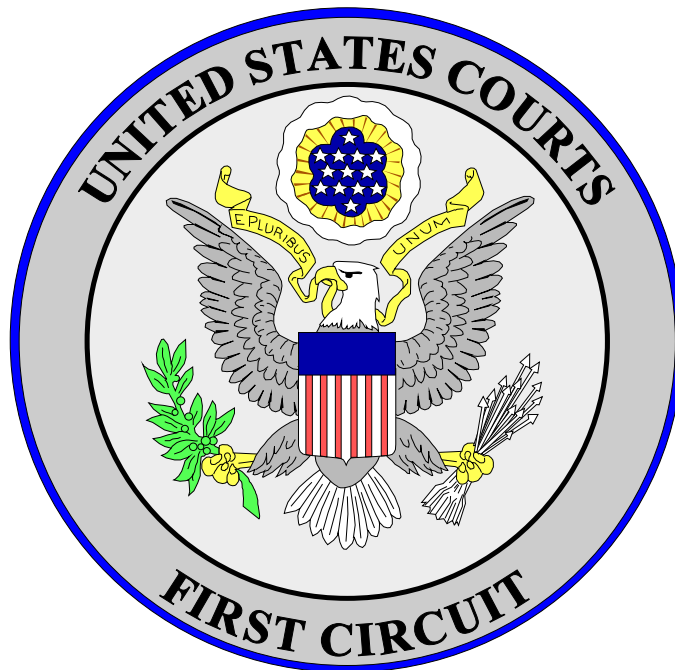


UNITED STATES COURTS FOR THE FIRST CIRCUIT



2013
ANNUAL REPORT

**United States Courts for the
First Circuit**

2013 Annual Report

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FOREWORD

by

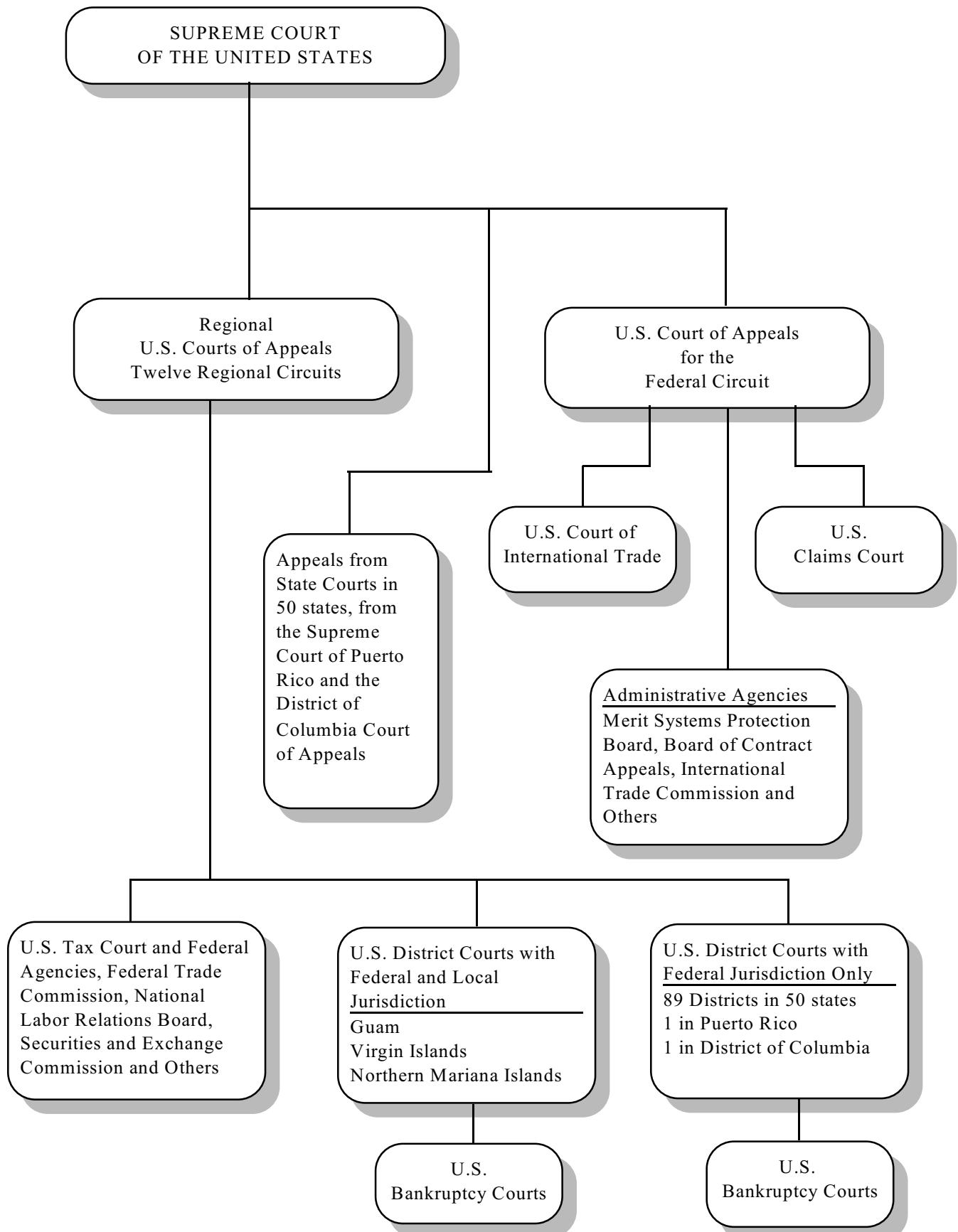
Susan J. Goldberg
Circuit Executive

The Annual Report allows the courts of the First Circuit to review the accomplishments achieved in a year. The Report reviews case filing statistics, employment trends, building projects, technological advancements, including CM/ECF, and numerous other developments. The Report illustrates the varied nature of the business of the courts and the efficiency with which that business is conducted in the Circuit.

I would like to thank all those who provided the information and statistics set forth in this report, especially the chief district judges and unit executives throughout the Circuit. Personnel from the Statistics Division of the Administrative Office of the United States Courts provided the extensive data necessary to produce this compilation and deserve thanks for their accuracy and efficiency. I would also like to thank Florence Pagano, Michelle Dumas, and Gina Riccio who compiled and edited the material presented in the Report.

Finally, and most important, I wish to acknowledge the contribution made on a daily basis by the judges, court administrators and court staff who dedicate themselves to the business of the courts.

Structure of the Federal Judiciary



**NARRATIVE REPORTS
OF THE UNITS
OF THE COURT OF APPEALS**

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

CLERK'S OFFICE

In February 2013, Judge William J. Kayatta, Jr. was confirmed as circuit judge for the First Circuit. A formal investiture ceremony was held in Portland, Maine on May 24, 2013. Judge Kayatta comes to the Court after many years of private practice in Portland, Maine.

In May 2013, the Court launched a new website. The template for the website was developed by the Administrative Office of the United States Courts and is designed to be user-friendly and promote uniformity across court websites. The new website includes some new features, including a scrolling News and Notices section on the front page.

In June 2013, the Clerk's Office implemented a new system, Pay.gov, which allows court fees to be paid electronically. Currently, the system is available only for online payment of fees for bar admission, certificates of good standing, and certificates of admission. Attorneys paying online can pay by credit/debit card or by electronic debit from a checking or savings account.

The Clerk's Office participated in court-sponsored criminal appellate practice seminars in 2013 in Boston and Portland, Maine. The Clerk's Office also reopened the application period for membership on the Court's CJA Panel. In the fall, the Court appointed new members to the Panel.

There were various amendments to local rules. Local Rule 11.0 was amended to allow the district courts to transmit abbreviated electronic records in pro se appeals. Local Rule 46.0 was amended to require that attorneys seeking admission submit their bar application and pay the fee online. Local Rule 33.0 was modified to reflect that, under current practice, Social Security appeals and petitions for review from orders of the Board of Immigration Appeals are not included as part of the Civil Appeals Management Program. The second sentence of Local Rule 22.1(e) was modified to correct a cross-reference. Local Rule 27.0(c) was modified to strike the requirement that motions for summary disposition be accompanied by "four copies of a memorandum or brief."

In Fiscal Year 2013, the Court of Appeals reported 1,578 filings, compared with 1,587 filings for Fiscal Year 2012. This represented a .60% decrease in filings. The Court also reported an 8.70% decrease in case terminations from 1,612 in Fiscal Year 2012 to 1,472 in Fiscal Year 2013. As for pending cases, there was an 8.70% increase from 1,215 at the beginning of Fiscal Year 2013 to 1,321 at the end of Fiscal Year 2013.

For this same time period, the Districts of Massachusetts (497) and Puerto Rico (501) represented the largest source of appeals. The number of appeals from the Districts of Maine, New Hampshire and Rhode Island were 118, 95, and 89, respectively. There were 165 appeals from administrative agencies, most of which were from the Board of Immigration Appeals (153). The remaining cases were bankruptcy appeals (35) and original proceedings (78).

In Fiscal Year 2013, civil cases (including prisoner petitions) represented 46% of the

appeals commenced and criminal appeals represented 37% of the appeals commenced. The remaining 17% consisted of agency appeals, original proceedings, and bankruptcy appeals. The Court's median time interval in months for merit terminations of appeals was 11.2 months in Fiscal Year 2013, which was above the national median time (9.0). There were 20 miscellaneous cases filed in Fiscal Year 2013.

OFFICE OF THE STAFF ATTORNEYS

The Office of the Staff Attorneys does research for the judges of the Court of Appeals. During calendar year 2013, the Office consisted of one senior staff attorney, one supervisory staff attorney, 18-15 staff attorneys (3 long-term staff attorneys left during 2013), and one support staff (a decrease of one, due to the budget). There was an additional staff shortage during the year due to medical leave.

For the calendar year 2013, the following numbers of matters were referred by the Clerk's Office to the Staff Attorneys' Office for processing:

January	205	July	196
February	175	August	210
March	167	September	191
April	158	October	254
May	161	November	198
June	150	December	174

Total: 2,239

This is 250 more referrals in calendar year 2013 than in 2012.

In addition, there were 138 pro se or social security submitted cases (8 fewer than in 2012) and 105 or so *sua sponte* summary dispositions assigned in counseled, briefed cases (42 fewer than in 2012).

Among the types of matters referred to the Staff Attorneys' Office for research included in the 2,239 figure above were the following: applications for certificate of appealability, applications for leave to file second or successive habeas petitions, motions for summary affirmance or dismissal, mandamus petitions, *Anders* briefs, motions for stay or bail, § 1292(b) petitions, applications to file an interlocutory appeal under Fed. R. Civ. P. 23(f), and many other miscellaneous matters.

CIVIL APPEALS MANAGEMENT PROGRAM

The First Circuit's Civil Appeals Management Program (hereinafter CAMP) is governed by Local Rule 33. The process begins with the filing of a Notice of Appeal with the Clerk of the Court of Appeals who notifies the appellant of the Program. The Clerk also notifies Settlement Counsel of all civil appeals considered eligible for the Program.

The First Circuit's rule mandates mediation of all civil appeals, except habeas corpus, prisoner petitions, *pro se* cases, National Labor Relations Board (NLRB) appeals, enforcement petitions, and original proceedings, such as mandamus. Although the rule grants Settlement Counsel the discretion to decide in which cases the parties will be required to attend a pre-argument conference, it is the practice to require such a conference in all eligible cases unless the information supplied by the parties demonstrates, in the opinion of Settlement Counsel, that there is no reasonable likelihood of settlement. Such cases amount to a small percentage of the cases eligible for the program.

When Settlement Counsel has been notified of a pending appeal, a conference is scheduled. Appellants are required to submit electronically a copy of the orders, memoranda or opinions from which the appeal has been taken at least two weeks prior to the scheduled conference. If the parties choose, they may also file a confidential memorandum containing, *inter alia*, the following:

The history of any settlement negotiations that may have taken place before and since the appeal was filed;

The major points of error that are the focus of the appeal (appellant is instructed to generally inform the appellee of such points of error); and

Important factors (factual, legal, practical) which counsel believes may affect his/her client's chances of prevailing upon appeal, and which affect the terms and conditions upon which the case may reasonably be settled.

The attorneys are also informed that their clients are required to attend the conference unless excused.

The conferences can last from a few hours to a full day or more. In special circumstances the conference may be conducted by telephone, but in-person conferences are preferred because experience demonstrates that in-person conferences are much more likely to produce positive results. After the initial conference, settlement counsel may conduct one or more follow-up telephone conferences, and in some cases, have the parties appear for a subsequent in-person conference.

When the process has run its course, a report is filed with the Clerk's Office indicating only that the case has been settled or that it has not been settled.

Honorable Patrick J. King (ret.) mediates cases appealed from the Federal District Courts in Massachusetts, Rhode Island, Maine and New Hampshire. Honorable Charles A. Cordero (ret.) mediates cases appealed from the Federal District Court in Puerto Rico.

In Fiscal Year 2013, of the 363 cases that were opened, one or more conferences were held in 229 cases, which produced 93 settlements or approximately 40.6% of the mediated cases.

BANKRUPTCY APPELLATE PANEL (BAP)

The Bankruptcy Appellate Panel (BAP), which employs two staff attorneys and a part-time case manager, is located at the John W. McCormack Post Office and Court House. The BAP generally conducts oral arguments in Boston, Massachusetts, and typically travels to San Juan, Puerto Rico twice a year, depending upon the caseload. In Boston, the BAP conducts oral arguments at the U.S. Tax Court located in the McCormack Post Office and Court House.

In 2013, the First Circuit Judicial Council approved the extension of appointment to Bankruptcy Judge J. Michael Deasy, District of New Hampshire, to serve on the Panel through March 2014. In June, a summer intern from New England Law School assisted in the BAP Office. In August, a new website was unveiled. In September 2013, the First Circuit Judicial Council approved the appointment of Bankruptcy Judge Diane Finkle, District of Rhode Island, to the Panel.

In 2013, the Clerk of the BAP spoke to the Federal Bar Association in San Juan, Puerto Rico, participated in panels at the Boston Bar Association, assisted with outreach efforts with the Diversity Initiative Task Force of the U.S. Bankruptcy Court for the District of Massachusetts, and taught classes in financial literacy through the M. Ellen Carpernter Financial Literacy Program of the Boston Bar Association.

For the 12-month period ending September 2013, the BAP experienced a 19.6% decrease in case filings. For that same period, the BAP received approximately 53% of the appeals from the bankruptcy courts within the Circuit.

FIRST CIRCUIT LIBRARIES

Overview

The First Circuit Library system provides services to the judges and staff of the Court of Appeals, and the District and Bankruptcy Courts in Maine, New Hampshire, Massachusetts, Rhode Island, and Puerto Rico.

There are four libraries in the system: the Headquarters Library, located in the Moakley U.S. Courthouse in Boston, Massachusetts; and satellite libraries in the district courthouses in Concord, New Hampshire; Providence, Rhode Island; and Hato Rey, Puerto Rico. There is no satellite library in Maine.

The Boston Library provides services to chambers and court staff in Portland and Bangor, Maine, and Springfield and Worcester, Massachusetts. The satellite librarian in Concord provides services to the New Hampshire Federal Bankruptcy Court located in Manchester, New Hampshire. The staff of the Hato Rey Library provides services to chambers and court staff located in the Federal Courthouse in Old San Juan, Puerto Rico.

All judges and court staff have access to the Boston Headquarters Library and the three

satellite library facilities and collections. The Boston Library is open to members of the practicing bar, pro se litigants, and the general public. The satellite libraries are closed to non-court patrons, unless permission is granted by a judge of the court.

Personnel

The FY 2013 staffing allotment was 13.8 AWU (Authorized Work Units). Total staff from October 1, 2012 through July 31, 2013, excluding the Circuit Librarian, was 10.8. With the retirement of the Deputy Circuit Librarian at the end of July 2013, staff went to 9.8. The lapse funding gained by this retirement, coupled with other funds, prevented any furlough of staff.

At the end of the fiscal year, staff was distributed amongst the libraries as follows: seven (7) in Boston; two (2) in Hato Rey; and one (1) each in Concord and Providence.

The library staff functions as a team, providing services Circuit-wide. Each librarian is responsible for providing first level, local services to the judges and court staff within the geographic location, but also have assigned responsibilities for services to judges and court staff throughout the Circuit.

In August 2013, the "Brave New Digital World II" workshop took place for selected library staff. Two staff of the First Circuit Library were members of the planning committee, and two other staff members attended as participants. The goal of this workshop series is to train library staff in the use of new technology and media. This training resulted in the production of a video and web presentation on Puerto Rico legal research resources. The Brave New World group continues to meet monthly via teleconference and webex. The First Circuit Library now has the capability to utilize webex to reach out to the staff of the libraries and to offer legal research presentations for judges and staff.

Projects/Events

In December 2012, the building systems upgrades in the Hato Rey Library were completed. In addition to new lighting and HVAC systems, new shelving that provided earthquake resistant stability was installed, along with new carpeting.

The Judicial Conference Committee on Court Administration and Case Management joined with the Judicial Resources Committee and the Space and Facilities Committee to move forward with the in-depth study of the entire Circuit Library program. The goal was to significantly reduce the cost of the program. For most of FY 2013, the Circuit Libraries, together with the Administrative Office of the U.S. Courts, gathered information and provided data analyses on all aspects of the individual Circuit Libraries (space, staffing and library collections). For a four-month period from November 2012 through February 2013, all libraries in the First Circuit collected detailed usage data. This data was then analyzed by the AO and a report was produced for the three committees on the current cost profile of the library program. In addition to library usage, the AO expanded the study to include the cost of chambers' collections, particularly chambers located in a courthouse with either the headquarters library or a satellite library.

The First Circuit Library's staff regularly volunteer to participate in national library pilots or beta tests. In FY 2013, five staff members participated in the Lexis ebook pilot. The Lexis ebook platform and the treatise materials available for use in ebook format are being explored as a national resource shared by all circuit library systems. Also, three satellite library staff worked with Westlaw programmers to identify and fix problems with the Puerto Rico case materials on Westlaw.

Legal Research Funds

In FY 2012, the formula for the allotment of law book funds was revised. The approved new formula added the number of district courts as a factor and eliminated the number of satellite libraries as a factor. The First Circuit Library benefitted from this change in the formula, but given the ongoing budget crisis, never realized the increase in funds in FY 2013. The interim financial plan imposed a 10.2% reduction in the allotment. Eighty percent of the reduced allotment was provided to the library on October 1. When the final financial plan was announced, the libraries did not receive any further funding, resulting in a 30% overall reduction of legal research materials funds in FY 2013. During the prior two fiscal years, the Circuit Librarian made a concerted effort to reduce collection spending in the four libraries in the Circuit and in chambers throughout the Circuit. This effort resulted in cancellations in FY 2013 totaling \$102,280.

Selected Statistics

Below are FY 2013 statistics representative of the work performed by the staff of the four libraries in the system and the number of times library facilities were used.

- “In library” use of the Boston Library totaled 3,122. Approximately 1,382 were visits by individuals from the federal courts and other federal and state agencies. There were 1,740 visits by attorneys, pro se litigants or others.
- The Providence Library recorded 415 “in library” uses by judges or court staff and 10 visits by attorneys given permission to use the library.
- The Hato Rey Library recorded 1,369 "in library" visits by judges or court staff and individuals given permission to use the library.
- The Boston Library’s Public Access computers were used 326 times by judicial interns or other court staff and 1,237 times by public users (pro se litigants, attorneys, and other individuals). The Providence Library recorded 198 uses of its public access computer by interns or other court staff.
- Circulation of print library materials to judges and court staff in all four libraries totaled 1,923.
- There were 104 requests for translations of Puerto Rico Supreme Court and Rico Court of Appeals decisions not found in English on LexisNexis or Westlaw.

Outreach Services

Services via Email:

<u>Name of Service</u>	<u>*Number of Recipients</u>
<i>Today's News</i>	193
<i>Today's U.S. Supreme Court</i>	193
<i>Daily Opinion Summaries of U.S. 1st Circuit Court of Appeals (Findlaw)</i>	160 638 (via DCNH web page service)
<i>U.S. Supreme Court Opinions Summaries (Findlaw)</i>	120
<i>Weekly Watch</i> (1st Circuit Court of Appeals cases appealed to U.S. Supreme Court)	205
<i>1st Circuit Sentencing Guide</i>	171
<i>Weekly Summary</i> for the First Circuit	56

*Sent to court email addresses unless otherwise indicated

**NARRATIVE REPORTS
OF THE DISTRICTS**

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

DISTRICT COURT

As of December 31, 2013, the U.S. District Court for the District of Maine operated with a Clerk's Office of 21 employees, three court reporters, 15 chambers staff, and one pro se law clerk. The District holds court in Bangor and in Portland. At the close of 2013, the District had two active district judges, one district judge vacancy, three senior district judges and two magistrate judges.

For the fiscal year ending September 30, 2013, the Court's civil case filings grew by 12.5% compared to a national increase of 1.3%. This increase in Maine is attributable to an increase in Social Security appeals. The Court's median time from filing to disposition for civil cases decreased from 8.2 months in FY 2012 to 7.6 months in FY 2013.

The number of defendants charged with felonies in this District decreased 23% in FY 2013 compared to a national decline of 3.6%. The most notable changes in Maine's criminal caseload in FY 2013 were a 66% increase in sex offenses charged, and a 38% decrease in offenses involving narcotics, controlled substances, and drug cultivation.

Judicial Highlights

Chief Judge John A. Woodcock, Jr. serves on the Judicial Conference Advisory Committee on Evidence Rules. He is a member of the Maine State/Federal Judicial Council and the Board of Visitors of the University of Maine School of Law.

Judge D. Brock Hornby serves on the Council of the American Law Institute (ALI). He is a member of the ALI Nominating Committee and Chair of its Awards Committee. He is a member of the Maine State/Federal Judicial Council and also serves on the Board and on the Executive Committee of the Federal Judges Association.

Judge George Z. Singal continued his service on the Committee on Codes of Conduct. He is the Chair of the District Court Security Committee, and a member of the Maine State/Federal Judicial Council. Although Judge Singal took senior status on July 31, 2013, he continues to take a share of the Court's caseload that is equal to the caseload of the district judges in this District.

Judge Nancy Torresen is the Chair of the District's Criminal Law Committee, and oversees the District's rehabilitative drug court program called SWiTCH (Success With the Court's Help). She serves on the Circuit Judicial Council, the Maine Judicial Branch Committee on Media and Courts and is a member of the Maine State/Federal Judicial Council.

Magistrate Judge John H. Rich III is Vice-Chair of the Justice Action Group (JAG) and co-Chair of JAG's Private Sector Outreach Task Force. In 2013, he spoke to the Maine Legislature in Augusta, the Maine Judiciary in Bangor, and at the Chamberlain Lecture Series in Portland about JAG's outreach to the private sector. He was also a panelist on e-discovery at the 12th Annual Employment Law Update.

Magistrate Judge Margaret J. Kravchuk served as faculty for the Federal Judicial Center's Magistrate Judge Orientation Program, and served on the District Court's Criminal Law Committee. In 2013, Magistrate Judge Kravchuk announced her plan to retire from the bench in January 2014.

In the summer of 2013, the Court convened a Merit Selection Panel to assist the Court in the selection of a new magistrate judge to succeed Magistrate Judge Kravchuk. Following the diligent work by the Merit Selection Panel, the Court interviewed finalists and selected John C. Nivison to serve as the next Magistrate Judge in Bangor, Maine. Magistrate Judge Nivison is a 1982 graduate of Colby College and a 1985 graduate of the University of Maine School of Law. From 1985 to 1999, he worked at the Maine law firm of Pierce Atwood. In 1999, he was appointed as Judge of the State of Maine's District Court and served as the Court's Chief Judge from 2005 to 2007. In 2007, Judge Nivison was elevated to Justice of the Maine Superior Court where he presided over the Business and Consumer Court, in addition to his regular duties as a Superior Court Justice.

Local Rules

The Court's Local Rule 56 regarding motions for summary judgment was amended to reflect that the parties may file a stipulated statement of material facts as to all, or some, of the facts underlying a motion for summary judgment. The stipulated statement controls and takes precedence over any conflicting statement of fact.

Local Rule 83.10 was amended to provide that any timely notice of appeal must be taken after the district judge has acted on a petitioner's request for a certificate of appealability. This change brought the Court's rule in compliance with Rule 11(a) of the Federal Rules of Civil Procedure.

Clerk's Office

The Clerk's Office hosted several Best Practices Seminars for members of the bar and their support staff in 2013. The seminars covered the Court's local procedures including civil and criminal filings, motions for temporary restraining orders, redaction of personal data, sealing requirements, confidentiality orders, courtroom practice, Real Time court reporting services and courtroom technology. The seminars were well attended and attorneys earned 3 hours of continuing legal education credit from the State of Maine Board of Bar Examiners.

The Clerk's Office created its first Speedy Trial Manual which documents the Court's local speedy trial management practices. Training was provided to all deputy clerks who are responsible for monitoring speedy trial for the Court. The Manual ensures that the Clerk's Office applies the provisions of Title 18 U.S.C. § 3161 appropriately, consistently and in accordance with case law.

Local Policy Changes

In 2013, the District adopted a Press Policy which permits the clerk to issue press identification cards to members of the news media. Members of the media must file with the clerk an application and cover letter from the applicant's editor or news director which states that the individual spends a substantial amount of time collecting and disseminating information for publication or distribution to the public. Upon approval of the applications, the media may carry and use cellular phones, computers and other wireless communication devices in the courthouses for purposes of taking notes during court proceedings. The creation of photographs, sound recordings, texting, tweeting, blogging or other live streaming of court proceedings from the courtroom is prohibited.

The Court began accepting pretrial services reports in CM/ECF from the U.S. Probation Office. When a report has been filed, a notice of electronic filing is sent to the Clerk's Office and counsel indicating that the report was filed. Access to the report is limited to the Court and counsel of record. This new procedure expedites the delivery of pretrial services reports to the judges and counsel.

Information Technology

The state of information technology continues to evolve in the District of Maine. In 2013, the District Court implemented web monitoring software for use in the Clerk's Office to minimize data security threats and ensure that the Court's IT resources are used consistently with the Court's Appropriate Use Policy.

The Court migrated to the national video and teleconference service and the Judiciary's IP-based telephone system in 2013. The transition saves \$42,000 annually in costs the Court previously paid for leased telephone lines, long distance calls and phone system maintenance.

Last year, the Court switched to the national video teleconference service hosted by the Administrative Office, which saves \$5,000 annually for the cost of leasing ISDN lines for both court locations.

The Clerk's Office began deploying SharePoint sites for the judges and their chambers. SharePoint is a web application using a web portal for access to intranet sites, sharing documents for review and editing, and tagging documents with metadata.

Space and Facilities

Renovation of the Margaret Chase Smith Federal Building and Courthouse was completed in 2013. As a result of the renovations, the District Court now has two jury trial courtrooms and a jury assembly room which also functions as a training room for the District Court, Bankruptcy Court and the Probation Office.

The Court completed the Asset Management Study with the Administrative Office and the Circuit. The goal of the study was to identify and plan for the Court's space needs over the course of the next fifteen years. Of chief concern is the lack of space available in the Edward Thaxter Gignoux Courthouse in Portland to accommodate Senior District Judge Singal and office space for the judges from Bangor who sit in Portland at least once a week. As a result of the study and the hard work and collaborative efforts of the Circuit and the Administrative Office, the Court was able to obtain limited funding to build proper chambers for Judge Singal in the Gignoux Courthouse.

In 2013, the District Court released 695 usable square footage in the Gignoux Courthouse back to the Government Services Administration (GSA) to reduce the Court's space footprint and reduce the Judiciary's rent costs paid to the GSA. The Court's decision to release the space will save the Judiciary \$18,000.00 per year.

BANKRUPTCY COURT DISTRICT OF MAINE

Operations

At the beginning of 2013, shortly after his swearing in as a Judge of the First Circuit Court of Appeals, Judge William Kayatta moved into the Bankruptcy Court's "visiting judge" space in Portland while construction of his chambers elsewhere in Portland was completed. Not long after Judge Kayatta moved in, Chief Judge Haines announced his retirement from the bench, effective January 2014. Following Judge Haines's announcement, Judge Kornreich was appointed Chief Judge, and the Court of Appeals appointed a merit selection panel, chaired by Judge Kayatta, to vet Judge Haines's successor. The panel screened and interviewed applicants, ultimately selecting Peter G. Cary as the new bankruptcy judge in Maine, effective January 2014.

Maintaining his many bankruptcy related activities outside the Court, Judge Haines began teaching at the University of Maine School of Law in the fall of 2013. Judge Kornreich also continued to represent the First Circuit bankruptcy judges as the representative to the Bankruptcy Judges Advisory Group at the Administrative Office of the U.S. Courts (AO). Both judges also continued to hear cases as part of the Bankruptcy Appellate Panel for the First Circuit. Also in 2013, the Court's Clerk, Alec Leddy, returned from his year-long residency in Washington, D.C. at the AO. During his time at the AO, Mr. Leddy worked on initiatives and implementations related to shared services in the federal courts.

As with most bankruptcy courts around the country, the Bankruptcy Court for the District of Maine has been significantly impacted by the budget difficulties of the federal government. In late spring when it became apparent that a new staffing formula, combined with a drop in caseload, would result in a precipitous decline in allotments for FY 2014, the Court adopted a reorganization plan. The adopted plan resulted in a 17% workforce reduction in both the Operations and Information Technology Departments. The plan was implemented in September 2013, and represents the first time in the history of the Court that layoffs were required as a result of budget cutbacks. Immediately following the implementation of its reorganization (downsizing) plan, the Bankruptcy Court, like all other federal courts, was forced to adopt a shutdown plan to address the absence of a budget funding federal agencies in FY 2014. The plan adopted by the Bankruptcy Court would have reduced hours and staff, but it was ultimately never put into effect because Congress and the President reached a budget deal at the final hour.

In November, the Bankruptcy Court was audited by outside auditors as part of the judiciary's routine cyclical audit schedule. The results of the audit were extremely positive.

Shared Services

In 2013, the Bankruptcy Court fortified its relationship with the other federal court units in Maine (District Court, Probation/Pretrial Office, and the Federal Public Defender) by continuing to implement and strengthen Shared Administrative Services (SAS). Seeing SAS as an opportunity to address overlapping service providers and stark budget realities, the federal court units in Maine have become national leaders in the design and implementation of SAS. The court units share resources in the areas of human resources, procurement, budget, property management, internal controls, facilities maintenance, and COOP. The unit heads are working closely together to help Maine become a model of SAS for courts around the country.

Information Technology

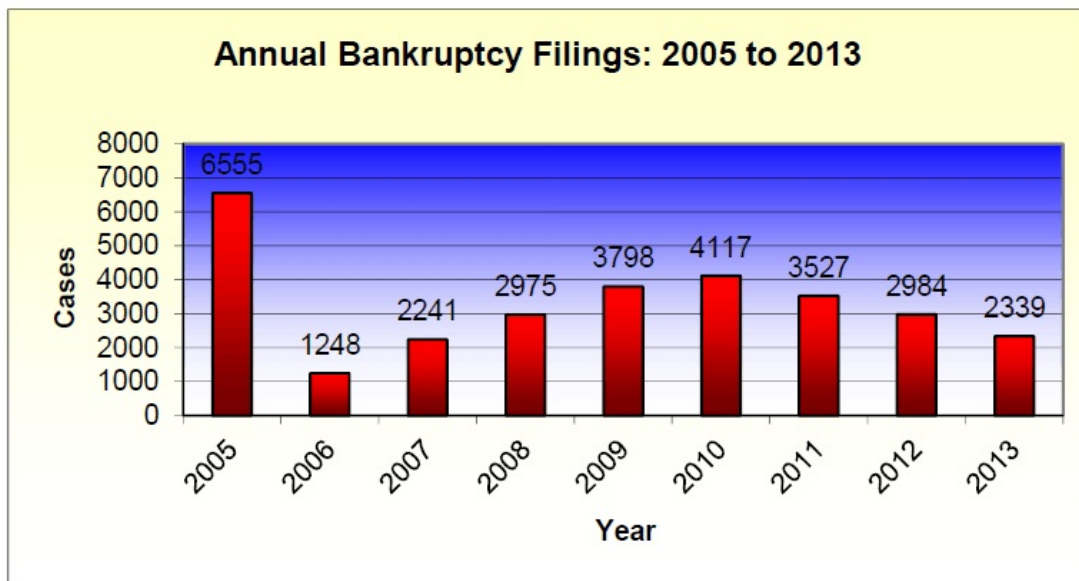
Throughout most of 2013, and in an effort to reduce budget pressures, two members of the Court's IT staff were shared with Probation/Pretrial and the District Court. However, due to the budget, one of the positions was terminated. Despite the increased workload, the IT staff completed upgrades to CM/ECF and CHAP (the Court's calendaring program), reconfigured the Court's network, and moved the Court's users to a new server for remote email services.

Conferences/Training

The Court places a premium on training and education, and continuously assuring that employees have the most up to date information and skills. In April, the clerk and chief deputy attended the Federal Judicial Center's first-ever combined bankruptcy and district court training meeting in Memphis, Tennessee. As a result of budget cuts, the Court was unable to provide as much training as in the past. The Court was able to provide in-house training by relying more heavily on the "brown bag" lunch sessions begun in 2012, in which the judges' law clerks help staff understand the legal principles involved in bankruptcy.

Caseload

There were 2,339 new bankruptcy cases filed in calendar year 2013 in Maine, the vast majority of which were filed under Chapter 7. This represents a decrease of over 500 cases for the third year in a row and reflects a national downward trend in bankruptcy filings.



Building and Construction

Utilizing excess millwork and furniture from the District Court's magistrate's courtroom in Bangor, and with significant assistance from the Circuit, the Bankruptcy Court was able to modernize its courtroom on the third floor of the Margaret Chase Smith Federal Building in Bangor. The project resulted in the first update to that courtroom since the 1980's.

PROBATION AND PRETRIAL SERVICES OFFICE DISTRICT OF MAINE

Presentence investigations and post-conviction supervision continued to increase, while pretrial cases dropped significantly (39%). While pretrial cases declined, the detention rate increased nearly 8%. Officers attribute this increase in detention rates to a number of factors, including scarcity of housing and resources, severity of addictions, and more defendants consenting to detention versus seeking pretrial release.

Post-conviction violations also increased by 9%, some of which is attributed to a recent trend toward short periods of incarceration to stabilize offenders while appropriate housing, treatment, and other resources are put in place.

The Office continues to spend approximately 40% of the treatment services budget on sex offender services, including assessments, individual and group treatment sessions and polygraphs. Drug testing and treatment services consume a full 50% of the treatment services budget. Second Chance Act spending was reduced by nearly 50%, largely in the area of transitional housing.

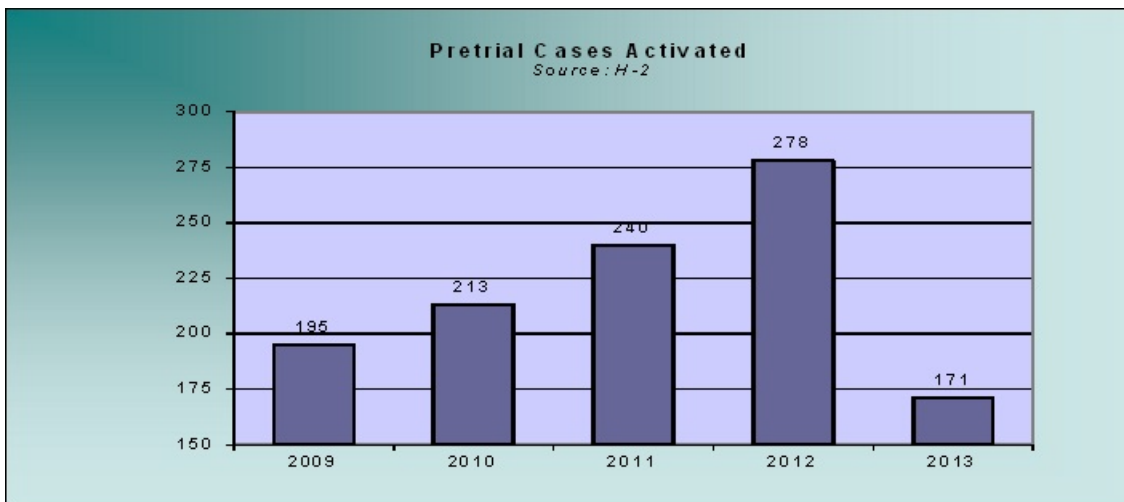
Salary expenses have continued to remain static due to cost containment and funding cuts, with total expenditures reduced below 2010 levels. IT investments have been largely focused on mobile technology for officers, and leveraging national products and services. Officers are carrying increased presentence and post-conviction caseloads, while implementing results-based initiatives targeted at individualized sentencing and reducing recidivism. Administrative support is reduced and the implementation of shared services has been effective, efficient and collegial.

The Probation Office has embraced a new set of strategies relative to interactions with offenders and defendants – STARR (Strategies Aimed at Reducing Rearrest) – and all supervision officers have been trained and are beginning to practice these skills. SWiTCH completed its fifth year and the entire team participated in an FJC-sponsored improvement program.

The Office welcomed Officers Melissa Elworthy and Lori Johnson, from New Hampshire and South Carolina respectively, as well as Technology Specialist Matt Day and Drug Technician Aaron Priest. Notably, Deputy Chief Julie Morse retired, following 23 years of service to the Courts, both locally and nationally.

It is expected that post-conviction caseloads will continue to increase as DOJ policies change, and another round of retroactive guideline amendments take effect. The Probation Office is preparing for this workload increase by filling vacant positions in both Portland and Bangor and continuing to align resources toward the cases presenting the highest risks of recidivism.

Pretrial Services

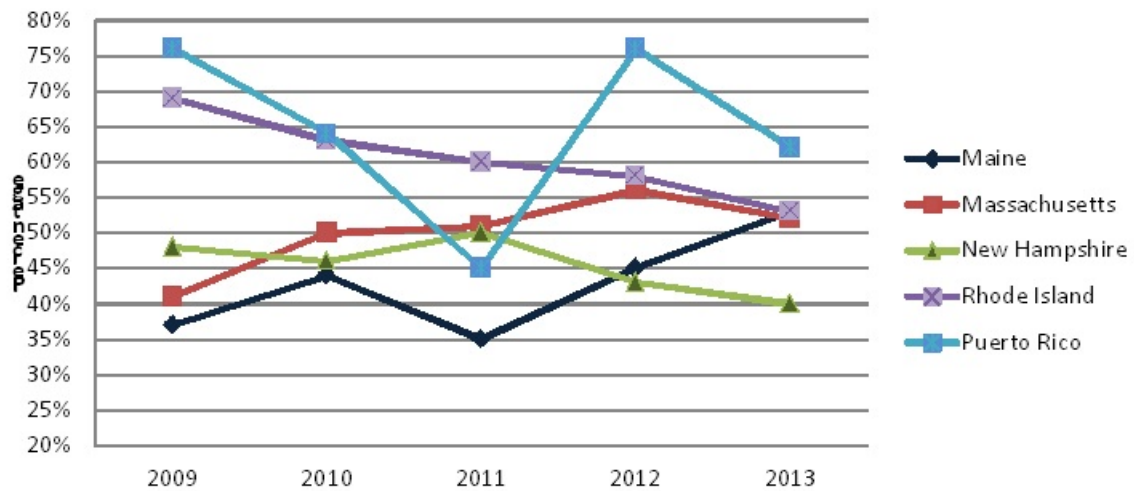


TYPES OF PRETRIAL CASES	2009	2010	2011	2012	2013
Property (e.g. Larceny, Embezzlement, Fraud)	31	34	52	30	34
Violence	4	16	8	22	10
Weapons/Firearms	38	39	55	39	27
Drugs	68	87	75	139	69
Immigration Laws	31	22	28	29	11
Sex Offenses	9	11	14	14	18
Other	14	4	8	5	2
Total	195	213	240	278	171

Source: PSA/Statistical Profiles

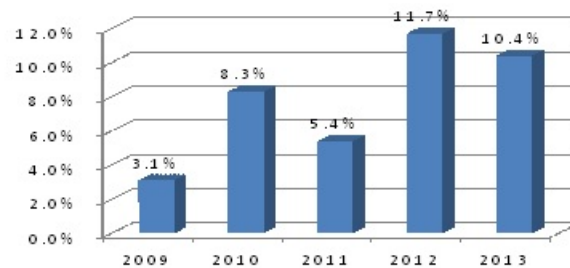
Detention Rates for Districts in the First Circuit (excluding Immigration Cases)

Source: Table H-14a

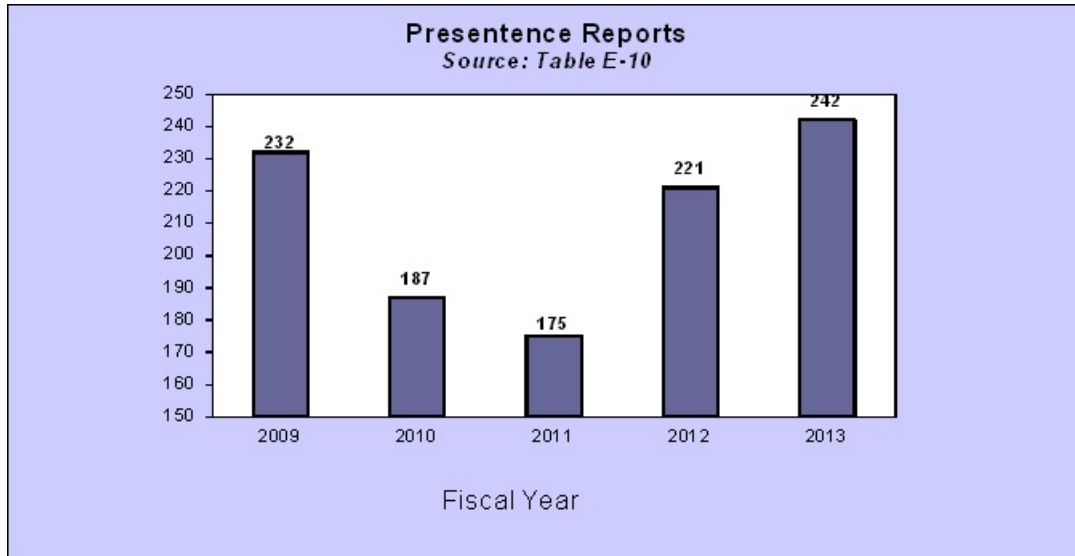


Pretrial Services Violations

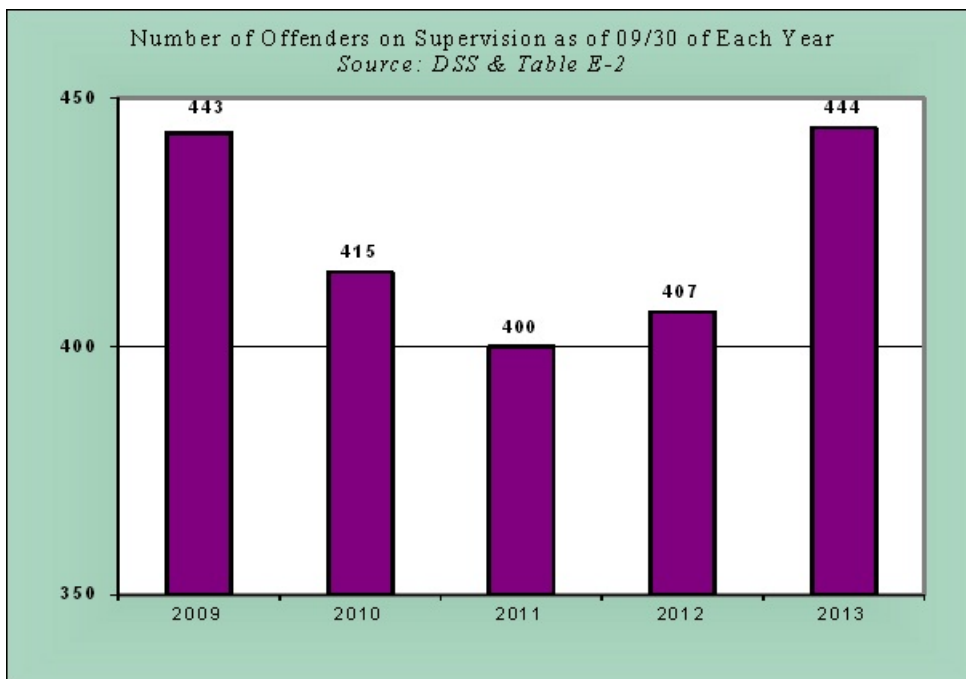
Percentages based on total number of Pretrial
Violations as of 09/30 of each year
Source: Table H-15 & DSS

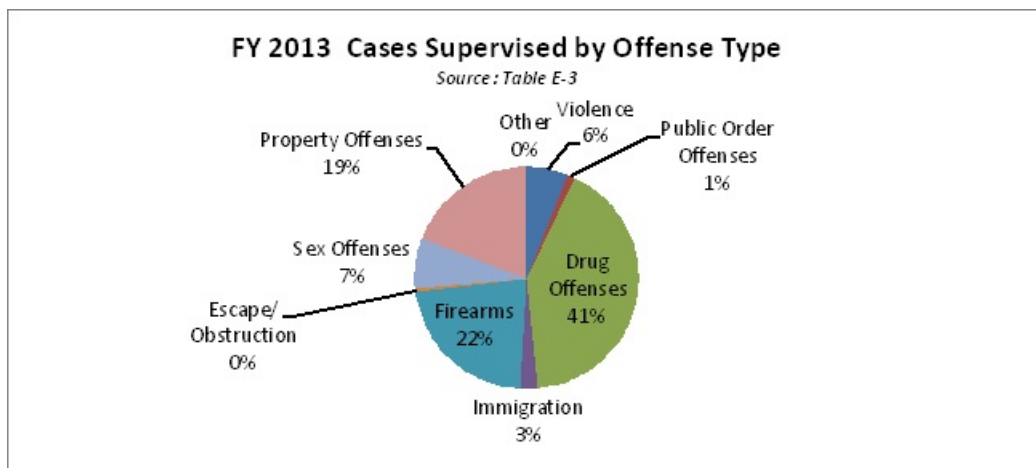
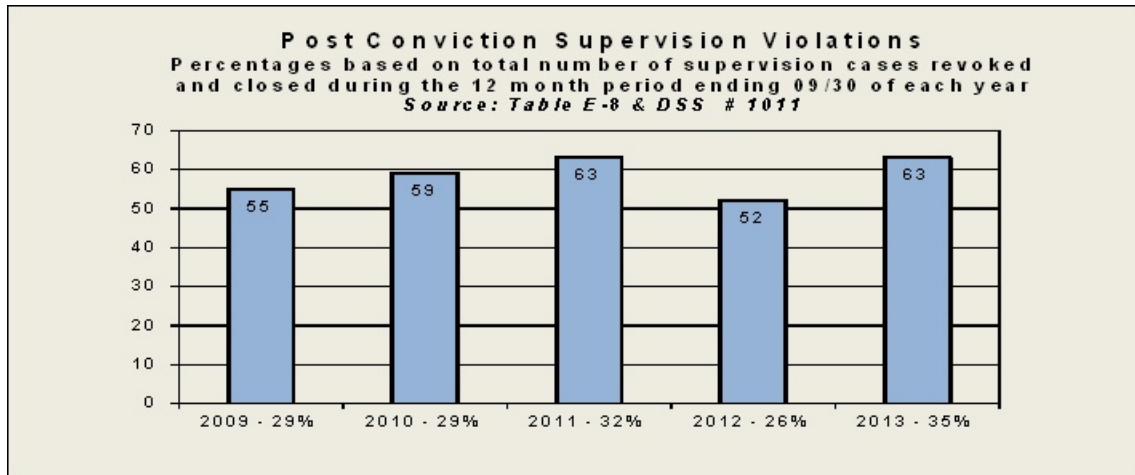


Presentence Investigations

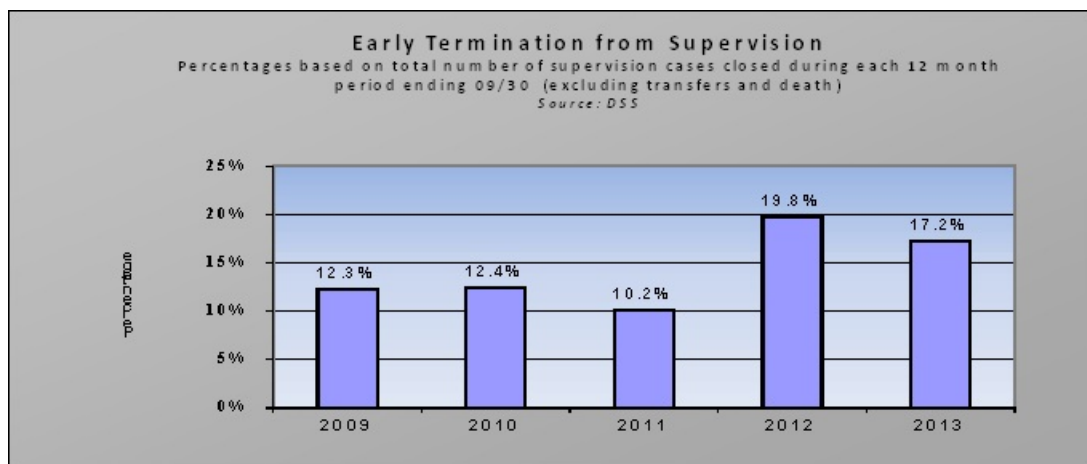
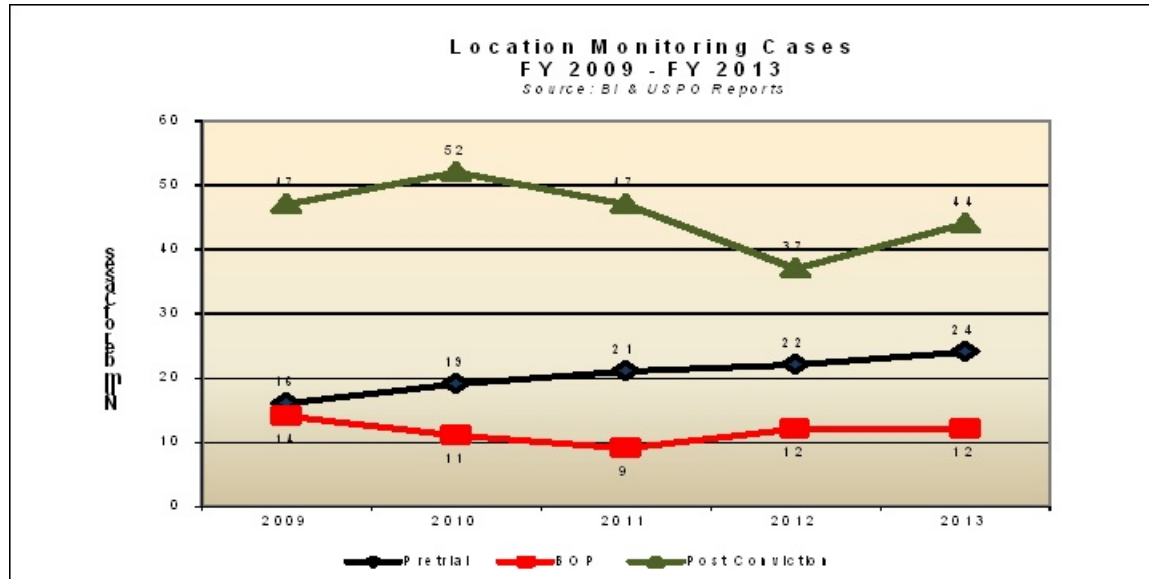


Post-conviction Supervision

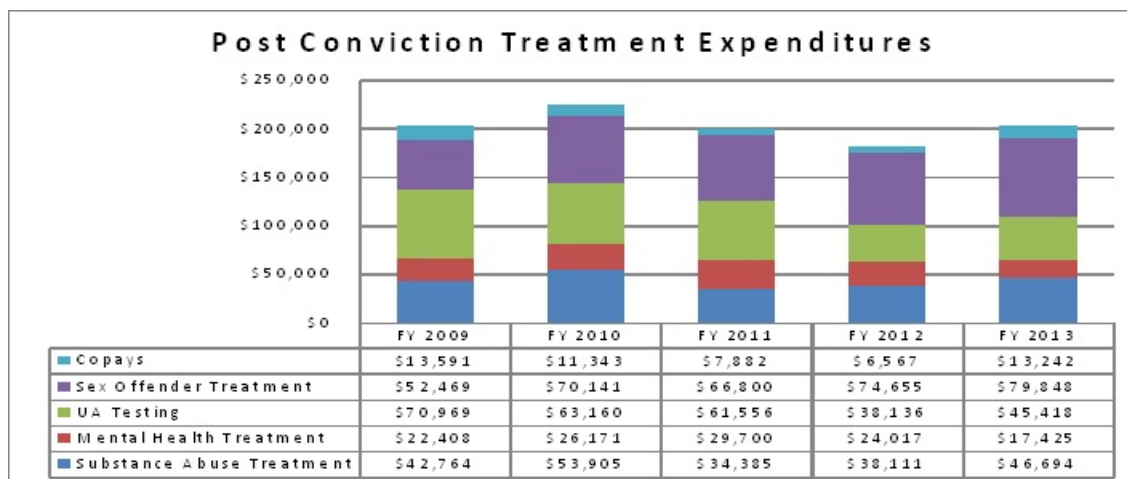
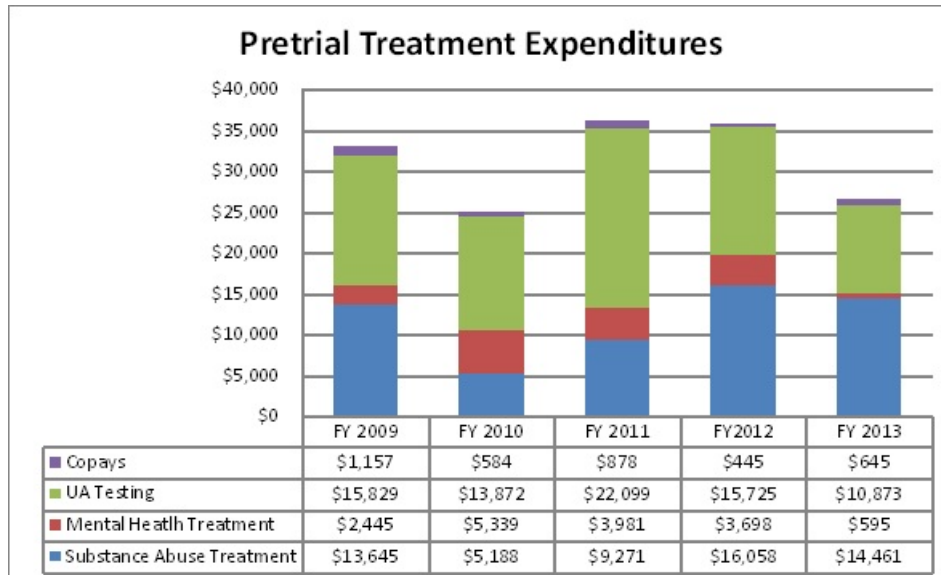




LOCATION MONITORING



Treatment Services



SWiTCH Program (Re-entry Court)

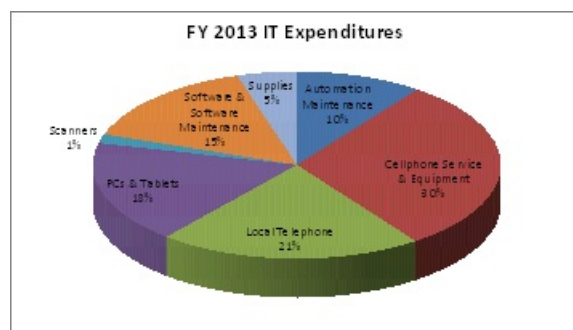
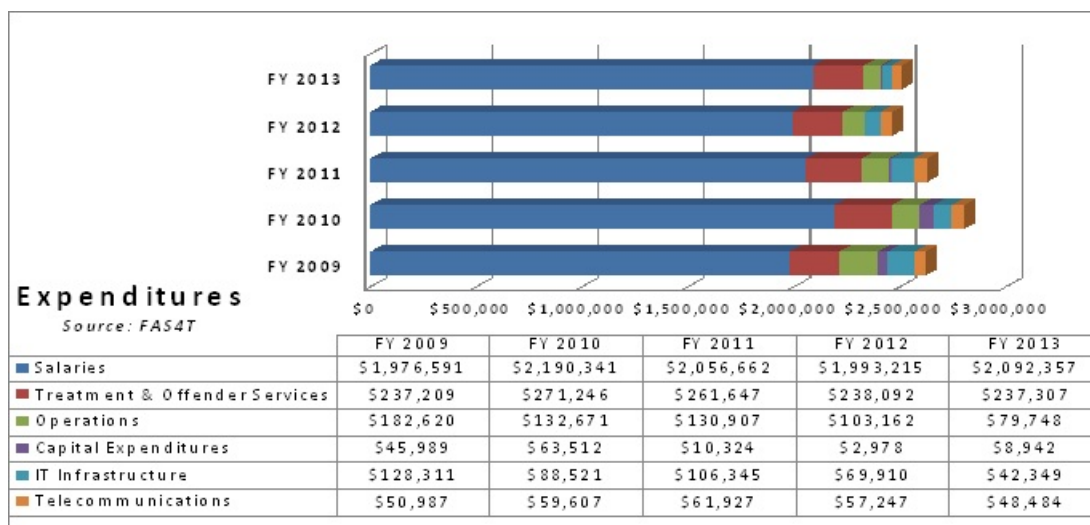
During FY 2013, its fifth year of operation, the SWiTCH Program continued to provide its evidence-based method of monitoring high-risk, high-needs offenders. In FY 2013, the Program provided service to a total of 19 participants, six of whom successfully graduated. There were a total of seven unsuccessful discharges. None of those unsuccessful discharges were due to new law violations.

In February 2013, the SWiTCH team attended a Quality Improvement seminar at the George Mason University campus located in Fairfax, Virginia. The seminar was hosted by consultants from the Federal Judiciary Center focused on enhancing the operations of existing

federal re-entry court programs. The seminar was followed by a series of monthly teleconferences with the consultants during which the SWiTH team was able to ensure that the Office's Program complied with nationally-recognized re-entry court practices. The consultants also aided the team in developing a creative method of applying incentives and rewards, known as a "token economy."

During FY 2013, the Probation Office also continued to collect and analyze data to determine the Program's impact on its targeted population. The data showed offenders exposed to SWiTH continue to have greater success than a control group as evidenced by, among other variables, fewer violations, fewer drug-positive tests, and greater residence and employment stability.

Budget



**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DISTRICT COURT

At the end of 2013, the United States District Court for the District of Massachusetts had thirteen authorized district judges, four senior district judges and seven authorized full-time magistrate judges.

President Barack Obama nominated Indira Talwani to fill the seat vacated by Judge Mark L. Wolf, Mark Mastroianni to fill the seat vacated by Judge Michael A. Ponsor, and Chief Magistrate Judge Leo T. Sorokin to fill the seat vacated by Judge Joseph L. Tauro. A formal induction ceremony was held in Worcester for Magistrate Judge David H. Hennessy. The ceremony was attended by family, friends and representatives of the bar.

Judicial Accomplishments

On January 1, 2013, Judge Patti B. Saris became Chief Judge of the District of Massachusetts. Chief Judge Saris continued to serve as the Chair of the United States Sentencing Commission. She traveled to Worcester and Springfield to host a "Meet the Chief Judge" reception, attended by members of the bar. The Federal Bar Association hosted a similar event in Boston.

Judge Denise J. Casper, in her role as Education Liaison, spearheaded the second Annual Young Lawyers' Roundtable, which covered a number of topics including candor to the court, discovery practices and dealing with difficult attorneys. Judge Casper also facilitated a panel on Confronting Subconscious Bias led by Harvard Law School Professor Charles Ogletree.

Judge Timothy S. Hillman was appointed by Chief Justice John Roberts to be a member of the Committee on Federal and State Jurisdiction. Judge Hillman and members of the Worcester Probation Office began a reentry program for ex-offenders who have recently been released from prison.

In September, Judge Michael A. Ponsor completed a four year term as Chair of the Judicial Conference Committee on Space & Facilities.

Magistrate Judge Marianne B. Bowler addressed the students and faculty at the National Law School of India University in Bangalore on the topic of "Mediation as a Means to Reducing Clogged Court Dockets."

Personnel

In March, Clerk of Court Sarah Thornton retired after 18 years of service to the courts. Ms. Thornton served as Clerk in this District for eight years, and previously worked in federal courts in North Carolina and New York.

The judges of the District Court appointed Chief Deputy Clerk Robert M. Farrell as Clerk in August 2013. Mr. Farrell had been with the District of Massachusetts since February 2010. Michelle Rynne, formerly the Operations Manager, was appointed Chief Deputy Clerk.

To better serve the Court's constituency, the Clerk's Office added a "Cases of Interest" page to its public website. This page is intended to offer information to the public, the media and the bar on cases of particular public interest.

Judicial Outreach

The Court co-sponsored, along with South African Partners, a presentation by Justice Albie Sachs. Justice Sachs spoke of his experiences opposing apartheid including his imprisonment and exile, and his term with the Constitutional Court of South Africa.

The Nelson Fellowship

Fourteen students from the Boston, Brockton and Worcester public schools participated in the 17th year of the Fellowship program. During this intensive summer program, students meet community leaders, visit local colleges, and are introduced to organizations that facilitate the college application process.

The Lindsay Fellowship

The Lindsay Fellowship celebrated its fourth successful year in 2013, graduating six Fellows. The Fellowship is named in memory of Judge Reginald C. Lindsay, a District of Massachusetts judge.

This program is for college students who have a strong interest in a career in law. Each Fellow is assigned to a judge during the first month of the program, and attends an intensive program on legal research and writing, with an instructor from a local law school. During the second month of the program, each Fellow is assigned to either the United States Attorney's Office or the Federal Defender Program. Prior to graduation, the Fellows return to the District Court to compete in a moot court program before a federal judge.

CASELOAD STATISTICS

Civil Caseload

Civil filings increased 28.6% from 2,906 in 2012 to 3,737 in 2013, with 2,855 civil cases terminated and 4,015 civil cases pending at the end of the calendar year. This increase was due to 736 cases filed in two large multi-district litigation actions. Not including those cases, this District's civil filings increased by 3.3% from 2012.

Criminal Caseload

The District of Massachusetts opened 332 criminal cases in 2013, involving 489 criminal defendants. A total of 395 criminal cases and 537 criminal defendants were closed in 2013. At year's end, 457 criminal cases and 750 criminal defendants were pending. Criminal cases filings decreased 7.8%, from 360 in 2012 to 332 in 2013, compared to the 2.9% decrease in criminal case filings nationally. The number of new criminal defendants commenced decreased 4.5%, from 512 in 2012 to 489 in 2013, compared to the 3% decrease in criminal defendant filings nationally.

Trials and Hours In-Court Activity

The total in-court hours for district judges decreased slightly from 4,401 in 2012 to 4,389 in 2013. Hours on trial increased 8% from 2,199 in 2012 to 2,367 in 2013. The total number of in-court hours spent on matters other than trials decreased 8%, from 2,203 in 2012 to 2,023 in 2013. The average trial hours reported by active judges in this District for 2013 was 182 hours per judgeship compared to the national average of 196 hours per judgeship.

The total number of trials (hearings involving the presentation of evidence) conducted by the district judges of this court increased 5%, from 166 in 2012 to 174 in 2013. The total number of jury and nonjury trials started during this period increased by one trial, from 90 in 2012 to 91 in 2013.

Reentry Programs

Judge Leo T. Sorokin continued to preside over the Court Assisted Recovery Effort (CARE). CARE helps defendants to create and to maintain sober, employed and law abiding lives. Success in the program promotes both public safety and the rehabilitation of the defendant. CARE involves closer supervision of a defendant and higher expectations than regular supervision, but it also offers a defendant greater assistance, opportunity and reward. The Court, the Probation Office, the United States Attorney and the Federal Defender's Office all participate in CARE.

District Judge Timothy Hillman and Magistrate Judge David Hennessy preside over the Reentry: Empowering Successful Todays and Responsible Tomorrows (RESTART) program for high risk ex-offenders in the Eastern and Central Divisions, and Magistrate Judge Kenneth P. Neiman presides over the program in the Western Division.

RESTART is modeled after Magistrate Judge Leo Sorokin's successful CARE program. The goal of the program is to reduce recidivism, and to successfully reintegrate ex-offenders into the community with an emphasis on employment skills. The program provides intensive support for recently released defendants serving their term of supervised release, and is focused on issues such as employment, housing, and drug and mental health counseling.

Information Technology

New evidence presentation systems, with integrated video conferencing, digital streaming, and recording capability were installed in Courtrooms 13 and 17 in Boston. These courtrooms were used extensively for overflow seating during two high profile criminal cases. Proceedings were frequently streamed to these courtrooms and to other locations set aside for overflow viewing.

BANKRUPTCY COURT DISTRICT OF MASSACHUSETTS

In calendar year 2012, there were 17,793 bankruptcy cases filed in the District of Massachusetts, while in 2013 there were 13,201 cases filed, a decrease of 25.8%. While bankruptcy cases have been declining nationally since 2010, the decline in this District exceeds the national figure and, for 2013, the District ranks as the second largest percentage decline in the continental United States. This decline in filings will translate into significantly less salary funding in 2014.

The Bankruptcy Court has continued to provide assistance to pro se debtors and creditors. Pro se parties filed 781 new cases in 2013, compared to 757 pro se filings in 2012. The pro se law clerk has been successful in assisting pro se filers daily and works tirelessly to involve and energize the private bar to provide legal assistance for unrepresented individuals.

The Court has a Pro Bono Committee comprised of attorneys from various sized firms throughout the District, as well as representatives from organizations such as the Volunteer Lawyer Program and the Massachusetts Justice Project. The goal of the Committee is to encourage attorneys to assist unrepresented debtors and to recognize those individual attorneys and firms that do so on a consistent basis. In furtherance of that effort, the Court held its first annual pro bono recognition event in October 2013 to award three attorneys in the Western, Central, and Eastern Divisions. The event was held at the Moakley Courthouse and was attended by over 100 people. The awards were presented for their outstanding pro bono work on behalf of debtors in the Court.

Continuing the tradition of serving the bar and the public by participating in numerous educational forums, each of the bankruptcy judges and the clerk participated in seminars, panel discussions and meetings throughout the year. The judges served as panelists on local, regional and national programs presented by entities such as Massachusetts Continuing Legal Education, the Boston Bar Association, the Practising Law Institute, the National Association of Consumer

Bankruptcy Attorneys, the American Bar Association, the American Bankruptcy Institute and several universities and colleges.

Judge Joan N. Feeney continued to serve on the board of the American Bankruptcy Institute and is the coauthor of the West treatise “Bankruptcy Law Manual.” She is also the co-chair of the M. Ellen Carpenter Financial Literacy Project, a joint Bankruptcy Court/Boston Bar Association effort to promote financial literacy among high school students throughout the Commonwealth. Judge Henry J. Boroff served as the bankruptcy representative to the Judicial Council.

The bankruptcy judges created a Diversity Committee with the goal of increasing the number of minority attorneys in the practice of bankruptcy law. The presidents of each of the many affinity bar groups throughout the Commonwealth were invited to discuss ways to increase their presence among the bankruptcy bar. The Committee meets several times a year and, as a first course of action, conducted informational programs at several local law schools to encourage minority students to consider the field of bankruptcy law.

Lastly, the Court’s Attorney Advisory Committee, co-chaired by Chief Judge Frank Bailey and Judge Melvin Hoffman, met quarterly to review and discuss proposed modifications and improvements to the Court’s local rules.

PROBATION AND PRETRIAL SERVICES OFFICE DISTRICT OF MASSACHUSETTS

Investigations and Supervision

Pretrial Investigations

During 2013, a total of 547 new cases were activated. Almost 500 (499) cases were activated within the District; 48 cases were transfers from other districts; and four (4) diversion cases were activated in 2013. Excluding illegal alien cases, 403 cases were subject to a release/detention hearing. 186 defendants were ordered detained (46%) and 217 defendants were released (54%), reflecting an increase of 14% over the 2012 release rate. The national detention rate in 2013 was 48% and the release rate was 52%.

The interview rate in 2013 was 60%, which represented a 9% increase over the interview rate in 2012. Of the 547 cases activated, 327 were interviewed. The national interview rate in 2013 was 53%. In the District of Massachusetts, officers submitted bail reports to the Court in 78% of all new cases.

Pretrial Supervision

Over the course of 2013, pretrial services had a total of 1,476 open cases. Of these cases, 582 were on release status (39.4%). These cases included not only new cases activated in 2013, but cases already open and carried over from previous years. Including cases closed during the

course of the year, Pretrial Supervision staff ended 2013 with 345 cases under supervision.

Supervision officers monitored compliance with conditions and reported instances of violations of conditions of release to the Court and to the attorney for the government, in accordance with statute. In 2013, officers reported 38 instances of violations of conditions of release, representing a violation rate of 4.5%. The national violation rate in 2013 was 10.8%. There was one instance of failure to appear in 2013.

Presentence Investigations

In 2013, 453 cases were assigned to officers who conducted presentence investigations and prepared reports for the Court. Offense types included: drugs, financial, immigration, weapons, robbery, sex offenses, obstruction, tax, and OUI offenses. There were 14 defendants sentenced without presentence reports, primarily in cases in which the sentences imposed were either for time served (with or without supervised release to follow) or a fine only, for immigration or misdemeanor offenses.

In 2013, officers: expanded use of PSX (a case management and report module in PACTS) to include preparation of bail reports, as well as presentence reports; worked to develop a prescreening procedure for individuals potentially eligible for the Bureau of Prisons' Residential Drug and Alcohol Program (RDAP); and continued work on resentencings resulting from issues at the Hinton State Drug Laboratory.

Post-Conviction Supervision

In 2013, probation officers in the District of Massachusetts actively supervised approximately 1,380 offenders. The 2013 distribution of cases, geographically by office location, was as follows: Boston 324 (23.5%); Worcester 310 (22.5%); Lawrence 352 (25.5%); Taunton 266 (19.2%); and Springfield 128 (9.3%). The Post Conviction Risk Assessment breakdown for offenders under supervision during 2013 was: Low Risk 32.9%; Low Moderate Risk 33.7%; Moderate Risk 22.7%; and High Risk 10.7%.

Officers continued to connect offenders to resources and programs to address their needs using contract and non-contract treatment services for substance abuse, mental health, and sex offender treatment throughout the state. Additional targeted services were also offered through the CARE and RESTART programs. During 2013, officers also continued to facilitate Moral Reconnection Therapy (MRT), a cognitive behavioral therapy designed to address offenders' criminal thought processes and behaviors in an effort to promote positive change in cognitions and behavior. Officers also used STARR (Strategic Techniques Aimed at Reducing Rearrest) through training and coaching with volunteer officers.

Judiciary Space Reduction Initiative

In 2013, the District of Massachusetts participated in the judiciary's space reduction incentive program by closing the Williams Building Office in Boston and consolidating all Boston-based staff into the Probation and Pretrial office space in the John Moakley Courthouse.

The closure of approximately 7,600 square feet of leased space resulted in an annual rent savings of approximately \$305,000. The Moakley Courthouse now houses the pretrial and post-conviction investigation and supervision staff members, while other staff members are located at the Worcester, Springfield, Lawrence, and Taunton offices. In keeping with the concepts of the Integrated Workplace Initiative (IWI), Probation & Pretrial Services in the District of Massachusetts will continue to evaluate how to use space judiciously and further employ technology to facilitate officer mobility, as well as efficiencies for all staff.

Training, Professional Development, & National Workgroups

Throughout the year, despite budget constraints, staff members made every effort to take advantage of training and professional development opportunities. Those included, but were not limited to: a United States Sentencing Commission Regional Seminar; National Association of Pretrial Services Agencies Conference; continued PSX and STARR training; PCRA and PTRR defendant/offender risk assessment training; National Training Academy (for new officers); in-district safety and officer response tactics training; in-district training and mentoring opportunities; Federal Judicial Center (FJC) programs (as participants and/or facilitators); and training provided at an annual staff conference. Officers also facilitated Financial Literacy Training for offenders and Domestic Violence Education for female offenders housed at the McGrath House residential re-entry center. In addition, staff continued to participate in national initiatives, including evidence based practices, presentence and location monitoring working groups, and Administrative Office (AO) Advisory Councils and Program Reviews. In 2013, Chris Maloney, Chief Probation Officer, continued his service with the Probation and Pretrial Services Office (PPSO) Chiefs Advisory Group, and accepted the Chair position, to begin in 2014.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

DISTRICT COURT

In 2013, the United States District Court for the District of New Hampshire continued to provide the public with efficient and high-quality service. The year included a number of technological and procedural innovations, as well as personnel changes.

Personnel

Judge Steven J. McAuliffe transitioned to senior status in April, and Magistrate Judge Landya B. McCafferty was confirmed as a United States District Judge in December. These changes prompted various reassignments in the Clerk's Office.

In April of 2013, Kristie Trimarco was promoted to Operations Supervisor. In May, Pamela E. Phelan was hired as Operations Manager, and transitioned to Chief Deputy Clerk in early 2014. Frank Clough, Director of IT, and Dionis Espaillat, Systems Administrator, left the Court in September. Dana Bauer was hired in December as Director of IT and Eric Swanson moved from the Probation/Pretrial Services Office to fill the Systems Administrator position in the Clerk's Office. Linda Tsiatsios, Judicial Assistant to Judge Joseph A. DiClerico, Jr., retired at the end of the year, after nearly forty years of service with the federal government.

Finally, Clerk James R. Starr received the New Hampshire Bar Association's 2013 "Distinguished Service to the Legal Profession" Award and was recognized at the Association's summer meeting.

Training

The Court provided numerous training opportunities in 2013, many of which were also made available to employees of Probation/Pretrial Services and the Bankruptcy Court. In January, Jury Administrator, Cathy Dube, provided an office-wide training on email organization and etiquette. Operations Supervisor, Kristie Trimarco, and members of the IT staff provided training on the Court's new Electronic Court Calendar (ECC). The IT staff also provided training on computer security and on new pieces of hardware and software.

In addition to group training opportunities, numerous employees received individual training in 2013. Paul Guest attended the Data Connectors Tech Security Conference, as well as the Network Operations Center/Security Operations Center (NOC/SOC) mentoring program provided by the AO. He also participated in several WebEx courses, including a Citrix XenServer Master Class and the National Video Teleconference System training. Jim Chiavaras attended the National Center for State Courts' Court Technology Conference in Baltimore. Kristie Trimarco and Pamela Phelan attended the FJC's New Supervisors' Development Program, and Pamela Phelan and Dan Lynch completed the Court Unit Executive Orientation Program. Pamela Phelan also completed online procurement training and attended the two-day COCP classroom training in Tampa, Florida.

In February, Financial Administrator, Dale Trombley, attended a one-day ICE training in San Antonio, Texas. In August, Procurement Specialist Erin Callahan completed a three-day training on Microsoft Excel programming offered by ONLC. Case Manager Vincent Negrón attended ECF Dictionary training in November. Finally, to assist with the Court's transition to Facility Access Cards, Lianne Lavigne and Tom Van Beaver attended a three-day training in December. Tom Van Beaver also completed an HR Academy training on LEO positions.

Building Upgrades

With the limited funding available, the Court continued to put major construction projects on hold and focused on maintenance projects. Woodwork damaged by sun exposure was refinished in courtrooms and chambers on the south side of the building. In addition, the Court added several more exhibits to its historical/civic education walking tour. New pieces included two Norman Rockwell prints and a bird's eye map of Lake Winnepesaukee.

Technology

The IT Department continued to take significant steps to improve and maintain court technology. Major projects included the installation and configuration of a new Cisco firewall, server virtualization, conversion of the AJIS lines to Internet Protocol Telephony (IPT), and implementation of the National Video Conferencing System. The Court also began issuing Facility Access Cards to its employees, implemented a web-based attorney admissions application process to eliminate paper applications, and began developing a new public website with a planned launch date of April/May of 2014. The new public website will include streamlined content and a more robust opinion search feature.

After seeking input from local state courts and other federal courts, the District Court launched a Twitter account in April of 2013. The Twitter feed is used to promote upcoming events, drive traffic to the Court's website, and disseminate information regarding weather-related closings, employment opportunities, procedural changes, and local rule amendments.

In the spring, the Court began using eJuror to collect juror qualification questionnaires for the potential jurors in the new master wheel. Due to the fact that other courts had received low electronic return rates (only twenty to twenty-five percent of jurors chose to respond via eJuror rather than in paper), the Court elected not to include a paper questionnaire in its initial mailing to potential jurors. Potential jurors had the option of requesting a paper questionnaire, but over eighty percent chose to complete the questionnaire online. The high response rate drew national attention and the Court and its jury staff were featured in an installment of the FJC's "Court to Court" series. The Court has provided assistance to over forty other courts seeking to emulate this successful initiative.

Also in the spring, Human Resources Administrator Tom Van Beaver spearheaded the development of Leave it Forward eShare (LiFe), a national web-based central management system for the voluntary leave transfer program. Four circuits are currently using LiFe and Tom Van Beaver will be providing WebEx trainings on the program throughout 2014.

Finally, in December of 2013, the Court launched the ECC. Eric Swanson and Kristie Trimarco developed the calendar based on a program created by the District of Puerto Rico. The new calendar draws hearing information from CM/ECF and allows staff to simultaneously access real-time court use information from their desktops. The calendar allows staff to more accurately and efficiently schedule shared courtrooms and coordinate interpreters and court reporters for hearings.

Filings/Statistics

The number of civil case filings, 482 in total, decreased six (6) percent from 2012, though the Court saw a significant increase in Social Security filings. With a total of 121 criminal cases filed and 140 defendants charged in 2013, criminal case filings decreased twenty (20) percent and the number of defendants charged dropped twenty-two (22) percent.

The Court had eight (8) civil jury trials and eleven (11) criminal jury trials in 2013. The District's LASER (Law Abiding. Sober. Employed. Responsible.) docket program had eight (8) participants in 2013 and one (1) successful graduate.

Policy & Procedures Updates

In October of 2013, the Court entered into a shared administrative services agreement with the United States Bankruptcy Court for the District of New Hampshire. The agreement allows District Court procurement staff to process purchase orders for the Bankruptcy Court. The Court published its amended local rules on December 1, 2013. Significant changes included a number of new forms and new rules regarding protective orders and limited representation.

Federal Court Advisory Committee

The Federal Court Advisory Committee (FCAC) continued to provide feedback to the Court regarding issues of importance to federal practitioners. The FCAC offered input on a variety of issues, including the proposed local rule amendments, upcoming CLEs, and the distribution of grants from the library fund to charitable organizations promoting access to justice. The FCAC also began planning the 2014 Federal Practice Institute and approved several expenditures from the Court's library fund.

Bar Admissions

The Court held two bar admissions ceremonies in 2013. Both ceremonies were conducted jointly with the New Hampshire Supreme Court to allow for concurrent admission of state and federal bar candidates. Thirty-two attorneys were admitted to the federal bar at the first ceremony, held on June 6, 2013, at the New Hampshire Supreme Court. At the second

ceremony, held on November 6, 2013 at the Rudman Courthouse, fifty attorneys were admitted. In addition to the two ceremonies, fifty attorneys were admitted informally by taking the oath in the Clerk's Office. In total, the Court admitted 132 new attorneys in 2013. The Court deployed an electronic attorney admissions application hosted by Pay.gov in January of 2013. The electronic application has streamlined the application process and eliminated paper petitions.

Naturalization

The Court held a total of thirteen naturalization ceremonies in 2013, including a special ceremony at the University of New Hampshire School of Law on February 2, 2013, presided over by Chief Judge Joseph N. Laplante. A total of 989 citizens were naturalized during judicial ceremonies in 2013. Governor Maggie Hassan attended two of the ceremonies and local elementary and middle school students sang at nine of the ceremonies. Dale Trombley, the Court's Financial Administrator, sang the national anthem at seven of the ceremonies.

Criminal Justice Act (CJA)

The Court's CJA Panel accepted 198 appointments in 2013. At the annual business meeting on December 13, 2013, Attorney William Christie was re-elected to another three-year term as District Representative and Attorney Brian Quirk was selected by CJA Panel members to succeed Attorney David Bownes for a three-year term on the Panel Selection Committee. Topics presented at the business meeting CLE included First Circuit and United States Supreme Court Law Updates, Changes to the Mandatory Drug Sentencing Laws, and Effective Use of Experts/Expert Trial Issues. Attendees received three CLE credits from the New Hampshire Bar Association for this training.

The meeting also included a discussion of CJA cost containment measures. In addition to the cost containment measures implemented in 2012, the Court established rebuttable presumptive maximum rates for paralegal work and work completed by partners and associates, placed a rate cap on in-house and out-sourced photocopying, and established a requirement that all paralegal work be billed on a Form CJA 21.

Public Outreach

The Court hosted a number of events at the Rudman Courthouse this year, including a memorial service for Senator Warren B. Rudman on January 25th, a swearing-in ceremony for Representative Ann McLane Kuster on January 10th, and a swearing-in ceremony for Representative Carol Shea-Porter on February 1st.

Throughout the year, the Clerk of Court, the Chief Deputy and the judges met with visiting foreign judges and lawyers, as well as school groups, to discuss the American legal system. In November, Dan Lynch and Pamela Phelan participated in the University of New Hampshire School of Law/New Hampshire Judicial Branch program entitled "Law School for Journalists."

Also in November, the Court hosted a CLE in conjunction with the New Hampshire Judicial Branch and the University of New Hampshire School of Law. The CLE featured Dr. David Matsumoto, a renowned psychologist and expert in the field of microexpressions, gesture, nonverbal behavior, culture and emotion. Dr. Matsumoto's presentation and workshop focused on evaluating truthfulness and detecting deception. The sessions explored how to identify deception cues, read emotions in others, detect and read nonverbal behaviors, and the psychology of truth-telling and lying. During the final segment of the presentation, a panel of local mediators joined Dr. Matsumoto to discuss how practitioners can leverage the techniques and information learned to enhance their negotiation skills and mediation practice. Approximately 180 members of the bar attended the event and the Court received very positive feedback about the program.

Civic Involvement

Court employees continued to contribute to the local community in 2013 through volunteer work and charitable donations. During the holiday season, the Court participated in the Capital Region Food Drive and sponsored eighteen local children through Operation Santa Claus. Court employees participated by donating money, shopping, wrapping and delivering gifts.

In conjunction with Probation/Pretrial Services employees, members of the Court staff participated in the Manchester Police Department's Footrace for the Fallen to raise money for the Manchester Police Athletic League, a nonprofit organization that provides recreational activities to low-income youth and families. Dan Lynch and Tracy Uhrin volunteered as moot court judges at the University of New Hampshire School of Law, and Tracy Uhrin served as the program co-chair of the Gajarsa American Inn of Court. Dan Lynch and Pamela Phelan participated as members of the Daniel Webster Chapter of the American Inns of Court.

In addition, Dan Lynch began teaching as an adjunct professor in the MSU Judicial Administration Master's Program in the fall of 2013. The students learned about the American legal system and engaged in a comparative analysis of foreign legal systems. Finally, many Court employees donated to the Combined Federal Campaign.

BANKRUPTCY COURT DISTRICT OF NEW HAMPSHIRE

Below is a summary report of the activities of the United States Bankruptcy Court for the District of New Hampshire during 2013.

Personnel Changes and Highlights

In 2013, Judge J. Michael Deasy was authorized by the First Circuit Judicial Council to serve as a recall judge for the District from March 11, 2013 to March 12, 2014. He will continue working 40-50% of a full time judge. Judge Deasy continued to serve on the Bankruptcy

Appellate Panel during the year, reducing the need for more expensive travel by other member judges and providing coverage for vacancies on the Panel.

The Clerk's Office was initially staffed with 17 employees. Three positions were eliminated during the year due to lack of funding.

Bench/Bar Programs

The Bankruptcy Court continued to host Brown Bag Lunches. These lunches are organized by the consumer bankruptcy bar and are usually held after Chapter 13 hearings.

Internal Operating Procedures

During 2013, administrative staff in the Clerk's Office updated the internal controls manual. The COOP Committee continued updating the COOP Plan for the Court. As part of the COOP Plan, certain Court employees will be expected to telework. All staff currently have that capability. In April 2013, the Court implemented Over the Counter Channel Application (OTC) which is a web-based portal that enhances the financial daily deposits.

The Court converted approximately 100 WordPerfect internal used forms to CM/ECF generated forms. The Bankruptcy Court staff worked in conjunction with the Rhode Island Bankruptcy Court staff to complete the required yearly internal audit.

Special Conferences/Seminars

In 2013, Chief Judge Harwood attended Phase I and Phase II training, the FJC Bankruptcy Judges' Workshop, and the annual meeting of the American College of Bankruptcy. He was one of four panelists at a program entitled "An Insider Look at Bankruptcy" at the FJC in Washington. He was also a speaker at the following conferences: the National Conference of Bankruptcy Judges' Annual Meeting; the American Bankruptcy Institute's Annual Spring Meeting; the ABI's "Views from the Bench" program at Georgetown Law Center; the ABI's Northeast Bankruptcy Conference; the ABI's Winter Leadership Conference; and the Massachusetts Institute for Continuing Legal Education's Bankruptcy Law Forum.

Intra-District Activities

In 2013, the Bankruptcy Court, the District Court, and the Probation and Pretrial Services offices continued holding regular meetings to discuss administrative matters. These meetings were attended by Chief Judge Bruce A. Harwood, Chief Judge Joseph Laplante of the District Court, court unit executives, and their deputies, with the judges attending every other meeting. The District Court and the Bankruptcy Court officially implemented sharing services in the procurement area. In September 2013, Chief Judge Bruce A. Harwood conducted a naturalization ceremony on behalf of the District Court.

Local Educational Training

All staff were given the opportunity to attend local training for MS Word 2007, MS Word 2010, MS Excel 2007, MS Excel 2010, Crystal Reports, and Adobe Acrobat XI. Twenty-six courses were attended by eleven employees.

National Training Programs

In January 2013, a new clerk audit was completed. The Clerk of Court and Chief Deputy Clerk attended FAST ICE Training. The Administrative Office conducted an IT Security Assessment in July 2013. In November 2013, Bankruptcy Court staff members who were eligible to retire within five years were able to participate in private retirement training sessions initiated by the Administrative Office and hosted by the District Court. CHAP training occurred for Chief Judge Harwood and his chamber's staff. One employee attended statistical training hosted by the Administrative Office.

Local Rules

New Local and Interim Bankruptcy Rules, Administrative Orders, and Local Bankruptcy Forms took effect on February 1, 2013. Increase to new claims transfer and other certain filing fees became effective on May 1, 2013. Federal Rules and Official Form changes and other certain filing fees became effective on December 1, 2013.

Statistical Information

During 2013, the Bankruptcy Court experienced an overall decrease in bankruptcy case filings of 20.1%, which was higher than the national trend. For the 12-month period ending December 31, 2013, case filings totaled 3,231 in New Hampshire. Chapter 7 case filings totaled 2,426 (20.3% decrease), Chapter 11 case filings totaled 33 (0% change), and Chapter 13 case filings totaled 772 (17.2% decrease). The number of adversary proceedings filed in the District totaled 163 (19% increase).

PROBATION AND PRETRIAL SERVICES DISTRICT OF NEW HAMPSHIRE

Personnel Changes and Highlights

Melissa Elworthy, U.S. Probation Officer, transferred to the District of Maine on July 12, 2013. Matt Farwell, U.S. Probation Officer, transferred from the District of Colorado on August 12, 2013. Eric Swanson, Systems Administrator, transferred to the U.S. District Court on September 6, 2013.

Pretrial Services

In FY 2013, the District of New Hampshire realized an 18% decrease in pretrial activations (145 activations), reaching its lowest number since FY 1995 (143 activations). Although there was a slight increase from FY 2011 to FY 2012, pretrial activations have been steadily declining over the past five years. Cases received on pretrial supervision have followed the same trend, with activations down by 24% in FY 2013.

New Hampshire's pretrial detention rate increased by 3% from FY 2012 to FY 2013; however, it is 10% below the First Circuit average of 60%. Pretrial supervision investigations decreased for the first time since FY 2010. Of that decrease, the most notable was the decline in pretrial supervision violation investigations. There were 22 pretrial supervision violation investigations in FY 2013, the lowest number since FY 1994 (15 investigations).

Presentence Investigations

A total of 151 presentence investigation reports were completed during FY 2013, an 11% decrease from 2012. This number also represents a sharp decline (32%) from the number of investigations completed in FY 2011. The 2013 average submission time for presentence reports was 110.49 days, a 4% decline.

FY 2013 also saw a change in the types of cases received by the Pretrial Services Office. Specifically, the Office received more multi-defendant prescription medication cases, as well as immigration and sex-related cases.

Post-Conviction Supervision

In FY 2013, the Supervision Unit underwent numerous changes with respect to both personnel and process/practices. The Unit achieved dramatic improvements in the timely submission of case plans by U.S. Probation Officers. U.S. Probation Officers increased field work (especially during "non-traditional" hours), field work in pairs (rather than individually), and telework. The Supervision Unit implemented additional changes to help reduce paperwork and increase overall efficiency.

There were a total of 390 cases on active supervision in FY 2013, a slight increase from FY 2012. There were 179 cases closed from active supervision in FY 2013, 53 of which were closed due to revocation.

Fiscal year 2013 saw an increase in revocations for the third straight year, for a total of 45 revocations. The increased revocation rate coincides with a riskier offender population, as there was a 3% increase in the average Risk Prediction Index (RPI) score among active supervision cases, from 4.12 in FY 2012 to 4.26 in FY 2013. Of those revocations, drug use made up 40% of all revocation types. In FY 2013, the overall revocation rate of active supervision cases rose for the fifth straight year, to 30%.

In FY 2013, 25 cases were terminated early from supervision, the most in five years, realizing a total savings of \$95,991.41.

LASER Docket Program

The District of New Hampshire began a pilot “front-end” drug court program in July 2010. The Law-Abiding, Sober, Employed, and Responsible (LASER) Docket is a cooperative effort between the Court, the United States Attorney’s Office, the United States Probation Office, the United States Marshal Service, and the Federal Public Defender’s Office. LASER is a rehabilitative court program for individuals involved in the federal criminal justice system which offers a creative blend of treatment and sanction alternatives in an effort to effectively address defendant/offender behavior, promote rehabilitation, and reduce recidivism, as well as ensure the safety of communities. During FY 2013, three pretrial defendants and three post-conviction offenders were approved for the program, bringing the total number of participants for the fiscal year to six. All of the program participants were medium or high risk cases based on the RPI, with the exception of one. During the course of the fiscal year, one participant graduated from the program while one was terminated.

Treatment Services

In FY 2013, there was an increase of 4% in the number of clients receiving contract substance abuse treatment, as well as a 17% increase in the number of clients receiving contract sex offender treatment. There was an 8% decrease in the number of clients receiving contract mental health treatment, as more clients received mental health treatment via non-contract treatment providers.

Substance abuse treatment costs decreased by 29%, while sex offender treatment costs increased by 5%. Mental health treatment costs also increased, in FY 2013, by 8%. Co-payments for substance abuse and mental health services both slightly increased, while co-payments for sex offender treatment decreased by 28%.

Second Chance Act

On April 9, 2008, the *Second Chance Act of 2007*, Pub. L. No. 110-199, was enacted which authorized the Director of the Administrative Office of the U.S. Courts to contract for “treatment, equipment and emergency housing, corrective and preventative guidance and training, and other rehabilitative services designed to protect the public and promote the successful reentry of the offender into the community” (see 42 U.S.C. § 17501, *et seq.*). The aim of the Act was to reduce recidivism, help offenders rebuild ties with their families, assist them in establishing a self-sustaining life, support evidence-based practices, and protect the public. Districts were allotted funds under the Second Chance Act for offender/defendant support in emergency and transitional services situations. In FY 2013, Second Chance funds were expended on housing, transportation, food/clothing, and other miscellaneous items.

Information Technology

The U.S. District Court Information Technology Department has continued to work closely with Robert Birdsey, the Systems Administrator for the U.S. Probation Office, on several key IT initiatives. Over the course of FY13, the New Hampshire U.S. Probation Office:

- Transitioned staff from Blackberry handsets to iPhones and from DES to Traveler for mobile email;
- Implemented iPACTS for use with iPads and iPhones deployed to staff;
- Implemented Airwatch to effectively manage the new mobile devices and applications;
- Implemented drive encryption for all laptops taken into the field, as well as desktops located in the office;
- Completed PACTS GEN3 Upgrade, together with PPS;
- Geocoded PACTS Addresses for Mapping Tools, trained staff on use and benefit;
- Deployed and trained staff on password management tool; and
- Met milestones in regards to keeping the staff IT hardware current and efficient.

Several IT projects and upgrades are slated to be completed in FY 2014. The Probation Office looks forward to working with the U.S. District Court Information Technology Department on these tasks.

Officer Safety

In March of 2013, Officer Response Tactics (ORT) training was held at the NH Police Standards and Training Council facility in Concord, New Hampshire. This training was led by NTA-certified instructors Karin Hess, Eric Gray, and Christopher Pingree, and covered a range of techniques from the national ORT curriculum, including a dynamic stress drill requiring the application of all techniques practiced throughout the day. Later that same month, several members of the Office took advantage of ORT training offered by NTA-certified instructors in the District of Rhode Island. Thereafter, a series of monthly ORT workshops was offered to all officers in this District. Specifically, these were one-hour sessions which focused on general fitness while incorporating basic ORT skills.

In September 2013, NTA-certified instructors Gray, Pingree, and Matthew DiCarlo provided instruction to officers from both this District and the District of Rhode Island on one-handed survival techniques utilizing non-lethal training ammunition and training pistols.

Additionally, semi-annual firearms qualification and training days were held in October 2012 and May 2013, during which officers participated in a number of drills to enhance their weapons skills. Other firearms practice days were held at various points throughout the fiscal year. In addition, in February 2013 and July 2013, a few of the District's firearms and officer safety instructors participated in firearms training courses at the Sig Sauer Academy in Epping, New Hampshire.

Training and Professional Development

In FY 2013, the District of New Hampshire participated in a number of national and local training seminars, as attendees and/or presenters, including, but not limited to, the following:

FJC Leadership Development Program
Institute for Deputy Chiefs
ATLAS Training & Certification
Appropriations Law for the U.S. Courts
Budget Fundamentals
Basic Procurement
The Judiciary Purchase Card Program
Treatment Services Training
CISM Training
Data Quality Academy
DSS
Location Monitoring
Federal Sentencing Guidelines
U.S.S.C. Guideline Training
Stress Reduction
PACTS Gen3
PCRA Training & Certification

Employee Recognition

During FY 2013, and consistent with the recommendations of the year's peer-based Employee Recognition Committee, staff members were recognized for their outstanding work. Eric Gray was chosen to receive the District Award for Sustained Superior Performance. This award is based on sustained superior performance, such as promoting fitness, displaying a tremendous work ethic, and serving as a role model to the Supervision Unit. He also showed dogged determination in his collection of restitution and fines, highlighted by his work to secure a restitution payment of nearly \$100,000.

Kelley West was chosen to receive the Chief's Award for Quality Improvement based on the precision in which she managed the procurement and property responsibilities, as well as the cost-cutting initiatives that she routinely employed. Of significance, Ms. West was able to obtain surplus mobile phones from the District of Puerto Rico at no charge. She then obtained a credit from E-Cycle for those phones, as well as for the Office's own surplus phones. That figure was then applied to the cost of our new iPhones and accessories, producing a 62% savings.

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

DISTRICT COURT

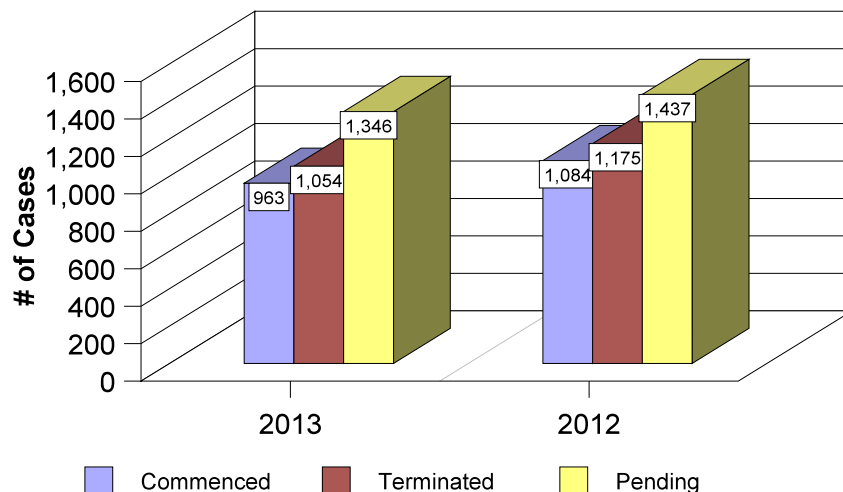
In 2013, the United States District Court for the District of Puerto Rico operated with a Clerk's Office staff of 58 employees, seven interpreters and seven court reporters. Chambers staff for district, senior district and magistrate judges amounted to a total of 38 including one pro se law clerk. The Clerk's Office is located at the Federico Degetau Federal Office Building (adjacent to the Clemente Ruiz Nazario United States Courthouse) at 150 Chardón Street in San Juan, near the banking district, with a satellite office located at the José V. Toledo United States Courthouse in historic Old San Juan. The Court had one district judge vacancy. Six active Article III judges, three senior judges, and four magistrate judges managed the Court's caseload.

Information Technology

The District's IT Department made the following improvements to the computer systems and infrastructure which provide direct support to the Court daily operations:

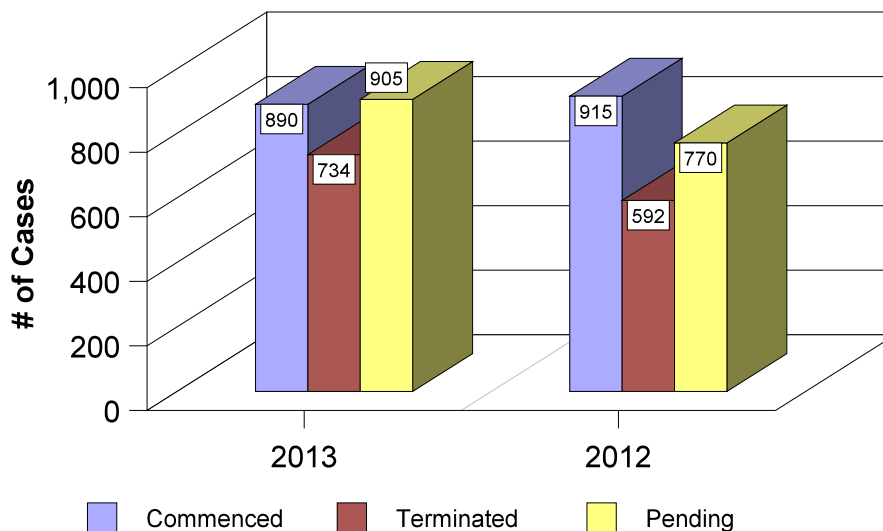
- Novell Ntware to Microsoft Active Directory Migration was successfully completed for both the District Court and the U.S. Probation Office.
- CM/ECF was upgraded from version 4.2 to version 5.1.1 with new 2048 SSL certificates.
- Data Center Centralized UPS was implemented to service and protect all the computer room equipment.
- All existing video teleconferencing equipment for both the District Court and the U.S. Probation Office were integrated into the National VTC Infrastructure. This included implementing the capability to conduct video conferencing via tablets (Apple iPads), and portable and desktop computers.
- The Master Jury Wheel was refilled and the Jury Management System (JMS) application was upgraded to version 7.1.1.
- The Jury Evidence Recording System (JERS) was installed in all courtrooms at both the Clemente Ruiz Nazario and the José V. Toledo U.S. Courthouses. As a result, all juries sitting in the District have ready access to the evidence during deliberations through a touch-screen monitor located in the Jury Rooms.
- The Information Kiosk at the Clemente Ruiz Nazario U.S. Courthouse was reprogrammed with a new iPad/iPhone-like interface.
- A revamped Internet Website was deployed with a new format and features, and upgrades to the Court's Intranet Site are underway.

Civil Cases Commenced, Terminated and Pending 12-Month Periods Ending December 31



Source: Administrative Office of the United States Courts, Civil Caseload Tables (<http://jnet.ao.dcn/resources/statistics/caseload-tables/civil-caseload-tables>): Table C. U.S. District Court – Civil Cases Commenced, Terminated, and Pending During the 12-Month Periods Ending December 31).

Criminal Cases Commenced, Terminated and Pending 12-Month Periods Ending December 31



Source: Administrative Office of the United States Courts, Criminal Caseload Tables (<http://jnet.ao.dcn/resources/statistics/caseload-tables/criminal-caseload-tables>): Table D. U.S. District Court - Criminal Cases Commenced, Terminated, and Pending (Including Transfers) During the 12-Month Periods Ending December 31.

Financial Audit

Kearney and Company conducted an external audit of the financial-related activities of the Court from April 1, 2009 to June 30, 2013. The engagement team performed its site visit on September 9-19, 2013. The external auditors found that the financial statements are presented fairly, in all material respects, and no findings were reported.

Judicial Nominee

On June 26, 2013, the White House issued a Press Release announcing that President Barack Obama nominated Pedro A. Delgado-Hernández to fill the judicial vacancy in the District of Puerto Rico. Mr. Delgado-Hernández received his J.D. *magna cum laude* in 1983 from the University of Puerto Rico School of Law. Besides his vast experience in civil litigation in both state and federal court, as a judge on the Puerto Rico Court of Appeals, and a solicitor general, he served as a law clerk to the Honorable Juan R. Torruella, first on the U.S. District Court for the District of Puerto Rico and then on the U.S. Court of Appeals for the First Circuit.

Student Outreach Programs

Chief Judge Delgado-Colón and other judges continued to regularly receive visiting elementary, high school, and college students to observe court proceedings and ask questions. The Court also served as a venue for induction ceremonies for the Federal Bar Association Student Chapters.

In April 2013, the Court recognized Child Abuse Awareness month by participating in a program co-hosted by the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE) and ICE Homeland Security Investigations (HSI) – together with the Municipality of San Juan. This Child Abuse Awareness program addressed important topics towards prevention of child pornography and other crimes that victimize children.

Continuing Legal Education Programs

Under the direction of the Honorable Carmen Consuelo Cerezo, who presides over the District's Committee of Educational Programs, the Court sponsored several Continuing Legal Education Seminars featuring lectures by nationally renowned speakers. The Court hosts these events to offer members of the bar in good standing the opportunity to earn CLE credits free of charge.

- On May 29-31, 2013, Hiram R. Morales-Lugo, Esq., a renowned international ethics consultant, offered a lecture on *Ethics* which covered a variety of local and federal rules, and the relevant case law. Approximately 700 attorneys attended the program and earned 4 credit hours.

Criminal Justice Act Committee

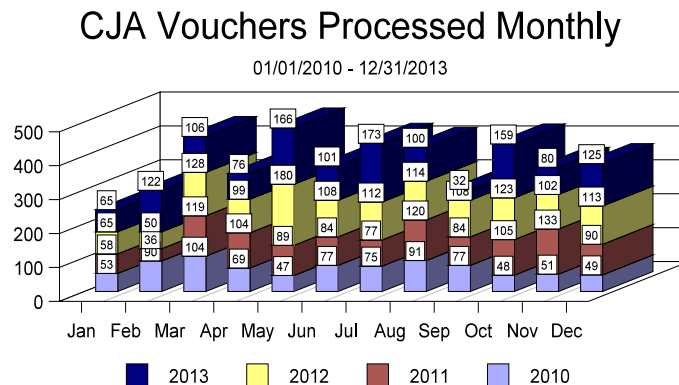
Chief Judge Aida M. Delgado-Colón and the Court's Criminal Justice Act (CJA) Committee undertook a comprehensive review of all aspects of the District's CJA Mentoring Program. The Program, established in 2002, has been an important tool to promote quality representation to indigent criminal defendants pursuant to the CJA and the Local Plan. It consists of pairing attorneys who aspire to become CJA Panel Members with more experienced members who serve as mentors.

As part of its CJA Mentoring Program, the Court regularly provides orientation briefings in topics such as the role of the U.S. Probation Office, bail procedures, and appropriate billing and vouchering. The Program also includes a schedule of Court events which the attorneys must attend. As a result of the review, the Program was revamped to include additional requirements, time limitations, and more active participation of attorneys, alongside their mentors.

Criminal Justice Act Program

The District adopted additional measures to comply with CJA Guidelines and budgetary restrictions. These measures were structured to address the high number of multi-defendant criminal cases filed in the District, since cases involving multiple defendants can be more complex, more costly per defendant, and similarly represent additional taxation of the Court's already limited resources. Among others, the Court has adopted the following directives: presumptive rates for experts, investigators, and paralegals; and fixed travel rates for the commute between an attorney's office, the courthouses, and the Metropolitan Detention Center. Absent court approval, hourly and travel rates may not exceed the presumptive or fixed rates.

The number of Criminal Justice Act (CJA) vouchers filed in the District continued to increase steadily due to the dramatic rise in criminal cases. The Clerk's Office provided CJA Panel attorneys and their staff, as well as experts, with training on the CJA eVoucher Program on a regular basis throughout the year.



District Bar Examination

The Court offered two district bar examinations in April and November 2013 to 565 examinees, of which 264 passed. The passing rates were 38 and 58%, respectively. A total of 183 attorneys were admitted to practice in the District during calendar year 2013. (This figure includes attorneys who passed the test in previous years, as well as other admissions.) The next district bar examination will be administered in May 2014.

Civil Pro Bono Program

During Fiscal Year 2013, a total of fifty attorneys were randomly selected to serve on the Civil *Pro Bono* Panel of which two were exempted pursuant to Local Civil Rule 83L(e). A total of thirty *pro bono* appointments were made, ten more than in Fiscal Year 2012. The *Pro Bono* Panel continues to be a great success.

Naturalization Ceremonies

During calendar year 2013, the Court held 12 naturalization ceremonies during which 873 persons were sworn in as new United States citizens.

Human Resources

During 2013, the Human Resources Department continued to improve upon the use of technology in order to keep the employees abreast of new changes, topics of interest, and valuable hints to better understand and use benefits as federal employees. The Deptment also optimized the use of web-based orientation tools provided by the Administrative Office's Federal Judiciary Benefits Program on a variety of resources, such as the Employee Assistance Program (EAP), Thrift Savings Plan (TSP), Office of Personnel Management (OPM), the Federal Long-Term Care Insurance Program (FLTCIP), and Federal Occupational Health (FOH), among others.

The Court had a year-round internship program sponsored by the judges. Students from a wide range of law schools throughout the United States and the Puerto Rico area are afforded the unique opportunity to put their knowledge into practice while gaining hands-on experience as law clerks. Besides being given the opportunity to work directly in the judges' chambers and acquaint themselves with federal litigation practices, students benefit from networking with judicial law clerks and earning work experience before graduation. Each of the judges embrace his/her role in serving as a mentor for these future attorneys.

International Judicial Programs

The judges have remained committed to contributing to quality judicial and educational programs, such as the Judicial Studies Institute (JSI) of the United States Department of Justice and the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), which works to enhance the capabilities of foreign justice sector institutions. The Court is proud to host JSI-OPDAT visitors at least twice a year.

During 2013, the Court was visited by judges from Spain, El Salvador, Mexico, Uruguay, and Colombia, as part of the JSI program. During these visits, the judges attended various proceedings before Chief Judge Delgado-Colón and other district and magistrate judges. They were offered a demonstration of the state-of-the-art courtroom technology available throughout all courtrooms, including an overview of the Case Management/Electronic Case Filing (CM/ECF) system. The visits also included a presentation on court security by the U.S. Marshals Service.

BANKRUPTCY COURT DISTRICT OF PUERTO RICO

Information Technology

During FY 2013, the IT Division of the U.S. Bankruptcy Court for the District of Puerto Rico fine-tuned the telephone system, tested the Courtroom Technology installed, and completed the final network and workstations setups for the new Ponce divisional office.

Also, staff installed scheduled CM/ECF upgrades, now running version 5.1, the last version before the NextGen version that is in the developmental stage by the AO.

The Court worked on the CM-Assist configuration and training in support of the projected organizational structure change. CM-Assist is an application developed by the Western District of Oklahoma Bankruptcy Court that aids in the workload distribution. During the organizational structure change, employees were relocated into new assigned areas. In light of the reduction in operations personnel, systems personnel began to assist on specific operational duties, such as ECR duties during hearings and entering transfer of claims when required. Also, in order to standardize the forms and improve the case management process, word processing forms used for case management were converted to Java Server Pages (JSP) files within CM/ECF.

During this fiscal year, the Office activated all its Video Conference endpoints on the National Video Teleconferencing Service (NVTCS) provided by the AO. The Office worked with the cyclical replacement and excess equipment classification for disposition. The Office also assisted with the Local Rules publication and Local Rules seminar given to the bar and provided technical support to District Court and Circuit Executive's Office when requested.

Case Management

The Court embarked on the revision of the judges' electronic catalog order (CAOS) and procedure manuals. A single document called the Quick Reference Guide "QRG" was created in order to improve employees' management of judicial procedures.

Intensive training of the operations staff on the procedures and the new case management tool ("CMA") continued. CMA assists in the work distribution and monthly case managers' meetings. Additional work tools were adopted, such as a consolidated hearing coverage monthly calendar to assign operational resources and coordinate staff annual and sick leave. Meetings with the judges and chambers staff to clarify expectations and procedures were also held regularly.

In addition, administrative staff in finance, systems and human resources were trained to assist with operations, including tasks such as Fast-Track hearings, ECR and the transfer of claims.

Educational Training

Training was provided based on identified organizational needs, external and internal opportunities, employee and/or supervisor requests and availability of funds. Training focused on information security awareness, emotional intelligence, teamwork, customer service, and happiness and wellness in the workplace. The Benefit for Life Hour webinars provided by the Administrative Office, Benefits Division, were also available for employees.

Court personnel also traveled to participate in training programs, such as: the National Education Conference for Clerks and Chief Deputies of the U.S. Bankruptcy Court; Human Resources Management Information System (HRMIS) Leave Tracking; Bankruptcy Courts Statistics Training; Java Server Faces (JSF) Training; and Internal Control Evaluation (ICE) Training.

Recognition Awards

The administrative staff was recognized for their continuous improvements. Several staff were also recognized for their outstanding participation in the local rules updating project and their contributions to the reopening of the divisional office. Recognition was also given to Claribel Burgos, Budget & Procurement Administrator, for her contribution to the reduction of contract costs, which helped maximize the use of limited court funds.

Construction Projects

During FY 2013, the Court oversaw the completion of construction-related punch list items at the Ponce facility. The facility received the U.S. Green Building Council Leed Gold Certification.

The opening ceremony of the Ponce facility was held in March 2013. Present at the ceremony were circuit and district judges, local dignitaries, members of the Ponce bar and the Bankruptcy Court Clerk's Office personnel.

The disposition of excess property was concluded and 3000 square feet of storage facility was vacated during the construction of the new space.

Special Conferences Programs

A New Local Bankruptcy Rules Seminar was sponsored by the Court in June 2013. The bankruptcy judges, clerk, and trustees participated in a panel discussion with members of the Federal Bar Association. The seminar was well attended.

Also, the Court sponsored a seminar in November 2012 on Chapter 13 cases. Speakers included the bankruptcy judges, clerk's office staff, Chapter 13 trustees' staff and counsel.

Judge Enrique S. Lamoutte attended the ABI Caribbean Insolvency Symposium, the ABI Northeast Bankruptcy Conference, the FJC National Workshop for Bankruptcy Judges and the National Conference of Bankruptcy Judges. Judge Lamoutte also participated in the Trial Advocacy Competition in Puerto Rico.

Judge Brian K. Tester attended the ABI Caribbean Insolvency Symposium, the ABI Spring Meeting, the ABI Northeast Bankruptcy Conference, the 25th Annual Leadership Conference as a guest speaker, and the FJC National Workshop for Bankruptcy Judges and the Puerto Rico Bankruptcy Bar Workshop. Also, Judge Tester participated as a panel member judge and mentor for the Duberstein Moot Court Competition. He was a lecturer in the Bankruptcy Practices Seminar, sponsored by the local chapter of the Federal Bar Association, continued work as Chairperson of the Local Bankruptcy Rules Committee, and taught classes in bankruptcy at the Interamerican University School of Law in San Juan, Puerto Rico.

Judge Mildred Cabán attended: the Federal Judicial Center's conferences, the National Conference of Bankruptcy Judges and the Hispanic National Bar Association's Annual Conference. She served as a speaker at the American Bankruptcy Institute's Northeast Conference and Insolvency Symposium, and participated as judge at the Trial Advocacy Competition in Puerto Rico. Also, Judge Cabán was Chair of the Hispanic Bar Liaison Committee for the National Conference of Bankruptcy Judges.

Judge Edward A. Godoy served as an evaluator for the Interamerican University Trial Advocacy Competition, and spoke at a workshop for state court judges on the interplay between bankruptcy and local law. He was a speaker at the Northeast Conference, and attended the National Workshop for Bankruptcy Judges, offered by the Federal Judicial Center, and a seminar on Federal Criminal Appellate Practice, sponsored by the Court of Appeals for the First Circuit.

Involvement in New National Programs

Judge Mildred Cabán offered various financial literacy education classes to elementary, middle and high school students in Puerto Rico under the American Bankruptcy Institute's Credit Abuse Resistance Education (known as C.A.R.E.). Judge Cabán assisted with updating and revamping the National Conference of Bankruptcy Judges' Committee outreach website.

Statistics

In FY 2013, there were 10,726 new bankruptcy filings, an overall 2% increase over FY 2012. The filings by chapter were as follows: Chapter 7 (3,783 cases); Chapter 11 (222 cases); Chapter 12 (22 cases); and Chapter 13 (6,699 cases).

PROBATION AND PRETRIAL SERVICES OFFICE DISTRICT OF PUERTO RICO

During FY 2013, the Office remained committed to assisting offenders to lead law abiding lives and ensuring the protection of the community, while assisting the Court in the fair administration of justice. The Office's staff of over 110 employees continued to improve the Organization while upholding the highest standards of the U.S. Probation and Pretrial Services system.

Court Services

During FY 2013, the Court Services Division in the District of Puerto Rico increased the number of officers to 27 full-time, one part-time, two Probation Officer Assistants (POAs) and one Task Force Probation Officer, for a total of 30 officers conducting pretrial and presentence investigations. However, during the fiscal year, two officers transferred out of the District and one officer transferred to another federal agency.

The Division continued to respond to a significant increase in new cases resulting from the implementation of government initiatives to tackle crime on the Island. The addition of several officers to the Division provided an enhanced capacity to effectively comply with Office duties while fulfilling the needs of the Court and other law enforcement dependencies. Officers assigned to the Court Services Division continued to be responsible for the completion of all

bail and presentence reports, pretrial diversion reports, crack cocaine retroactivity motions, and collateral responses to other Probation and Pretrial Offices and other law enforcement agencies.

Pretrial Services Investigations

Cases activated (statistically opened) amounted to 1,896 during FY 2013. The District continued to report the highest activations for the First Circuit.

Additionally, 42 pretrial diversion cases were activated during this period, again the highest for the First Circuit. Pre-bail reports were submitted to the Court on 1,873 cases.

As is customary for the District, controlled substances cases remained the highest type of offenses, representing 52.2% of the total. Property offenses amounted to 346 (18.2%), weapons and firearms charges amounted to 13.6%, and immigration cases to 6.9%.

Workload

As reflected in Table 1, Pretrial Services made recommendations in 1,857 cases. The U.S. Attorney's Office made recommendations in 1,809 cases. The U.S. Attorney's Office's recommendations for detention surpassed the Office's recommendations by 12.7%.

Table 1

<i>Pretrial Services and U.S. Attorney's Office Recommendations</i>					
<i>Type of PSO Recommendation Made</i>			<i>Type of AUSA Recommendation Made</i>		
<i>Pretrial Recommend</i>	<i>Detention</i>	<i>Release</i>	<i>AUSA Recommend</i>	<i>Detention</i>	<i>Release</i>
1,857	1,280 (68.9%)	577 (31.1%)	1,809	1,405 (81.6)	333 (18.4%)

Presentence Investigations

The Division completed 1,429 Presentence Investigation Reports (PSI's) and six (6) modified presentence reports. Investigations included extensive and time-consuming multi-defendant drug conspiracies, sex offenses, immigration, and fraud cases. Additionally, there was a major increase in weapons cases, due mostly to the above-mentioned government initiatives to prevent crime on the Island.

Table 2

<i>Presentence Investigation Reports</i>	
<i>FY 2012</i>	1,210
<i>FY 2013</i>	1,429

The Court Services Division was able to fully complete the implementation of PACTS PSX and continued to work to improve the efficiency by the use of technology. The Division also developed local PSX templates in order to assist the officer in producing an improved presentence report.

Supervision Division

During FY 2013, the Supervision Division of the District continued to experience workload growth. Table 3 shows the total number of cases that were on pretrial and post conviction supervision during FY 2012 and FY 2013. In line with Judicial Conference policy, emphasis was placed in evidence based practices. The number of early terminations on cases that met the criteria and the level of supervision for higher risk cases increased. The Office also participated in Wave 2 of the National STARR program implementation to train 25 officers in the use of this core correctional practice aimed at reducing recidivism.

Table 3

<i>Persons Under Supervision</i>	<i>FY 2012</i>	<i>FY 2013</i>	<i>% Change</i>
Pretrial Services (and Diversion) Supervision	1,056	1,031	-2.4%
Post Conviction Supervision	2,492	2,581	3.5%

During FY 2013, the post conviction revocation rate dropped by approximately 3% (see Table 4). The Office had the lowest revocation rate for a district this size and the third lowest among all 94 districts. It is interesting to note that there was a significant increase in the cases closed by early termination in comparison to FY 2012, and even prior years. The revocation rate for pretrial supervision cases was less than 1 percent.

Table 4

<i>Cases Revoked and Closed</i>		
	<i>FY 2012</i>	<i>FY 2013</i>
Total Cases Closed	506	724
Cases Closed by Early Termination	28	164
Revocations	76	91
Revocation Rate	15%	12.6%

Information Technology / PACTS

The following were the most significant infrastructure, services and software implementations during FY 2013:

1. Implementation of the National Video and Portable Tele-Conferencing (VTC). This solution integrated all the video teleconferencing equipment into the national video-teleconferencing solution, providing more flexibility and savings in dedicated data lines. It added flexibility to conduct regular video conferencing sessions inside the DCN using portable devices like Apple iPads or directly from the desktop computers, thereby enabling officers to complete the Form 1 interviews from virtually any place.
2. Implementation of Judiciary Electronic Document Imaging system (JEDI). JEDI is an application that runs on the CM/ECF server, extracts predefined documents and uploads them into PACTS, while keeping chronologically recorded receipts of these documents. The implementation of JEDI minimized the time-consuming task of uploading documents submitted to the Sentencing Commission and the Bureau of Prisons. More than 2,018 documents have been uploaded since the implementation.
3. Implementation of AJIS Comply. AJIS Comply is a reporting system that provides an effective and efficient tool to schedule, notify and track the mandatory drug-testing compliance of offenders and defendants. There were 456 defendants/offenders enrolled in the system.

Firearms Training / Security and Safety

During FY 2013, there were three (3) re-qualifications held in October 2012, February and June 2013, and one initial firearms qualification held in March 2013. Thirty-eight (38) officers were qualified and authorized to carry duty-issued firearms during the fiscal year.

During FY 2013, 61 United States Probation Officers and Task Force Officers assigned to the District of Puerto Rico were offered 64 hours of defensive tactics training, including the mandatory 16 hours required by the Administrative Office. In addition, four (4) additional hours

of training were provided to the support staff, for a total of 68 hours of defensive tactics training. There were two (2) hazardous incidents reports filed through SIRS.

Community Outreach

During FY 2013, the Office continued to emphasize community outreach activities mainly targeting at-risk youth, abused minors, and disadvantaged communities. An outreach team led by one of the supervisors conducted 17 activities at public and private schools, universities, and non-profit organizations, positively impacting the community.

ADMINISTRATION

Budget Allotment Profile Fiscal Year 2013 - U.S. Probation and Pretrial Office

The U.S. Probation Office received a total of \$8,915,610 which was allotted as \$7,068,687 in salaries, \$394,447 in operation expenses, \$1,110,316 for law enforcement expenses, and \$342,160 in the automation fund. The Office continued to receive automation support from the Office of the Clerk's Systems Department, through a Memorandum of Understanding established between Court units. This year, \$193,550.00 was transferred to the Clerk's Office from the salary allotment to cover this service. Also, \$15,000.00 was transferred for an architect position, and \$46,152 for various shared expenses. The total amount transferred to the Clerk's Office in FY 2013 was \$254,702. In the continued efforts to provide the staff with the best available training, \$46,461.89 was allotted for that purpose, with \$39,071.14 assigned for training, travel, and \$7,390.75 for enrollments.

ORGANIZATION

Human Resources

During FY 2013, the Office received and reviewed sixty-eight (68) employment applications. Thirty-one (31) qualified and tested applicants were interviewed. Four (4) Probation Officers and one Operations Support Technician were hired. During the reported period, seven (7) staff separated due to expiration of contract, early retirement, transfers, or disability retirement. Thirty-one (31) Time Off Awards were granted in FY 2013, in accordance with the Performance and Recognition Policy.

Training and Conferences

A total of 31 training sessions were facilitated for employees during FY 2013, according to the records in SIRS. The total training hours for FY 2013 was 2,107.

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

DISTRICT COURT

In 2013, the U.S. District Court for the District of Rhode Island had the honor of hosting a sitting for a former justice of the United States Supreme Court. In August, Associate Justice Elena Kagan attended a Courthouse reception attended by the Court's judges and members of the local bar. In October 2013, former Associate Justice Sandra Day O'Connor was the featured speaker at the Court's 2013 District Conference.

The year 2013 was also a time of transition at the Court. In December 2013, U.S. District Judge Mary Lisi completed her seven-year term as Chief Judge, and U.S. District Judge William Smith began his term as Chief Judge.

Events, Ceremonies, and Programs

The Court's Board of Bar Admissions conducted its annual lecture series for prospective federal bar members in January 2013. The lectures, featuring the Court's judges and experienced members of the federal bar, covered federal court practice/local rules, jurisdiction, criminal procedure, and bankruptcy. Court staff also gave presentations on CM/ECF and courtroom technology. Approximately 120 attorneys received 10 CLEs for their attendance. A formal admissions ceremony for the new members of the bar was held on February 15, 2013.

The Court held two special naturalization ceremonies in 2013. One was held on July 3, 2013 at McCoy Stadium in recognition of Independence Day, with Magistrate Judge Patricia Sullivan presiding; and a second was held on September 17, 2013 at Roger Williams Memorial Park in recognition of Citizenship Day, with Magistrate Judge Lincoln Almond presiding.

On August 19, 2013, Associate Justice Elena Kagan visited the Courthouse. Justice Kagan visited Rhode Island for the annual reading of the Washington-Seixas letter at the Touro Synagogue in Newport, Rhode Island, and to participate in a public forum celebrating the 350th anniversary of the Rhode Island colonial charter. Justice Kagan met with Court staff, and attended a reception in the Courthouse lobby with the Court's judges, dignitaries, and members of the Court's bar.

On October 10, 2013, the Court held its 2013 District Conference, titled, "Creativity and the Courts" at the Omni Providence Hotel. Judges from the Court of Appeals, District Court, and Bankruptcy Court, along with members of law school faculties, the bar and Court staff, participated in the day-long conference that covered a wide range of topics, such as: the effect of technology on the Fourth Amendment; a discussion on the legal framework for municipal bankruptcies; and alternatives to incarceration in criminal sentencing. The 2013 District

Conference was capped by a lunchtime talk given by retired Associate Supreme Court Justice Sandra Day O'Connor. 210 members of the bar attended the Conference, and received 6.5 CLE credits.

The Court held its annual CJA Panel Luncheon on December 19, 2013. The speaker was Dan Simon, Professor of Law and Psychology at the Gould School of Law at the University of Southern California, who gave a presentation on his recent book, *In Doubt: The Psychology of the Criminal Justice Process*. The luncheon was attended by 24 attorneys from the District's CJA Panel and the Federal Public Defender satellite office. Professor Simon gave a presentation in Courtroom 1, which was attended by the district and magistrate judges, members of local law enforcement, and the bar. Attendees received 1.5 CLE credits.

Human Resources

The Court's Jury Administrator, Ron Fortes, retired after 20 years of service to the U.S. District Court. Mr. Fortes's departure led the Court to reorganize the jury office, and split the jury duties between current staff members Michael Simoncelli and Wendy Geile.

The Court began to use the ePerformance application, which enables managers and supervisors to create, document, and track performance management documentation and evaluations for employees. Implementation involved setting up the current Performance Management Plan criteria in HRMIS, importing all the current performance appraisal forms, as well as designing and delivering customized training to all employees.

Court staff participated in CPR/AED (Red Cross) training, a retirement (FEC) seminar, and ePerformance training.

Case Management

The Court continued to manage two extensive civil litigations and added a third in 2013, in addition to its regular caseload. Since 2007, Judge Lisi has managed the *In re: Kugel Mesh* multi-district litigation. By the end of 2013, the Court had 916 pending cases related to this matter as a part of its caseload in addition to over 150 *Kugel Mesh* cases directly filed in this Court. Judge John McConnell continued to handle the case filings related to the MERS mortgage foreclosure cases, which began in 2011. At the end of 2013, the District had 624 pending cases related to the MERS mortgage foreclosure actions. Finally, Chief Judge Smith agreed to take on the Loestrin 24 FE Antitrust MDL litigation in October 2013, and 12 MDL cases in this matter were pending at the close of 2013.

The Court upgraded to versions 6.0 and 6.1 of CM/ECF, and began to use Pay.gov to accept *pro hac vice* fees in 2013.

The Court updated its Jury Selection Plan on October 1, 2013, and the amendments were approved by the First Circuit Court of Appeals on October 21, 2013.

Information Technology

The District of Rhode Island went live on the National IP Telephony Service (NIPT) on May 14, 2013. John Etchells and Richard Realejo of the District's IT Department, along with Fred Mielbye from the First Circuit, worked closely with the AO and the AT&T IPT team to procure, set up and configure the VOIP telephone system in the Courthouse and John O. Pastore Building. The new VOIP system eliminated the use of the Court's existing phone switch and Verizon PRI phone lines, which resulted in a savings of \$25,000 per year, as well as the cost of the maintenance and support on the phone switch.

Space & Facilities

The District of Rhode Island underwent an Asset Management Planning (AMP) Review in 2013. The resulting AMP Report provided the Court with a comprehensive picture of the existing space conditions, current space needs, and options for future housing strategies.

As part of a renewed set of initiatives to reduce space, Courts were asked to look at their footprints, and identify potential areas for reduction. The District of Rhode Island was able to reconfigure a portion of its operation, and freed up a significant amount of space in the John O. Pastore Building. This space was returned to GSA, and allowed local GSA operations to move from leased space back into a federally-owned building.

Other Accomplishments

The Court's Local Rules Review Committee (LRRC) began the yearly review of the Court's local rules with a call for suggested changes in February 2013. The LRRC held three meetings throughout the spring to consider suggested changes from the Court, the bar, and the public, before submitting its final report on June 30, 2013. The Court eventually adopted 15 local rules amendments that became effective on December 2, 2013.

In 2011, the Court rolled out a database containing all of the criminal jury instructions given in the Court from 2007 to present. The database allowed attorneys to search the available jury criminal instructions by keyword, category, judge, or date. In addition to updating that database with new jury instructions issued in 2013, the Court worked with a subcommittee of the Federal Bench-Bar Committee of the Rhode Island Bar Association to create a companion civil jury instructions database. The companion civil database went live in October 2013.

The District and Bankruptcy Courts developed a Memorandum of Understanding for shared procurement services. In addition, the District of Rhode Island developed an MOU for shared IT services with the District of Massachusetts.

District Court Statistical Caseload Profile Summary of
12-Month Period Ending December 31, 2013

Total Filings (Civil & Criminal, Including Criminal Case Transfers)	1,180*
Civil Filings	958*
Criminal Cases	184
Terminations	2,075
Cases Pending	2,425*
Trials	24
Median Time for Civil Cases (from filing to disposition)	36.5 months**
Median Time for Criminal Felony Cases (from filing to disposition)	7.6 months
Civil Cases Three Years or Older	819*

*The total number of civil filings and/or Pending Three Year Old Cases includes *In Re: Kugel Mesh* MDL cases and Loestrin 24 FE Antitrust MDL cases.

**The median disposition time for civil cases is also affected by a large number of long-pending MDL cases. The median disposition rate increased from 11.1 months to 36.5 months from 2012 to 2013.

BANKRUPTCY COURT DISTRICT OF RHODE ISLAND

Programs and Accomplishments

The Bankruptcy Court participated with other federal units in the District (District Court, Probation and Pretrial, Federal Defenders, U.S. Trustee and U.S. Attorney) to perform the asset management program review with staff from the Administrative Office, the General Services Administration and the Circuit Executive's Office, to identify and define the housing needs for the Rhode Island Federal Courts for the next ten years.

The Bankruptcy Chambers Access Program, an electronic calendaring, chambers workflow and order creation program, developed by the U. S. Bankruptcy Court in the District of Massachusetts, was implemented in Rhode Island in April.

An internal clerk's office committee developed enhanced captive training modules for the electronic filing users, by adding voice-over instructions and developing new modules to

assist with filing in the ECF system. The Court currently maintains 27 modules to address the training needs of debtor and creditor attorneys, as well as limited use filers.

The CMAssist program was developed by the Bankruptcy Court for the Western District of Oklahoma to document quality control review work and to improve operational efficiency by prioritizing and distributing work to case managers. In 2013, the automation department created a new server for the application and upgraded it to Version 8.1.

The Court successfully completed its upgrade to Version 5.1 of CM/ECF on April 29, 2013, which included new functionality for the electronic filers and court users, including a limited query display optimized for mobile users.

Due to staffing reductions in 2013, the Court discontinued the Credit Abuse Resistance Education program.

The Court implemented eFIN, an electronic financial management filing module in December, permitting approved personal financial management course providers to file the Certificate of Debtor Education electronically without requiring registration as limited filers in the Court's ECF system. The program is accessed through the Court's website.

The Court implemented ePOC, an electronic proof of claim filing module permitting creditors to file proofs of claim without requiring registration as limited filers in the Court's ECF system. The program is accessed through the Court's website.

The Court also implemented iLeave, a new web-based leave tracking software system that allows leave requests to be submitted and approved electronically. Leave information may be viewed by Court staff from any computer with internet access (user name and password required).

Bankruptcy Judge Joan Feeney of the District of Massachusetts, with the assistance of Clerk of Court Susan Thurston, conducted an oral history examination of retired Bankruptcy Judge Arthur N. Votolato in August for the American College of Bankruptcy Archives Project.

The Clerk's Office implemented the AO's new web-based training delivery system which allows on-line training registration and tracks individual training activities. Users have on-line access to their own training records, while managers may monitor training for employee development.

Bankruptcy Judge Diane Finkle and Clerk of Court Susan Thurston worked with the Circuit Executive's Office, the General Services Administration and Property Manager C.B. Richard Ellis to complete the lease renewal process at 380 Westminster Street, Providence, Rhode Island, and the planned tenant improvement project.

Local Rules

The Court, working with its Attorney Advisory Committee, published several amendments to various local rules, including loss mitigation, delegation of noticing, defective filings process, service, and local form changes. The Court also published the 2013 edition of its local rule book and continues to maintain its on-line local rules and forms database.

Loss Mitigation Program

Judge Finkle, the Clerk of Court, and members of the Court's Attorney Advisory Committee completed an extensive review of the existing loss mitigation program and produced the 7th Amended Loss Mitigation Program and Procedures, effective June 3, 2013. The amended procedures resulted in a more efficient and accountable process for both debtors and creditors, and reduced the average completion period for loss mitigation from 11.3 to 7.6 months. From November 2009 through December 2013, 1,894 requests for loss mitigation were filed with the Court, and 640 debtors successfully entered into a loan modification, thus avoiding foreclosure of their homes. This represents 33.8% of the loss mitigation filing caseload.

Noticing Review Committee

A comprehensive review of the Court's current noticing practices was performed. This extensive review led to the amendment of several local rules delegating additional noticing responsibility to case participants and/or case trustees, resulting in significant cost savings to the judiciary.

Pay.gov

In coordination with the U.S. District Court for the District of Rhode Island, all payments collected for motions to appear *pro hac vice* became electronic through pay.gov, eliminating the need for management of paper checks.

Shared Administrative Services

In 2013, the Court entered into two Memorandum of Understanding (MOU) Agreements for sharing services with other courts. The first MOU, effective January 2013, was with the District Court in Rhode Island to share non-IT procurement and COOP services between the District and Bankruptcy Courts. The second MOU, entered into in March 2013, was with the Bankruptcy Court for the District of Delaware in which the Rhode Island Bankruptcy Court performs second level quality control of claims services for the Delaware Court.

Virtualization Project

New technologies were implemented, including XenServer for the virtualization platform, XenDesktop for desktop virtualization, XenApp for application virtualization, and Starwind Software for the virtualized iSCSI storage solutions.

Committee Participation

Judge Diane Finkle was appointed to the BAP on September 5, 2013. She sat on her first panel in October, which heard four bankruptcy appeals.

Clerk of Court Susan Thurston was a member of the Bankruptcy Noticing Working Group which assists the Administrative Office in the development and implementation of automated noticing and related systems in the bankruptcy courts, e.g. Bankruptcy Noticing Center and Electronic Bankruptcy Noticing. The group held two meetings in 2013 and conducted monthly conference calls.

Clerk of Court Susan Thurston served on the interview panel for the selection of the new bankruptcy clerk for the U.S. Bankruptcy Court, Eastern District of Louisiana.

Clerk of Court Susan Thurston served as a policy member of the Rhode Island Federal Executive Council (FEC). The FEC works to improve coordination of governmental activity within the State of Rhode Island through cooperative federal activities in the areas of general management, public affairs, intergovernmental relations, community relations, training, employee recognition, emergency preparedness and other substantive programs.

Awards, Ceremonies, and Events

A portrait unveiling ceremony honoring retired Bankruptcy Judge Votolato was held on September 19, 2013, with the District bench and bar attending.

On September 13, 2013, the Court held its annual employee recognition ceremony. Among other awards, Quality Assurance Specialist Jody Venuti was presented with the 2013 Sustained Superior Performance Award for her 16 years of exceptional performance and service. Jody is the first employee to be a multiple recipient of this award.

Ms. Gail Kelleher, Chief Deputy, was nominated for and received the award for Manager/Supervisor Employee of the Year for her work in Cost Containment, Customer Service and Process Improvement. Ms. Holly D'Agostino, Courtroom Deputy, was nominated in the Technical Employee of the Year category for her superb management of the court calendar during the transition to a new bankruptcy judge, including coordination with visiting judges.

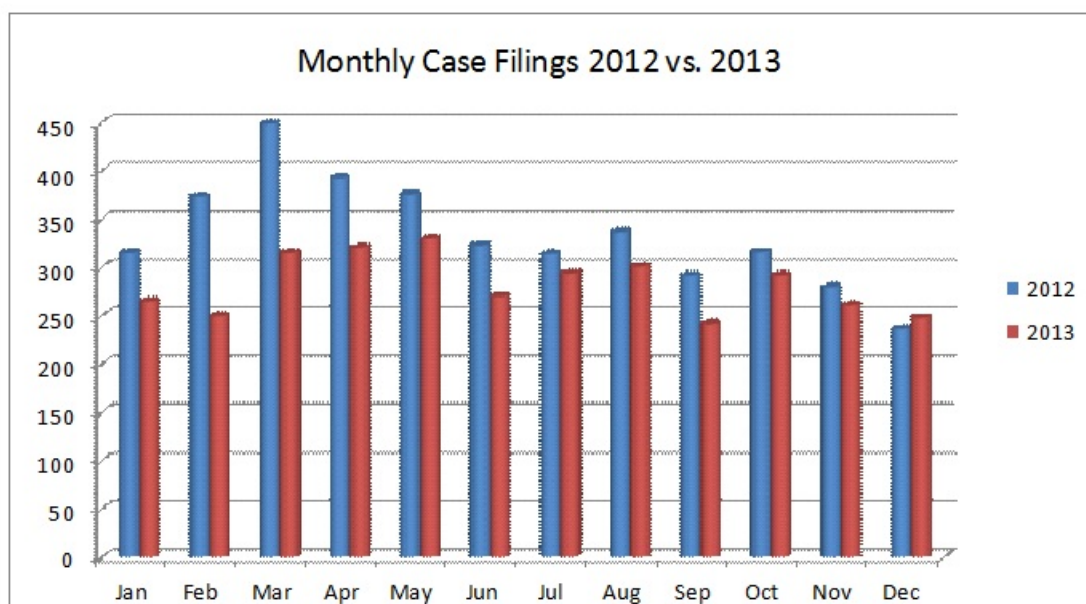
In 2013, the US Bankruptcy Court staff (15 members) raised more than \$7,000 for the Combined Federal Campaign, assisting local and national charities.

The Rhode Island Bankruptcy Court received the National Conference of Bankruptcy Clerks' Silver Award in recognition of achieving a 50-74% participation level in the Conference.

Statistics (Calendar Year 2013)

Total Filings (All Chapters): **3,389**

Chapter 7 Cases:	2,864
Chapter 11 Cases:	5
Chapter 13 Cases:	520
Decrease from 2012:	(15.4)
Terminations:	3,776
Cases Pending:	2,636



**PROBATION & PRETRIAL SERVICES
DISTRICT OF RHODE ISLAND****Staffing**

The District of Rhode Island continues to serve as a combined office for both probation and pretrial services. During the calendar year of 2013, three staff members were added, three staff members retired and one staff member resigned. The Chief retired and was then rehired as an annuitant. The Drug, Alcohol Treatment Specialist and Sentencing Guidelines Specialist were promoted to supervisors. The twenty-five member staff consisted of the Chief, Deputy Chief, three supervisors, eleven probation officers (which included a Location Monitoring Specialist), Data Quality Analyst, Management Analyst, Budget Manager, and two support personnel. A shared IT arrangement with the District Court, accounting for the remaining four staff members, continued to yield significant accomplishments.

Training

Despite a busy workload, extensive training occurred during 2013, and the officers and supervisors in the units averaged well in excess of the required 40 hours of training. The District utilized the Judiciary Online University, the PEI program of the Federal Judicial Center, and participated in a variety of local and national training efforts. As a whole, the Office engaged in over 1,200 hours of training geared to corporate and individual professional development and evidence-based practices.

Space and Equipment

The Probation Office maintains office space within the United States Court House and Post Office Building on the third floor of the John O. Pastore Federal Building, 2 Exchange Terrace, Providence, Rhode Island. The U.S. Marshals Service cellblock, the Magistrate Judges' chambers, courtrooms and Clerk's Office staff are conveniently located in the same building on the second floor. The Office is fortunately housed in Courthouse space in which Court Security Officers, along with metal detectors, are available. Pretrial Services defendant interviews are conducted in one of three locations - the Probation Office, the cell block interview room, or the local prison facility housing the defendant while awaiting initial presentment in Federal Court.

Coordination with Other Court Personnel

The Chief Probation Officer maintains frequent personal contact with the District and magistrate judges. The Chief and Deputy Chief maintain frequent contact with the two full-time magistrate judges, their staff, representatives of the U.S. Marshals Service, the U.S. Attorney's Office, the Federal Public Defender's Office and the defense bar in general. A COOP plan, Emergency Notification System, and an OEP were updated to prepare the Office to address serious safety issues.

Treatment Services

Some of the defendants supervised by the Pretrial Services Unit require drug testing, drug treatment, mental health treatment or electronic monitoring. Utilization of these services allowed for appropriate alternatives to detention at a significant cost savings to the taxpayers. While their case remains pending, these defendants have been able to reside in the community.

A five-year comparison of expenditures in the above areas revealed the following:

	2009	2010	2011	2012	2013
Pretrial Services Expenditures	\$80,601	\$96,107	\$106,934	\$126,222	\$77,494

During FY 2013, the District allocated: \$29,017 for electronic monitoring expenses (defendants and offenders paid the remaining \$16,496); \$191,485 for drug treatment and testing; \$165,007 for mental health treatment; and \$30,736 for sex offender treatment. The Probation Office purchased substance abuse and mental health treatment services from various community providers. If so ordered by the Court, the defendants participated in out-patient substance abuse treatment to include individual and group sessions. If warranted, residential drug treatment was provided to include in-patient detoxification and a full range of long-term residential treatment services. Further, out-patient mental health treatment was also available to include psychiatric evaluations, medication monitoring, mental health assessments, mental health counseling, and sex offender counseling. Most urinalysis testing occurred via a memorandum of understanding with the Eastern District of Missouri Probation Office. Confirmation testing was provided by Alere Toxicology. Further, the District utilized behavioral interventions for the electronic monitoring contracting and Verizon for officer iPhone devices.

Workload Trends

Arrests

During 2013, there were a total of 189 cases activated. Pretrial services reports with recommendations were prepared in 97% of the cases processed in this District. Counsel chose not to have their clients interviewed in 39% of the cases; data in these cases was gathered from sources other than the defendant.

Statistical Summary

A statistical summary of the pretrial services workload for the past year is provided below:

1.	Total Cases Activated	189
2.	Defendants Released on Bond	74
3.	Defendants Under Supervision as of 9/30/12	82
4.	Pretrial Cases Closed	173
5.	Release Rate (Excluding Illegal Immigration)	49%
6.	Cases with Violations	14%

Post Conviction Supervision

During 2013, this unit supervised approximately 360 offenders on probation, parole, and supervised release on any given day. Well over half of the offenders had special conditions for substance abuse treatment. Many also had conditions for mental health treatment and conditions for community service.

Of the cases supervised, 49% were for serious drug offenses, 17% were for firearms offenses, 6% for other violent offenses, and 4% for sex offenses. Twenty-six cases were revoked from supervision, for a revocation rate of 14%; many of these defendants were placed on Location Monitoring. Despite having a supervision caseload representing one of the highest overall risk scores in the country, this District maintained one of the lowest revocation rates. This was accomplished via excellent supervision strategies and a concerted and conscious effort to help offenders change, reintegrate into the community, and effectively address dynamic risk factors that evidence shows to be directly related to recidivism.

Officers traveled over 34,577 miles in their vehicles throughout the year to gather data for pretrial and presentence reports, conduct collateral investigations for other districts across the country, and supervise pretrial services and post-conviction offenders in the community. The Office worked closely with the Financial Litigation Unit of the U.S. Attorney's Office to collect fines and restitution imposed by the Court.

Presentence Reports

The Probation Office completed 152 guideline presentence reports in FY 2013. The reports included detailed criminal and social histories, resolved objections and detailed individualized sentencing recommendations pursuant to case law.

For FY 2013, the largest category of primary offense was drug cases, consisting of 40% of the workload. Firearms, immigration and all others (which includes child pornography) each comprised 17% of the caseload. Over 93% (93.4%) of the cases resulted from a plea of guilty and 6.6% resulted from trial. Over 50% (50.7%) of cases were sentenced within the guidelines range.

Safety

Safety continued to be a top priority for the District. All officers engaged in several forms of safety training, including hands-on defensive tactics. One officer remained certified as a Firearms Instructor. Two officers maintained certification as Officer Response Tactics (ORT) Instructors. The District also maintained a room dedicated to officers practicing skills learned during formal training.

Working with the District of New Hampshire, this Office maintained an active firearms and safety program. In addition to routine training and qualifications, the firearms training included low light situations, scenario based situations, simulation, and firearms familiarization. All officers who were qualified to carry a firearm underwent frequent supervised training and practice.

Critical Incident Stress Management (CISM)

The District continued to participate on a New England CISM team, contributing two officers and the Chief Probation Officer as members, all certified by the International Critical Incident Stress Foundation. This team continued to train throughout the year and respond to situations when called upon.

**NARRATIVE REPORTS
OF THE
FEDERAL PUBLIC DEFENDERS**

FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF MAINE

With a modest reduction in new prosecutions, the Federal Defender Office completed and closed a record number of cases in 2013.

	CASES			APPEALS		
Year	Opened	Closed	Pending	Opened	Closed	Pending
2013	144	167	84	8	12	6
2012	157	141	107	12	14	10
2011	153	151	107	21	14	19
2010	156	157	83	9	8	13

Milestones

- The Office received a “no findings” ruling on the four-year management assessment, conducted by the Program Operations and Training Branch in August 2013.
- The Office received a “no findings” ruling on the four-year cyclical audit, conducted by Kearney & Company in November 2013, covering the period 2009 to 2013.
- The Office participated with the District Court, Bankruptcy Court and U.S. Probation and Pretrial Services in a shared services agreement.
- The Office celebrated five successful graduates of the District's SWiTCH reentry program.
- David Beneman was reappointed to a third term as Federal Defender.
- David Beneman was appointed to serve on the national Federal Defender Performance Measurements Steering Committee, a national initiative working in conjunction with the Administrative Office of the Courts to develop a new staffing and budgeting model for Federal Defender offices.

**FEDERAL PUBLIC DEFENDER
FOR THE DISTRICTS OF
MASSACHUSETTS, NEW HAMPSHIRE AND RHODE ISLAND**

Fiscal year 2013 was eventful for the Federal Public Defender Office. Mid-year, the budget was cut significantly and the Office faced further cuts as the sequester took effect. Each of the employees took a total of 12 unpaid furlough days. Many worked on their furlough days, without pay, to fulfill their responsibilities to their clients and the courts. Staff stopped covering Friday duty days in Massachusetts for a few months over the summer, due to the impact of the furlough days, but resumed full coverage at the beginning of FY 2014. All three district courts were extremely accommodating, avoiding scheduling criminal matters on the days of the week that were most affected by the furloughs.

The Office lost two lawyers and one paralegal through attrition. Assistant Federal Public Defender (“AFPD”) Catherine K. Byrne became a state district court judge in Massachusetts. AFPD Rheba Rutkowski, who was part of the appeals unit, relocated to New Mexico. Michael J. Gibbons, a paralegal, relocated to New York at the end of the fiscal year. Paralegal Carrie Kolofsky left the Providence, Rhode Island office to accept a position as a lawyer in the Rhode Island state public defender’s office (which is headed by former AFPD Mary McElroy). In addition, two longtime employees accepted buyout offers. Peter Gauthier, an investigator, and Dawn Renzetti, a legal assistant, retired at the end of the fiscal year as part of a buyout package. Both worked in the Concord, New Hampshire office. With the exception of the Boston paralegal position, which was recently filled, none of these employees has been replaced.

Cuts in staff necessitated withdrawal from the Massachusetts courts' nationally recognized CARE program, a re-entry court for offenders struggling with drug addiction. The Office will continue to staff the RESTART program in Boston, but has withdrawn from the Springfield RESTART program, due to budget constraints and staff shortages.

On April 22, 2013, the Office was appointed to represent Dzhokhar Tsarnaev in the capital case arising from the Boston Marathon bombing. Death penalty expert Judy Clarke was also appointed to the case and was paid through CJA funds. This is only the second capital case in which the Office has been involved. The first was *United States v. Gary Sampson*, in which staff were part of the post-conviction team that succeeded in having the sentence vacated. Lead counsel in that case are William McDaniels, of Williams and Connolly, and Danalyn Recer, who recently was appointed as “learned counsel.”

The Office continued to represent clients and work with CJA lawyers on cases arising from the drug laboratory scandal that led to the state court conviction of Annie Dokhan.

As in the past, the Office supported the CJA panels in each of the three districts by 1) sponsoring educational programs; 2) sending out email updates on new developments in federal criminal law; and 3) providing informal advice. The Boston office also runs two e-mail list-serves, which remain popular and active. Current news, updates, and resources are also posted on the website, www.bostondefender.org.

The caseload in 2013, compared to prior years, was as follows for each of the three offices:

Massachusetts

Cases Opened					Cases Closed	Pending	
	Total	Prosecutions	Appeals	Other			
FY 2009	404	175	36	193	385	10/1/09	336
FY 2010	504	232	20	252	439	10/1/10	401
FY 2011	454	236	21	197	453	10/1/11	402
FY 2012	540	223	29	288	547	10/1/12	395
FY 2013	469	194	12	263	487	10/1/13	377

New Hampshire

Cases Opened					Cases Closed	Pending	
	Total	Prosecutions	Appeals	Other			
FY 2009	159	143	3	13	172	10/1/09	107
FY 2010	147	97	11	39	155	10/1/10	99
FY 2011	150	96	8	46	143	10/1/11	106
FY 2012	154	101	1	52	162	10/1/12	98
FY 2013	142	96	10	36	146	10/1/13	94

Rhode Island

Cases Opened					Cases Closed	Pending	
	Total	Prosecutions	Appeals	Other			
FY 2009	158	128	6	24	154	10/1/09	95
FY 2010	149	124	14	11	138	10/1/10	106
FY 2011	150	118	14	18	132	10/1/11	124
FY 2012	156	105	3	48	172	10/1/12	108
FY 2013	139	99	4	36	144	10/1/13	103

The numbers above reflect a slight decrease in all three offices. In Massachusetts, the higher number of cases opened in FY 2012 partly reflected the influx of cases arising from the drug lab scandal. When compared to FY 2011, the FY 2013 numbers have remained fairly steady.

**FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF PUERTO RICO**

During Fiscal Year 2013, as a result of the sequestration and reduced pay, several Assistant Federal Public Defenders resigned. The resignations reduced the number of attorneys from seventeen (17) to thirteen (13). The resignations occurred despite the heavy and continuing caseload experienced by the Federal Public Defender's Office.

A total of 1,004 cases were opened and 1,027 cases were closed. The number of cases pending was 562.

During FY 2013, the caseload included four federal capital cases. One of the death penalty cases went to trial which consumed much of the Office's resources.

The Office established a number of cost reductions in order to adapt to sequestration. First, the four attorney vacancies were not immediately filled; second, training was curtailed; and finally, the entire staff experienced weeks of furlough.

**NARRATIVE REPORTS
ON MATTERS OF
JUDICIAL ADMINISTRATION**

THE JUDICIAL CONFERENCE OF THE UNITED STATES MARCH AND SEPTEMBER 2013

The present administrative structure of the federal court system is less than a century old. Originally, the individual judges were the de facto administrators of the court system. In the 1870s, the Office of the Attorney General of the United States was given a large degree of administrative responsibility for running the court system. This designation of authority was the earliest attempt at providing centralized management for the courts. The Office of the Attorney General maintained a centralized bookkeeping system and attempted to ensure that the courts worked expeditiously and efficiently.

In 1922, the Judicial Conference of the United States was formally created. It was intended that the Judicial Conference would assume a major share of administrative responsibility for the running of the federal courts.

The Judicial Conference is statutorily required to: make a comprehensive survey of the conditions of business in the courts of the United States; prepare plans for the assignment of judges to or from courts of appeals or district courts, where necessary; submit suggestions to the various courts to promote uniformity of management procedures and the expeditious conduct of court business; exercise authority provided in chapter 16 of title 28 United States Code for the review of circuit council conduct and disability orders filed under that chapter; and, carry on a continuous study of the operation and effect of the general rules of practice and procedure in use within the federal courts, as prescribed by the Supreme Court pursuant to law. See 28 U.S.C. § 331.

The Judicial Conference meets twice a year, in March and September. The Judicial Conference has as its members the Chief Justice of the United States presiding, the chief judges of each of the circuit courts of appeal, the Chief Judge of the U.S. Court of International Trade, and one elected district judge from each of the 12 regional circuits. The Conference works mostly through its committees and is staffed by employees from the Administrative Office of the United States Courts (AO).

At the March 12, 2013 Judicial Conference, Judge Hogan reported to the Conference on the judicial business of the courts and on matters relating to the Administrative Office (AO). Judge Fogel spoke to the Conference about Federal Judicial Center (FJC) programs, and Judge Saris reported on United States Sentencing Commission activities. Judge Gibbons, Chair of the Committee on the Budget, presented a report on budgetary matters.

At the September 17, 2013 Judicial Conference, Judge Bates reported to the Conference on the judicial business of the courts and on matters relating to the Administrative Office (AO). Judge Fogel spoke to the Conference about Federal Judicial Center (FJC) programs, and Chief Judge Saris reported on United States Sentencing Commission activities. Judge Gibbons, Chair of the Committee on the Budget, presented a special report on budgetary matters.

FIRST CIRCUIT JUDICIAL CONFERENCES

Circuit judicial conferences are periodic circuit-wide meetings convened pursuant to 28 U.S.C. § 333. A modification to this statute, which formerly mandated an annual conference, permits the Judicial Conference to be held in alternate years. A 1996 modification of § 333 made attendance optional; formerly, active circuit and district judges were required to attend unless excused.

In the First Circuit, circuit judicial conferences are generally conducted in two different formats. One type of conference, often called a "mini-conference," is designed primarily for judicial officers and certain court personnel. In addition to the judges, attendees include the Circuit Executive, senior court personnel, and representatives of the Administrative Office of the U.S. Courts and the Federal Judicial Center. These conferences are organized by a committee of judges, appointed by the Chief Judge, with the assistance of the Circuit Executive and his or her staff.

The other meeting format is the full-scale conference. Attendees at these conferences include those who attend the mini-conferences and, pursuant to First Circuit Court of Appeals Local Rule 47.1, representatives from the districts such as presidents of the state and commonwealth bar associations, deans of accredited law schools, state court chief justices, the public defenders, and the U.S. attorneys. Politicians from the city and state in which the conference is being held are also invited, as are a substantial number of lawyers who are members of the federal bar.

In planning the full-scale conference, the Judicial Council selects the approximate dates for the conference and assigns one of the districts in the Circuit to act as a host district. The Chief Judge of the Circuit appoints a Planning Committee to organize and conduct the conference. This advance work is usually done one-and-a-half to two years prior to the conference.

The selection of the attorney invitees to a full-scale conference is handled in the following manner. After the Planning Committee has selected a site and received the approval of the Chief Judge of the Circuit, the number of invitees that the site can accommodate is determined, and slots are assigned to each District (roughly based on the proportion of the number of judges in a given district to the total number of judges in the First Circuit, plus an allotment for the Court of Appeals). The district court chief judges, in consultation with their respective judges, supply lists of nominees to receive invitations to attend. Based on these lists, invitations are then extended by the Chief Judge of the Circuit.

The Office of the Circuit Executive assists the Planning Committee in all aspects of its work. The Circuit Executive also provides the point of contact for continuity purposes, is the custodian of the Judicial Conference Fund, and serves as the Secretary of the Conference. There were no judicial conferences held during 2013.

BUSINESS OF THE FIRST CIRCUIT JUDICIAL COUNCIL

Circuit judicial councils were created by Congress in 1939, along with the Administrative Office of the United States Courts and circuit judicial conferences, to assist in the management of the courts. The Chief Judge of the Circuit presides over the Council, and its membership consists (in this Circuit) of all the active judges of the Court of Appeals and one district judge from each of the five districts in the Circuit. Each judicial council has administrative responsibility for all courts in its circuit. It is authorized to "make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit" 28 U.S.C. § 332(d).

Council meetings in the First Circuit are generally held twice a year. The spring Council meeting, held on May 8, and the fall session, held on October 9, both took place at the John Joseph Moakley United States Courthouse. Many matters were decided by mail vote between meetings.

A principle task of the Judicial Council involves the consideration of complaints of judicial disability or misconduct. An explanation of the Council's role in these matters and a summary of final action taken by the Council during 2013 is provided at pages 85 and 86. In addition, it was voted at the Judicial Council meeting held in September 2012, to post all final orders issued in misconduct complaints on the First Circuit Court of Appeals web site, excluding private reprimands and other discipline that the Council determines to be private.

Another primary task of the Judicial Council is to review caseload statistics of individual courts and judges. The Council undertakes this task, in part, with a view towards providing additional assistance where it is required.

Other Judicial Council action taken during 2013 included: the review of the federal judiciary's budget; adoption of continued Circuit-wide cost containment measures; the review of courthouse construction projects and expenditures; the review of juror utilization, trials, and other court activity statistics; the review of judicial vacancies; the review of court security measures; the review of privacy rules; and the approval of bankruptcy judge assignments.

SPACE AND FACILITIES

Introduction

This report covers the activities of the Space and Facilities group within the Circuit Executive's Office during calendar year 2013.

Court of Appeals

The construction of Judge Kayatta's new chambers space in Portland, Maine was initiated. Occupancy is expected in February 2014.

The Moakley Courthouse fiber infrastructure was upgraded based on the findings of the 2011 LAN assessment.

In September, the Judicial Conference of the United States adopted several space reduction policies. A "No Net New" policy, under which any increase in square footage in the Circuit must be offset by a commensurate reduction elsewhere in the Circuit during the same fiscal year, and a nationwide 3% space reduction target, by the close of FY 2018, were approved. Staff are developing a plan to comply with these initiatives.

District of Maine

Judge Singal elected senior status in July. Appropriate chambers space needed to be configured to accommodate his replacement. A project was submitted to the Administrative Office for funding consideration in March and was approved. Design plans are in process.

Renovations to the court's space at the MC Smith Courthouse and Federal Building were completed this fall. In addition to "B" funds for the Magistrate Chambers and Courtroom, this building was also the recipient of ARRA funds. The project included energy efficient improvements, such as geothermal heat, new windows and fire/life safety upgrades.

District of Massachusetts

Occupancy of the fourth courtroom in Springfield was achieved this spring. The Probation Office in Worcester was relocated to leased space in August.

A project was initiated to consolidate the Probation space in the Williams Building into the existing space at the Moakley Courthouse. Construction is underway and occupancy is expected in January of 2014.

District of New Hampshire

The Chief Judges of the District and Bankruptcy Courts in New Hampshire agreed to participate in a district-wide space review. The AO will fund a study to assess the feasibility of co-locating the Bankruptcy Court, which is presently in leased space in Manchester, with the District Court in the Rudman Building in Concord. Alternatively, the study will evaluate the potential for reducing the existing footprints in both Manchester and Concord. The review is expected to take place in the spring of 2014.

Design intent plans were developed to relocate the Probation Office in Manchester from its existing leased space into the Norris Cotton Federal Building. Design is expected to be finished in the spring of 2014.

District of Puerto Rico

Two new elevators were planned for the Nazario Courthouse in Hato Rey. These elevators are part of the pilot year of the Capital Security fund program approved by Congress in 2012. The work will improve circulation paths at the Courthouse. Design is underway and construction is expected to begin in January of 2014.

The Nazario Courthouse & Degetau Federal Building received \$99,374,000 in ARRA funds. The scope of work for this location includes complex wide energy efficiency and HVAC upgrades, advanced metering of all incoming utilities and enhancements to plumbing fixtures. The project has experienced significant delays and strategies have been adopted to facilitate completion of the work in advance of the expiration of ARRA funds.

A project was initiated to enhance circulation of the magistrate courtroom floor at the Degetau Federal Building. A waiting area will be created from two attorney conference rooms to allow enhanced security in the elevator lobby. This work will be completed during the ARRA project work.

The Bankruptcy Court relocated to its new space in Ponce in January.

District of Rhode Island

In February, the District of Rhode Island participated in long-range asset management planning sessions. Initial reports reflected very few concerns related to space in the District.

As part of the lease renewal, a renovation project to complete minor alterations to the Bankruptcy Court space was planned and will begin in 2014.

**OFFICE OF THE CIRCUIT EXECUTIVE
INFORMATION TECHNOLOGY DEPARTMENT**

National Projects

The Circuit Executive's Office continued to work collaboratively on the following five key cost savings portfolios with the Administrative Office: telecommunications; hosting services; resource optimization; national identity management; and IT standards.

The IT Department continued its role as active members of the AO's Internet Protocol Telephony (IPT3) Pilot Advisory Group to assist the Office of Information Technology (OIT) in planning the next steps of the national voice over IP initiative.

Circuit Projects

The Court of Appeals, District Court of Massachusetts, U.S. Probation Office and the Office of Pretrial Services worked closely with the Administrative Office to move to the National IP Telephone System (NIPT), consisting of E911 emergency features, calling menu trees, interactive voice recordings (IVR), and nearly 700 telephone devices. The many mobility options vastly improve the Court's ability to telephonically operate if displaced. Hurricane Sandy occurred shortly after this installation, allowing those features to be tested.

The Circuit Executive's Office IT Department assisted in the planning and conversion of the District Court of New Hampshire and the District Court of Rhode Island's telephones to the National IP Telephone (NIPT) system. The District Court of Maine also converted to the national system.

Circuit NIPT installations allowed the discontinuation of maintenance contracts for the removed systems and also eliminated the cost of the telephone lines that were no longer needed. Cost savings for the First Circuit for monthly phone charges is estimated to be \$200,000.00 per year.

The IT Department partnered with the Bankruptcy Court of Puerto Rico to install the systems required to reopen the Courthouse in Ponce.

Court of Appeals

The IT Department of the Circuit Executive's Office initiated a significant paper reduction project court wide. Printer inventory, along with maintenance costs and supply costs, was evaluated. The Court agreed to consolidate and eliminate the large majority of printers in favor of electronic faxing, group printers in common areas and single multi-function devices, to replace disparate fax machines, copiers, printers and scanners. An estimated \$25K per year in costs is saved on maintenance and paper supplies, as a result of the project.

To further support a paper reduction effort, more features were added to the Court of Appeals chambers application called Webvote. Clerk's Office routine matters and Petitions for Rehearing and Rehearing En Banc were added to the paperless circulation system. In addition to reduced paper, this also reduced shipping costs for the Court.

Paper reduction efforts also included the adoption of electronic "Benchbooks" in chambers. This allows chambers staff to electronically assemble material, to allow the judge to prepare for oral argument paperlessly. The Benchbooks are assembled electronically and then synched to the judges' iPads using an internal secure cloud. These Benchbooks can then be annotated electronically in preparation for oral argument.

The Court expanded its use of personal devices with protocols for staff to *Bring Your Own Device (BYOD)*, to further save costs.

The Court of Appeals welcomed Judge Kayatta to the Court and prepared his temporary DCN location while also preparing his permanent space. In doing so, the Court added a new DCN location and voice-over IP telephone system.

The Court of Appeals developed an automated calendaring program to further randomize the assignment of cases for oral argument.

Staff Changes

Erin Joseph, the IT Procurement Officer, decided to return to Chicago. David Greenberg was welcomed as her replacement.

JUDICIAL MISCONDUCT AND DISABILITY

The Judicial Misconduct and Disability Act, codified as 28 U.S.C. § 351 *et seq.*, authorizes "any person" to file a complaint alleging that a judge has engaged in "conduct prejudicial to the effective and expeditious administration of the business of the courts, or alleging that such judge is unable to discharge all the duties of office by reason of mental or physical disability" 28 U.S.C. § 351(a). See also Judicial Improvements Act of 2002, P.L. 107-273. After a complaint is received by staff of the Circuit Executive's Office, the Chief Judge reviews the complaint, in accordance with 28 U.S.C. § 352. The Chief Judge may then dismiss the complaint, conclude the proceeding for corrective action taken or intervening events, or, where necessary, appoint a special committee to further investigate the charges of judicial impropriety. See 28 U.S.C. §§ 352-3.

Both the complainant and the subject judge have the right to file a petition for Judicial Council review of an order of dismissal entered by the Chief Judge. See 28 U.S.C. § 352(c). Except where a special committee has been appointed, and in other limited circumstances, see id., at § 354, the orders issued by the Judicial Council are "final and conclusive." 28 U.S.C. § 357(a).

In March 2008, pursuant to 28 U.S.C. §§ 331 and 358, the Judicial Conference of the United States adopted the Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct). The adoption of uniform mandatory rules was intended to provide national standards and procedures for handling judicial misconduct and disability proceedings. The new Rules were also intended to effectuate many of the recommendations included in the "Breyer Committee Report", 239 F.R.D. 116 (Sept. 2006), which was issued in 2006 after a study, commissioned by Chief Justice Roberts, on the implementation of the Judicial Conduct and Disability Act of 1980.

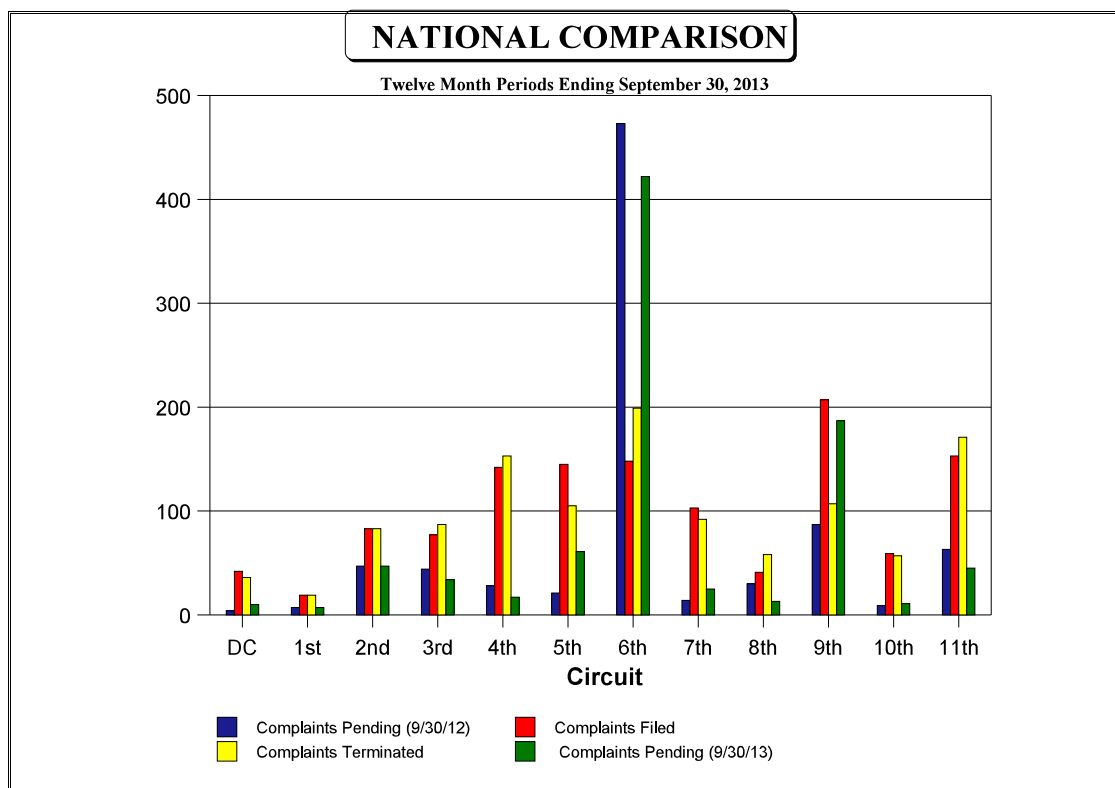
Pursuant to 28 U.S.C. § 352(d) and the Rules of Judicial-Conduct, the Chief Judge annually designates two review panels to act for the Judicial Council on petitions for review. This amendment was adopted in response to a provision of the Judicial Improvements Act of 2002 that explicitly authorized the referral of petitions for review to "a panel of no fewer than 5 members of the council, at least 2 of whom shall be district judges." 28 U.S.C. § 352(d). Any member of the review panel may vote to refer the petition to the full Judicial Council. While judicial misconduct proceedings are confidential, final written orders issued by the Chief Judge and Judicial Council are publicly available. See 28 U.S.C. § 360.

Summary, First Circuit Complaints of Judicial Misconduct or Disability, 2013

Complaints Filed in 2013 (calendar year)	18
Orders of Dismissal Issued by Chief Judge (3 of the orders were issued in 2014)	18
Petitions for Review filed with Judicial Council (1 of the petitions was filed in 2014)	5
Orders of Dismissal Affirmed by Judicial Council (3 of the Council orders were issued in 2014)	5
Show Cause Orders Issued	1
Preclusion Orders Issued	1
Total No. of Complainants*	16

*Two complainants filed complaints against more than one judicial officer.

NATIONAL COMPARISON ACTION TAKEN UNDER AUTHORITY OF 28 U.S.C. §§ 351-364



REPORT OF ACTION TAKEN UNDER AUTHORITY OF TITLE 28 U.S.C. §§ 351-364 During the Twelve-Month Period Ending September 30, 2013

Summary of Activity	Circuit												
	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	Total
Complaints Pending (9/30/12)	4	7	47	44	28	21	473	14	30	87	9	63	827
Complaints Filed	42	19	83	77	142	145	148	103	41	207	59	152	1,219
Complaints Terminated	36	19	83	87	153	105	199	92	58	107	57	171	1,167
Complaints Pending (9/30/13)	10	7	47	34	17	61	422	25	13	187	11	45	879

ATTORNEY DISCIPLINE

During 2013, the Court of Appeals for the First Circuit handled 27 attorney disciplinary cases under the Rules of Attorney Disciplinary Enforcement for the Court of Appeals for the First Circuit (Rules of Disciplinary Enforcement). Five (5) proceedings resulted in disbarment; twenty (20) resulted in suspensions; one (1) was terminated; and one (1) is pending. Twenty-five (25) matters arose out of the reciprocity provisions of Rule II of the Rules of Disciplinary Enforcement.

HISTORY AND NOTABLE EVENTS

2013

On March 8, 2013, William J. Kayatta, Jr., was appointed Circuit Judge for the First Circuit Court of Appeals; on March 11, 2013, Bruce A. Harwood was appointed Bankruptcy Judge for the District of New Hampshire; on May 6, 2013, David H. Hennessy was appointed Magistrate Judge for the District of Massachusetts; and, on December 17, 2013, Landya B. McCafferty was appointed District Judge for the District of New Hampshire.

On January 1, 2013, Patti B. Saris became Chief District Judge for the District of Massachusetts; on May 9, 2013, Bruce A. Harwood became Chief Bankruptcy Judge for the District of New Hampshire; on July 1, 2013, Louis H. Kornreich became Chief Bankruptcy Judge for the District of Maine; and, on December 1, 2013, William E. Smith became Chief District Judge for the District of Rhode Island.

The following judges assumed senior status in 2013: District Judge Mark L. Wolf, District of Massachusetts, on January 1; District Judge Steven J. McAuliffe, District of New Hampshire, on April 1; Circuit Judge Michael Boudin, Court of Appeals, on June 1; District Judge George Z. Singal, District of Maine, on July 31; and District Judge Joseph L. Tauro, District of Massachusetts, on September 26.

Bankruptcy Judge J. Michael Deasy, District of New Hampshire, retired on March 10, 2013.

**UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT
FAIR EMPLOYMENT PRACTICES NARRATIVE REPORT**

FOR THE PERIOD: OCTOBER 1, 2012 - SEPTEMBER 30, 2013

The First Circuit Court of Appeals (the “Court”) initially adopted the Model Affirmative Action Plan (the “Plan”) recommended by the Judicial Conference of the United States, with minor modifications, effective March 2, 1981. On March 4, 1987, the Court made further amendments to the Plan in accordance with the revisions adopted by the Judicial Conference at its September 1986 session and in accordance with the revised Model Equal Employment Opportunity Plan supplied by the Administrative Office of the United States Courts (“First Circuit EEO Plan”).

On October 10, 1999, the Court adopted the Employment Dispute Resolution Plan (“EDR Plan”) for the First Circuit Court of Appeals. The EDR Plan is intended to provide court employees with the rights and protections of the Model EDR Plan adopted by the Judicial Conference of the United States in March 1997, then amended in 2010 and 2012. The EDR Plan for the First Circuit Court of Appeals was amended in June 2010 and January 2013.

This narrative report reflects data collected from: circuit and senior judges and chambers staff, the Circuit Executive’s Office, the Bankruptcy Appellate Panel, the Office of the Clerk of the First Circuit Court of Appeals, the Office of the Senior Staff Attorney, the Office of the Circuit Librarian (including satellite branches throughout the Circuit), and the Court of Appeals Civil Appeals Management Program (CAMP). The Offices of the Federal Public Defender for the Districts of Maine, Massachusetts, New Hampshire, Rhode Island, and Puerto Rico have issued separate reports.

PERSONNEL SUMMARY

As of September 30, 2013, there were 125 Court of Appeals employees. Of those employees, 50 (40%) were male and 75 (60%) were female; 107 (86%) were Caucasian and 18 (14%) were minorities. There were four (4) African-American employees, 10 Hispanic employees, and four (4) Asian employees.

SIGNIFICANT ACHIEVEMENTS

There were 41 new appointments made during this reporting period. Of those new appointments, 21 were male and 20 were female; 33 were Caucasian, two (2) were Asian, six (6) were Hispanic, and none were African-American.

During the reporting period, 11 employees were promoted. Of those employees, four (4) were male and seven (7) were female; nine (9) were Caucasian, two (2) were Hispanic and none were Asian.

TRAINING

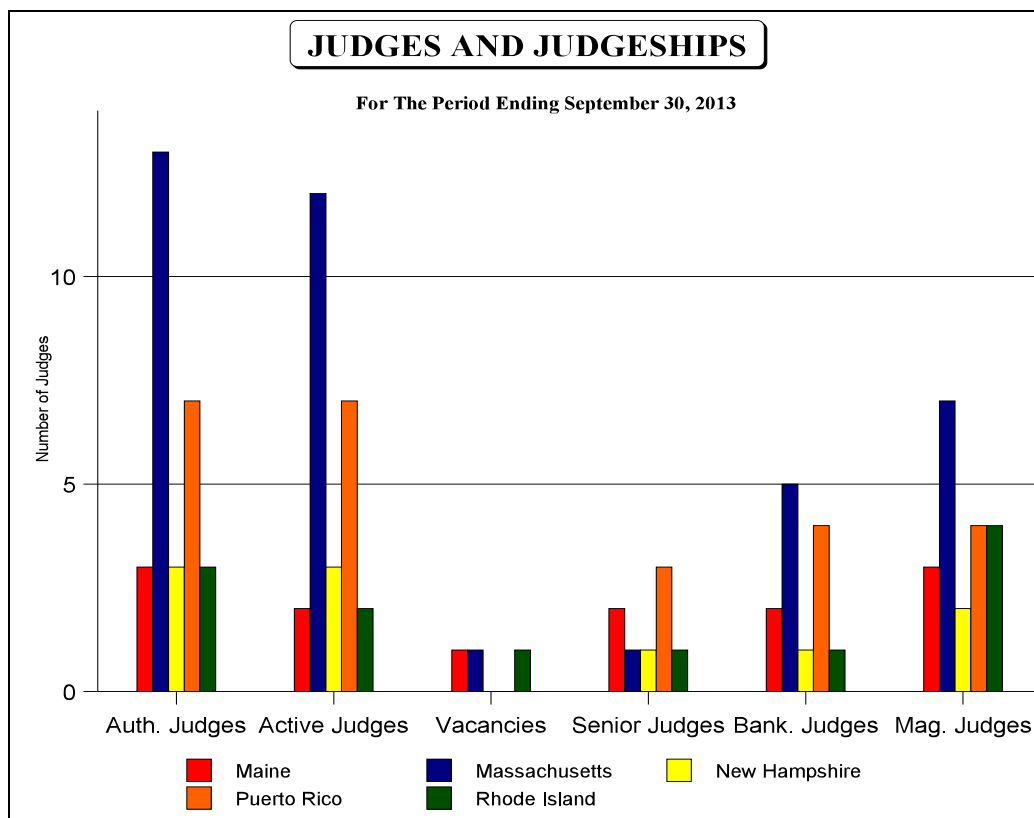
As noted above, on October 10, 1999, the Court adopted the EDR Plan for the First Circuit Court of Appeals.

An Anti-Discrimination and Civility Statement is posted in each clerk's office throughout the Circuit. The Circuit Executive's Office also provides materials to judges and court employees describing their rights and responsibilities with respect to workplace and employment issues and provides a list of resources for obtaining additional information. New court employees receive an orientation in which an EDR Plan is distributed and relevant information is provided.

COMPLAINTS PROCESS

There were no claims filed under the EEO or EDR Plan during this reporting year.

OTHER MATTERS OF THE COURT

JUDGES AND JUDGESHIPS**Judgeship Summary**

JUDGES AND JUDGESHIPS For the Period Ending September 30, 2013						
Districts	Auth. Judges	Active Judges	Vacancies	Senior Judges	Bank. Judges	Mag. Judges*
Maine	3	2	1	3	2	2
Massachusetts	13	11	2	3	5	7
New Hampshire	3	2	1	2	2	1
Puerto Rico	7	6	1	3	4	4
Rhode Island	3	3	0	1	1	2
Total Dist. Ct.	29	24	5	12	13	16
Total Court of Appeals	6	5	1	4	--	--
Total 1 st Circuit	35	29	6	16	13	16

*Does not include recalled Magistrate Judges.

**FIRST CIRCUIT JUDGES SERVING ON U.S. JUDICIAL
CONFERENCE COMMITTEES, SPECIAL COURTS AND
THE BOARD OF THE FEDERAL JUDICIAL CENTER
2013**

[Generally, terms begin and expire on October 1 of the year noted]

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

			<u>Start Date</u>	<u>End Date</u>
Francisco A. Besosa	DJ	Puerto Rico	2011	2014

COMMITTEE ON CODES OF CONDUCT

			<u>Start Date</u>	<u>End Date</u>
George Z. Singal	DJ	Maine	2011	2014

**COMMITTEE ON COURT ADMINISTRATION
AND CASE MANAGEMENT**

			<u>Start Date</u>	<u>End Date</u>
Joseph N. Laplante	DJ	New Hampshire	2012	2015

COMMITTEE ON CRIMINAL LAW

			<u>Start Date</u>	<u>End Date</u>
Paul Barbadoro	DJ	New Hampshire	2010	2013

COMMITTEE ON DEFENDER SERVICES

			<u>Start Date</u>	<u>End Date</u>
F. Dennis Saylor IV	DJ	Massachusetts	2009	2015

COMMITTEE ON INFORMATION TECHNOLOGY

			<u>Start Date</u>	<u>End Date</u>
William E. Smith	DJ	Rhode Island	2008	2014

COMMITTEE ON INTERCIRCUIT ASSIGNMENTS

			<u>Start Date</u>	<u>End Date</u>
Nathaniel M. Gorton	DJ	Massachusetts	2010	2013

COMMITTEE ON INTERNATIONAL JUDICIAL RELATIONS

			<u>Start Date</u>	<u>End Date</u>
Marianne B. Bowler	MJ	Massachusetts	2008	2014

**FIRST CIRCUIT JUDGES SERVING ON U.S. JUDICIAL
CONFERENCE COMMITTEES, SPECIAL COURTS AND
THE BOARD OF THE FEDERAL JUDICIAL CENTER**

(continued)

2013

[Generally, terms begin and expire on October 1 of the year noted]

COMMITTEE ON THE JUDICIAL CONDUCT AND DISABILITY

			<u>Start Date</u>	<u>End Date</u>
Michael Boudin	CJ	Court of Appeals	2012	2014

COMMITTEE ON JUDICIAL RESOURCES

			<u>Start Date</u>	<u>End Date</u>
Douglas P. Woodlock	DJ	Massachusetts	2011	2014

COMMITTEE ON JUDICIAL SECURITY

			<u>Start Date</u>	<u>End Date</u>
Steven J. McAuliffe	DJ	New Hampshire	2012	2015

**COMMITTEE ON THE ADMINISTRATION OF
THE MAGISTRATE JUDGES SYSTEM**

			<u>Start Date</u>	<u>End Date</u>
George A. O'Toole, Jr.	DJ	Massachusetts	2011	2014

COMMITTEE ON SPACE AND FACILITIES

			<u>Start Date</u>	<u>End Date</u>
Michael A. Ponsor, Chair	DJ	Massachusetts	2008	2013

ADVISORY COMMITTEE ON EVIDENCE RULES

			<u>Start Date</u>	<u>End Date</u>
John A. Woodcock, Jr.	DJ	Maine	2011	2014

BOARD OF THE FEDERAL JUDICIAL CENTER

			<u>Start Date</u>	<u>End Date</u>
James B. Haines, Jr.	BJ	Maine	2009	2013

FOREIGN INTELLIGENCE SURVEILLANCE COURT

			<u>Start Date</u>	<u>End Date</u>
F. Dennis Saylor IV	DJ	Massachusetts	2011	2018

JUDICIAL COUNCIL OF THE FIRST CIRCUIT
(as of December 31, 2013)

Honorable Sandra L. Lynch, Chief Judge	Court of Appeals
Honorable Juan R. Torruella	Court of Appeals
Honorable Michael Boudin	Court of Appeals
Honorable Kermit V. Lipez	Court of Appeals
Honorable Jeffrey R. Howard	Court of Appeals
Honorable O. Rogeriee Thompson	Court of Appeals
Honorable William J. Kayatta, Jr.	Court of Appeals
Honorable Nancy Torresen	District of Maine
Honorable F. Dennis Saylor	District of Massachusetts
Honorable Joseph A. DiClerico	District of New Hampshire
Honorable Francisco A. Besosa	District of Puerto Rico
Honorable John J. McConnell, Jr.	District of Rhode Island

Observing Members

Honorable Henry J. Boroff	District of Massachusetts Bankruptcy Judge
Honorable Lincoln D. Almond	District of Rhode Island Magistrate Judge

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

(as of December 31, 2013)

Honorable Sandra L. Lynch, Chief Judge

Honorable Juan R. Torruella
Honorable Bruce M. Selya
Honorable Michael Boudin
Honorable Norman H. Stahl

Honorable Kermit V. Lipez
Honorable Jeffrey R. Howard
Honorable O. Rogeriee Thompson
Honorable William J. Kayatta, Jr.

**JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MAINE**

Honorable John A. Woodcock, Jr., Chief
Honorable George Z. Singal
Honorable D. Brock Hornby
Honorable Nancy Torresen
Honorable Gene Carter

**JUDGES OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MAINE**

Honorable Louis H. Kornreich, Chief
Honorable James B. Haines, Jr.

**MAGISTRATE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MAINE**

Honorable Margaret Kravchuk
Honorable John H. Rich, III
Honorable David M. Cohen (recalled)

**JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS**

Honorable Patti B. Saris, Chief Judge	Honorable Timothy S. Hillman
Honorable Joseph L. Tauro	Honorable Richard G. Stearns
Honorable Rya W. Zobel	Honorable Mark L. Wolf
Honorable William G. Young	Honorable Michael A. Ponsor
Honorable Douglas P. Woodlock	Honorable George A. O'Toole
Honorable Edward F. Harrington	Honorable F. Dennis Saylor
Honorable Nathaniel M. Gorton	Honorable Denise J. Casper

**JUDGES OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MASSACHUSETTS**

Honorable Frank J. Bailey, Chief
Honorable Henry J. Boroff
Honorable William C. Hillman
Honorable Joan N. Feeney
Honorable Melvin S. Hoffman

**MAGISTRATE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS**

Honorable Leo T. Sorokin, Chief
Honorable Kenneth P. Neiman
Honorable Robert C. Collings
Honorable Marianne B. Bowler

Honorable Judith G. Dein
Honorable Jennifer C. Boal
Honorable David H. Hennessy

**JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

Honorable Joseph N. Laplante, Chief
Honorable Joseph A. DiClerico
Honorable Paul J. Barbadoro
Honorable Steven J. McAuliffe
Honorable Landya B. McCafferty

**JUDGES OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

Honorable Bruce A. Harwood, Chief
Honorable Michael J. Deasy (Recalled)

**MAGISTRATE JUDGE OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

Honorable Daniel Lynch

**JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF PUERTO RICO**

Honorable Aida M. Delgado-Colón, Chief
Honorable Juan M. Pérez-Giménez
Honorable Carmen Consuelo Cerezo
Honorable Gustavo A. Gelpi
Honorable Salvador E. Casellas

Honorable Daniel R. Dominguez
Honorable Jay A. Garcia-Gregory
Honorable José Antonio Fusté
Honorable Francisco A. Besosa

**JUDGES OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF PUERTO RICO**

Honorable Enrique S. Lamoutte, Chief
Honorable Brian K. Tester
Honorable Mildred Cabán
Honorable Edward A. Godoy

**MAGISTRATE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF PUERTO RICO**

Honorable Camille Vélez-Rivé
Honorable Bruce J. McGiverin
Honorable Marcos E. Lopez
Honorable Silvia Carreño-Coll
Honorable Justo Arenas (recalled)

**JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF RHODE ISLAND**

Honorable William E. Smith, Chief
Honorable Mary M. Lisi
Honorable John J. McConnell, Jr.
Honorable Ronald R. Lagueux

**JUDGE OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF RHODE ISLAND**

Honorable Diane Finkle

**MAGISTRATE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF RHODE ISLAND**

Honorable Lincoln D. Almond
Honorable Patricia A. Sullivan
Honorable Robert W. Lovegreen (recalled)
Honorable David L. Martin (recalled)

COURT UNIT EXECUTIVES

CIRCUIT EXECUTIVE

Gary H. Wente
United States Courts for the First Circuit

FIRST CIRCUIT CLERKS OF COURT

Margaret Carter
Court of Appeals

Christa K. Berry
District of Maine

Robert Farrell
District of Massachusetts

James R. Starr
District of New Hampshire

Frances Ríos de Morán
District of Puerto Rico

David DiMarzio
District of Rhode Island

FIRST CIRCUIT BANKRUPTCY CLERKS OF COURT

Alec Leddy
District of Maine

James Lynch
District of Massachusetts

Jennifer A. Hayes
District of New Hampshire

Maria de los Angeles González
District of Puerto Rico

Susan M. Thurston
District of Rhode Island

FIRST CIRCUIT CHIEFS OF PROBATION/PRETRIAL SERVICES

Karen-Lee Moody

District of Maine

Christopher Maloney

District of Massachusetts

Thomas K. Tarr

District of New Hampshire

Eustaquio Babilonia

District of Puerto Rico

Barry J. Weiner

District of Rhode Island

FIRST CIRCUIT FEDERAL PUBLIC DEFENDERS

David Beneman

District of Maine

Miriam Conrad

*Districts of Massachusetts, New Hampshire
and Rhode Island*

Hector E. Guzman-Silva

District of Puerto Rico

STATISTICAL REPORTS

STATISTICS
COURT OF APPEALS

U.S. COURT OF APPEALS NATIONAL COMPARISON
APPEALS COMMENCED, TERMINATED AND PENDING
DURING THE 12-MONTH PERIODS ENDING SEPTEMBER 30, 2012 & 2013

	COMMENCED			TERMINATED			PENDING*		
CIRCUIT	2012	2013	Percent Change	2012	2013	Percent Change	2012*	2013	Percent Change
TOTAL	57,501	56,475	-1.8	57,570	58,393	1.4	43,588	41,670	-4.4
DISTRICT OF COLUMBIA	1,193	1,105	-7.4	1,189	954	-19.8	1,315	1,466	11.5
FIRST	1,587	1,578	-0.6	1,612	1,472	-8.7	1,215	1,321	8.7
SECOND	5,531	5,093	-7.9	5,715	5,911	3.4	4,456	3,638	-18.4
THIRD	3,766	3,893	3.4	3,767	4,090	8.6	2,380	2,183	-8.3
FOURTH	5,002	5,061	1.2	5,219	5,215	-0.1	2,519	2,365	-4.1
FIFTH	7,641	7,439	-2.6	7,316	7,579	3.6	4,794	4,654	-2.9
SIXTH	4,855	5,137	5.8	5,417	5,462	0.8	4,132	3,807	-7.9
SEVENTH	2,994	2,949	-1.5	2,979	2,982	0.1	1,871	1,838	-1.8
EIGHTH	3,080	2,937	-4.6	2,957	2,874	-2.8	1,449	1,512	4.3
NINTH	12,684	12,826	1.1	12,735	12,779	0.3	14,223	14,270	0.3
TENTH	2,170	2,091	-3.6	2,181	2,208	1.2	1,381	1,264	-8.5
ELEVENTH	6,998	6,366	-9.0	6,483	6,867	5.9	3,853	3,352	-13.0

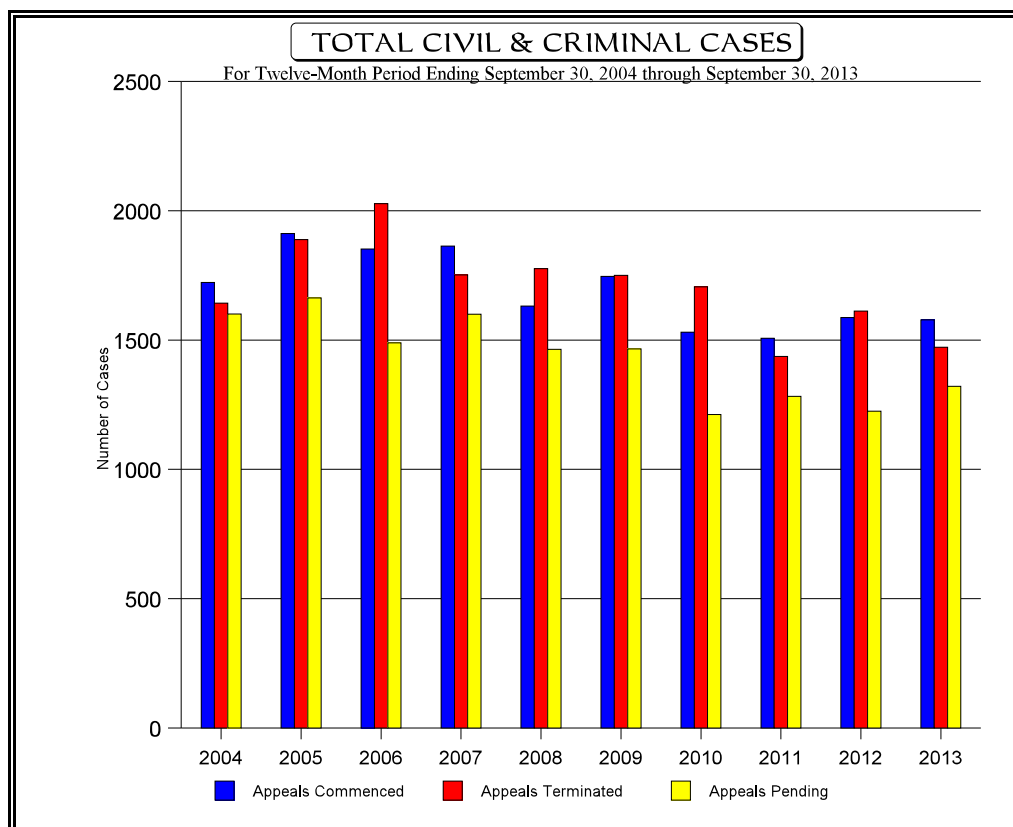
*Pending caseloads for 2012 revised by the Administrative Office of the United States Courts.

U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT
SOURCE OF APPEALS AND ORIGINAL PROCEEDINGS FOR THE
12-MONTH PERIODS ENDING SEPTEMBER 30, 2006 - 2013

SOURCE	2006	2007	2008	2009	2010	2011	2012	2013
FIRST CIRCUIT TOTALS	1,852	1,863	1,631	1,746	1,530	1,507	1,587	1,578
MAINE	132	120	126	136	97	125	140	118
MASSACHUSETTS	610	621	582	614	509	518	516	497
NEW HAMPSHIRE	98	94	125	104	103	90	86	95
PUERTO RICO	518	563	417	477	497	409	431	501
RHODE ISLAND	139	141	103	104	73	91	98	89
BANKRUPTCY	27	24	31	53	37	29	27	35
U.S. TAX COURT	5	3	3	7	8	6	5	4
NLRB	6	10	4	4	7	5	10	4
ADMINISTRATIVE AGENCIES, TOTAL	239	239	191	190	158	171	216	165
ORIGINAL PROCEEDINGS	89	61	56	68	56	74	73	78

NOTE: Totals include reopened, remanded, and reinstated appeals as well as original appeals.

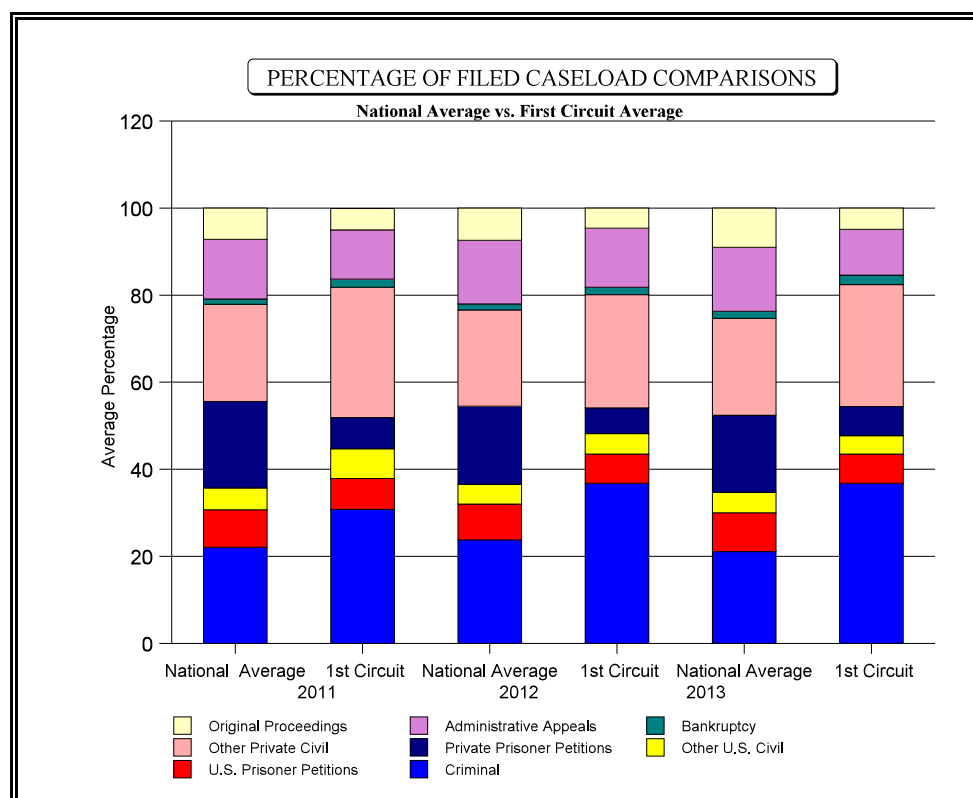
U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT
APPEALS COMMENCED, TERMINATED AND PENDING
DURING THE 12-MONTH PERIODS ENDING
SEPTEMBER 30, 2004 THROUGH SEPTEMBER 30, 2013



U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT
COMPARISON 2004 - 2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
APPEALS COMMENCED	1,723	1,912	1,852	1,863	1,631	1,746	1,530	1,507	1,587	1,578
APPEALS TERMINATED	1,643	1,888	2,027	1,752	1,776	1,750	1,706	1,437	1,612	1,472
APPEALS PENDING	1,619	1,663	1,489	1,600	1,464	1,466	1,212	1,282	1,225	1,321

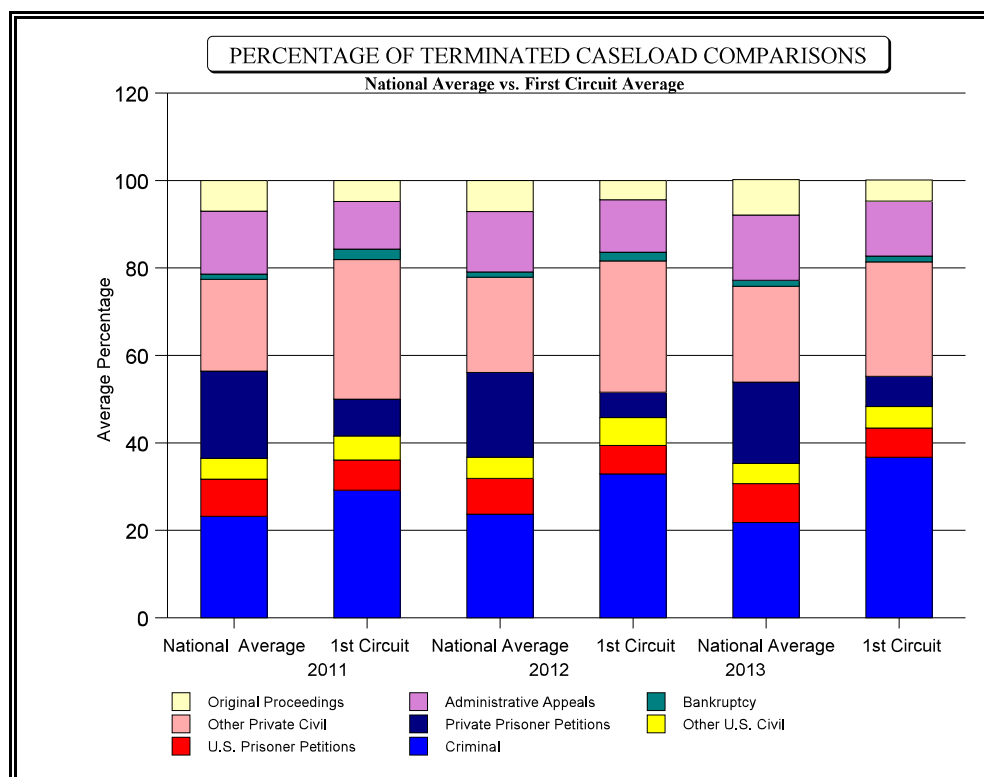
NATIONAL/FIRST CIRCUIT COMPARISON FOR FILED CASELOAD



FILED CASELOAD COMPARISON PERCENT OF TOTAL FROM SEPTEMBER 30, 2011 THROUGH 2013

	2011		2012		2013	
	National Average	1 st Circuit	National Average	1 st Circuit	National Average	1 st Circuit
CRIMINAL	22.1	30.8	23.8	36.8	21.1	36.8
U.S. PRISONER PETITIONS	8.6	7.1	8.2	6.7	8.9	6.7
OTHER U.S. CIVIL	5.0	6.8	4.6	4.7	4.7	4.2
PRIVATE PRISONER PETITIONS	19.9	7.2	17.9	5.9	17.7	6.7
OTHER PRIVATE CIVIL	22.3	29.9	22.1	26.0	22.3	28.0
BANKRUPTCY	1.2	1.9	1.4	1.7	1.6	2.2
ADMINISTRATIVE APPEALS	13.7	11.3	14.6	13.6	14.7	10.5
ORIGINAL PROCEEDINGS	7.2	4.9	7.4	4.6	9.0	4.9

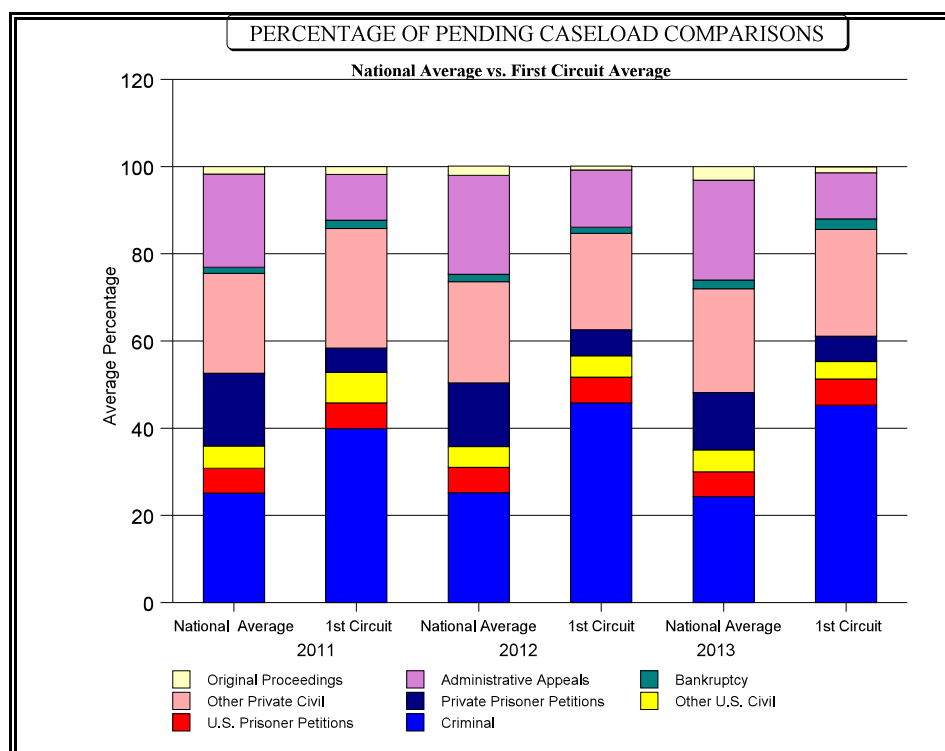
NATIONAL/FIRST CIRCUIT COMPARISON FOR TERMINATED CASELOAD



TERMINATED CASELOAD COMPARISON PERCENT OF TOTAL FROM SEPTEMBER 30, 2011 THROUGH 2013

	2011		2012		2013	
	National Average	1 st Circuit	National Average	1 st Circuit	National Average	1 st Circuit
CRIMINAL	23.2	29.2	23.7	32.9	21.8	36.7
U.S. PRISONER PETITIONS	8.5	6.9	8.2	6.5	8.9	6.7
OTHER U.S. CIVIL	4.8	5.5	4.8	6.4	4.6	4.9
PRIVATE PRISONER PETITIONS	19.9	8.4	19.4	5.8	18.6	6.9
OTHER PRIVATE CIVIL	21.0	31.9	21.8	30.0	21.9	26.2
BANKRUPTCY	1.2	2.4	1.2	2.0	1.4	1.3
ADMINISTRATIVE APPEALS	14.4	10.9	13.8	12.0	14.9	12.6
ORIGINAL PROCEEDINGS	7.0	4.8	7.1	4.4	8.1	4.8

NATIONAL/FIRST CIRCUIT COMPARISON FOR PENDING CASELOAD



PENDING CASELOAD COMPARISON PERCENT OF TOTAL FROM SEPTEMBER 30, 2011 THROUGH 2013

	2011		2012		2013	
	National Average	1 st Circuit	National Average	1 st Circuit	National Average	1 st Circuit
CRIMINAL	25.1	39.9	25.2	45.8	24.3	45.3
U.S. PRISONER PETITIONS	5.7	5.9	5.8	5.9	5.7	6.0
OTHER U.S. CIVIL	5.1	7.0	4.8	4.9	5.0	4.0
PRIVATE PRISONER PETITIONS	16.6	5.6	14.6	6.0	13.2	5.8
OTHER PRIVATE CIVIL	22.9	27.4	23.2	22.1	23.8	24.5
BANKRUPTCY	1.4	2.0	1.7	1.4	2.0	2.4
ADMINISTRATIVE APPEALS	21.4	10.5	22.7	13.1	22.9	10.6
ORIGINAL PROCEEDINGS	1.7	1.8	2.1	0.9	3.1	1.3

FIRST CIRCUIT TYPES OF CASES COMPARED TO NATIONAL AVERAGE

PERCENT OF TOTAL COMMENCED						
	2011		2012		2013	
	National Average	1 st Circuit	National Average	1 st Circuit	National Average	1 st Circuit
CRIMINAL	22.1	30.8	23.8	36.8	21.1	36.8
U.S. PRISONER PETITIONS	8.6	7.1	8.2	6.7	8.9	6.7
OTHER U.S. CIVIL	5.0	6.8	4.6	4.7	4.7	4.2
PRIVATE PRISONER PETITIONS	19.9	7.2	17.9	5.9	17.7	6.7
OTHER PRIVATE CIVIL	22.3	29.9	22.1	26.0	22.3	28.0
BANKRUPTCY	1.2	1.9	1.4	1.7	1.6	2.2
ADMINISTRATIVE APPEALS	13.7	11.3	14.6	13.6	14.7	10.5
ORIGINAL PROCEEDINGS	7.2	4.9	7.4	4.6	9.0	4.9

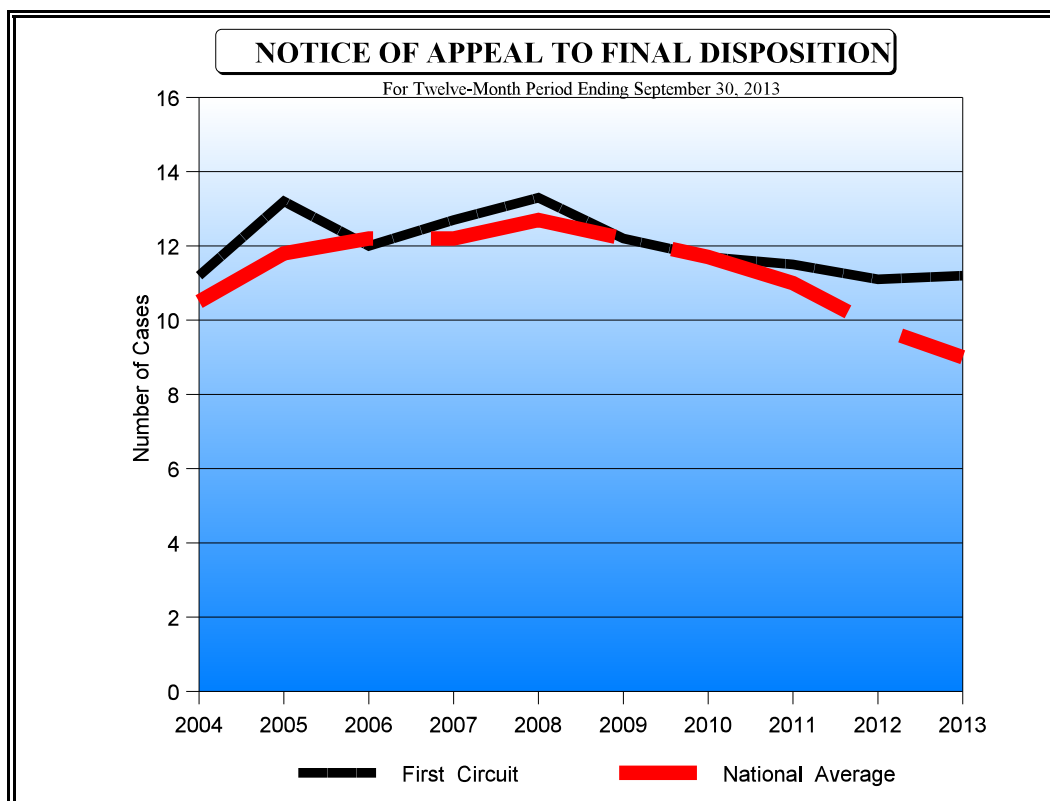
■ NATIONAL AVERAGE

■ FIRST CIRCUIT

UNITED STATES COURT OF APPEALS
 MEDIAN TIME INTERVALS IN MONTHS FOR CASES
 TERMINATED AFTER HEARING OR SUBMISSION,
 BY CIRCUIT DURING THE
 TWELVE MONTH PERIOD ENDING SEPTEMBER 30, 2013
 (FROM FILING OF NOTICE OF APPEALS TO FINAL DISPOSITION)

	# OF CASES	INTV
TOTAL	35,302	9.0
DISTRICT OF COLUMBIA	439	12.6
FIRST	936	11.2
SECOND	3,085	10.4
THIRD	2,715	6.3
FOURTH	3,828	5.0
FIFTH	4,176	9.3
SIXTH	3,588	10.1
SEVENTH	1,702	8.0
EIGHTH	2,161	5.8
NINTH	7,247	13.3
TENTH	1,460	8.2
ELEVENTH	3,965	7.6

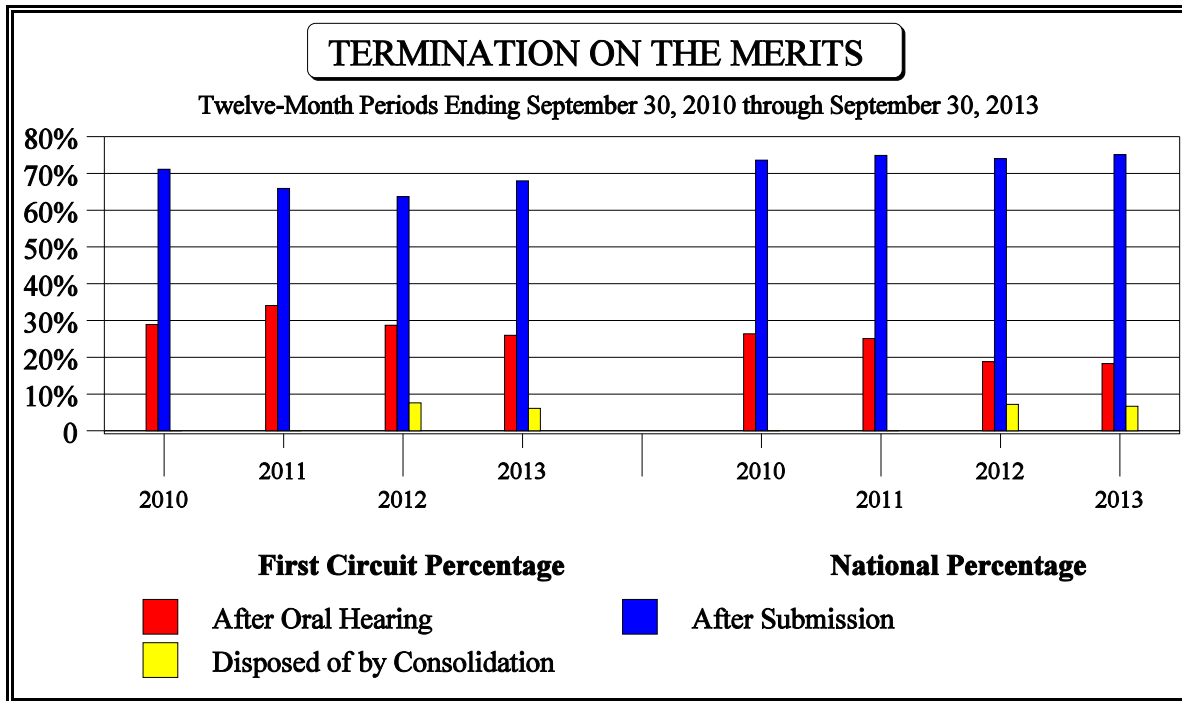
U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT COMPARED TO THE NATIONAL AVERAGE FOR CASELOAD DISPOSITION TIME FROM 2004 - 2013



U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT COMPARISON 2004 - 2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
FIRST CIRCUIT	11.2	13.2	12.0	12.7	13.3	12.2	11.7	11.5	11.1	11.2
NATIONAL AVERAGE	10.5	11.8	12.2	12.2	12.7	12.2	11.7	11.0	9.8	9.0

U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT COMPARED TO THE NATIONAL AVERAGE FOR CASELOAD DISPOSITION 2010 THROUGH 2013



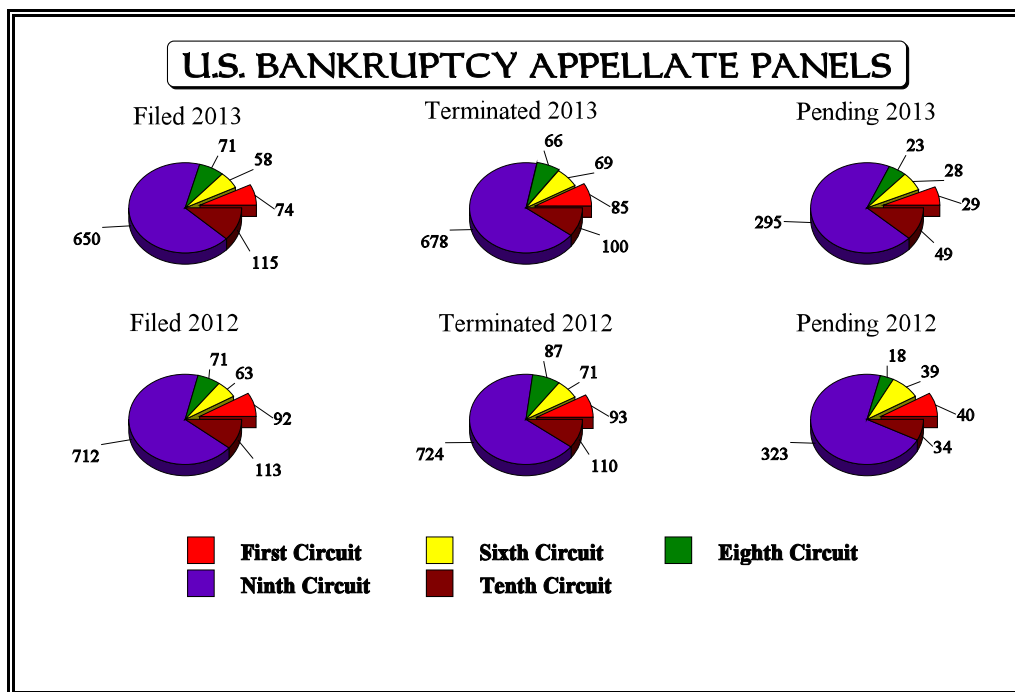
DISPOSITION OF CASELOADS IN PERCENTAGES								
FIRST CIRCUIT VS. NATIONAL CASELOAD								
FIRST CIRCUIT PERCENTAGES					NATIONAL PERCENTAGES TOTALS			
	2010	2011	2012	2013	2010	2011	2012	2013
AFTER ORAL HEARING	28.9%	34.1%	28.7%	26.0%	26.4%	25.1%	18.8%	18.3%
AFTER SUBMISSION	71.1%	65.9%	63.7%	68.0%	73.6%	74.9%	74.0%	75.1%
DISPOSED OF BY CONSOLIDATION	--	--	7.6%	6.1%	--	--	7.2%	6.7%

STATISTICS

U.S. BANKRUPTCY

APPELLATE PANELS

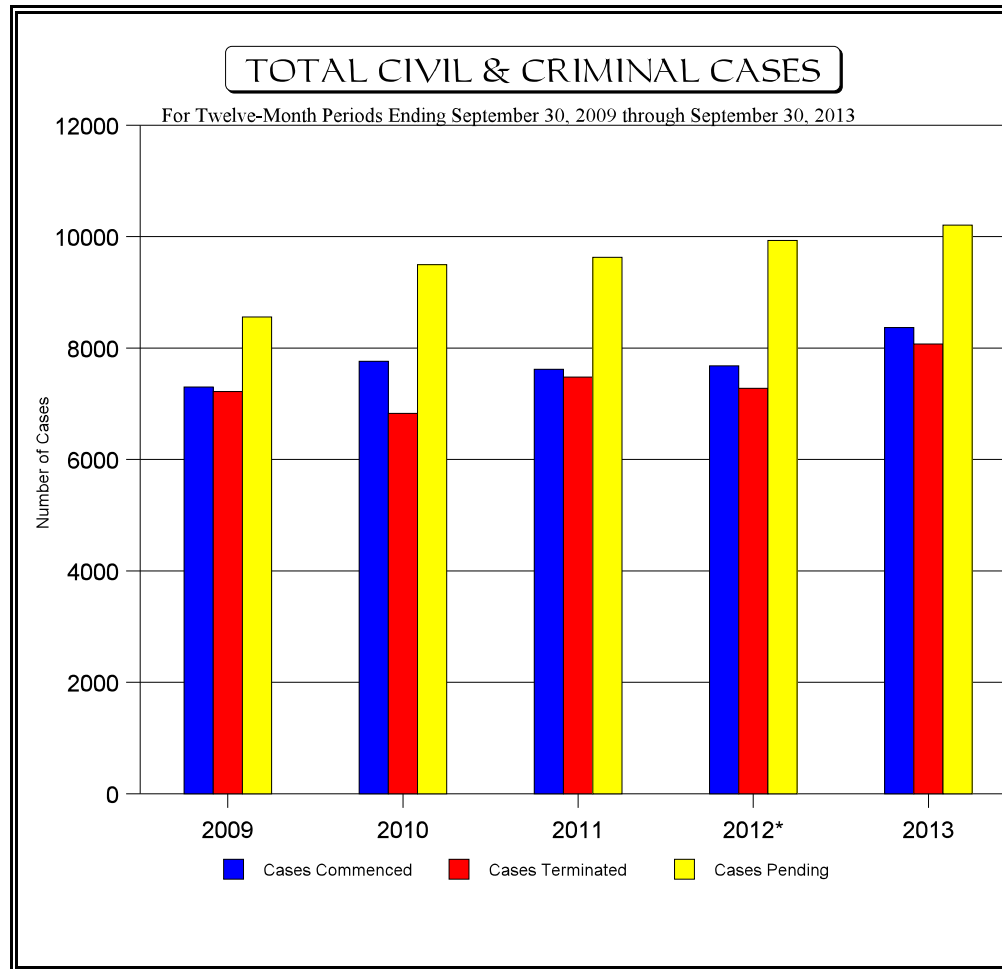
U.S. BANKRUPTCY APPELLATE PANELS APPEALS FILED, TERMINATED AND PENDING BY CIRCUIT



U.S. BANKRUPTCY APPELLATE PANELS DURING THE 12-MONTH PERIODS ENDING SEPTEMBER 30, 2012 AND 2013									
	Filed			Terminated			Pending		
	2012	2013	% Change	2012	2013	% Change	2012	2013	% Change
FIRST CIRCUIT	92	74	-19.6	93	85	-8.6	40	29	-27.5
SIXTH CIRCUIT	63	58	-7.9	71	69	-2.8	39	28	-28.2
EIGHTH CIRCUIT	71	71	0.0	87	66	-24.1	18	23	27.8
NINTH CIRCUIT	712	650	-8.7	724	678	-6.4	323	295	-8.7
TENTH CIRCUIT	113	115	1.8	110	100	-9.1	34	49	44.1
TOTAL	1,051	968	-7.9	1,085	998	-8.0	454	424	-6.6

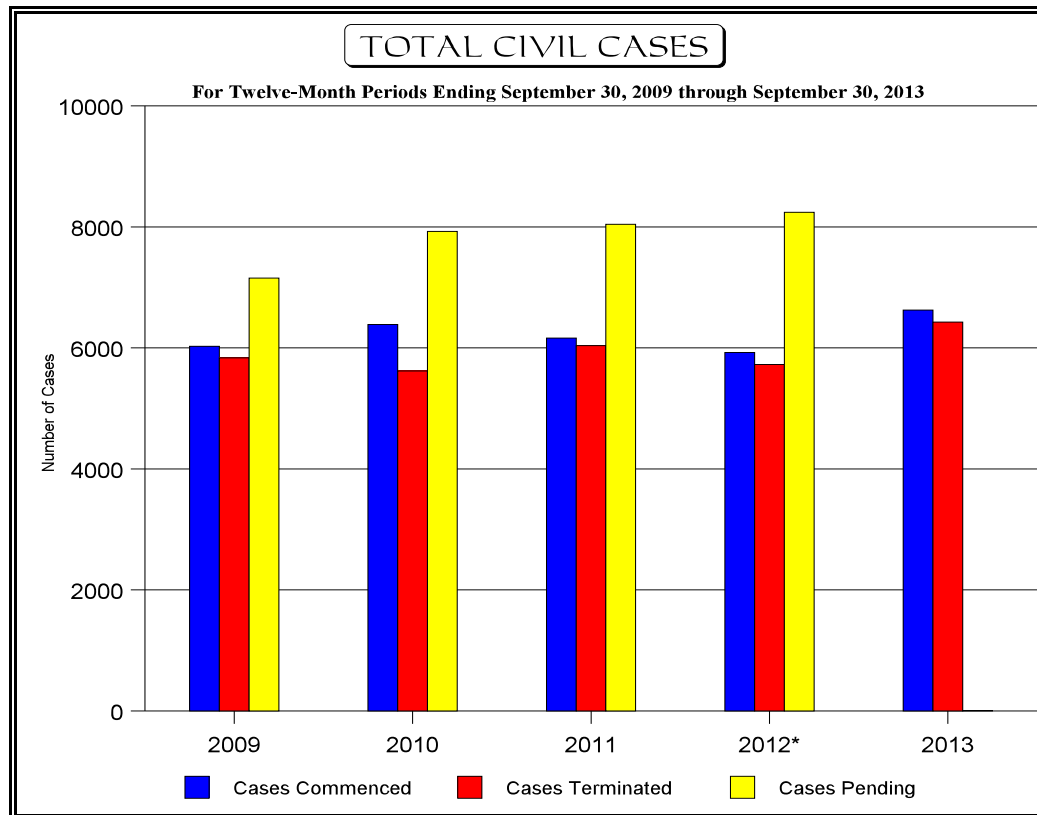
STATISTICS
FIRST CIRCUIT
DISTRICT COURTS

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



TOTAL CIVIL & CRIMINAL CASES FROM 2009 THROUGH 2013					
	2009	2010	2011	2012*	2013
CASES COMMENCED	7,301	7,764	7,619	7,683	8,369
CASES TERMINATED	7,222	6,829	7,482	7,277	8,072
CASES PENDING	8,557	9,497	9,630	9,931	10,209

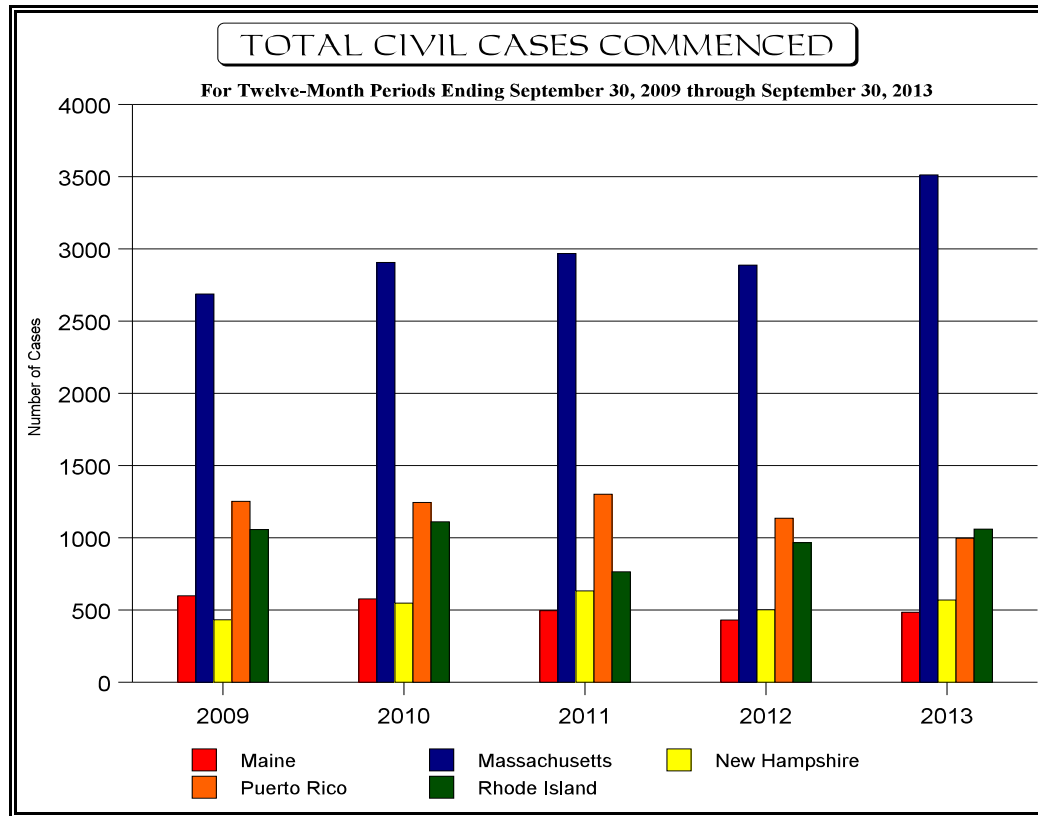
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



TOTAL CIVIL CASES FROM 2009 THROUGH 2013					
	2009	2010	2011	2012*	2013
CASES COMMENCED	6,027	6,385	6,162	5,922	6,624
CASES TERMINATED	5,835	5,618	6,038	5,726	6,425
CASES PENDING	7,153	7,924	8,044	8,241	8,443

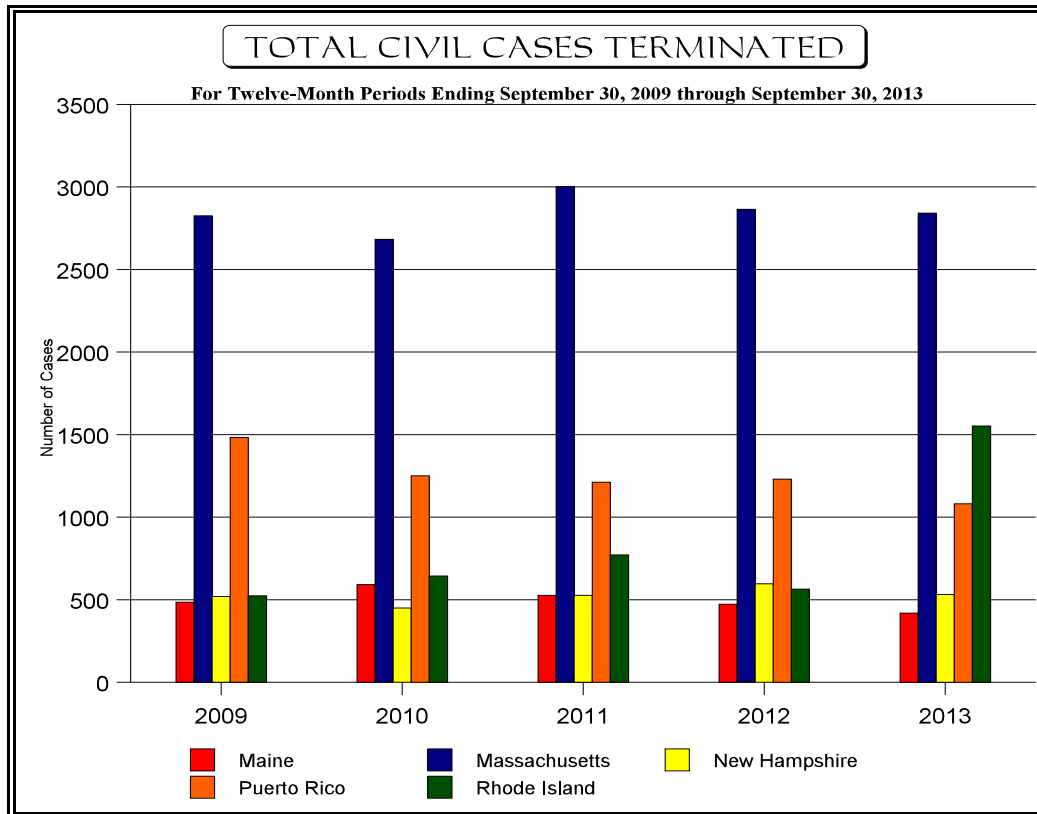
*Pending caseload for 2012 revised by the Administrative Office of the U.S. Courts.

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



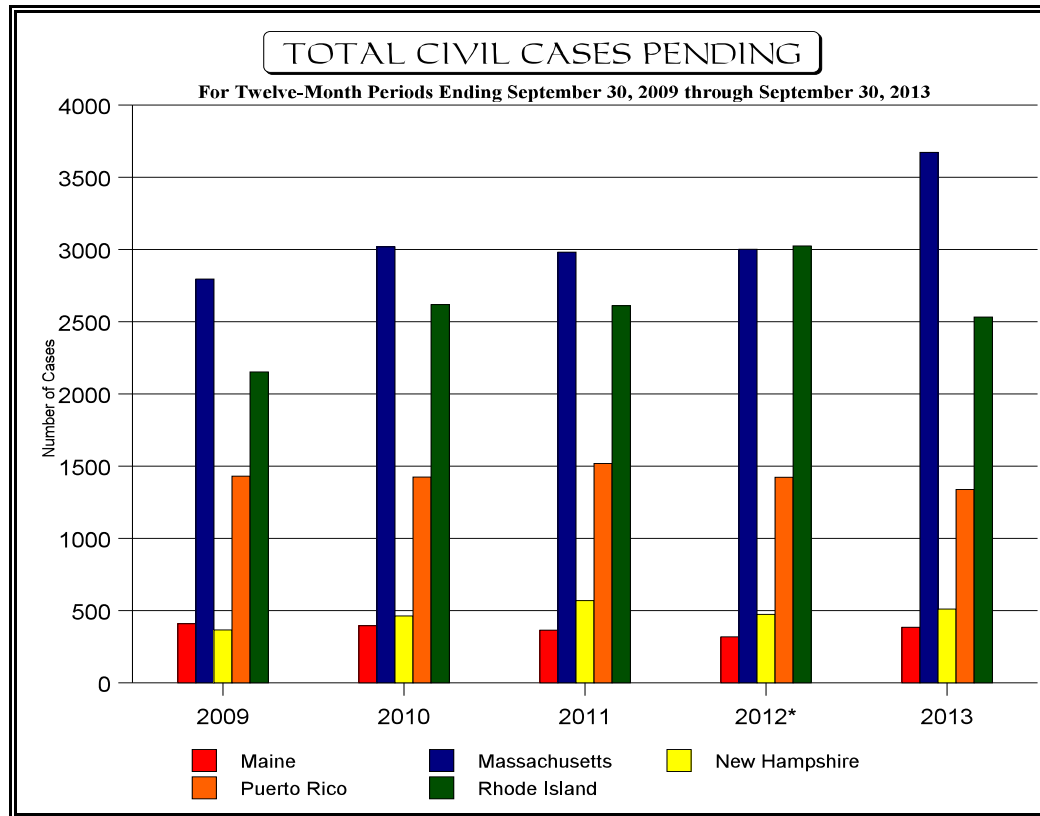
CIVIL CASES COMMENCED FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	598	577	496	431	485
MASSACHUSETTS	2,688	2,906	2,968	2,888	3,513
NEW HAMPSHIRE	432	547	632	501	569
PUERTO RICO	1,252	1,245	1,302	1,136	997
RHODE ISLAND	1,057	1,110	764	966	1,060

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



CIVIL CASES TERMINATED FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	485	591	526	472	418
MASSACHUSETTS	2,826	2,683	3,002	2,864	2,842
NEW HAMPSHIRE	519	450	526	596	532
PUERTO RICO	1,482	1,250	1,212	1,230	1,081
RHODE ISLAND	523	644	772	564	1,552

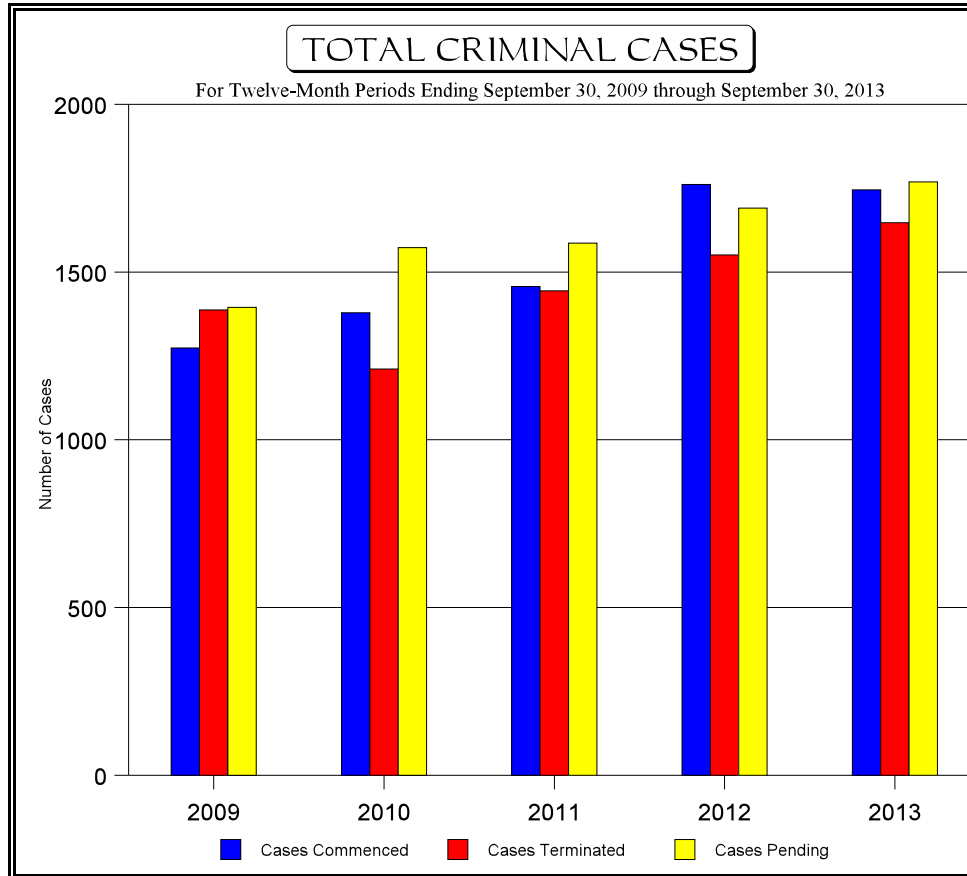
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



CIVIL CASES PENDING FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012*	2013
MAINE	409	395	365	318	385
MASSACHUSETTS	2,795	3,018	2,981	3,002	3,673
NEW HAMPSHIRE	366	463	569	474	511
PUERTO RICO	1,430	1,425	1,518	1,423	1,339
RHODE ISLAND	2,153	2,619	2,611	3,024	2,532

*Total civil cases pending in 2012 revised by the Administrative Office of the United States Courts.

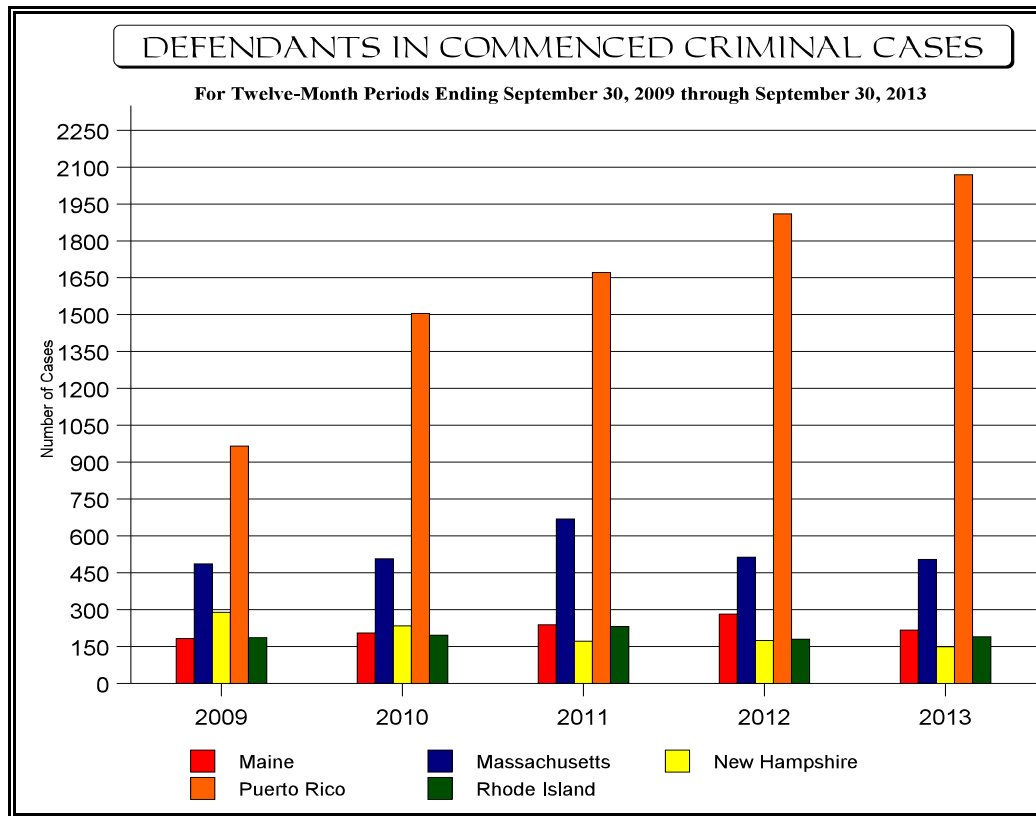
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



TOTAL CRIMINAL CASES FROM 2009 THROUGH 2013

	2009	2010	2011	2012	2013
CASES COMMENCED	1,274	1,379	1,457	1,761	1,745
CASES TERMINATED	1,387	1,211	1,444	1,551	1,647
CASES PENDING	1,395	1,573	1,586	1,691	1,769

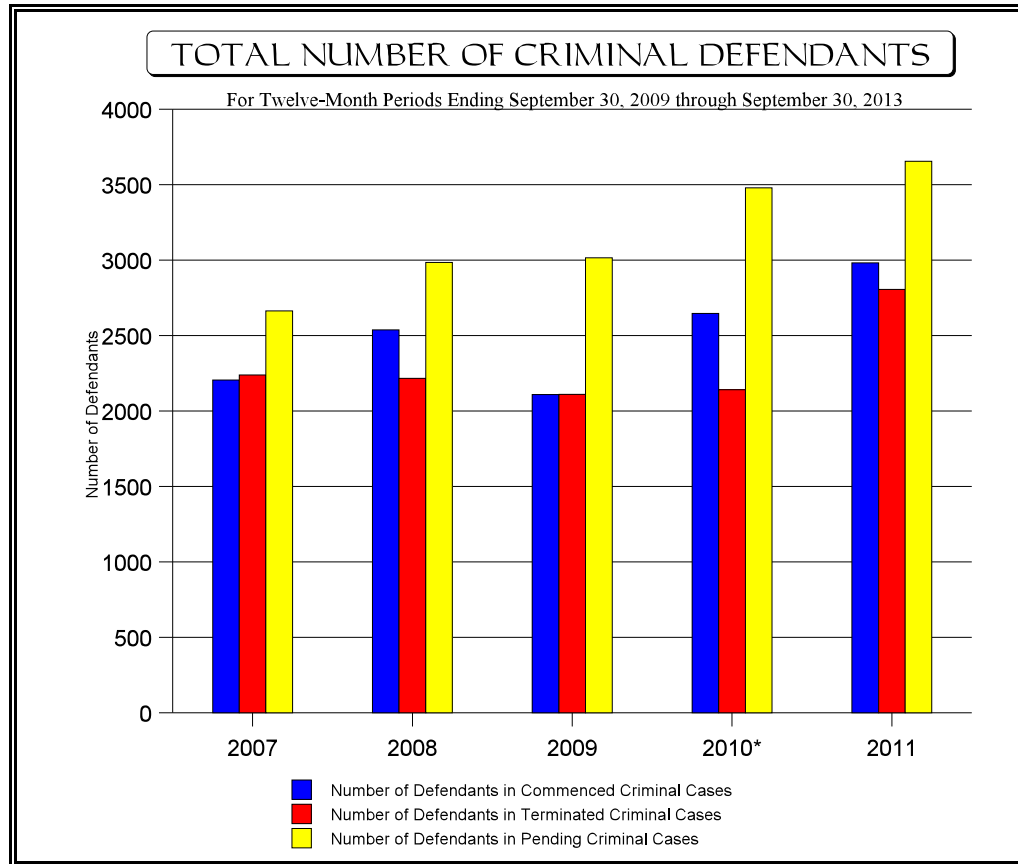
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



DEFENDANTS IN COMMENCED CRIMINAL CASES FROM 2009 THROUGH 2013

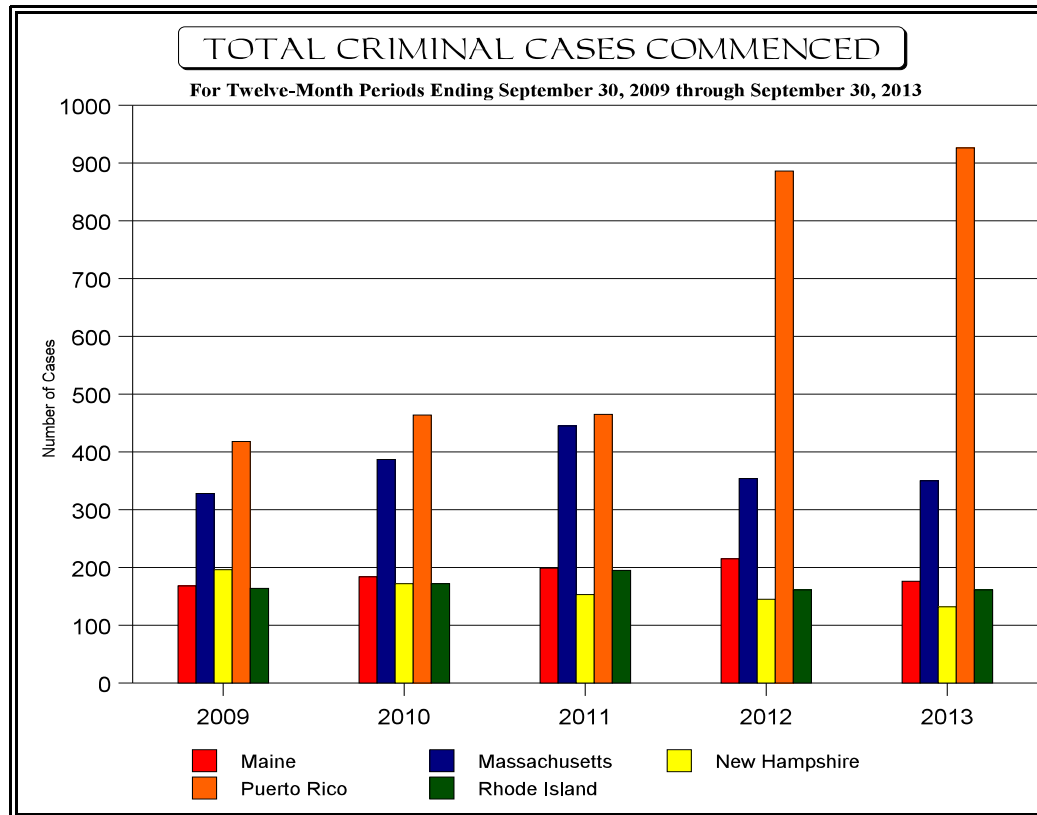
DISTRICTS	2009	2010	2011	2012	2013
MAINE	183	205	239	282	217
MASSACHUSETTS	486	507	669	513	504
NEW HAMPSHIRE	289	234	172	174	149
PUERTO RICO	965	1,505	1,671	1,910	2,069
RHODE ISLAND	186	196	231	180	190

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



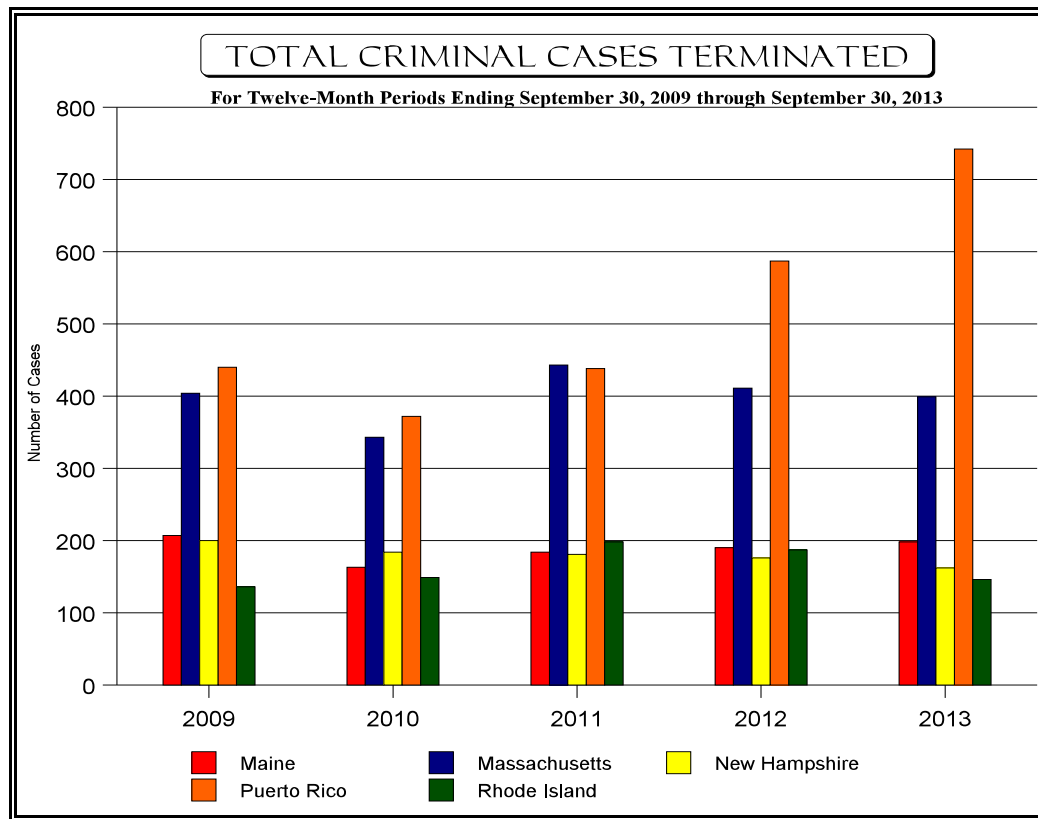
TOTAL NUMBER OF CRIMINAL DEFENDANTS FROM 2009 THROUGH 2013					
	2009	2010	2011	2012	2013
NUMBER OF DEFENDANTS IN COMMENCED CRIMINAL CASES	2,109	2,647	2,982	3,059	3,129
NUMBER OF DEFENDANTS IN TERMINATED CRIMINAL CASES	2,110	2,141	2,806	3,045	2,855
NUMBER OF DEFENDANTS IN PENDING CRIMINAL CASES	3,016	3,479	3,655	3,538	3,750

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



CRIMINAL CASES COMMENCED FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	168	184	199	215	176
MASSACHUSETTS	328	387	445	354	350
NEW HAMPSHIRE	196	172	153	145	132
PUERTO RICO	418	464	465	886	926
RHODE ISLAND	164	172	195	161	161

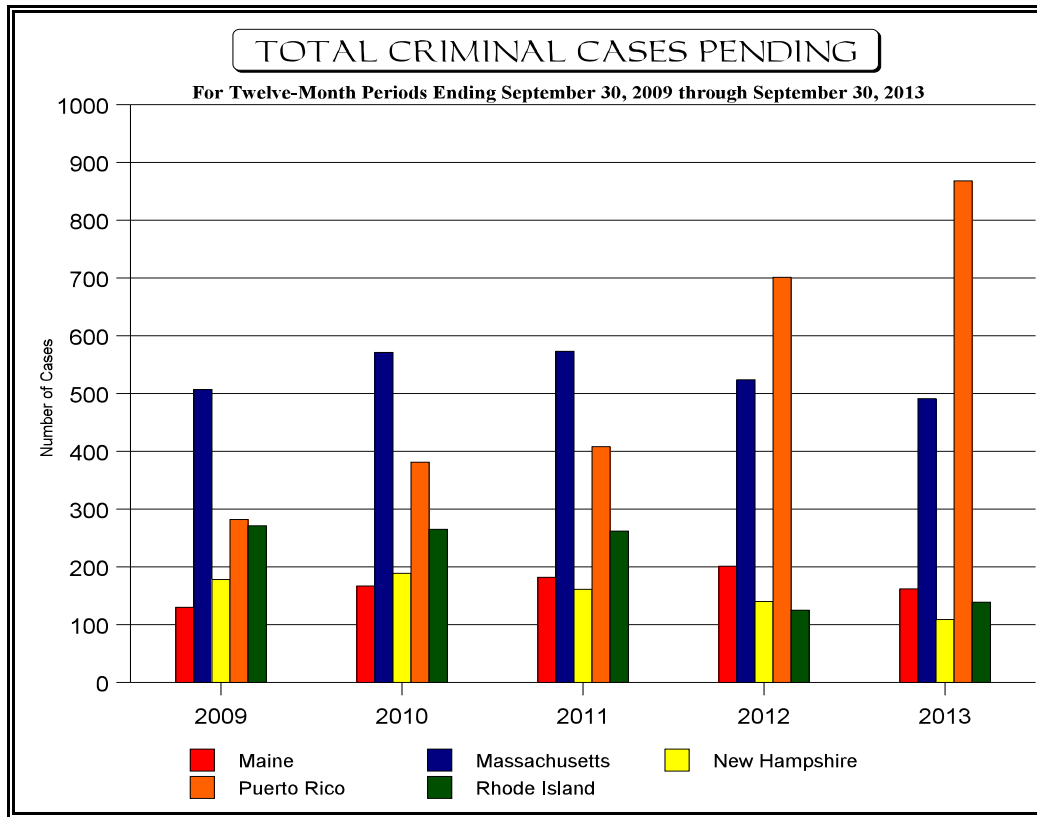
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



CRIMINAL CASES TERMINATED FROM 2009 THROUGH 2013

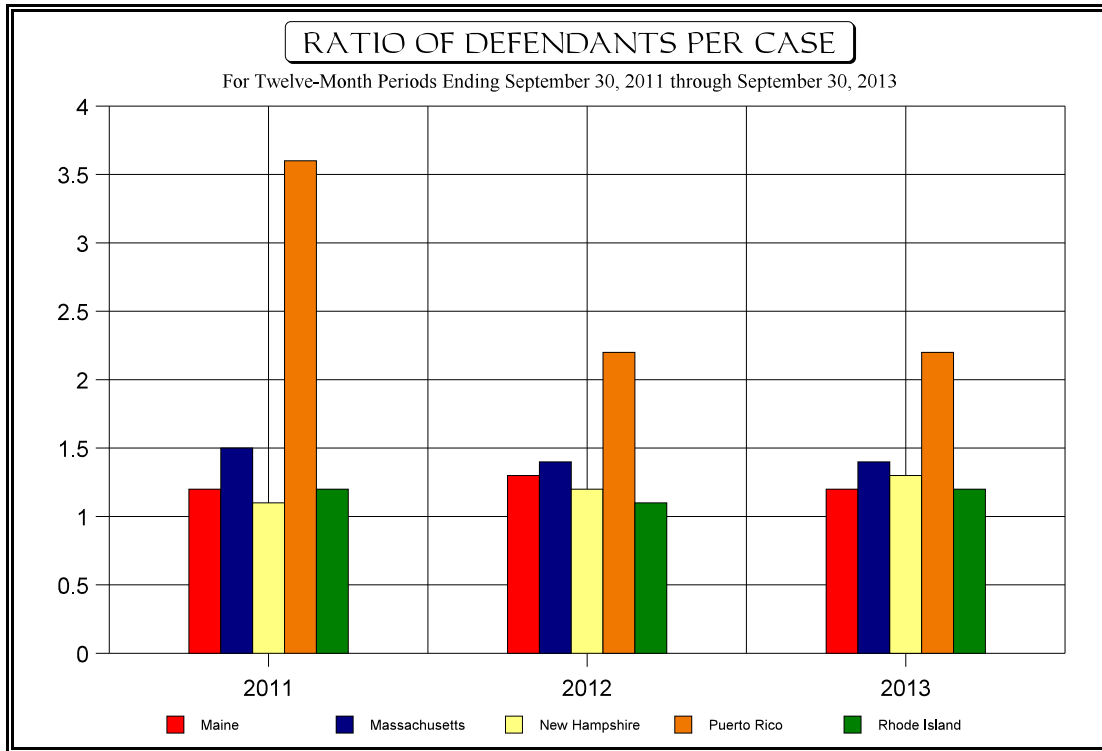
DISTRICTS	2009	2010	2011	2012	2013
MAINE	207	163	184	190	198
MASSACHUSETTS	404	343	443	411	399
NEW HAMPSHIRE	200	184	181	176	162
PUERTO RICO	440	372	438	587	742
RHODE ISLAND	136	149	198	187	146

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



CRIMINAL CASES PENDING FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	130	167	182	201	162
MASSACHUSETTS	507	571	573	524	491
NEW HAMPSHIRE	178	189	161	140	109
PUERTO RICO	282	381	408	701	868
RHODE ISLAND	271	265	262	125	139

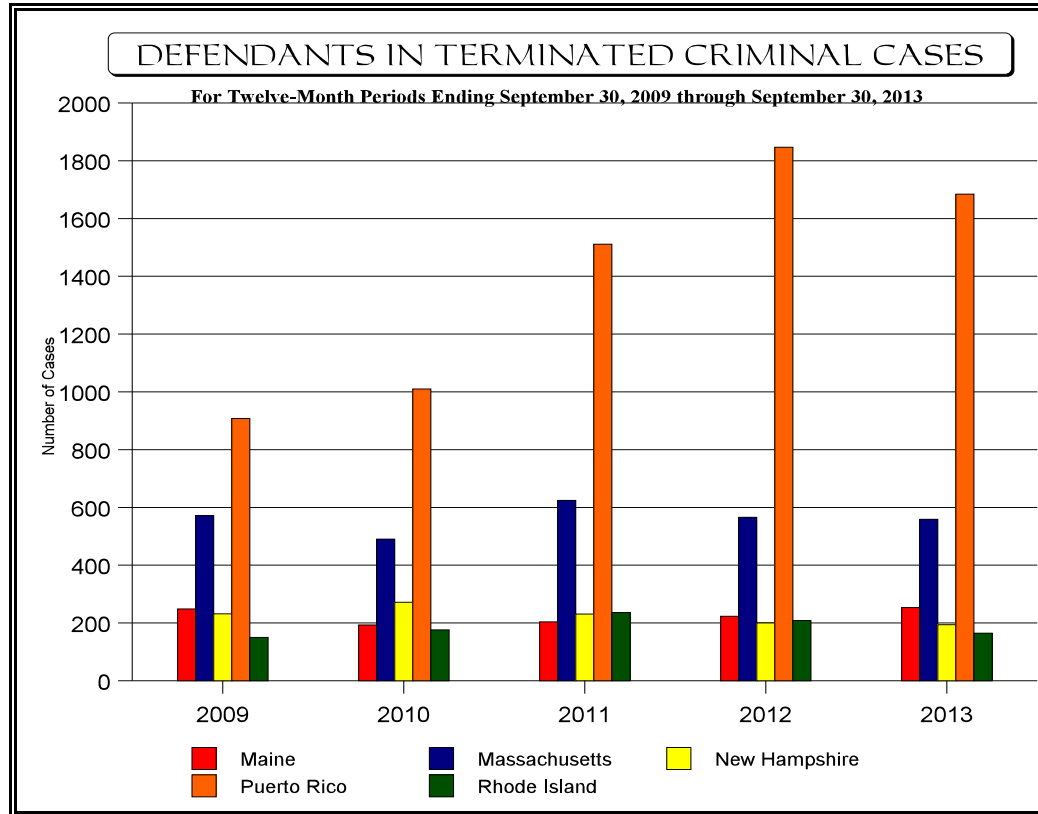
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



NUMBER OF CRIMINAL CASES FILED AND RATIO OF DEFENDANTS PER CASE 2011-2013

	<u>2011</u>		Average Number of Defs. per case	<u>2012</u>		Average Number of Defs. per case	<u>2013</u>		Average Number of Defs. per case
	Cases	Defs.		Cases	Defs.		Cases	Defs.	
MAINE	199	239	1.2	215	282	1.3	176	217	1.2
MASSACHUSETTS	445	669	1.5	354	513	1.4	350	504	1.4
NEW HAMPSHIRE	153	172	1.1	145	174	1.2	132	149	1.3
PUERTO RICO	465	1,671	3.6	886	1,910	2.2	926	2,069	2.2
RHODE ISLAND	195	231	1.2	161	180	1.1	161	190	1.2

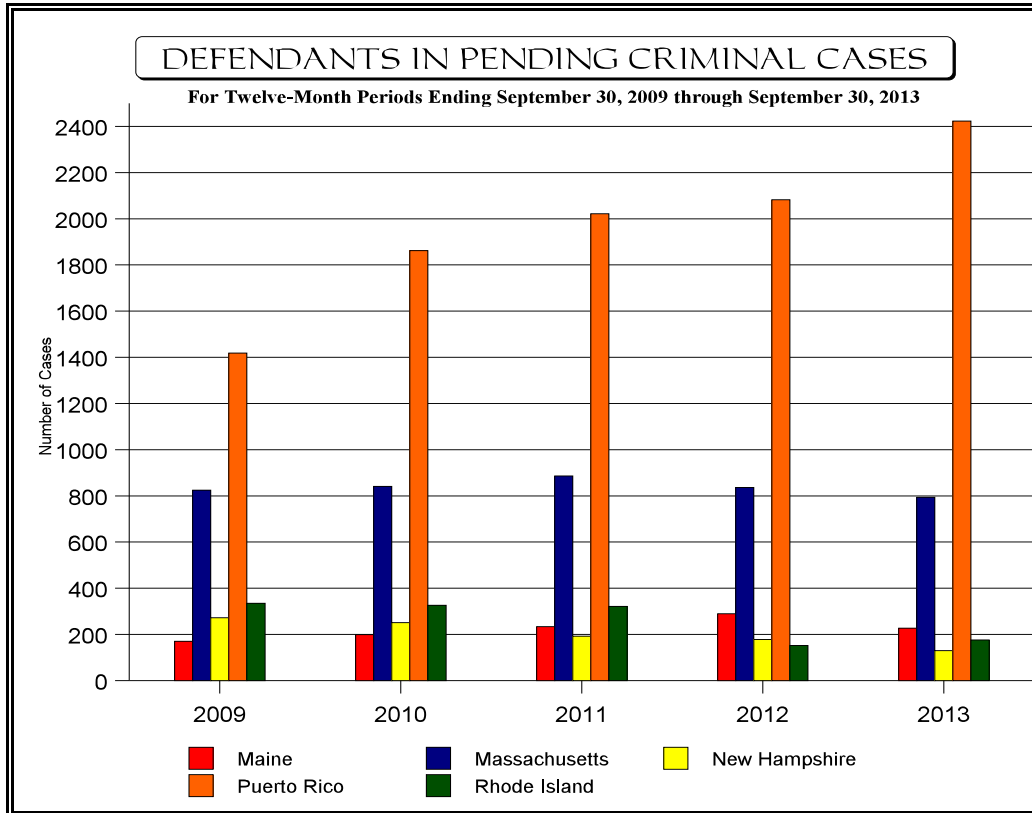
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



DEFENDANTS IN TERMINATED CRIMINAL CASES FROM 2009 THROUGH 2013

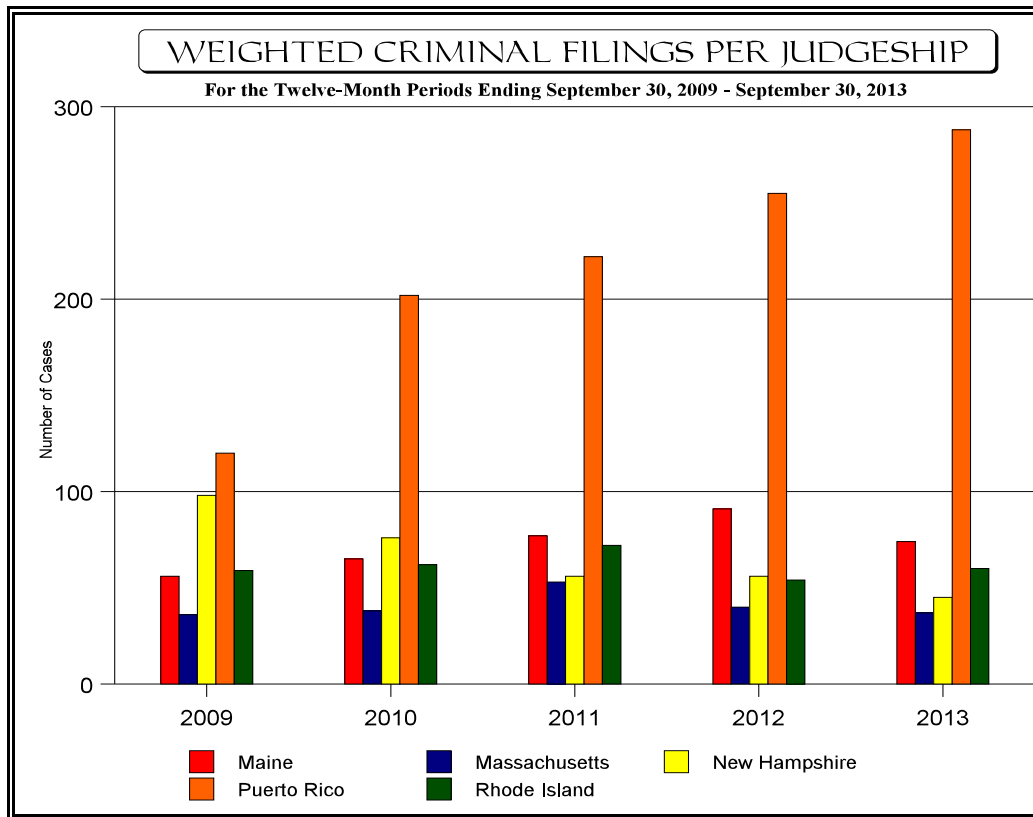
DISTRICTS	2009	2010	2011	2012	2013
MAINE	249	193	204	223	253
MASSACHUSETTS	571	490	624	566	559
NEW HAMPSHIRE	232	272	231	200	194
PUERTO RICO	908	1,010	1,511	1,847	1,684
RHODE ISLAND	150	176	236	209	165

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



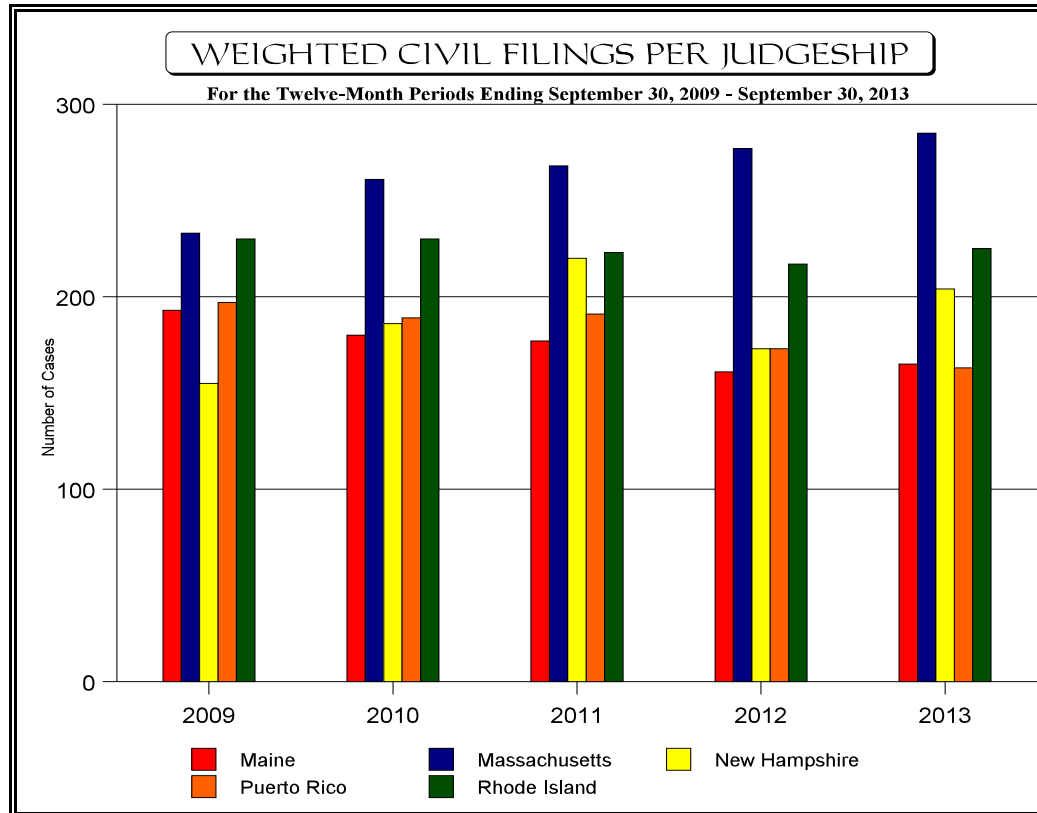
DEFENDANTS IN PENDING CRIMINAL CASES FROM 2009 THROUGH 2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	170	199	234	290	227
MASSACHUSETTS	825	841	886	836	794
NEW HAMPSHIRE	272	251	192	178	130
PUERTO RICO	1,418	1,862	2,022	2,082	2,423
RHODE ISLAND	335	326	321	152	176

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



WEIGHTED CRIMINAL FILINGS PER JUDGESHIP FROM 2009 THROUGH 2013						
DISTRICTS	JUDGESHIPS	2009	2010	2011	2012	2013
MAINE	3	56	65	77	91	74
MASSACHUSETTS	13	36	38	53	40	37
NEW HAMPSHIRE	3	98	76	56	56	45
PUERTO RICO	7	120	202	222	255	288
RHODE ISLAND	3	59	62	72	54	60

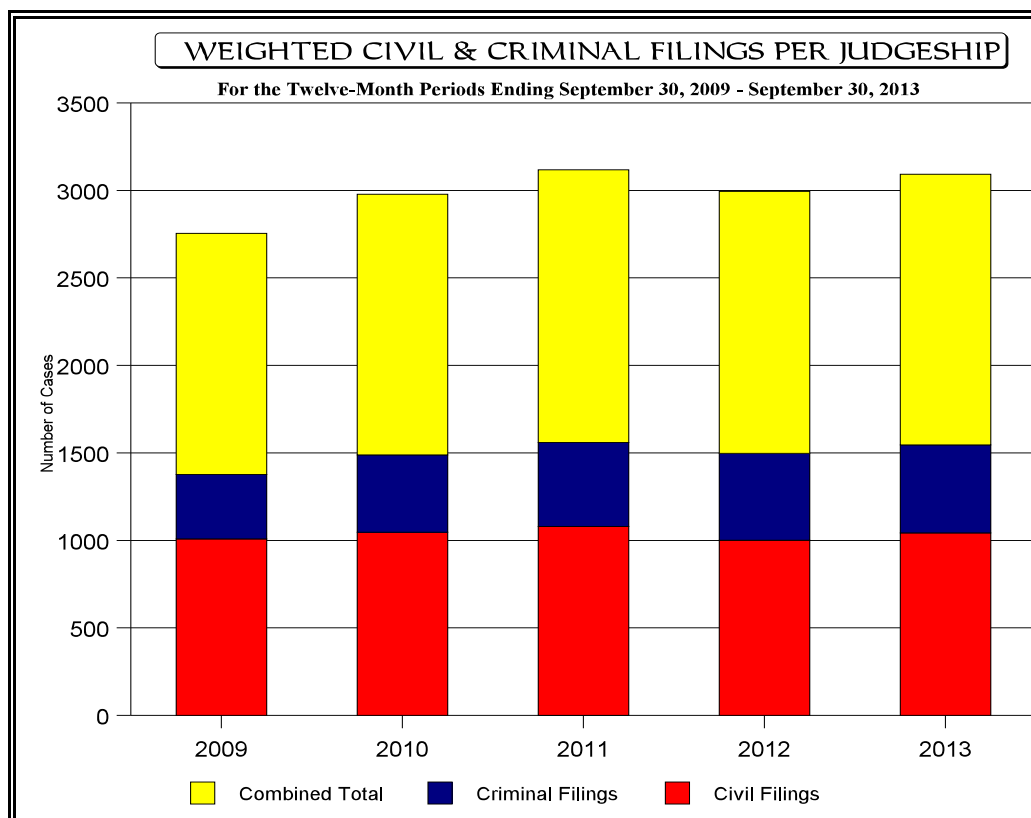
TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



WEIGHTED CIVIL FILINGS PER JUDGESHIP FROM 2009 THROUGH 2013

DISTRICTS	JUDGESHIPS	2009	2010	2011	2012	2013
MAINE	3	193	180	177	161	165
MASSACHUSETTS	13	233	261	268	277	285
NEW HAMPSHIRE	3	155	186	220	173	204
PUERTO RICO	7	197	189	191	173	163
RHODE ISLAND	3	230	230	223	217	225

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



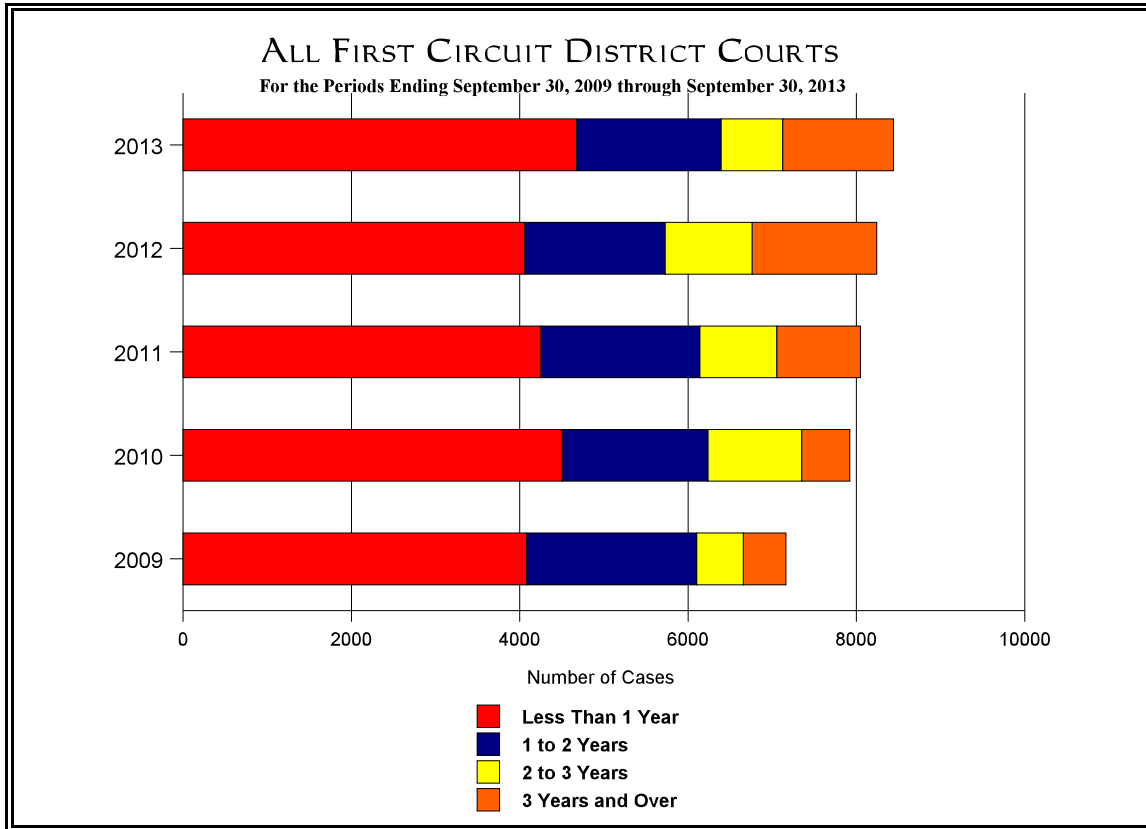
WEIGHTED CIVIL & CRIMINAL FILINGS PER JUDGESHIP WEIGHTED CIVIL & CRIMINAL FILINGS PER JUDGESHIP FROM 2009 THROUGH 2013

	2009	2010	2011	2012	2013
CIVIL FILINGS	1,008	1,046	1,079	1,001	1,042
CRIMINAL FILINGS	369	443	480	496	504
COMBINED TOTAL	1,377	1,489	1,559	1,497	1,546

COMPARATIVE NUMBER OF CIVIL CASES PENDING FOR RESPECTIVE LENGTHS OF TIME

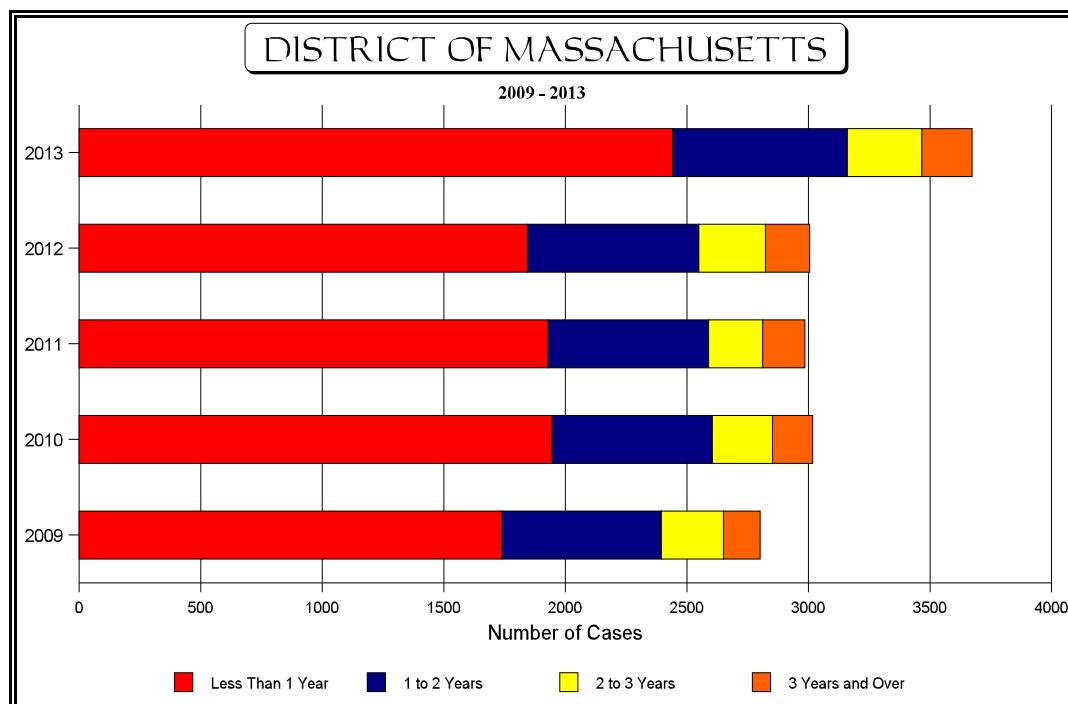
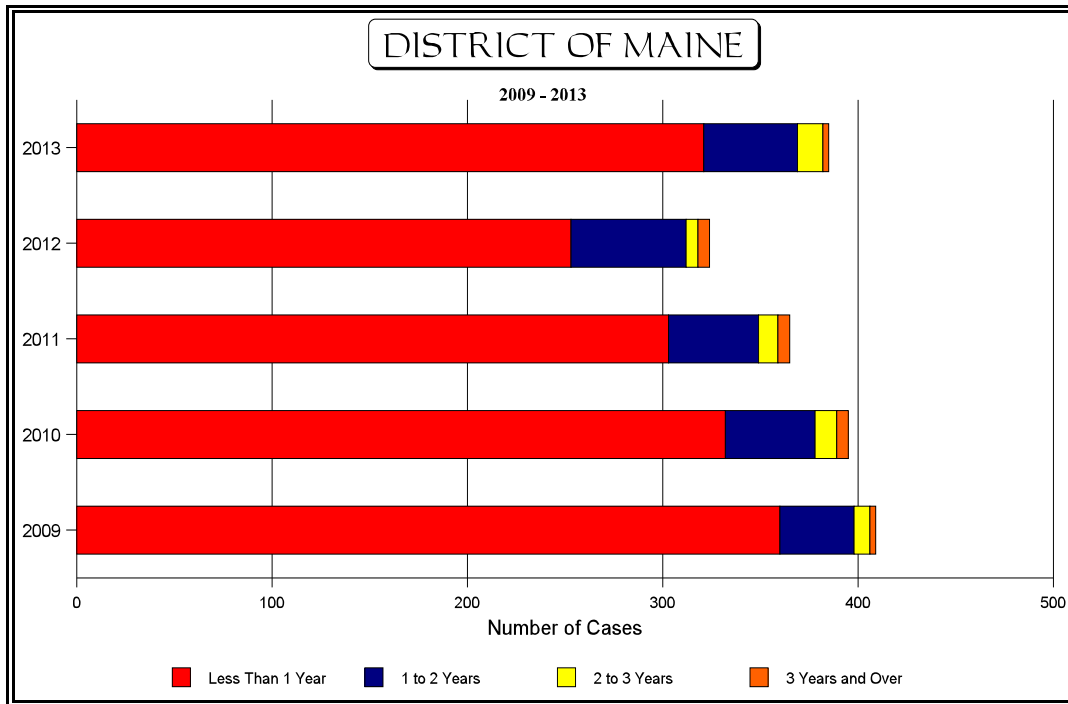
CIVIL CASES PENDING AND LENGTH OF TIME PENDING FOR THE PERIODS ENDING SEPTEMBER 30, 2009 THROUGH SEPTEMBER 30, 2013					
	2009	2010	2011	2012	2013
DISTRICT OF MAINE					
LESS THAN 1 YEAR	360	332	303	253	321
1 TO 2 YEARS	38	46	46	59	48
2 TO 3 YEARS	8	11	10	6	13
3 YEARS AND OVER	3	6	6	6	3
DISTRICT OF MASSACHUSETTS					
LESS THAN 1 YEAR	1,739	1,946	1,930	1,845	2,443
1 TO 2 YEARS	656	659	659	704	717
2 TO 3 YEARS	255	247	223	274	306
3 YEARS AND OVER	151	166	174	182	207
DISTRICT OF NEW HAMPSHIRE					
LESS THAN 1 YEAR	250	360	427	315	360
1 TO 2 YEARS	87	70	111	127	99
2 TO 3 YEARS	18	26	19	26	46
3 YEARS AND OVER	12	7	13	6	6
DISTRICT OF PUERTO RICO					
LESS THAN 1 YEAR	848	902	980	821	731
1 TO 2 YEARS	371	334	372	409	360
2 TO 3 YEARS	155	144	117	144	183
3 YEARS AND OVER	58	45	47	50	65
DISTRICT OF RHODE ISLAND					
LESS THAN 1 YEAR	882	964	612	827	821
1 TO 2 YEARS	872	625	700	369	493
2 TO 3 YEARS	117	685	546	583	183
3 YEARS AND OVER	282	345	753	1,234	1,035

COMPARATIVE NUMBER OF CIVIL CASES PENDING FOR RESPECTIVE LENGTHS OF TIME

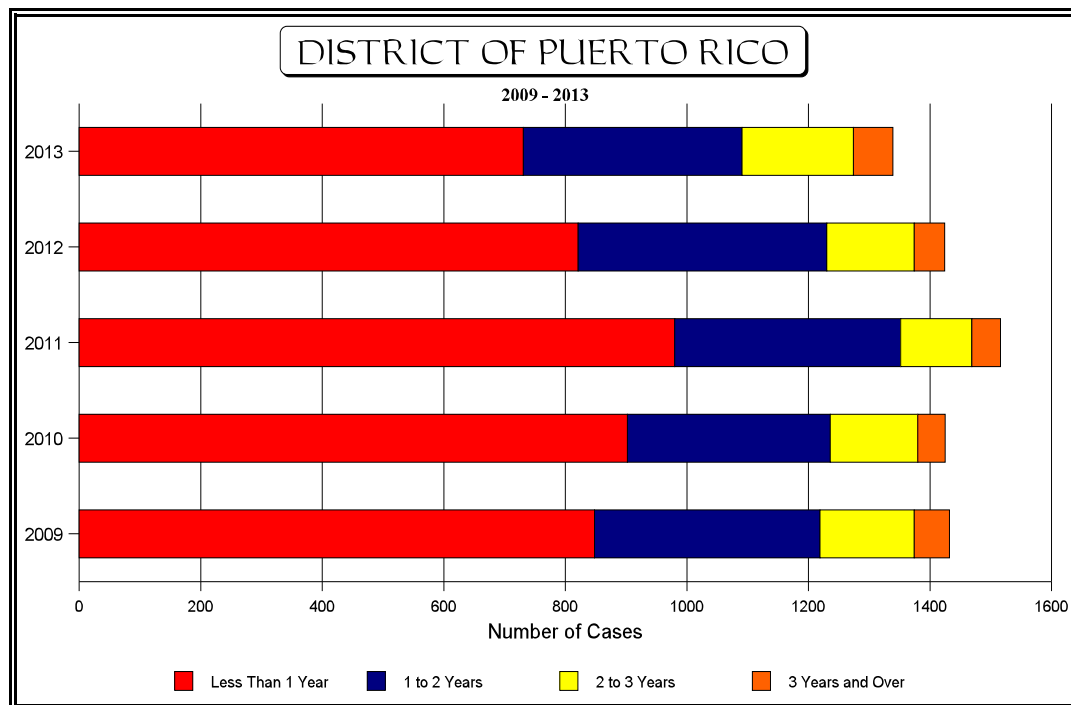
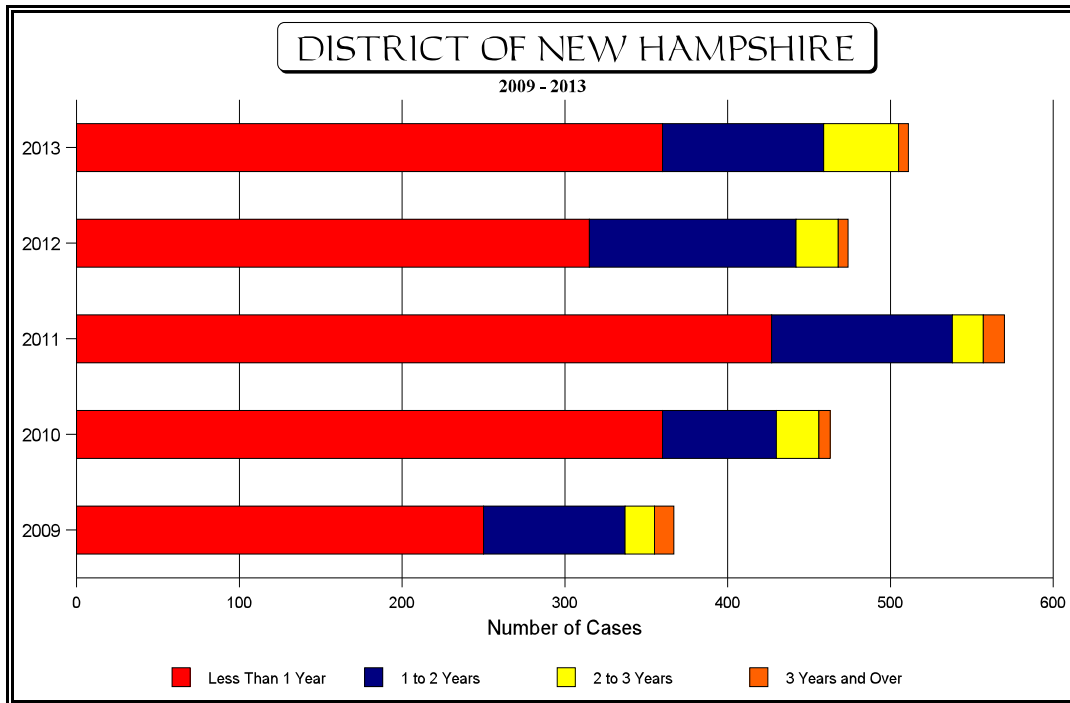


CIVIL CASES PENDING AND LENGTH FROM 2009 THROUGH 2013					
	2009	2010	2011	2012	2013
LESS THAN 1 YEAR	4,079 (57%)	4,504 (56.9%)	4,252 (52.8%)	4,061 (49.3%)	4,676 (55.4%)
1 TO 2 YEARS	2,024 (28.3%)	1,734 (21.9%)	1,888 (23.5%)	1,668 (20.2%)	1,717 (20.3%)
2 TO 3 YEARS	553 (7.7%)	1,113 (14.1%)	915 (11.4%)	1,033 (12.5%)	731 (8.7%)
3 YEARS AND OVER	506 (7.1%)	569 (7.2%)	993 (12.3%)	1,478 (17.9%)	1,316 (15.6%)

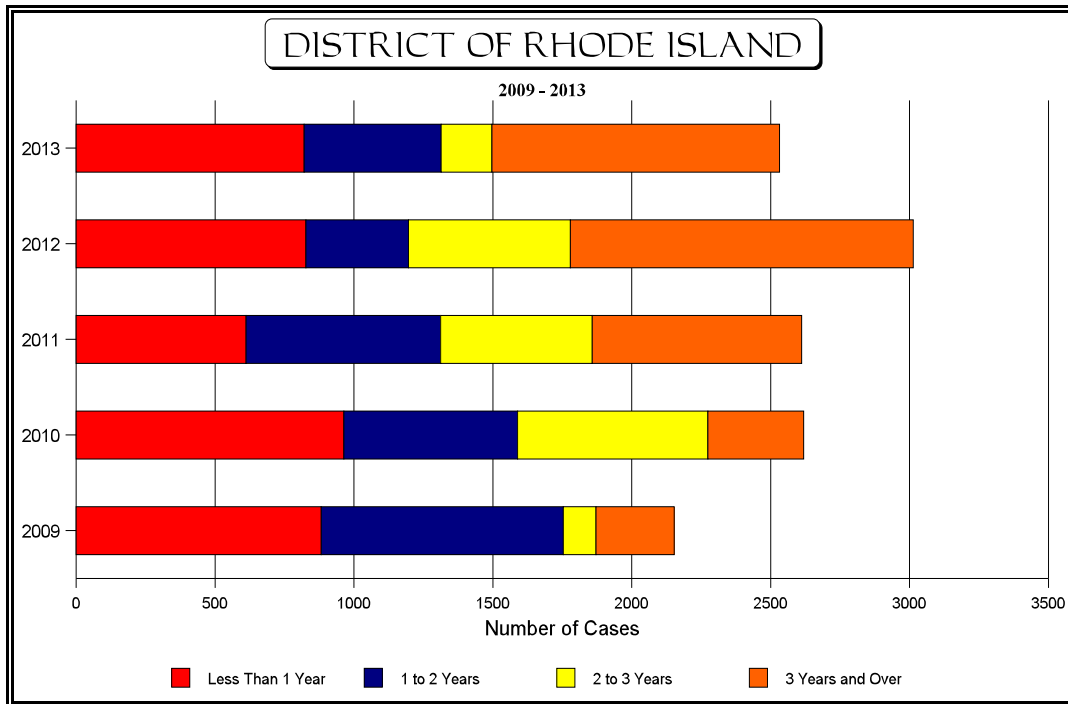
COMPARATIVE NUMBER OF CIVIL CASES PENDING FOR RESPECTIVE LENGTHS OF TIME



COMPARATIVE NUMBER OF CIVIL CASES PENDING FOR RESPECTIVE LENGTHS OF TIME

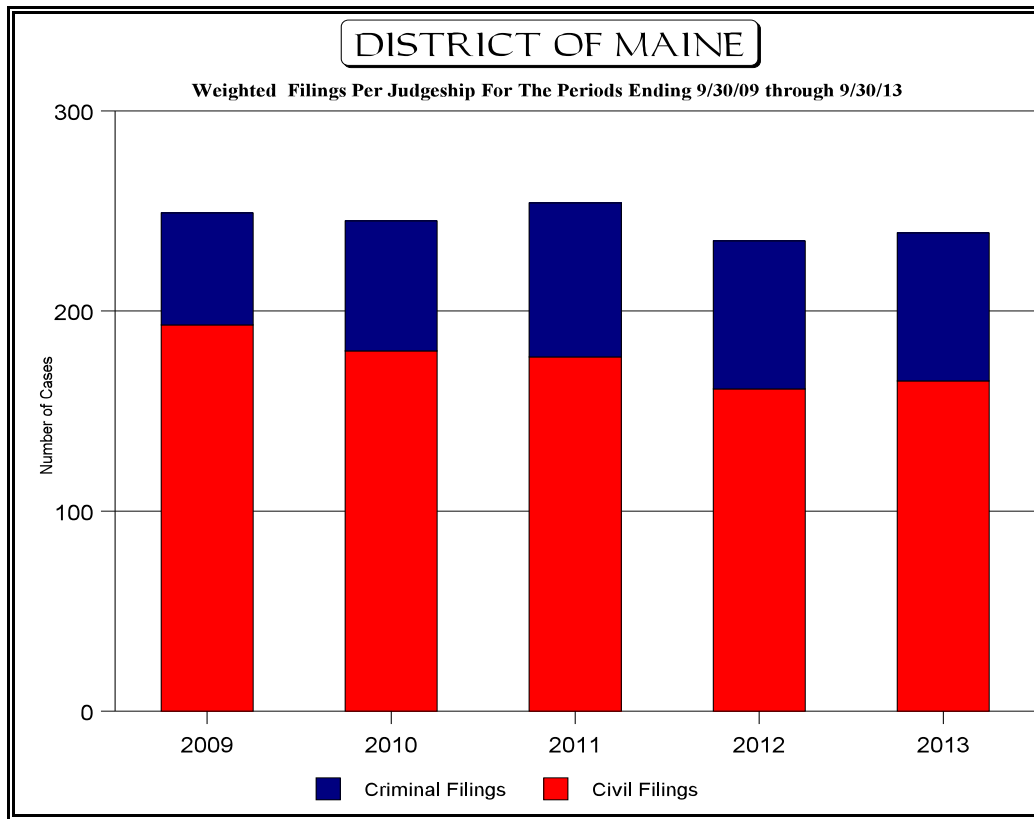


COMPARATIVE NUMBER OF CIVIL CASES PENDING FOR RESPECTIVE LENGTHS OF TIME



STATISTICS
DISTRICT OF MAINE

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



United States District Court for the District of Maine Authorized Judgeships

1789 • 1

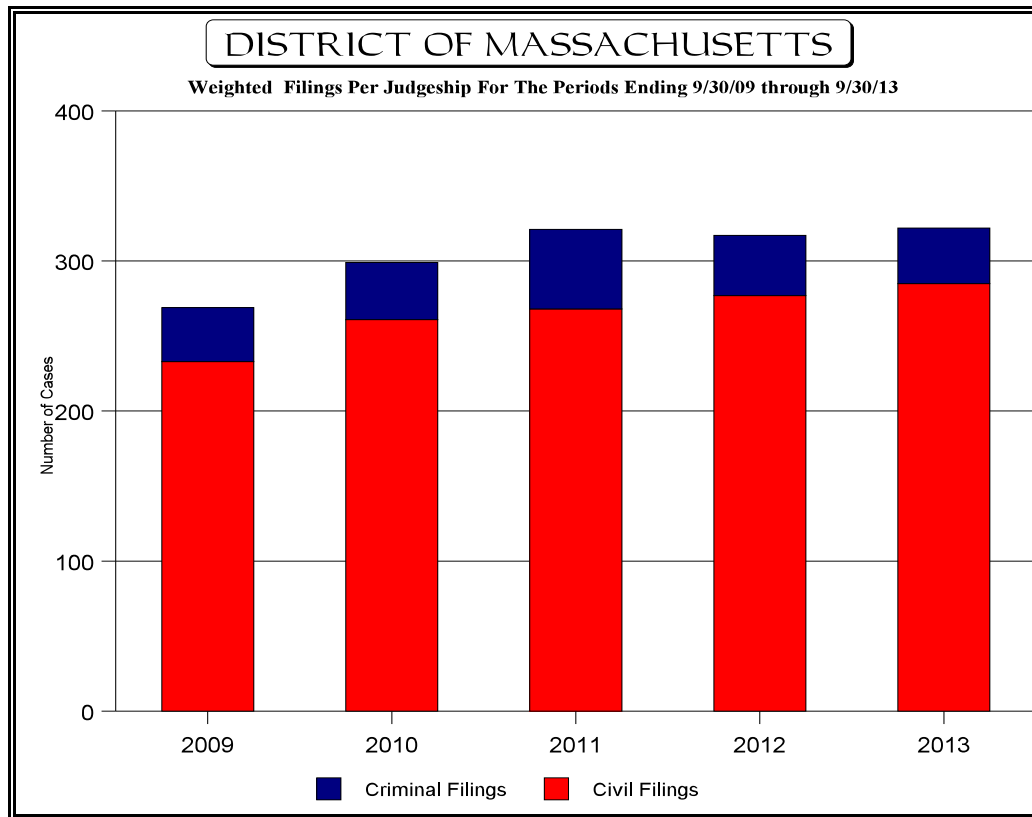
1978 • 2

1990 • 3

DISTRICT OF MAINE WEIGHTED FILINGS PER JUDGESHIP FOR THE PERIOD ENDING SEPTEMBER 30, 2009 - 2013					
	2009	2010	2011	2012	2013
CIVIL FILINGS	193	180	177	161	165
CRIMINAL FILINGS	56	65	77	91	74
TOTAL FILINGS	251	245	254	252	239

STATISTICS
DISTRICT OF
MASSACHUSETTS

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



United States District Court for the District of Massachusetts Authorized Judgeships

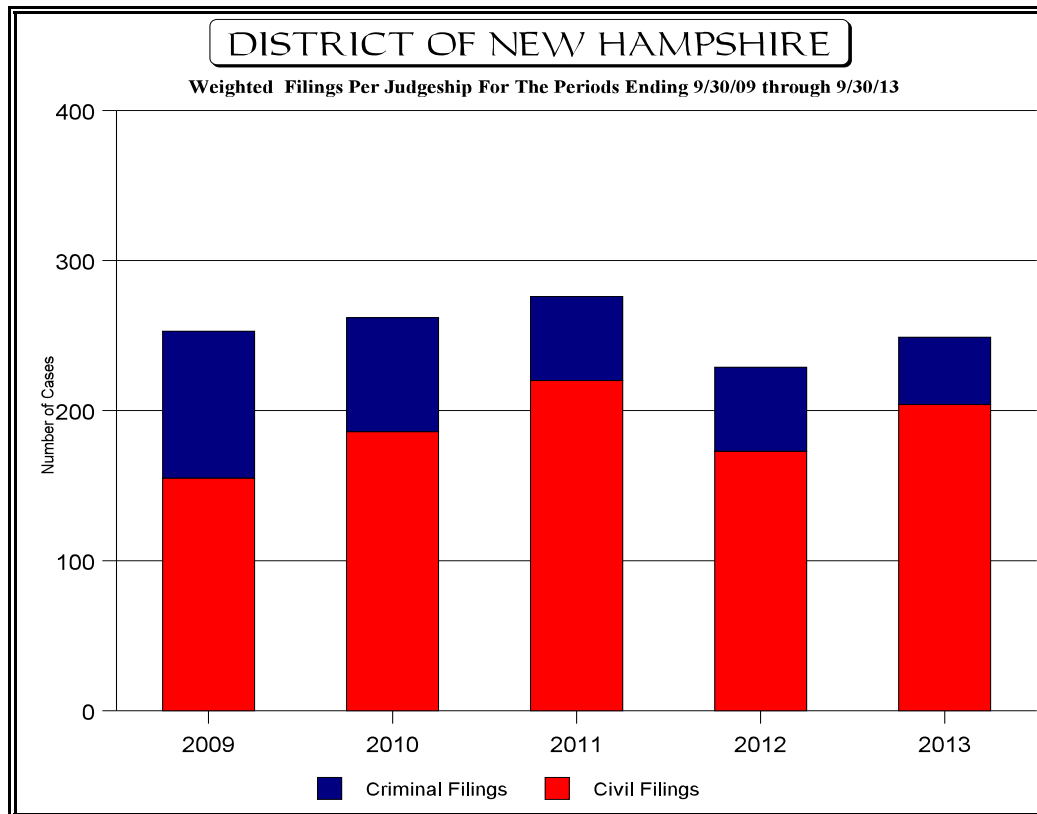
1789 • 1 1922 • 2 1938 • 4 1938 • 4
 1961 • 6 1978 • 10 1984 • 12 1990 • 13

DISTRICT OF MASSACHUSETTS WEIGHTED FILINGS PER JUDGESHIP FOR THE PERIOD ENDING SEPTEMBER 30, 2009 - 2013

	2009	2010	2011	2012	2013
CIVIL FILINGS	233	261	268	277	285
CRIMINAL FILINGS	36	38	53	40	37
TOTAL FILINGS	272	299	321	317	322

STATISTICS
DISTRICT OF
NEW HAMPSHIRE

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



United States District Court for the District of New Hampshire Authorized Judgeships

1789 • 1

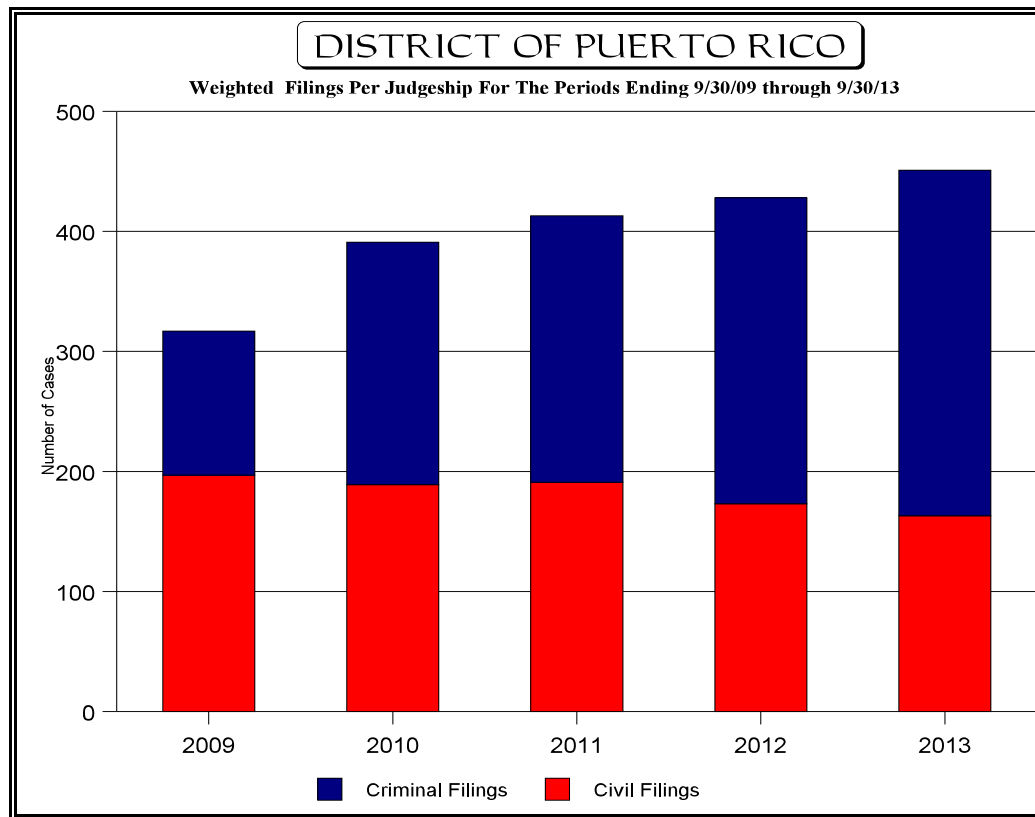
1978 • 2

1990 • 3

DISTRICT OF NEW HAMPSHIRE WEIGHTED FILINGS PER JUDGESHIP FOR THE PERIOD ENDING SEPTEMBER 30, 2009 - 2012					
	2009	2010	2011	2012	2013
CIVIL FILINGS	155	186	220	173	204
CRIMINAL FILINGS	98	76	56	56	45
TOTAL FILINGS	253	262	276	229	249

**STATISTICS
DISTRICT OF
PUERTO RICO**

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



United States District Court for the District of Puerto Rico Authorized Judgeships

1917 • 1

1961 • 2

1970 • 3

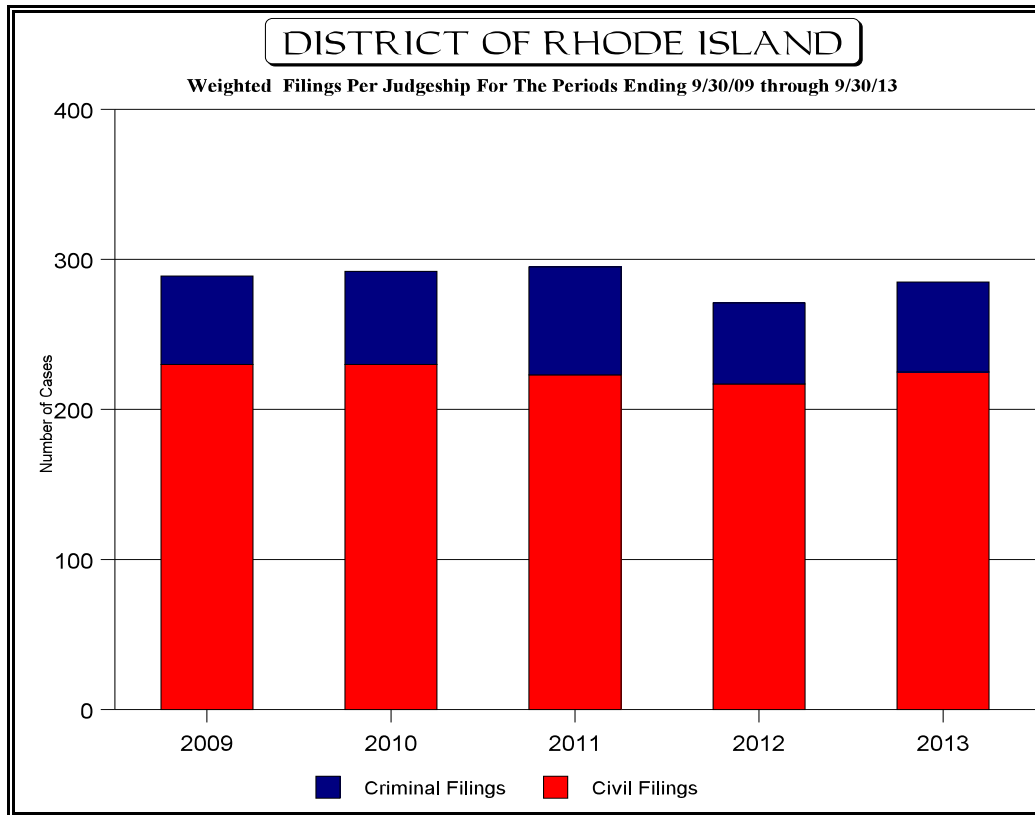
1978 • 7

DISTRICT OF PUERTO RICO WEIGHTED FILINGS PER JUDGESHIP FOR THE PERIOD ENDING SEPTEMBER 30, 2009 - 2013

	2009	2010	2011	2012	2013
CIVIL FILINGS	197	189	191	173	163
CRIMINAL FILINGS	120	202	222	255	288
TOTAL FILINGS	317	391	413	428	451

**STATISTICS
DISTRICT OF
RHODE ISLAND**

TOTAL CASELOAD COMPARISON FIRST CIRCUIT DISTRICT COURTS



United States District Court for the District of Rhode Island Authorized Judgeships

1790 • 1

1966 • 2

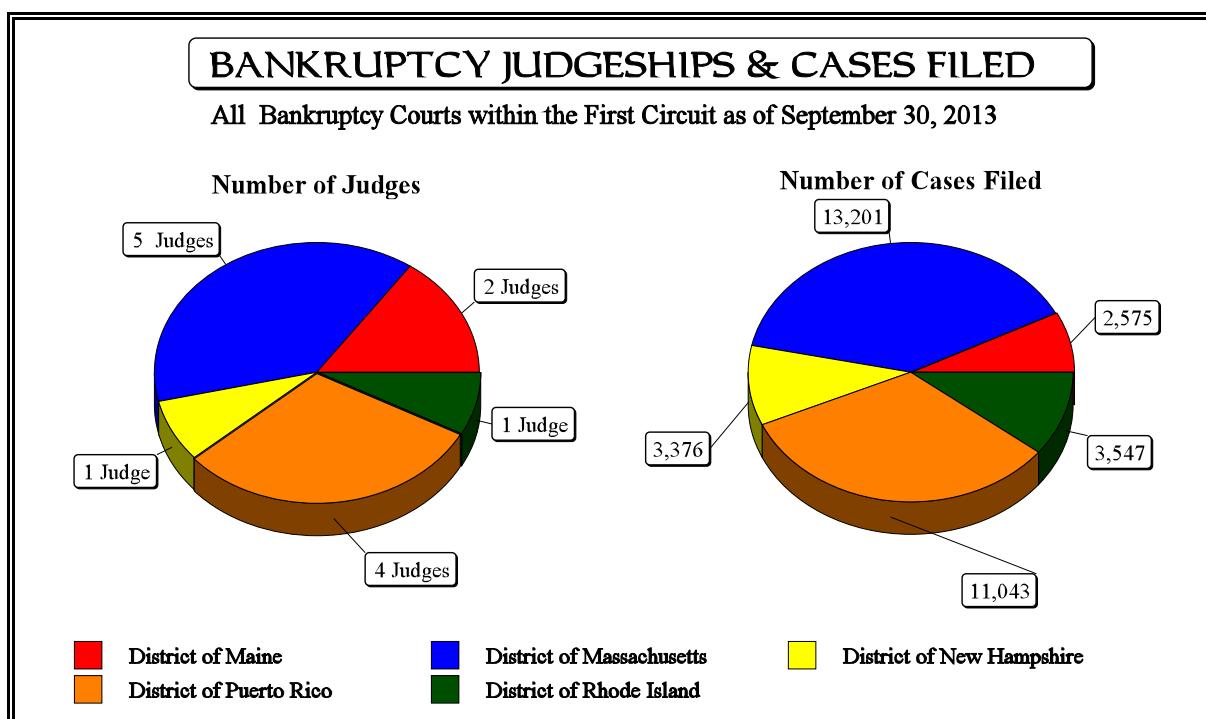
1984 • 3

DISTRICT OF RHODE ISLAND WEIGHTED FILINGS PER JUDGESHIP FOR THE PERIOD ENDING SEPTEMBER 30, 2009 - 2013

	2009	2010	2011	2012	2013
CIVIL FILINGS	230	230	223	217	225
CRIMINAL FILINGS	59	62	72	54	60
TOTAL FILINGS	289	292	295	271	285

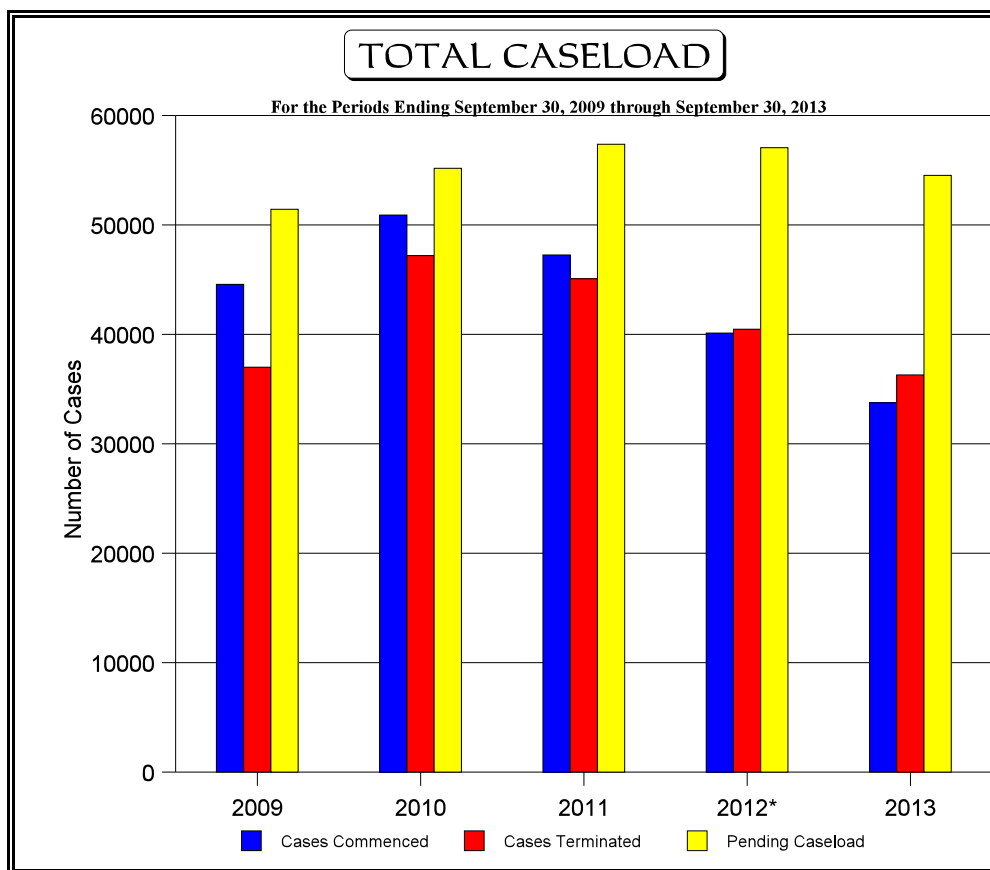
STATISTICS
FIRST CIRCUIT
BANKRUPTCY COURTS

BANKRUPTCY CASELOAD SUMMARY



NUMBER OF BANKRUPTCY JUDGES AND CASES FILED DURING THE TWELVE MONTH PERIOD ENDING SEPTEMBER 30, 2013		
	Number of Judges	Cases Filed
DISTRICT OF MAINE	2	2,575
DISTRICT OF MASSACHUSETTS	5	13,201
DISTRICT OF NEW HAMPSHIRE	1	3,376
DISTRICT OF PUERTO RICO	4	11,043
DISTRICT OF RHODE ISLAND	1	3,547
FIRST CIRCUIT TOTALS	13	33,742

BANKRUPTCY CASELOAD SUMMARY FIRST CIRCUIT BANKRUPTCY COURTS



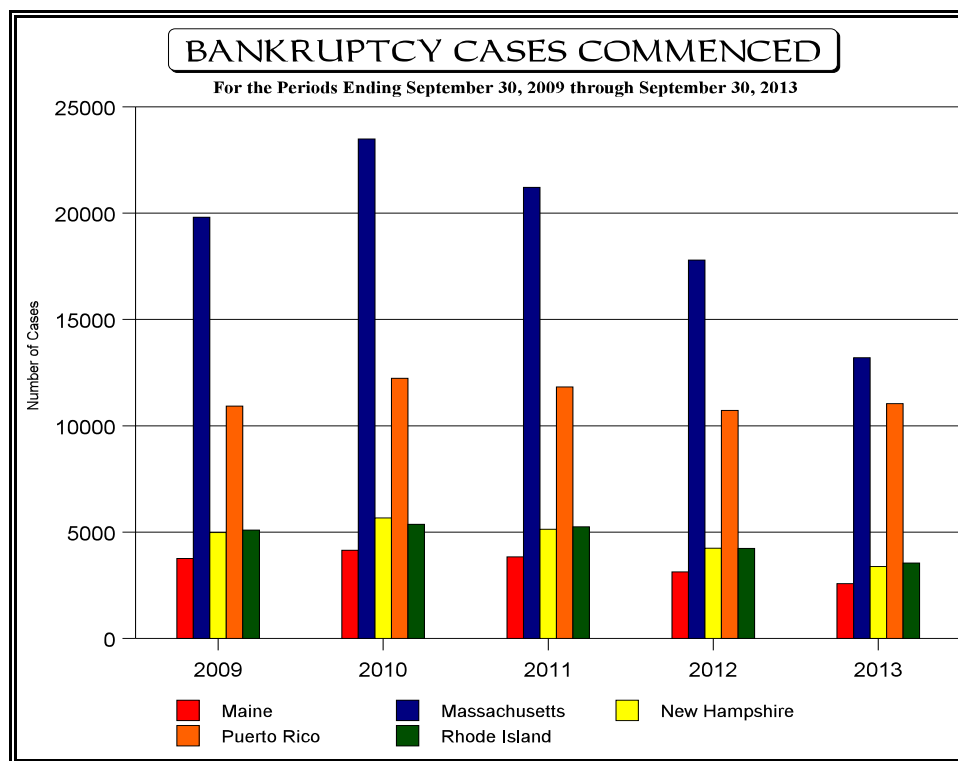
Authorized Judgeships. 13

TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012*	2013
CASES COMMENCED	44,560	50,902	47,252	40,122	33,742
CASES TERMINATED	37,006	47,199	45,075	40,475	36,288
PENDING CASELOAD	51,434	55,183	57,379	57,061	54,523

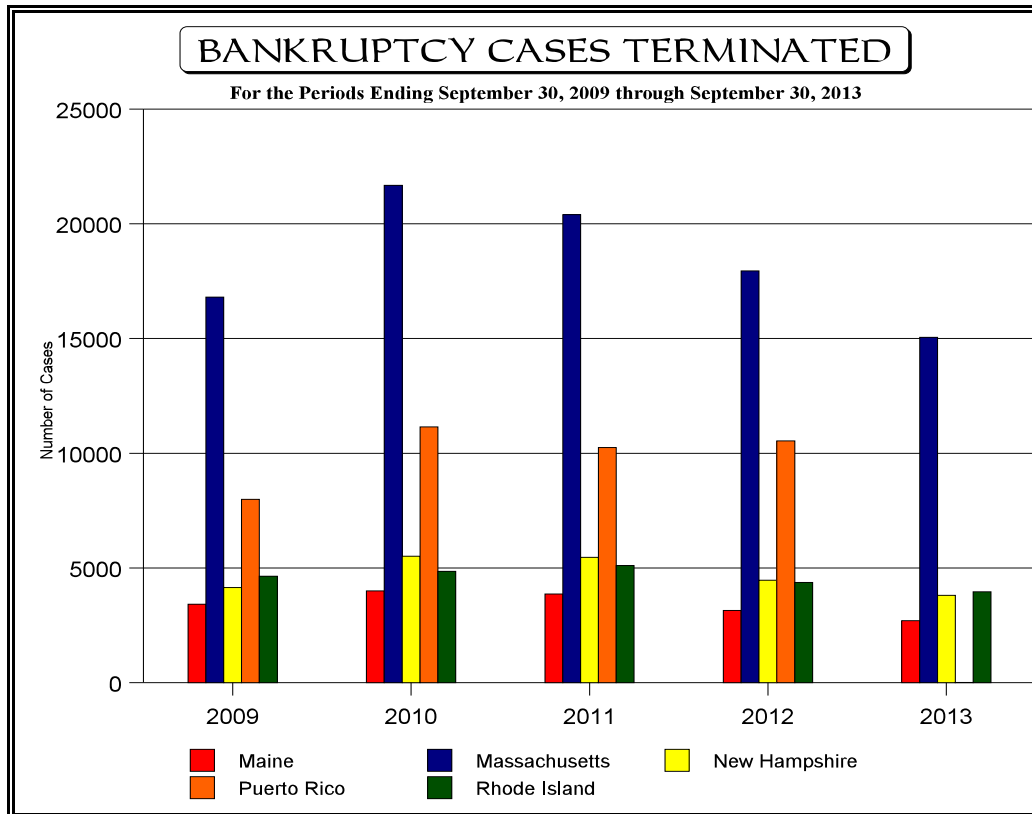
*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

BANKRUPTCY CASELOAD SUMMARY FIRST CIRCUIT BANKRUPTCY COURTS



BANKRUPTCY CASES COMMENCED 2009 -2013					
DISTRICTS	2009	2010	2011	2012	2013
MAINE	3,761	4,149	3,835	3,125	2,575 (-17.6%)
MASSACHUSETTS	19,805	23,485	21,208	17,793	13,201 (-25.8%)
NEW HAMPSHIRE	4,976	5,671	5,132	4,240	3,376 (-20.4%)
PUERTO RICO	10,922	12,232	11,827	10,727	11,043 (2.9%)
RHODE ISLAND	5,096	5,365	5,250	4,237	3,547 (-16.3%)

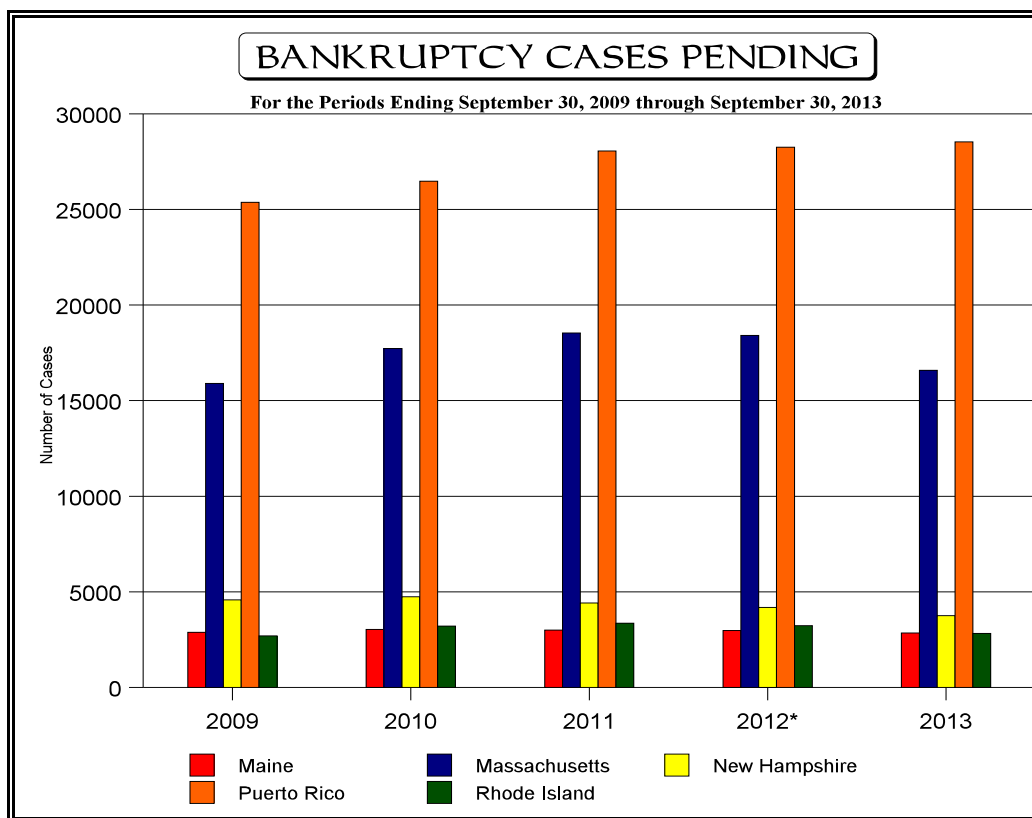
BANKRUPTCY CASELOAD SUMMARY FIRST CIRCUIT BANKRUPTCY COURTS



BANKRUPTCY CASES TERMINATED 2009 - 2013

DISTRICTS	2009	2010	2011	2012	2013
MAINE	3,418	3,999	3,867	3,152	2,705
MASSACHUSETTS	16,809	21,676	20,399	17,947	15,052
NEW HAMPSHIRE	4,150	5,516	5,459	4,463	3,810
PUERTO RICO	7,994	11,153	10,245	10,542	10,764
RHODE ISLAND	4,635	4,855	5,105	4,371	3,957

BANKRUPTCY CASELOAD SUMMARY FIRST CIRCUIT BANKRUPTCY COURTS



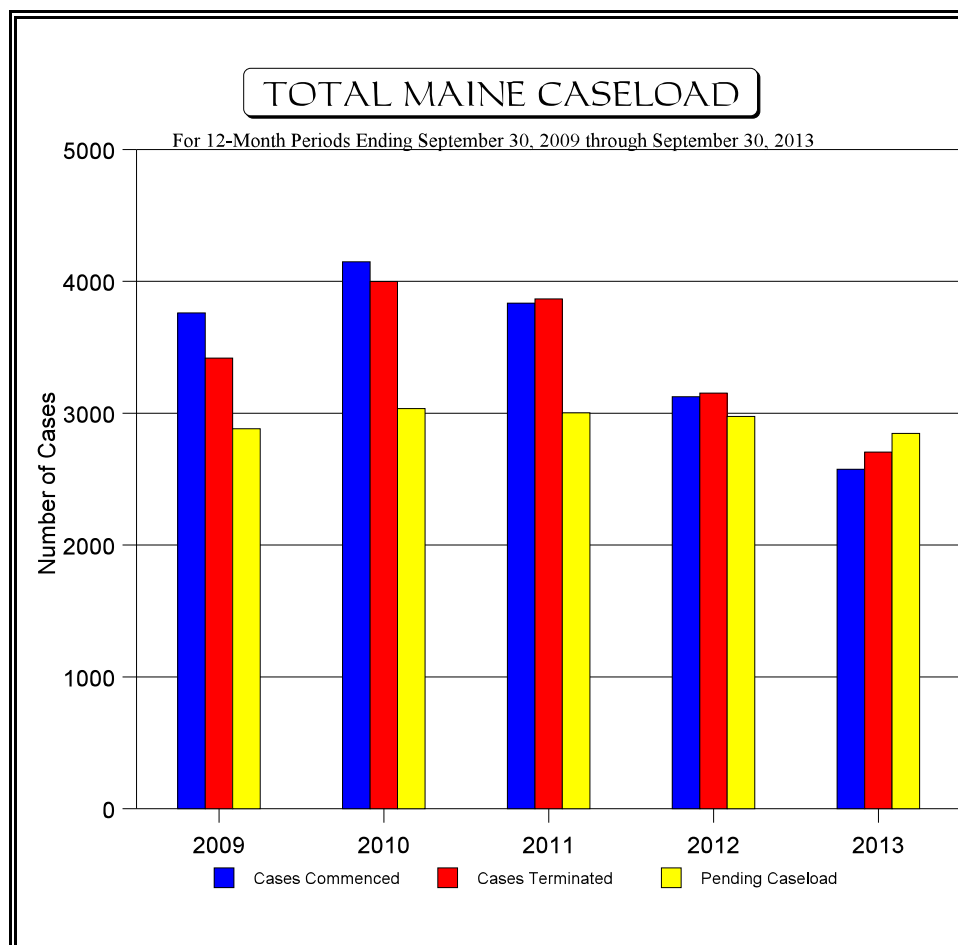
BANKRUPTCY CASES PENDING 2009 -2013					
DISTRICTS	2009	2010	2011	2012*	2013
MAINE	2,883	3,035	3,003	2,976	2,847
MASSACHUSETTS	15,904	17,725	18,545	18,413	16,581
NEW HAMPSHIRE	4,578	4,738	4,412	4,189	3,755
PUERTO RICO	25,374	26,475	28,062	28,252	28,538
RHODE ISLAND	2,695	3,210	3,357	3,231	2,822

*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

STATISTICS
U.S. BANKRUPTCY COURT
DISTRICT OF MAINE

BANKRUPTCY CASELOAD SUMMARY

DISTRICT OF MAINE



Authorized Judgeships. 2

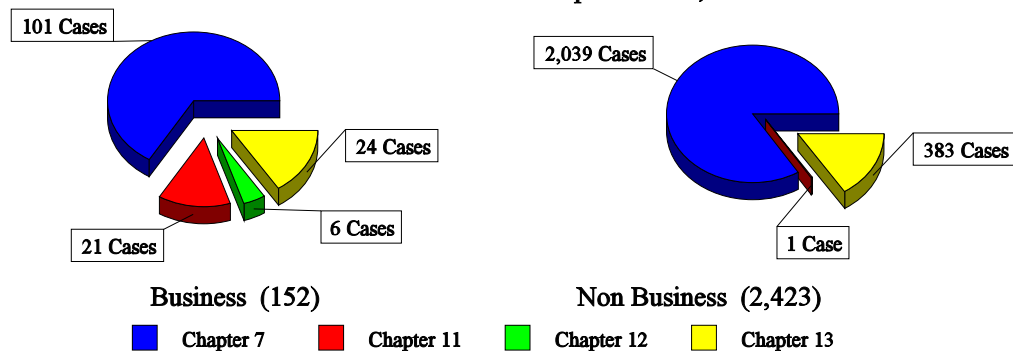
TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012	2013
CASES COMMENCED	3,761	4,149	3,835	3,125	2,575
CASES TERMINATED	3,418	3,999	3,867	3,152	2,705
PENDING CASELOAD	2,883	3,035	3,003	2,976	2,846

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF MAINE

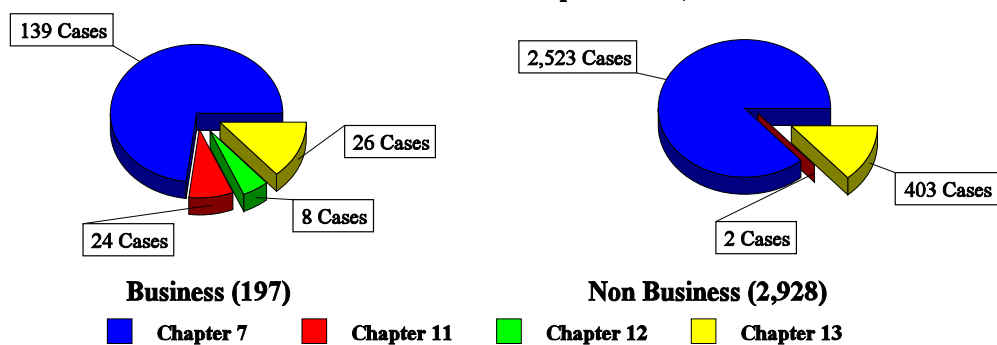
2013 Bankruptcy Filings

For the 12-Month Period as of September 30, 2013



2012 Bankruptcy Filings

For the 12-Month Period as of September 30, 2012

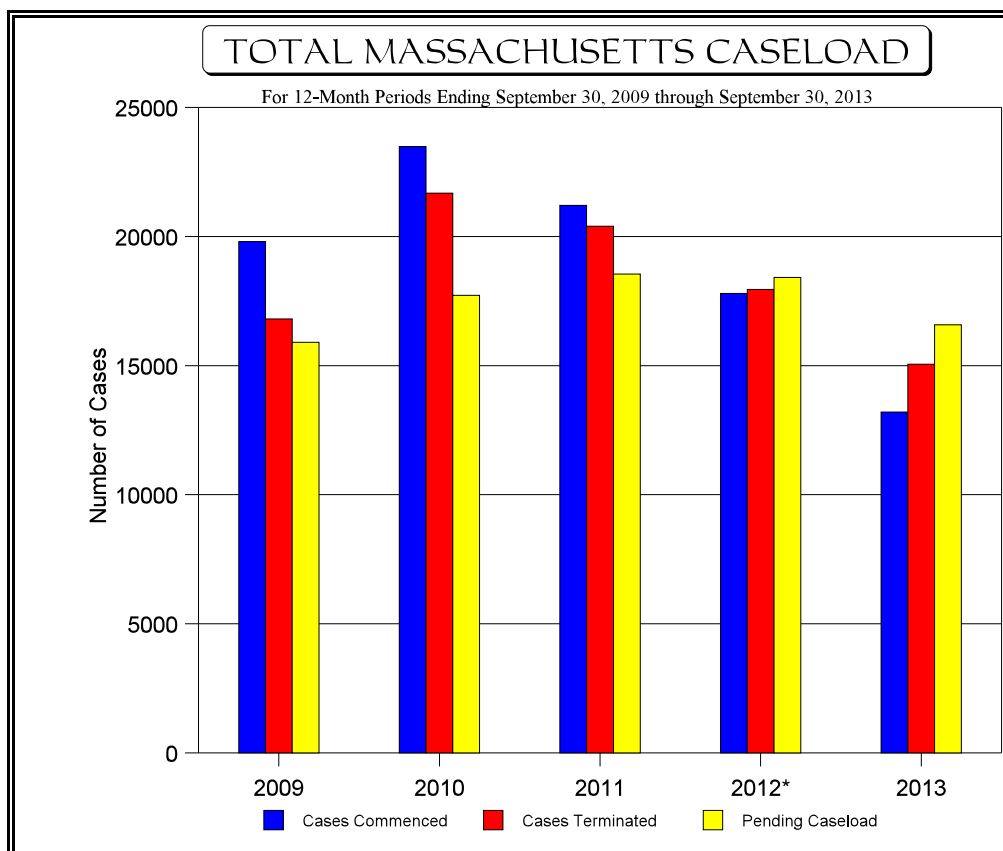


STATISTICS

U.S. BANKRUPTCY COURT

DISTRICT OF
MASSACHUSETTS

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF MASSACHUSETTS



Authorized Judgeships. 5

TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012*	2013
CASES COMMENCED	19,805	23,485	21,208	17,793	13,201
CASES TERMINATED	16,809	21,676	20,399	17,947	15,052
PENDING CASELOAD	15,904	17,725	18,545	18,413	16,581

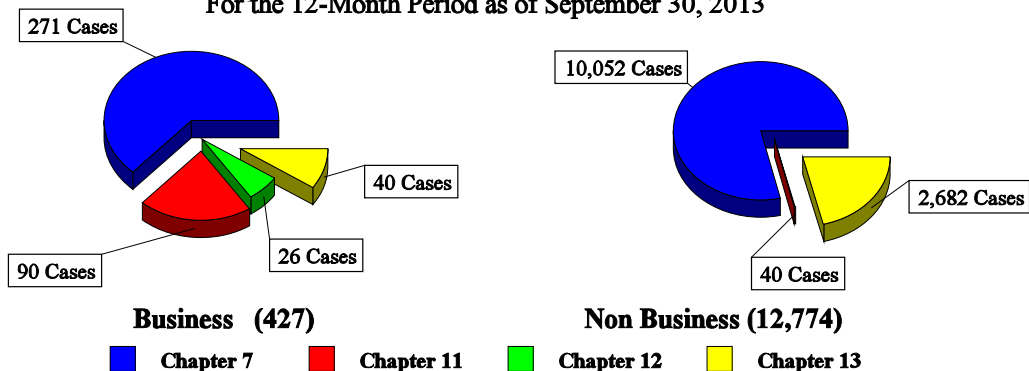
*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

BANKRUPTCY CASELOAD SUMMARY

DISTRICT OF MASSACHUSETTS

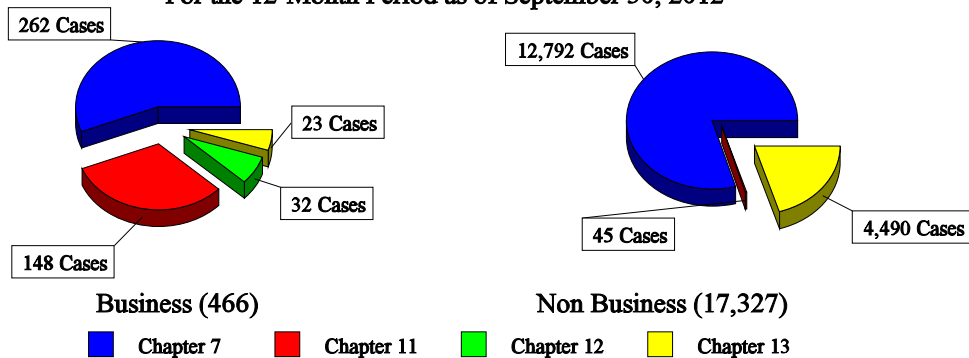
2013 Bankruptcy Filings

For the 12-Month Period as of September 30, 2013



2012 Bankruptcy Filings

For the 12-Month Period as of September 30, 2012

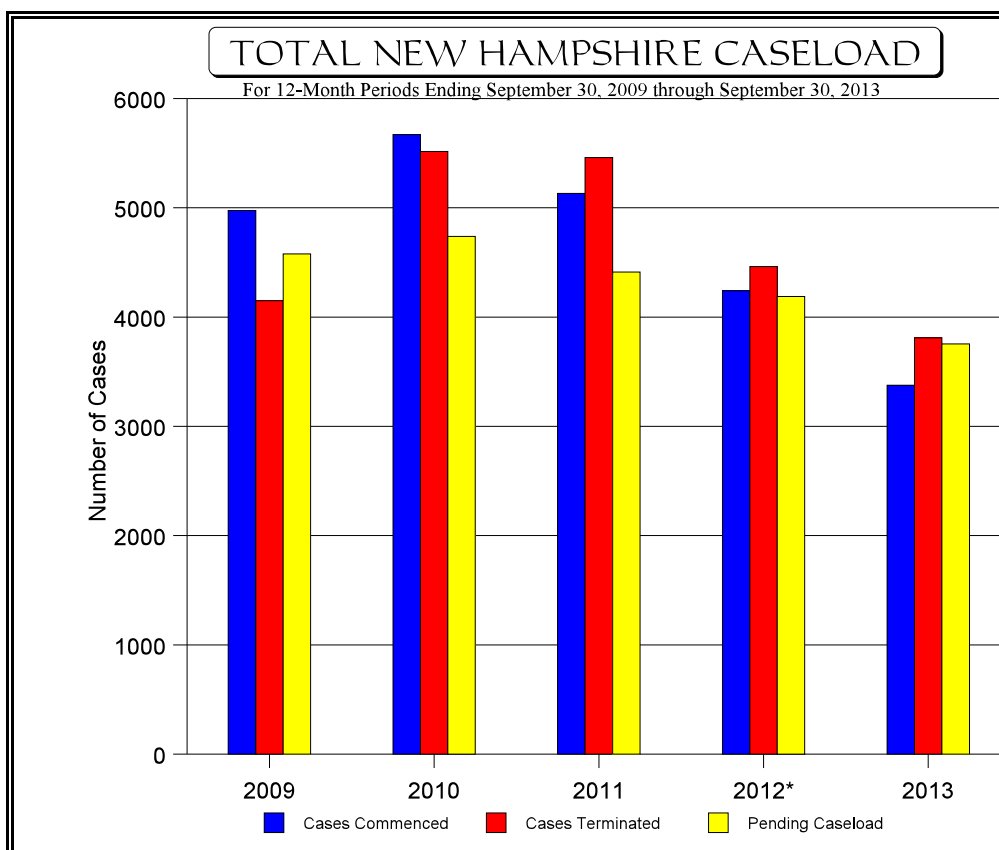


STATISTICS

U.S. BANKRUPTCY COURT

DISTRICT OF
NEW HAMPSHIRE

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF NEW HAMPSHIRE



Authorized Judgeships. 1

TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012*	2013
CASES COMMENCED	4,976	5,671	5,132	4,240	3,376
CASES TERMINATED	4,150	5,516	5,459	4,463	3,810
PENDING CASELOAD	4,578	4,738	4,412	4,189	3,755

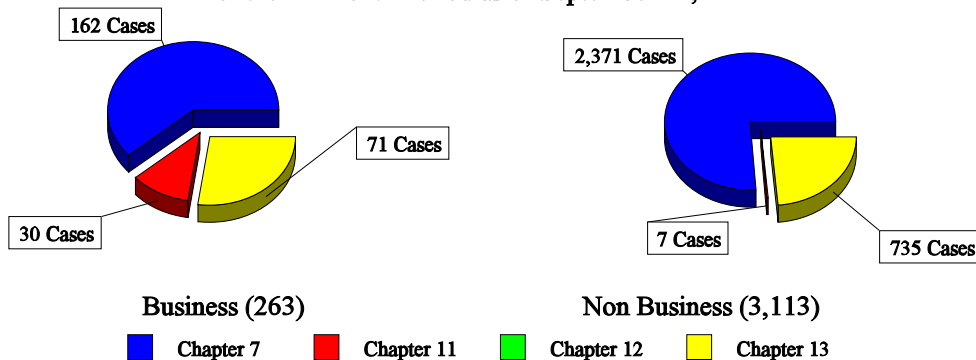
*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

BANKRUPTCY CASELOAD SUMMARY

DISTRICT OF NEW HAMPSHIRE

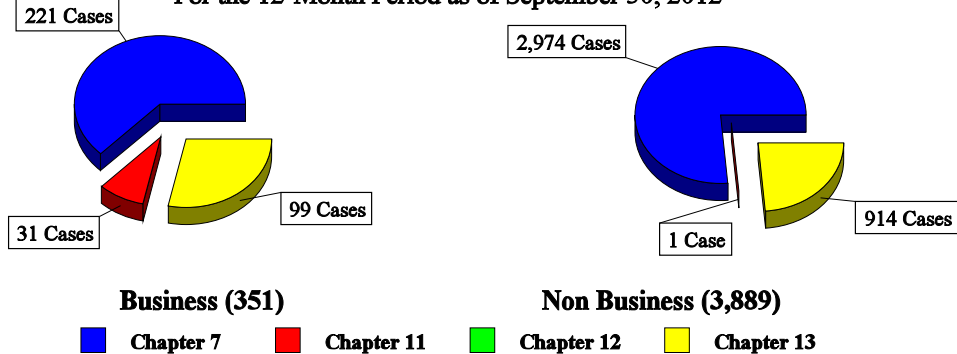
2013 Bankruptcy Filings

For the 12-Month Period as of September 30, 2013



2012 Bankruptcy Filings

For the 12-Month Period as of September 30, 2012

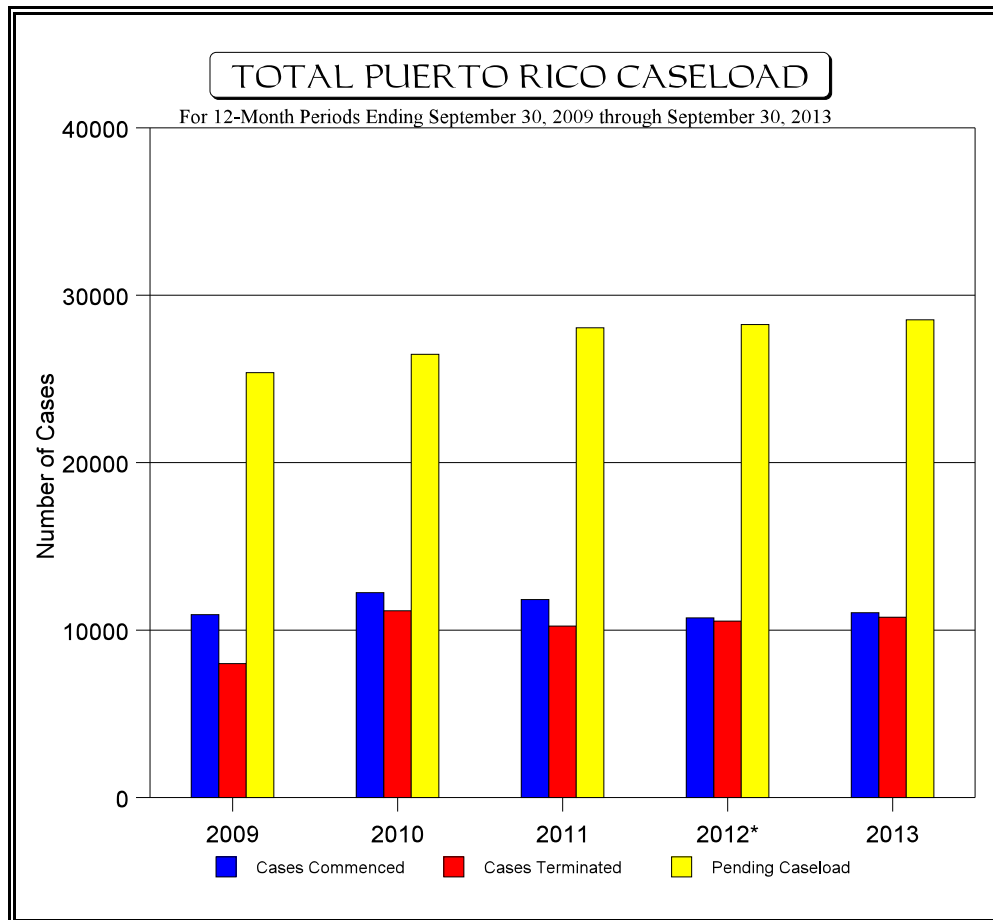


STATISTICS

U.S. BANKRUPTCY COURT

DISTRICT OF
PUERTO RICO

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF PUERTO RICO



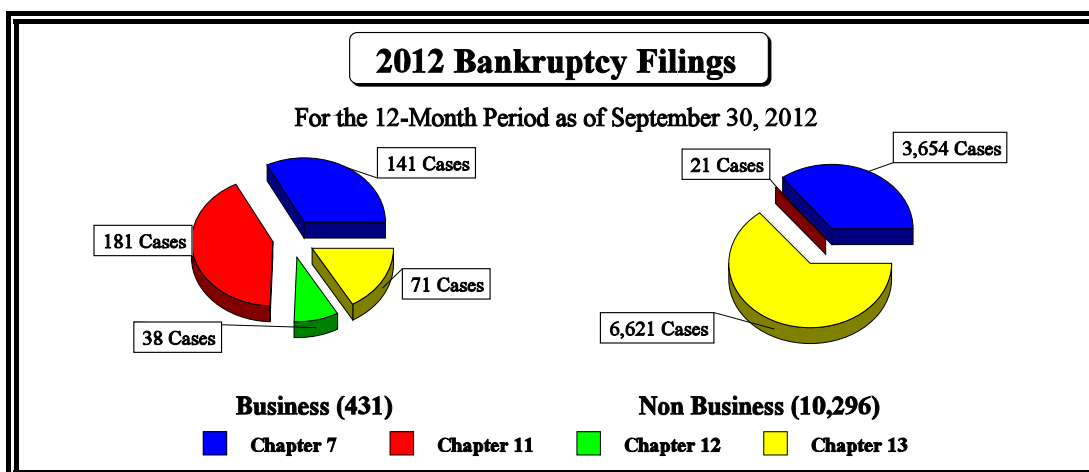
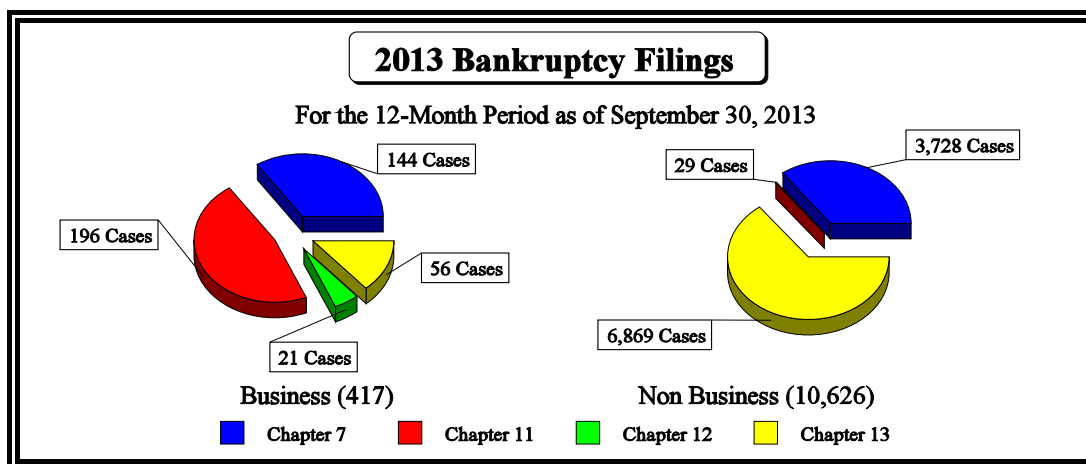
Authorized Judgeships. 4

TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012*	2013
CASES COMMENCED	10,922	12,232	11,827	10,727	11,043
CASES TERMINATED	7,994	11,153	10,245	10,542	10,764
PENDING CASELOAD	25,374	26,475	28,062	28,252	28,538

*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF PUERTO RICO

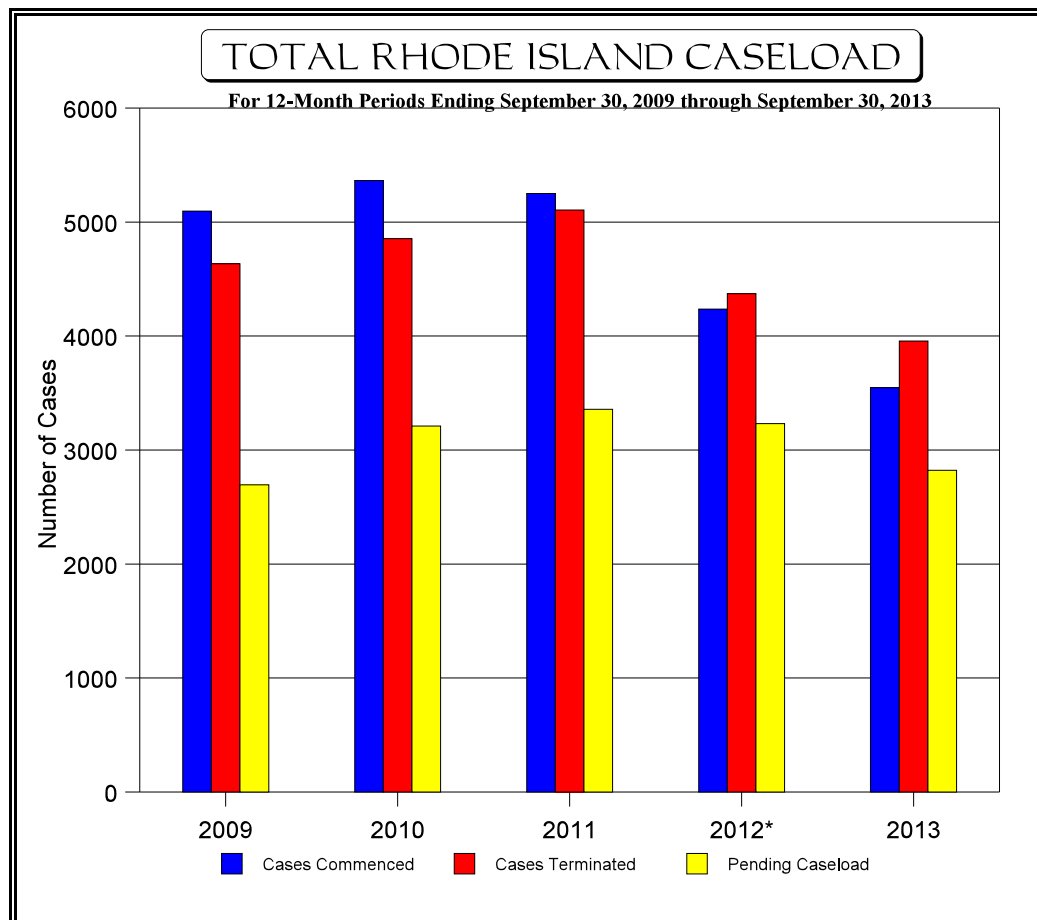


STATISTICS

U.S. BANKRUPTCY COURT

DISTRICT OF
RHODE ISLAND

BANKRUPTCY CASELOAD SUMMARY DISTRICT OF RHODE ISLAND



Authorized Judgeships. 1

TOTAL BANKRUPTCY CASES 2009 - 2013

	2009	2010	2011	2012*	2013
CASES COMMENCED	5,096	5,365	5,250	4,237	3,547
CASES TERMINATED	4,635	4,855	5,105	4,371	3,957
PENDING CASELOAD	2,695	3,210	3,357	3,231	2,822

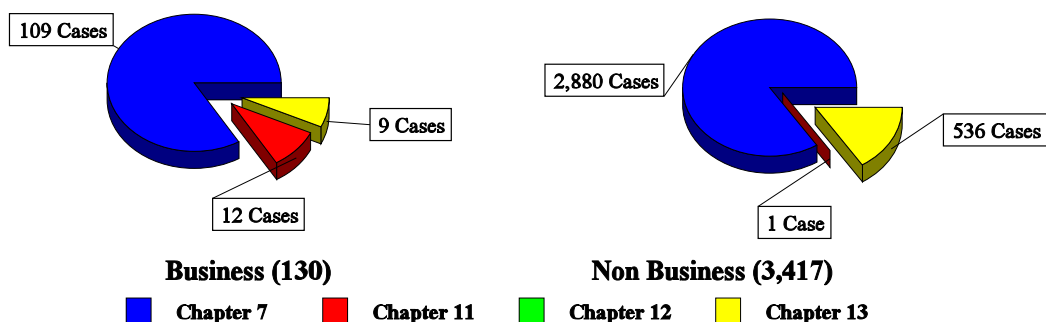
*Pending caseload in 2012 revised by the Administrative Office of the United States Courts.

BANKRUPTCY CASELOAD SUMMARY

DISTRICT OF RHODE ISLAND

2013 Bankruptcy Filings

For the 12-Month Period as of September 30, 2013



2012 Bankruptcy Filings

For the 12-Month Period as of September 30, 2012

