00
<u>Sixth Circuit</u>	(2 claims)	<u>765.00</u>
Michigan (W)	Investigator	365.00
" "	"	400.00
<u>Seventh Circuit</u>	(4 claims)	<u>3,765.00</u>
Tennessee (W)	Investigator	600.00
Illinois (N)	Psychiatrist	637.50
Illinois (S)	Investigator	390.00
Indiana (S)	Criminalist	2,137.50
<u>Eighth Circuit</u>	(1 claim)	<u>400.00</u>
Missouri (W)	Psychiatrist	400.00
<u>Ninth Circuit</u>	(18 claims)	<u>20,040.25</u>
California (N)	Investigator	369.30
" "	"	600.00
" "	Interpreter	750.00
" "	Neurologist	900.00
" "	Investigator	1,057.50
" "	Psychiatrist	6,000.00
California (E)	Investigator	1,856.25
" "	"	2,750.00
California (S)	Neurologist	377.70
" "	Investigator	528.00
" "	Psychiatrist	825.00
" "	Investigator	516.50
Hawaii	Interpreter	445.00
Nevada	Physician	500.00
Oregon	Investigator	770.00
Washington (W)	Investigator	380.00
" "	Psychologist	515.00
" "	Psychiatrist	900.00
<u>Tenth Circuit</u>	(1 claim)	<u>500.00</u>
Oklahoma (E)	Psychiatrist	500.00

* * *

Average Claim - \$1,368

EXHIBIT G-1
Cumulative Payments for Transcripts, Expert and Other
Services out of the Appropriation for F.Y. 1975
as of June 30, 1976

Circuit and district	Transcripts	Investigators	Interpreters	Psychiatrists	Other Services	Total Services
Grand Total.....	1,351,756.26	126,224.31	50,552.95	140,920.69	89,603.59	1,759,057.80
Total All Courts of Appeals.....	142,532.21	251.50	198.00	-	1,041.50	144,023.21
D.C. Circuit.....	4,493.30	47.50	-	-	-	4,540.80
First Circuit.....	3,739.81	-	-	-	-	3,739.81
Second Circuit.....	1,926.45	-	150.00	-	-	2,076.45
Third Circuit.....	4,054.60	-	-	-	-	4,054.60
Fourth Circuit.....	8,274.95	-	-	-	-	8,274.95
Fifth Circuit.....	13,835.20	-	-	-	-	13,835.20
Sixth Circuit.....	4,015.85	-	-	-	-	4,015.85
Seventh Circuit.....	1,672.00	70.00	-	-	-	1,742.00
Eighth Circuit.....	387.90	-	-	-	955.00	1,343.90
Ninth Circuit.....	100,088.05	134.00	48.00	-	-	100,270.05
Tenth Circuit.....	44.10	-	-	-	-	44.10
Total All District Courts..	1,209,224.05	125,972.81	50,354.95	140,920.69	88,562.09	1,615,034.59
District of Columbia.....	40,123.96	3,903.50	104.00	4,536.33	2,440.95	51,108.74
First Circuit.....	12,857.75	1,174.05	300.00	-	1,572.96	15,904.76
Maine.....	1,075.79	-	-	-	-	1,075.79
Massachusetts.....	8,206.06	828.87	110.00	-	1,572.96	10,717.89
New Hampshire.....	1,212.40	345.18	-	-	-	1,557.58
Rhode Island.....	533.80	-	150.00	-	-	683.80
Puerto Rico.....	1,829.70	-	40.00	-	-	1,869.70
Second Circuit.....	213,738.15	6,382.28	21,284.43	6,580.00	7,994.80	255,979.66
Connecticut.....	12,303.30	2,240.49	-	1,605.00	1,045.00	17,193.79
New York:						
Northern.....	1,587.15	770.50	188.00	100.00	-	2,645.65
Eastern.....	74,364.90	970.10	5,954.36	985.00	1,386.61	83,660.97
Southern.....	111,373.20	2,401.19	15,101.07	3,065.00	4,943.33	136,883.79
Western.....	5,691.50	-	-	525.00	307.40	6,523.90
Vermont.....	8,418.10	-	41.00	300.00	312.46	9,071.56
Third Circuit.....	117,376.25	10,128.06	562.12	11,682.00	3,363.38	143,111.81
Delaware.....	1,681.78	-	-	1,200.00	137.50	3,019.28

New Jersey.....	32,180.95	68.00	110.00	1,300.00	1,095.00	34,753.95
Pennsylvania:						
Eastern.....	42,252.37	711.40	-	4,452.00	1,041.00	48,457.77
Middle.....	2,937.40	-	-	650.00	-	3,587.40
Western.....	31,575.20	6,554.66	452.12	3,480.00	798.88	42,860.86
Virgin Islands.....	6,748.55	2,794.00	-	600.00	290.00	10,432.55
Fourth Circuit.....	62,634.18	896.50	886.00	10,346.50	2,698.30	77,461.48
Maryland.....	22,709.75	-	230.00	1,785.00	770.00	25,494.75
North Carolina:						
Eastern.....	1,842.76	896.50	306.00	975.00	80.00	4,100.26
Middle.....	2,340.00	-	-	830.00	-	3,170.00
Western.....	2,603.90	-	-	-	335.00	2,938.90
South Carolina.....	2,541.60	-	-	5,128.00	1,188.30	8,857.90
Virginia:						
Eastern.....	20,555.57	-	350.00	1,565.00	225.00	22,695.57
Western.....	438.75	-	-	-	-	438.75
West Virginia:						
Northern.....	1,268.70	-	-	-	-	1,268.70
Southern.....	8,333.15	-	-	63.50	100.00	8,496.65
Fifth Circuit.....	162,750.76	7,306.21	6,225.24	23,281.62	9,605.53	209,169.36
Alabama:						
Northern.....	4,917.80	-	-	310.00	-	5,227.80
Middle.....	2,045.25	-	-	250.00	600.00	2,895.25
Southern.....	9,059.25	-	-	530.00	115.00	9,704.25
Florida:						
Northern.....	3,896.00	1,842.45	105.00	258.75	555.00	6,657.20
Middle.....	25,497.35	2,437.75	915.00	5,211.28	3,132.83	37,194.21
Southern.....	27,554.68	764.25	425.00	2,000.00	211.72	30,955.65
Georgia:						
Northern.....	24,425.72	-	-	1,150.00	540.00	26,115.72
Middle.....	6,177.30	-	-	200.00	-	6,377.30
Southern.....	2,968.25	-	-	110.00	-	3,078.25
Louisiana:						
Eastern.....	8,961.50	419.02	4,270.00	1,667.50	855.00	16,173.02
Middle.....	627.50	-	300.00	261.00	-	1,188.50
Western.....	2,007.25	-	90.00	1,320.00	166.00	3,583.25
Mississippi:						
Northern.....	3,625.25	300.00	-	150.00	-	4,075.25
Southern.....	2,366.75	50.00	100.00	1,920.36	300.00	4,737.11
Texas:						
Northern.....	13,163.43	617.73	-	2,680.23	1,301.80	17,763.19
Eastern.....	3,308.75	-	-	1,400.00	100.00	4,808.75
Southern.....	11,948.67	20.00	-	870.00	755.45	13,594.12
Western.....	10,200.06	855.01	20.24	2,992.50	972.73	15,040.54

EXHIBIT G-1
Cumulative Payments for Transcripts, Expert and Other
Services out of the Appropriation for F.Y. 1975
as of June 30, 1976 (Concluded)

Circuit and district	Transcripts	Investigators	Interpreters	Psychiatrists	Other Services	Total Services
Sixth Circuit.....	91,351.70	2,522.43	-	6,128.25	7,430.80	107,433.18
Kentucky:						
Eastern.....	7,249.75	-	-	63.75	450.00	7,763.50
Western.....	2,771.75	-	-	825.00	65.00	3,661.75
Michigan:						
Eastern.....	28,783.85	-	-	470.00	4,328.61	33,582.46
Western.....	7,774.00	247.37	-	1,462.00	713.16	10,196.53
Ohio:						
Northern.....	15,593.60	577.56	-	400.00	1,202.68	17,773.84
Southern.....	2,869.50	245.00	-	350.00	471.35	3,935.85
Tennessee:						
Eastern.....	3,074.10	16.00	-	150.00	-	3,240.10
Middle.....	2,805.40	-	-	490.00	125.00	3,420.40
Western.....	20,429.75	1,436.50	-	1,917.50	75.00	23,858.75
Seventh Circuit.....	78,598.50	1,156.48	1,532.60	5,165.25	4,034.92	90,487.75
Illinois:						
Northern.....	11,727.05	216.81	1,083.60	917.75	563.00	14,508.21
Eastern.....	3,223.95	-	-	300.00	729.92	4,253.87
Southern.....	6,990.10	-	80.00	40.00	-	7,110.10
Indiana:						
Northern.....	37,579.20	646.90	369.00	2,045.00	2,000.00	42,640.10
Southern.....	9,733.75	292.77	-	1,050.00	385.00	11,461.52
Wisconsin:						
Eastern.....	5,187.50	-	-	562.50	357.00	6,107.00
Western.....	4,156.95	-	-	250.00	-	4,406.95
Eighth Circuit.....	104,121.65	16,051.28	1,357.50	6,359.76	17,676.78	145,566.97
Arkansas:						
Eastern.....	2,078.45	170.00	-	775.00	120.00	3,143.45
Western.....	935.90	-	-	100.00	-	1,035.90

Iowa:						
Northern.....	4,112.25	418.12	-	-	1,066.79	5,597.16
Southern.....	766.10	-	-	-	350.00	1,116.10
Minnesota.....	6,659.47	570.85	-	793.08	435.00	8,458.40
Missouri:						
Eastern.....	6,694.25	150.00	-	1,600.00	540.00	8,984.25
Western.....	18,937.45	-	-	1,795.00	1,545.58	22,278.03
Nebraska.....	51,989.50	11,107.44	1,250.00	551.68	12,601.61	77,500.23
North Dakota.....	4,172.85	401.88	10.00	150.00	372.00	5,106.73
South Dakota.....	7,775.43	3,232.99	97.50	595.00	645.80	12,346.72
Ninth Circuit.....	264,730.27	68,388.77	16,898.16	54,982.15	28,681.30	433,680.65
Alaska.....	4,860.71	2,541.34	-	476.30	642.00	8,520.35
Arizona.....	40,806.27	93.80	60.00	3,480.00	965.00	45,405.07
California:						
Northern.....	39,028.90	3,486.45	2,613.94	10,306.00	5,618.51	61,055.80
Eastern.....	19,343.90	3,533.03	1,295.00	2,420.00	2,635.58	29,227.51
Central.....	78,309.84	2,456.14	2,488.25	18,245.00	6,021.00	107,520.23
Southern.....	13,744.32	52,048.65	9,676.81	10,845.00	9,164.90	95,479.68
Hawaii.....	9,784.90	129.38	-	1,318.00	514.00	11,746.28
Idaho.....	2,265.23	189.50	25.00	-	443.96	2,923.69
Montana.....	1,339.65	-	99.16	895.00	300.00	2,633.81
Nevada.....	12,033.35	817.35	20.00	2,953.25	800.00	16,623.95
Oregon.....	24,839.70	2,508.73	300.00	1,730.50	966.35	30,345.28
Washington:						
Eastern.....	145.80	-	320.00	340.00	-	805.80
Western.....	17,473.00	517.40	-	1,973.10	610.00	20,573.50
Guam.....	754.70	65.00	-	-	-	819.70
Tenth Circuit.....	60,940.88	1,063.25	1,204.90	11,858.83	3,062.37	85,130.23
Colorado.....	12,830.80	898.22	54.20	2,201.20	412.25	16,396.67
Kansas.....	33,742.80	3,208.98	292.00	6,643.83	576.73	44,464.34
New Mexico.....	3,843.25	3,242.07	97.50	618.80	1,368.39	9,170.01
Oklahoma:						
Northern.....	681.95	-	537.50	-	-	1,219.45
Eastern.....	1,572.00	131.65	223.70	-	250.00	2,177.35
Western.....	4,753.43	582.33	-	2,170.00	455.00	7,960.76
Utah.....	1,941.20	-	-	225.00	-	2,166.20
Wyoming.....	1,575.45	-	-	-	-	1,575.45

EXHIBIT G-2
Cumulative Payments for Transcripts, Expert and Other
Services out of the Appropriation for F.Y. 1976
as of June 30, 1976

Circuit and District	Transcripts	Investigators	Interpreters	Psychiatrists	Other Services	Total Services
<u>Grand Total.....</u>	1,380,385.22	80,845.95	71,333.27	104,099.82	66,046.54	1,702,710.80
Total All Courts of Appeals.....	104,361.03	-	-	49.50	45.00	104,455.53
D.C. Circuit.....	299.00	-	-	-	-	299.00
First Circuit.....	10,607.25	-	-	-	-	10,607.25
Second Circuit.....	412.50	-	-	-	-	412.50
Third Circuit.....	7,460.25	-	-	-	-	7,460.25
Fourth Circuit.....	8,340.61	-	-	-	-	8,340.61
Fifth Circuit.....	12,264.00	-	-	-	-	12,264.00
Sixth Circuit.....	69.00	-	-	-	-	69.00
Seventh Circuit.....	598.50	-	-	-	-	598.50
Eighth Circuit.....	678.00	-	-	-	-	678.00
Ninth Circuit.....	62,816.92	-	-	49.50	45.00	62,911.42
Tenth Circuit.....	815.00	-	-	-	-	815.00
Total All District Courts..	1,276,024.19	80,845.95	71,333.27	104,050.32	66,001.54	1,598,255.27
District of Columbia.....	40,669.57	4,838.61	32.80	4,512.50	832.50	50,885.98
First Circuit.....	5,913.48	852.85	-	450.00	750.00	7,966.33
Maine.....	252.00	-	-	-	-	252.00
Massachusetts.....	2,362.23	559.60	-	300.00	375.00	3,596.83
New Hampshire.....	-	293.25	-	150.00	175.00	618.25
Rhode Island.....	298.75	-	-	-	-	298.75
Puerto Rico.....	3,000.50	-	-	-	200.00	3,200.50
Second Circuit.....	278,829.73	5,600.81	47,520.09	4,681.06	6,981.22	343,612.91
Connecticut.....	34,698.25	677.46	-	1,972.50	1,647.44	38,995.65
New York:						
Northern.....	1,541.00	-	-	100.00	-	1,641.00
Eastern.....	76,837.37	1,768.35	1,165.00	-	885.00	80,655.72
Southern.....	155,335.36	3,080.00	46,173.59	1,220.00	4,073.78	209,882.73
Western.....	9,211.00	75.00	-	1,105.00	300.00	10,691.00
Vermont.....	1,206.75	-	181.50	283.56	75.00	1,746.81

Third Circuit.....	103,929.95	4,040.16	1,055.00	6,520.50	7,297.66	122,843.27
Delaware.....	1,705.25	-	-	300.00	175.00	2,180.25
New Jersey.....	38,194.08	167.00	935.00	2,645.00	2,573.00	44,514.08
Pennsylvania:						
Eastern.....	43,193.31	731.60	-	740.00	1,992.41	46,657.32
Middle.....	5,486.00	-	100.00	557.50	-	6,143.50
Western.....	12,729.51	2,020.56	-	2,079.00	2,308.25	19,137.32
Virgin Islands.....	2,621.80	1,121.00	20.00	199.00	249.00	4,210.80
Fourth Circuit.....	54,438.19	732.50	1,658.60	7,197.00	3,672.85	67,699.14
Maryland.....	15,484.25	332.50	20.00	2,895.00	1,990.00	20,729.75
North Carolina:						
Eastern.....	1,526.00	-	103.20	405.00	-	2,034.20
Middle.....	3,405.75	-	-	185.00	300.00	3,890.75
Western.....	3,199.00	-	-	305.00	-	3,504.00
South Carolina.....	2,056.30	250.00	-	1,789.00	-	4,095.30
Virginia:						
Eastern.....	19,912.65	150.00	1,535.40	1,510.00	932.60	24,040.65
Western.....	2,020.50	-	-	33.00	214.41	2,267.91
West Virginia:						
Northern.....	1,792.00	-	-	-	227.84	2,019.84
Southern.....	5,041.74	-	-	75.00	-	5,116.74
Fifth Circuit.....	184,334.21	4,646.34	2,828.75	14,905.89	8,090.94	214,806.13
Alabama:						
Northern.....	10,443.25	-	-	-	677.86	11,121.11
Middle.....	1,899.75	-	-	275.00	-	2,174.75
Southern.....	4,193.75	171.84	-	150.00	-	4,515.59
Florida:						
Northern.....	2,583.35	815.86	-	310.00	-	3,709.21
Middle.....	26,592.03	2,002.43	560.00	2,065.00	3,142.57	34,362.03
Southern.....	34,219.51	202.36	35.00	4,275.00	1,881.90	40,613.77
Georgia:						
Northern.....	24,431.54	-	50.00	1,425.00	-	25,906.54
Middle.....	1,549.50	-	-	150.00	-	1,699.50
Southern.....	1,582.75	-	-	-	-	1,582.75
Louisiana:						
Eastern.....	17,883.00	39.50	2,138.75	250.00	850.00	21,161.25
Middle.....	2,308.00	-	-	-	-	2,308.00
Western.....	2,228.00	600.00	45.00	235.00	-	3,108.00
Mississippi:						
Northern.....	6,779.50	-	-	-	-	6,779.50
Southern.....	3,724.50	-	-	100.00	-	3,824.50
Texas:						
Northern.....	9,596.20	-	-	2,565.89	1,260.61	13,422.70
Eastern.....	2,908.50	260.80	-	-	-	3,169.30
Southern.....	19,133.25	-	-	2,420.00	150.00	21,703.25
Western.....	12,277.83	553.55	-	685.00	128.00	13,644.38

EXHIBIT G-2
Cumulative Payments for Transcripts, Expert and Other
Services out of the Appropriation for F.Y. 1976
as of June 30, 1976 (Concluded)

Circuit and District	Transcripts	Investigators	Interpreters	Psychiatrists	Other Services	Total Services
Sixth Circuit.....	127,023.77	2,946.01	50.00	4,002.40	3,225.90	137,248.08
Kentucky:						
Eastern.....	10,983.45	-	-	36.00	355.00	11,374.45
Western.....	4,589.25	-	-	225.00	150.00	4,964.25
Michigan:						
Eastern.....	52,911.12	500.00	-	630.00	-	54,041.12
Western.....	4,861.65	1,904.16	-	100.00	305.00	7,170.81
Ohio:						
Northern.....	10,078.55	180.00	50.00	1,000.00	1,016.70	12,325.25
Southern.....	21,563.50	-	-	103.20	393.70	22,060.40
Tennessee:						
Eastern.....	855.00	-	-	752.50	115.00	1,722.50
Middle.....	6,066.50	-	-	345.00	100.00	6,511.50
Western.....	15,114.75	361.85	-	810.70	790.50	17,077.80
Seventh Circuit.....	61,219.36	3,070.64	2,116.26	2,609.25	3,234.75	72,250.26
Illinois:						
Northern.....	23,635.71	2,212.60	2,025.63	1,631.25	456.30	29,961.49
Eastern.....	2,278.75	-	-	-	-	2,278.75
Southern.....	2,935.25	721.80	-	-	-	3,657.05
Indiana:						
Northern.....	23,109.25	-	90.63	575.00	-	23,774.88
Southern.....	3,121.75	80.00	-	-	2,548.45	5,750.20
Wisconsin:						
Eastern.....	3,244.00	56.24	-	-	-	3,300.24
Western.....	2,894.65	-	-	403.00	230.00	3,527.65
Eighth Circuit.....	79,740.43	4,306.69	117.50	7,154.95	6,181.30	97,500.87
Arkansas:						
Eastern.....	7,974.46	63.00	-	225.00	125.00	8,387.46
Western.....	2,092.75	-	-	302.50	-	2,395.25

Iowa:						
Northern.....	3,876.00	-	-	-	-	3,876.00
Southern.....	2,488.32	-	-	150.00	375.00	3,013.32
Minnesota.....	6,174.15	381.25	-	80.00	400.00	7,035.40
Missouri:						
Eastern.....	21,618.35	316.80	15.00	2,019.45	1,887.00	25,856.60
Western.....	14,245.65	8.59	-	2,120.00	1,163.00	17,537.54
Nebraska.....	696.75	-	-	1,200.00	525.00	2,421.75
North Dakota.....	645.75	-	102.50	458.00	1,322.00	2,528.25
South Dakota.....	19,928.25	3,537.05	-	600.00	384.00	24,449.30
Ninth Circuit.....	284,531.36	47,059.02	14,987.27	44,036.33	23,391.38	414,005.36
Alaska.....	3,605.50	474.64	-	515.00	75.00	4,670.14
Arizona.....	43,791.43	111.50	-	2,905.00	2,047.00	48,854.93
California:						
Northern.....	40,672.66	4,195.68	3,297.00	12,518.50	4,285.55	64,969.39
Eastern.....	48,453.70	7,559.22	1,865.75	2,910.00	2,603.28	63,391.95
Central.....	58,375.85	2,823.61	1,669.50	13,298.60	4,435.00	80,602.56
Southern.....	22,787.36	28,499.07	5,963.50	3,575.00	6,606.10	67,431.03
Hawaii.....	7,935.50	401.85	701.25	1,068.23	-	10,106.83
Idaho.....	5,946.75	-	350.27	75.00	124.20	6,496.22
Montana.....	886.25	-	-	117.50	300.00	1,303.75
Nevada.....	8,352.75	1,342.25	75.00	1,875.00	450.00	12,095.00
Oregon.....	9,465.25	1,476.55	255.00	1,361.00	1,202.00	13,759.80
Washington:						
Eastern.....	3,701.50	42.00	300.00	595.00	20.00	4,658.50
Western.....	30,556.86	132.65	510.00	3,222.50	1,198.25	35,620.26
Guam.....	-	-	-	-	45.00	45.00
Tenth Circuit.....	55,394.14	2,752.32	967.00	7,980.44	2,343.04	69,436.94
Colorado.....	12,099.00	769.21	112.00	1,820.00	350.00	15,150.21
Kansas.....	13,592.75	60.00	100.00	1,990.00	1,091.74	16,834.49
New Mexico.....	4,969.02	731.95	15.00	2,068.66	516.00	8,300.63
Oklahoma:						
Northern.....	2,657.37	-	715.00	100.00	-	3,472.37
Eastern.....	3,559.00	324.45	-	500.00	-	4,383.45
Western.....	16,044.00	866.71	25.00	1,305.00	385.30	18,626.01
Utah.....	747.00	-	-	-	-	747.00
Wyoming.....	1,726.00	-	-	196.78	-	1,922.78

EXHIBIT H
Federal Public Defender Organizations
Preliminary Statement on Cost of Operations
Fiscal Year 1976

	Rent, Communication and Utilities									Investig. Experts & Other Services
	Personnel		Travel	Tele. Service	Postage	Rental Of Copy Equip	Other	Printing		
	Comp.	Benefits								
Arizona....	\$ 318,141	\$ 30,223	\$ 5,920	\$ 8,338	\$	\$ 2,100	\$	\$ 58	\$ 4,799	
Calif. (N).	253,128	24,047	5,500	7,120	1,000	5,000	.....	.....	24,750
Calif. (E).	160,751	14,241	2,175	3,404	700	1,620	580	400	8,633	
Calif. (C).	599,616	55,764	10,270	21,868	2,500	8,141	180	1,135	15,000	
Colorado....	109,942	10,540	1,912	2,700	.....	1,600	.....	204	2,550
Conn.....	86,568	7,791	3,235	2,758	600	3,240	.....	153	4,000
Fla. (S)...	198,799	18,886	7,200	7,707	690	2,900	.....	50	7,000
Kansas.....	144,149	13,580	10,500	3,750	400	2,000	.....	300	1,800
Ky. (E)....	96,671	9,184	9,058	2,813	200	.....	35	150	463
La. (E)....	138,748	13,181	1,400	3,820	734	885	.....	100	1,200
Maryland...	184,324	17,511	4,000	4,750	900	3,000	1,180	370	2,500	
Mo. (W)....	263,608	23,583	9,150	6,370	1,700	2,872	128	32	3,329	
Nevada.....	118,113	12,433	8,790	4,458	520	2,340	.....	212	2,840
New Jersey..	230,410	20,101	5,500	4,387	.....	1,579	.....	300	4,000
New Mexico..	93,588	8,891	1,500	2,581	400	75	.....	10	2,831
Ohio (N)...	149,357	14,189	5,728	3,100	600	2,069	315	100	1,850	
Pa. (W)....	101,000	9,595	2,000	2,200	300	3,200	.....	400	13,400
Tenn. (W)...	67,288	6,392	1,300	825	254	.....	.....	50	100
Texas (S)...	208,394	19,800	7,500	4,700	625	1,650	75	25	2,525	
Texas (W)...	96,000	8,640	2,750	4,000	500	2,000	.....	179	50
Virgin Is..	92,507	8,788	6,342	6,525	300	3,240	.....	.....	850
Wash. (W)...	128,563	12,213	4,000	3,795	908	1,299	.....	143	5,092
TOTALS	\$3,839,665	\$359,573	\$115,730	\$111,969	\$13,831	\$50,810	\$ 2,493	\$4,411	\$109,562	

	Pre- Employment		Misc. Contractual	Supplies	Office Equip.	Books	Totals	Number of Persons Represented			Average Cost
	Security Investi.	Services						District Court	Appeals	Total	
Arizona...	\$ 7,500	\$ 2,100 ¹	\$ 700	\$ 3,306		\$ 386,845	1,272	55	1,327	\$292	
Calif. (N)	8,112	650	1,500	13,000	3,500	347,307	859	22	881	394	
Calif. (E)	.....	241	1,000	214	2,768	196,727	616	8	624	315
Calif. (C)	8,221	1,553	2,700	7,591	4,172	738,711	2,032	53	2,085	354	
Colorado...	.....	50	690	685	1,969	132,842	254	14	268	496
Conn.....	2,176	100	198	.....	3,359	114,178	255	9	264	432
Fla. (S)...	6,690	338	1,200	612	3,565	255,677	659	29	688	372	
Kansas.....	.....	150	500	150	2,150	179,429	331	29	360	498
Ky. (E)...	4,056	177	200	4,503	12,272	139,782	222	13	235	510*	
La. (E)....	.....	75	500	100	2,200	162,943	338	12	350	466
Maryland...	4,500	1,700	1,500	950	2,236	229,421	512	34	546	420	
Mo. (W)...	.....	472	1,434	3,759	2,963	319,420	950 ²	20	970	329
Nevada....	2,117	1,128	600	244	4,000	157,795	260	8	268	589	
New Jersey	4,254	555	1,500	1,000	3,000	276,586	398	23	421	657	
New Mexico	4,145	257	500	66	2,077	116,921	268	32	300	390	
Ohio (N)...	2,028	150	700	280	1,386	181,852	384	13	397	458	
Pa. (W)...	.....	500	600	700	4,000	137,895	170	15	185	745
Tenn. (W)...	.....	50	50	.....	350	76,659	113	6	119	644
Texas (S)...	2	550	800	.....	5,500	252,146	597	29	626	403
Texas (W)...	10,496	14	1,208	7,520	21,513	154,870	279	3	282	407	
Virgin Is.	4,060	.....	500	.....	4,050	127,162	150	7	157	810
Wash. (W)...	.....	269	1,170	373	1,087	158,912	376	22	398	399
TOTALS	\$68,357	\$11,072	\$19,750	\$45,053	\$21,777	\$4,844,080	11,295	456	11,751	\$407	

¹Includes transportation of prisoners.

²Non-recurring applicable costs of equipment, lawbooks, and pre-employment investigations for newly established offices are excluded.

³Excludes inmate requests from the U. S. Medical Center, Springfield, Missouri.

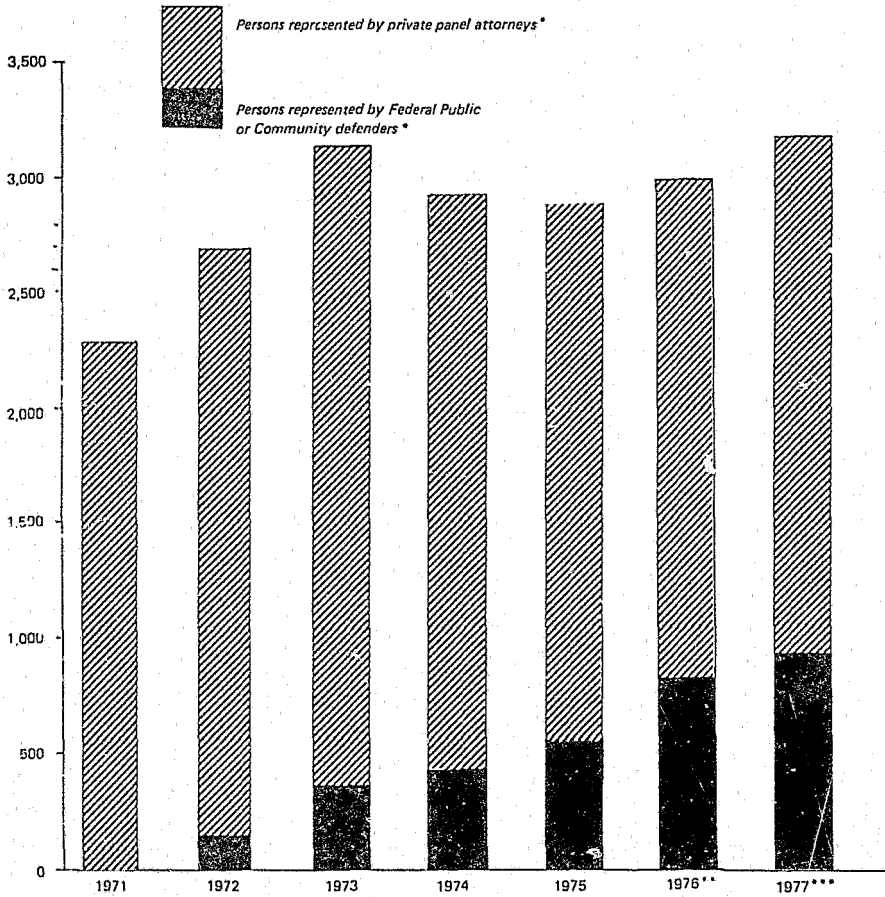
EXHIBIT I
Federal Public Defender Organizations
Detail of Personnel Compensation - Fiscal Year 1976

	Public Defender	Assistant Public Defenders		Investigators		Secretarial/ Clerical		Grand Total Permanent Positions		Part-Time Positions	Temporary Employment	Extra Compensable Day		Net Personnel Compensation	Average Compensation of Staff Attorneys
	Salary	No. Pos.	Salary	No. Pos.	Salary	No. Pos.	Salary	No. Pos.	Salary			Lapses			
Arizona....	\$ 35,000	10	\$ 228,000	2	\$ 35,762	6	\$ 58,498	19	\$ 357,260	\$	\$	\$ 2,748	\$ -41,867	\$ 318,141	\$22,800
Calif. (N).	35,000	7	163,400	1	16,797	5	55,701	14	270,898	.....	9,150	2,084	-29,004	253,128	23,343
Calif. (E).	34,100	3	75,700	1	17,881	3	32,029	8	159,710	.....	2,513	1,229	-2,701	160,751	25,233
Calif. (C).	36,750	16	393,900	5	90,680	11	121,737	33	643,667	1,950	4,416	4,946	-54,763	599,616	24,619
Colorado...	32,100	2	47,800	1	16,255	2	24,600	6	120,755	.....	.....	929	-11,742	109,942	23,900
Conn.....	32,100	2	33,600	1	15,318	2	23,636	6	104,654	.....	705	805	-19,596	86,568	16,800
Fla. (S)...	35,000	7	117,700	2	31,130	5	51,162	15	234,992	.....	.....	1,807	-38,300	198,799	16,814
Kansas.....	32,100	3	77,400	1	16,255	2	23,675	7	149,430	1,200	.....	1,150	-7,631	144,149	25,800
Ky. (E)....	31,300	2	46,900	1	14,824	2	19,222	6	112,046	6,022	.....	862	-22,259	96,671	23,450
La. (E)....	35,000	3	68,700	1	15,318	2	24,082	7	143,100	.....	.....	1,096	-5,448	138,748	22,900
Maryland...	32,100	5	123,900	1	16,797	3	31,832	10	204,629	4,300	.....	1,574	-26,179	184,324	24,780
Mo. (W)....	32,100	7	175,600	1	13,482	4	44,281	13	265,463	.....	1,200	2,042	-5,097	263,608	25,086
Nevada.....	29,000	3	63,300	1	14,824	2	25,165	7	132,289	.....	588	1,018	-15,782	118,113	21,100
New Jersey.	35,000	6	141,100	3	49,769	4	45,150	14	271,019	5,000	.....	2,085	-47,694	230,410	23,517
New Mexico.	32,100	2	42,100	..	.....	2	23,721	5	97,921	.....	3,770	753	-8,856	93,588	21,050
Ohio (N)...	32,100	4	81,100	1	15,812	3	29,264	9	158,276	.....	500	1,225	-10,644	149,357	20,275
Pa. (W)....	35,000	2	50,600	..	.....	2	22,168	5	107,768	.....	.....	829	-7,597	101,000	25,300
Tenn. (W)..	29,700	1	27,700	..	.....	1	12,222	3	69,622	.....	.....	536	-2,870	67,288	27,700
Texas (S)..	35,000	5	136,800	2	26,964	5	50,554	14	249,318	.....	.....	2,019	-42,943	208,394	22,800
Texas (W)..	34,000	6	121,900	2	24,528	5	45,646	14	226,074	.....	.....	1,739	-131,813	96,000	20,317
Virgin Is..	28,930	2	50,600	2	34,186	2	23,901	7	137,617	.....	.....	1,060	-46,170	92,507	25,300
Wash. (W)..	26,900	3	64,600	1	14,824	2	21,360	7	127,684	1,716	.....	982	-1,810	128,563	21,533
TOTALS	\$720,380	102	\$2,332,400	30	\$481,406	75	\$809,406	229	\$4,343,592	\$20,188	\$22,842	\$33,518	\$-580,475	\$3,839,666	\$22,867

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.

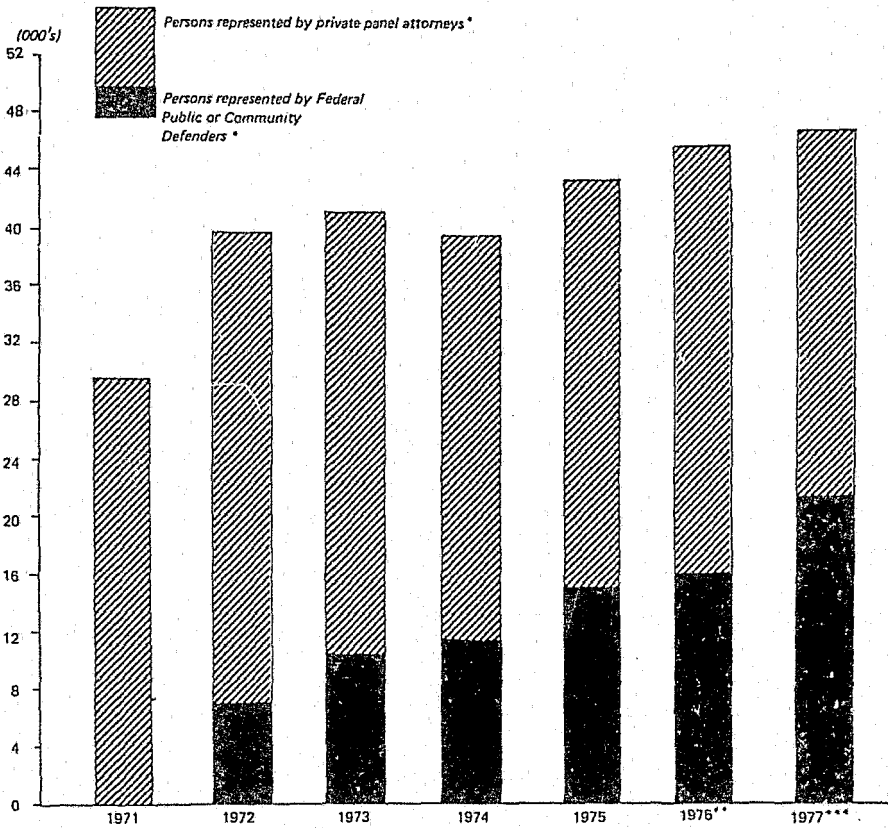
**Persons represented by private panel attorneys estimated based upon actual data through 6/30/1976.

***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.

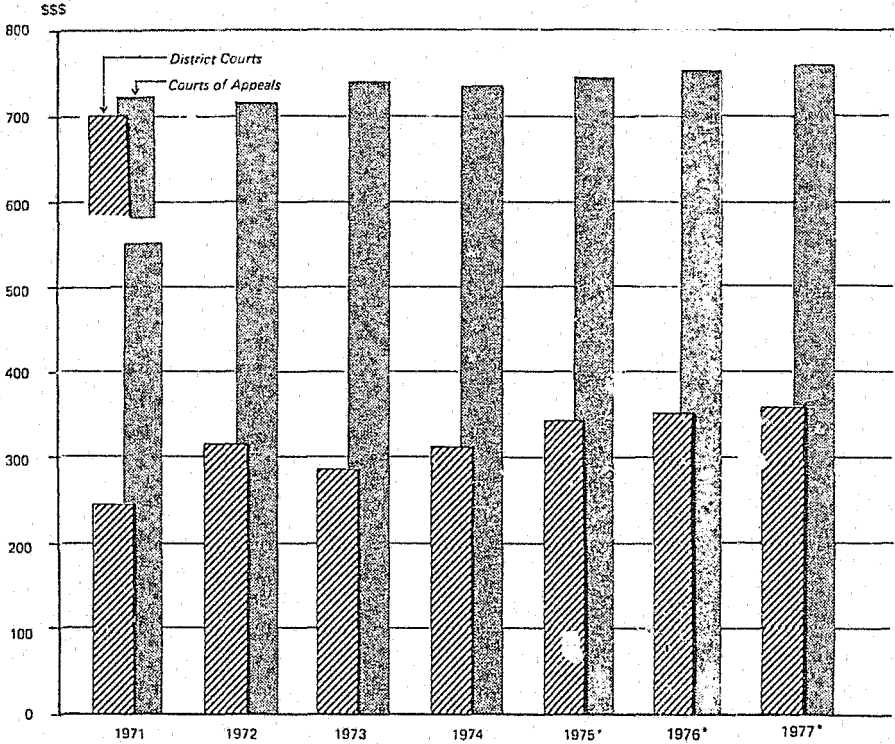
**Persons represented by private panel attorneys estimated based upon actual data through 6/30/1976.

***Estimated

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)



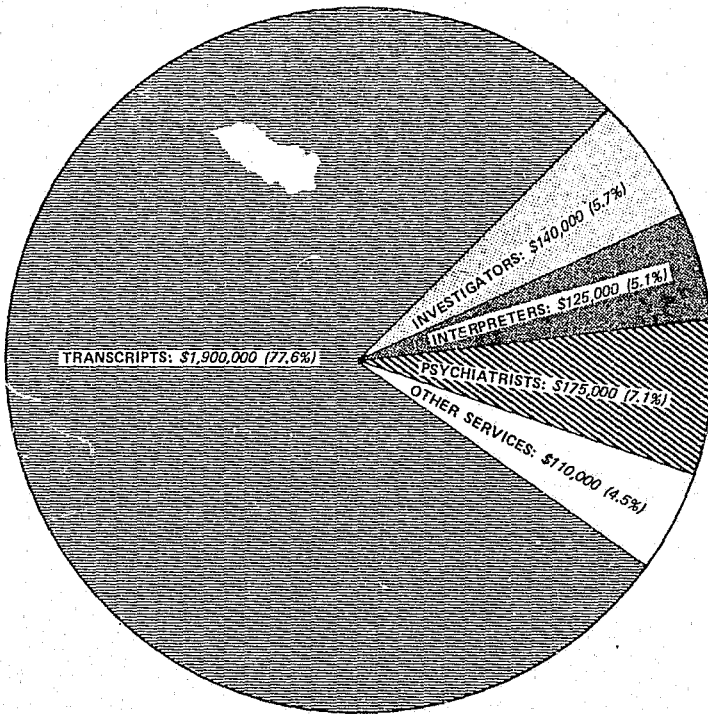
*Estimated

CRIMINAL JUSTICE ACT

INVESTIGATIVE, EXPERT AND OTHER SERVICES (Excluding local courts for the District of Columbia)

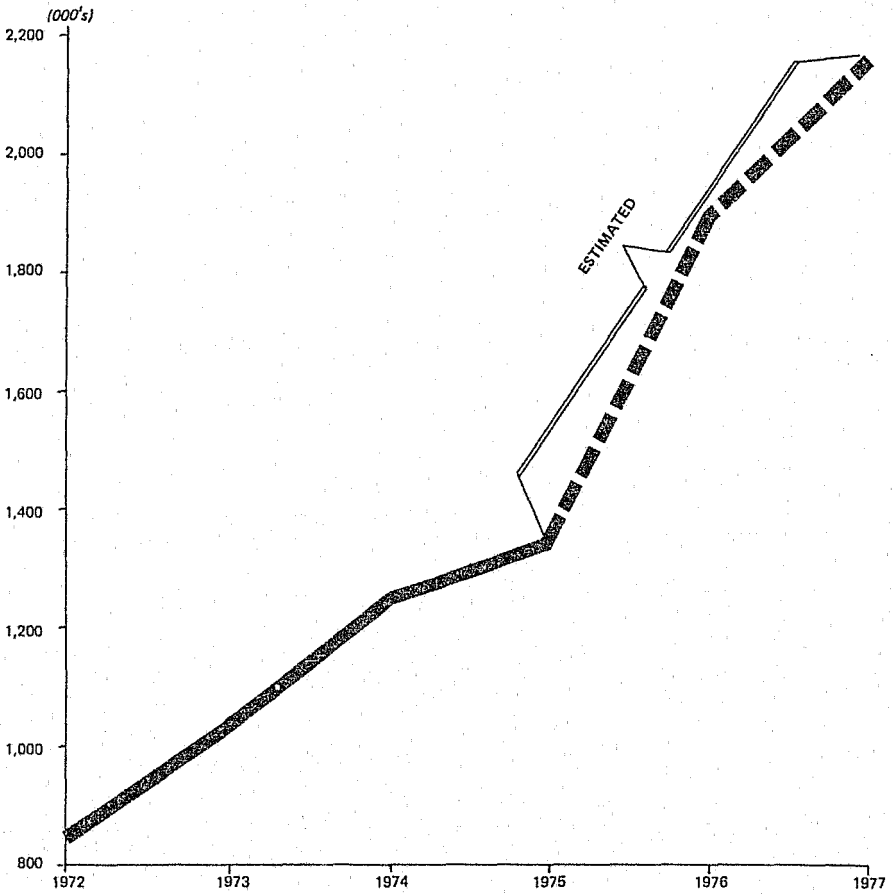
ESTIMATE FOR FISCAL YEAR 1976

TOTAL EXPENDED: \$2,450,000



CRIMINAL JUSTICE ACT

COST OF TRANSCRIPTS (Excluding local courts for the District of Columbia)
FISCAL YEARS 1972 THROUGH 1975 AND ESTIMATES FOR 1976 AND 1977



END