

United States Courts for the First Circuit

2018 Annual Report



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Foreword

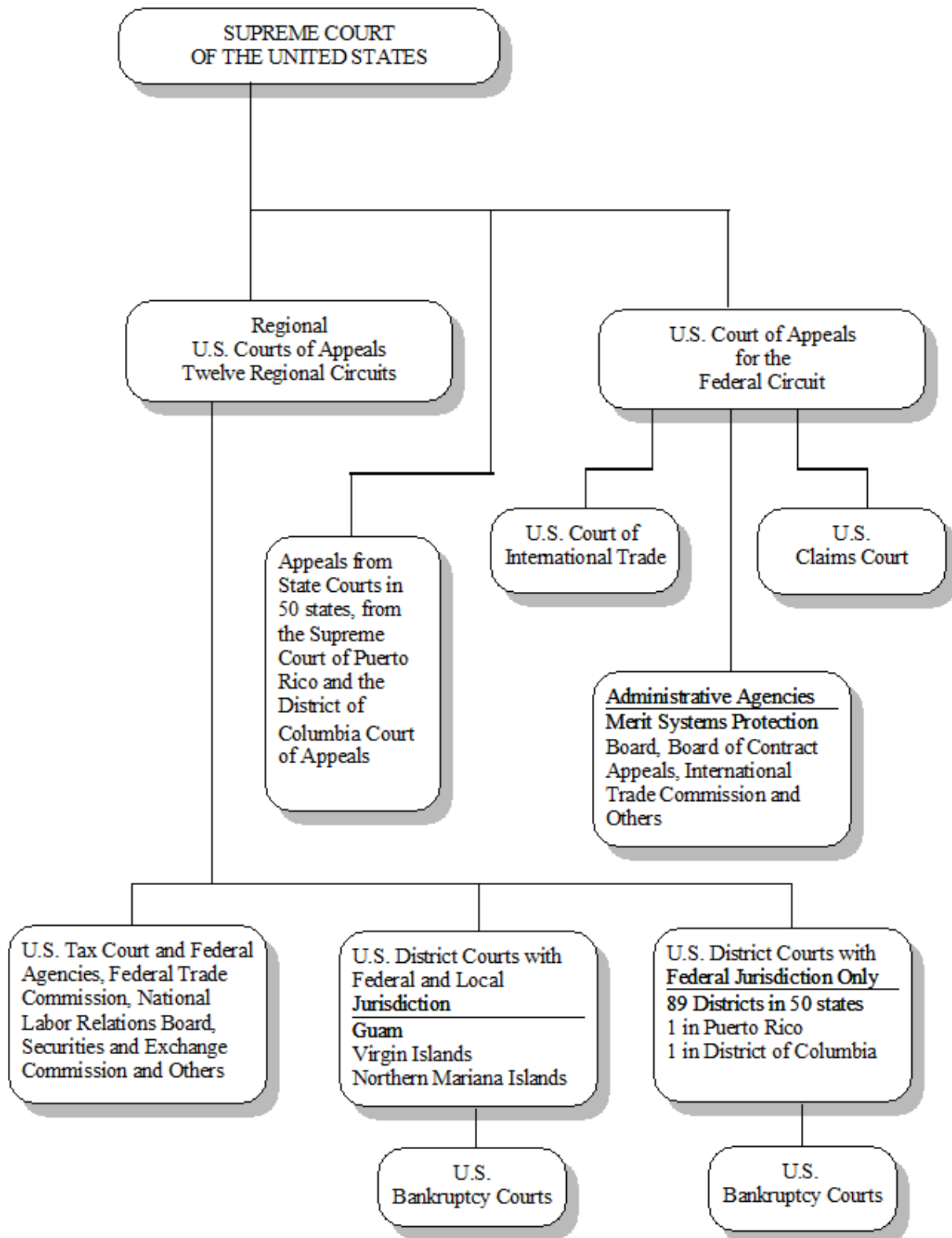
Susan J. Goldberg
Circuit Executive

I am pleased to provide this Annual Report of the work of the Courts of the First Circuit in 2018. The material presented here illustrates the enormous productivity and efficiency of the circuit's judges and court staff with respect to the disposition of cases and judicial administration. The collective efforts of all who have conducted the business of the First Circuit Courts during the year are greatly appreciated.

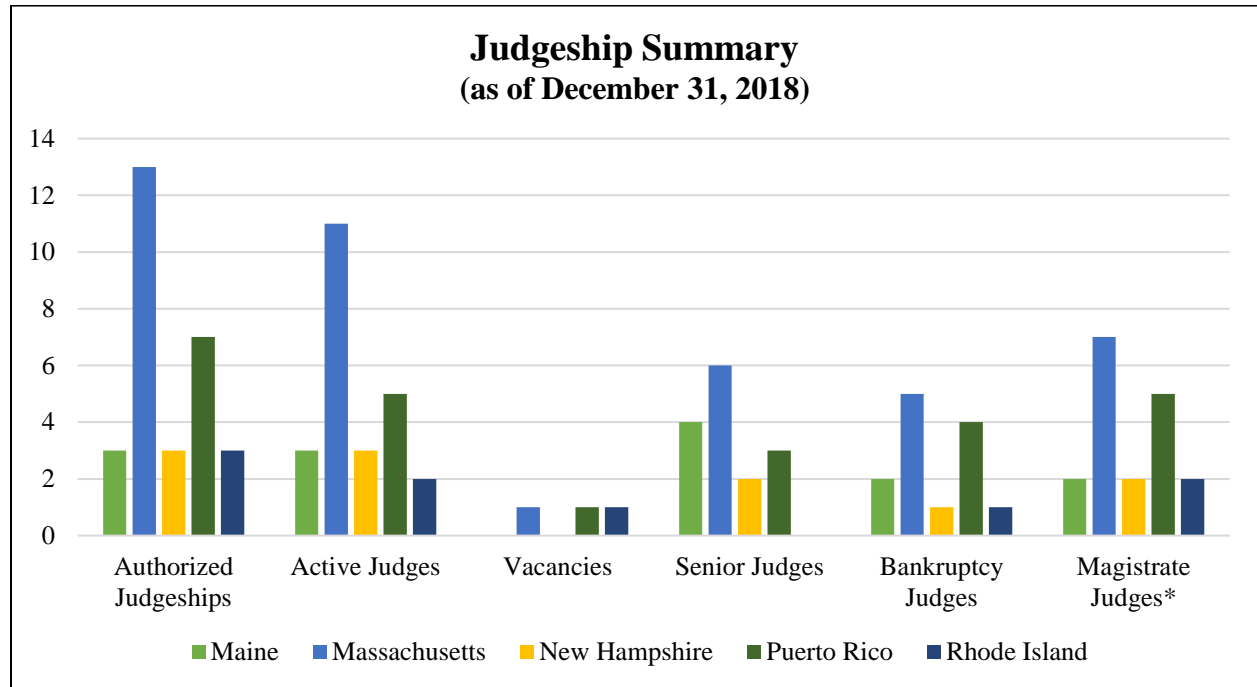
I wish to thank all of the unit executives throughout the circuit who contributed to providing the information in this Report. Special thanks to those who compiled the material in this Report, most notably the following members of Circuit Executive's Office staff: Michael Caughron, Julia Franklin, Jessica Pace, Florence Pagano, Valerie Qian, and Gina Riccio.

Thank you for your interest in the courts of the First Circuit.

Structure of the Federal Judiciary



Judges and Judicial Milestones



Judgeship Summary (as of December 31, 2018)						
Districts	Authorized Judgeships	Active Judges	Vacancies	Senior Judges	Bankruptcy Judges	Magistrate Judges*
Maine	3	3	0	4	2	2
Massachusetts	13	11	2	6	5	7
New Hampshire	3	3	0	2	1	2**
Puerto Rico	7	5	2	3	4	5
Rhode Island	3	2	1	0	1	2
Total Dist. Ct.	29	24	5	15	13	18
Total Court of Appeals	6	6	0	4	-	-
Total 1st Cir.	35	30	5	19	13	18

* Does not include recalled judges.

** Includes one part-time magistrate judge.

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Honorable Jeffrey R. Howard, Chief

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

Honorable Kermit V. Lipez
Honorable O. Rogerie Thompson
Honorable William J. Kayatta, Jr.
Honorable David J. Barron

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Honorable Nancy Torresen, Chief
Honorable Jon D. Levy
Honorable Lance E. Walker
Honorable Gene Carter

Honorable D. Brock Hornby
Honorable George Z. Singal
Honorable John A. Woodcock, Jr.

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MAINE

Honorable Peter G. Cary, Chief
Honorable Michael A. Fagone

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

Honorable John H. Rich, III
Honorable John C. Nivison
Honorable David M. Cohen (recalled)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

Honorable Patti B. Saris, Chief
Honorable William G. Young
Honorable Nathaniel M. Gorton
Honorable Richard G. Stearns
Honorable F. Dennis Saylor, IV
Honorable Denise J. Casper
Honorable Timothy S. Hillman
Honorable Indira Talwani
Honorable Mark G. Mastroianni

Honorable Leo T. Sorokin
Honorable Allison D. Burroughs
Honorable Rya W. Zobel
Honorable Mark L. Wolf
Honorable Douglas P. Woodlock
Honorable Edward F. Harrington
Honorable Michael A. Ponsor
Honorable George A. O'Toole, Jr.

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MASSACHUSETTS

Honorable Christopher J. Panos, Chief
Honorable Joan N. Feeney
Honorable Frank J. Bailey

Honorable Melvin S. Hoffman
Honorable Elizabeth D. Katz

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

Honorable David H. Hennessy, Chief
Honorable Marianne B. Bowler
Honorable Judith G. Dein
Honorable Jennifer C. Boal
Honorable M. Page Kelley

Honorable Katherine Robertson
Honorable Donald L. Cabell
Honorable Robert B. Collings (recalled)
Honorable Kenneth P. Neiman (recalled)
Honorable Jerome J. Niedermeier (recalled)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

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

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Honorable Bruce A. Harwood, Chief

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

Honorable Andrea K. Johnstone
Honorable Daniel Lynch

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Honorable Gustavo A. Gelpí, Chief Honorable Pedro A. Delgado-Hernández
Honorable Carmen Consuelo Cerezo Honorable Juan M. Pérez-Giménez
Honorable Aida M. Delgado-Colón Honorable Daniel R. Domínguez
Honorable Francisco A. Besosa Honorable Jay A. Garcia-Gregory

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

Honorable Mildred Cabán, Chief Honorable Brian K. Tester
Honorable Enrique S. Lamoutte 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 Marshal D. Morgan

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Honorable William E. Smith, Chief
Honorable John J. McConnell, Jr.

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)

Judicial Milestones and Other Highlights

Bankruptcy Appellate Panel

Judge Katz (D. Mass.) was appointed to the Bankruptcy Appellate Panel (BAP) in April 2018.

In January and February 2018, BAP coached Suffolk University Law School Duberstein Moot Court Competition students. In February and August 2018, BAP members participated in the Boston Bar Association's (BBA) M. Ellen Carpenter Financial Literacy Program, teaching classes in financial literacy at area high schools. In November, BAP members assisted with new law clerk training at the U.S. Bankruptcy and District Courts for the District of Massachusetts.

District of Maine

On April 29, 2018, Magistrate Judge Beaulieu passed away.

Chief Judge Torresen continued to serve as a member of the Judicial Conference of the United States (JCUS). She also served on the District of Maine Court Security Committee and oversaw the District's rehabilitative drug court program, Success with the Court's Help (SWiTCH).

Judge Hornby presented a lecture titled "Maine, Murder and Maintenance and Cure on the High Seas in the Early Republic" at a Meeting of the Officers and Board of Directors of the Maritime Law Association of the United States in Portland, and gave a luncheon address on the "History of the Justice and Journalism Program" at the Justice & Journalism Program at the Moakley Courthouse in Boston which was sponsored by the Freedom Forum Institute in coordination with the JCUS Committee on the Judicial Branch. Judge Hornby also authored several articles, including: Chapters 10 and 11 of his "Fables in Law" series in *The Green*

Bag (Winter and Spring 2018); "Final Judgment," in *The Green Bag* (Autumn 2018); and "Can federal sentencing remain transparent?" and "What can be done to ensure that federal sentencing remains transparent?" in the *American Bar Association (ABA) Journal* online.

Judge Singal served on the Select Committee on Senior Judges, the Board of Directors for the Federal Judicial Center (FJC), and the FJC Planning Committee. Judge Singal was featured in video presentations for the FJC's "New Chief Judges' Tool Kit," including "Leadership: Preparation, Advice, Leadership;" "Leadership: Personal Experiences, Challenges, Rewards;" "Financial Management;" "Leadership: Possibilities, Limitations, Court Culture;" and "Court and Cybersecurity," and presented at the FJC Leadership Seminar for New Chief Judges and Phase 1 Orientation for Newly Appointed District Judges.

Judge Woodcock was a member of the John Ballou Inn of Court, Maine Law Board of Visitors, and Merit Selection Committee for the Chief Probation Officer in the District of Puerto Rico. He also sat with the Ninth Circuit Court of Appeals in Pasadena, California in February 2018 and gave the commencement address at the University of Maine School of Law graduation. At the 2018 District of Maine Judicial Conference, Judge Woodcock gave an "In Memoriam" presentation honoring members of the Maine Bar who passed away in 2018.

Judge Levy chaired the District's Information Technology (IT) Committee and the District's Civil Discourse Program Committee. He served as a board member of the Federal Judges Association, the First Circuit Judicial Council, and the District's NextGen Working Group.

Judge Hornby, Judge Singal, Judge Woodcock, and Judge Levy served as members of the Maine State/Federal Judicial Council.

District of Massachusetts

On January 1, 2018, Judge O'Toole assumed senior status.

Judge Gorton served on the Judicial Panel on Multidistrict Litigation and will continue to do so through 2025.

Judge Sorokin presented on the trial of complex criminal cases at the National Convention of Serbian Judges and trained Serbian judges assigned to a new anti-corruption court.

Judge Burroughs presented on cybercrime at the BBA's White Collar Crime Conference, on a Public Sector panel at the American Conference Institute's Conference on Women Leaders in Life Science Law, and at the University of Pennsylvania Law School's Career Crossroads event. Judge Burroughs also served on the board of the Federal Judges Association.

Judge Zobel served on the JCUS Committee on Financial Disclosure and will remain in that role through 2019.

Judge Woodlock served on the JCUS Committee on Judicial Resources.

Judge Ponsor reduced his caseload and will transition to mediations and re-sentencings pursuant to the First Step legislation, while continuing to contribute to court governance.

Magistrate Judge Boal served on the Magistrate Judge Advisory Group of the Administrative Office of the United States (AO) and will serve on the Civil Rules Advisory Committee through 2021.

District of New Hampshire

Chief Judge McCafferty continued to oversee the District's educational outreach program, which provides: monthly educational programming for middle school students; an interactive "You Be the Judge" program for high school students; and naturalization ceremonies at high schools and the University of New Hampshire (UNH). She partnered with the New Hampshire Institute for Civics Education to present a full-day teacher workshop; was the keynote speaker for the New Hampshire Technical Institute Community College's paralegal studies graduation; and spoke at Portsmouth High School and UNH School of Law's "Introduction to Legal Professionalism" class. Finally, she served on the First Circuit Judicial Council IT Committee.

Judge Laplante received the Golden Gavel Award for Judicial Excellence from the American College of Trial Lawyers. He served on the New Hampshire Supreme Court Access to Justice Commission (co-chair), New Hampshire Rules of Evidence Update Committee, Daniel Webster-Batchelder Inn of Court, and the New Hampshire Bar Association Kirby Award Selection Committee. He also taught statutory interpretation at Boston College Law School and at UNH School of Law.

Judge DiClerico, Jr. chaired the District's Security Committee.

Judge McAuliffe also served on the District's Security Committee.

Magistrate Judge Johnstone continued to serve on the New Hampshire Bar Association (NHBA)'s Committee on Cooperation with

the Courts and the Daniel Webster-Batchelder Inn of Court. She also became a trustee on the Proctor Academy board.

Clerk/Magistrate Judge Lynch served on the District Clerks Advisory Group, the IT Advisory Group, the National Forms Working Group, the First Circuit Judicial Council Jury Plan Committee, the New Hampshire Committee on the Judiciary and the Media, and the NHBA's Committee on Cooperation with the Courts.

District of Puerto Rico

On April 13, 2018, Judge Gelpí became Chief Judge, and subsequently formed a Local Rules Committee.

Judge Besosa chaired the Local Rules Committee, and Magistrate Judge McGiverin served on the Committee.

On May 23, 2018, Magistrate Judge Morgan was appointed a magistrate judge.

On September 30, 2018, Judge Garcia-Gregory assumed senior status.

District of Rhode Island

Chief Judge Smith served as faculty and mentor in the FJC's Phase I, II, and III (mid-career) programs and taught at Roger Williams University School of Law and chaired its Board of Directors. He also continued to chair the FJC's District Judge Education Advisory Committee.

Judge McConnell served on the First Circuit Judicial Council Jury Plan Committee.

Magistrate Judge Sullivan served on the Next Generation CM/ECF Project Steering Group and Board of Trustees of the Rhode Island Bar Foundation.

Bankruptcy Court for the District of Maine

Chief Judge Cary and Judge Fagone attended the Maine Judicial Conference, where Judge Fagone was appointed the Chair of the 2020 Conference.

Bankruptcy Court for the District of Massachusetts

On July 9, 2018, Judge Queenan passed away.

On December 10, 2018, Judge Panos became Chief Judge.

Chief Judge Panos and Judge Hoffman co-chaired the Local Rules Advisory Committee.

Chief Judge Panos and Judge Bailey co-chaired the Court's Diversity Initiative Task Force.

Judge Feeney and Judge Katz co-chaired the Court's Pro Bono Committee.

The judges served as panelists on local, regional, and national programs presented by Massachusetts Continuing Legal Education (MCLE), the BBA, the Practicing Law Institute, the National Conference of Bankruptcy Judges (NCBJ), the National Association of Consumer Bankruptcy Attorneys, the American Bankruptcy Institute (ABI), Hamden County Bar Association, area law schools, and the ABA.

Bankruptcy Court for the District of New Hampshire

Chief Judge Harwood spoke at the FJC's Workshops for Bankruptcy Judges, the ABI's Annual Spring Meeting and Winter Conference, the October Federal Practice Institute, and the NCBJ Annual Meeting and Conference. He also attended the FJC's Workshop for Chief Bankruptcy Judges and Mid-Career Workshop for Bankruptcy Judges

and continues to serve on the ABI's Board of Directors.

***Bankruptcy Court
for the District of Puerto Rico***

On April 2, 2018 Judge Cabán became Chief Judge.

Chief Judge Cabán chaired the NCBJs' Liaison Committee to the Hispanic National Bar Association (HNBA), co-chaired the NCBJ's Diversity Committee, served as a volunteer coordinator and member of the Credit Abuse Resistance Education (C.A.R.E.) Advisory Board, and gave multiple presentations to children and law school students.

Judge Lamoutte attended the ABI in Florida, the FJC's National Workshop of Bankruptcy Judges II (NWBJ II), and the NCBJ in San Antonio, and was a panelist in workshops sponsored by the Academia Judicial de Puerto Rico and the Colegio de Abogados de Puerto Rico Quinta Jornada de Quiebra.

Judge Tester was a volunteer judge for the Puerto Rico Trial Advocacy Competition of the Interamerican University School of Law, and taught a bankruptcy seminar for summer associates from several San Juan law firms and a federal jurisdiction and the courts seminar for the Interamerican University School of Aeronautics in Bayamon.

Judge Godoy served on the Local Rules Committee, attended the NWBJ II and the NCBJ in San Antonio, served as a moot court judge at the Puerto Rico Interamerican Law School, and was a member of ABI and the Instituto Iberoamericano de Derecho Concursal.

***Bankruptcy Court
for the District of Rhode Island***

Judge Finkle served on a panel discussing the role of Creditor's Committees in chapter 11 cases at the 2018 ABI's Annual Northeast Bankruptcy Conference.

Work of the Courts

Court of Appeals

Statistical Report

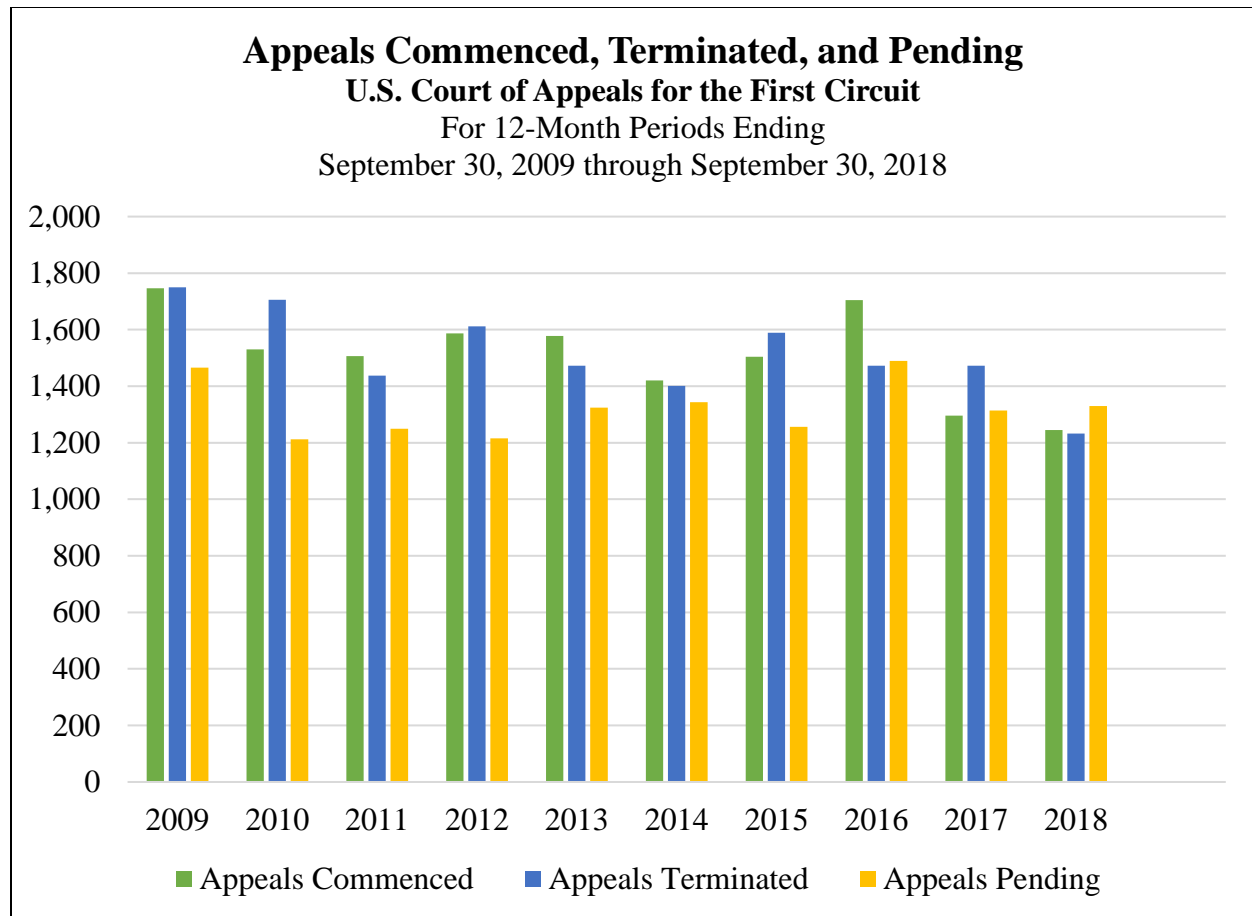
Courts of Appeals Caseload Summary									
Appeals Commenced, Terminated, and Pending, by Circuit									
For 12-Month Periods Ending September 30, 2017 and September 30, 2018									
Circuit	<u>Commenced</u>			<u>Terminated</u>			<u>Pending*</u>		
	2017	2018	% Change	2017	2018	% Change	2017	2018	% Change
Total	50,506	49,276	-2.4	54,347	50,428	-7.2	39,384	38,232	-2.9
D.C.	951	1,034	8.7	1,050	1,138	8.4	1,319	1,215	-7.9
First	1,296	1,245	-3.9	1,472	1,232	-16.3	1,317	1,330	1.0
Second	4,337	4,062	-6.3	4,125	3,879	-6.0	3,537	3,720	5.2
Third	2,941	2,941	0.0	3,729	2,742	-26.5	2,122	2,321	9.4
Fourth	4,497	4,261	-5.2	4,626	4,294	-7.2	2,478	2,445	-1.3
Fifth	7,099	7,566	6.6	7,942	7,584	-4.5	4,743	4,725	-0.4
Sixth	4,591	4,221	-8.1	5,105	4,525	-11.4	2,918	2,614	-10.4
Seventh	2,787	2,814	1.0	2,947	2,643	-10.3	1,637	1,808	10.4
Eighth	2,957	2,844	-3.8	3,170	2,914	-8.1	1,874	1,804	-3.7
Ninth	11,096	10,566	-4.8	11,867	11,753	-1.0	12,562	11,375	-9.4
Tenth	1,856	1,830	-1.4	1,959	1,813	-7.5	1,217	1,234	1.4
Eleventh	6,098	5,892	-3.4	6,355	5,911	-7.0	3,660	3,641	-0.5

* Pending caseloads for 2017 as revised by the AO.

Source of Appeals and Original Proceedings U.S. Court of Appeals for the First Circuit For 12-Month Periods Ending September 30, 2011 through September 30, 2018								
Source	2011	2012	2013	2014	2015	2016	2017	2018
First Circuit Totals*	1,507	1,587	1,578	1,421	1,504	1,704	1,296	1,245
Maine	125	140	118	113	206	117	116	102
Massachusetts	518	516	497	418	506	499	377	464
New Hampshire	90	86	95	74	74	86	90	82
Puerto Rico	409	431	501	425	399	461	372	284
Rhode Island	91	98	89	94	61	45	87	71
Bankruptcy	29	27	35	29	34	28	33	39
U.S. Tax Court	6	5	4	4	3	4	2	3
National Labor Relations Board	5	10	4	5	11	8	6	3
Board of Immigration Appeals	152	186	153	144	113	83	68	84
Administrative Agencies (Total)	171	216	165	161	139	105	88	100
Original Proceedings**	74	73	78	107	85	363	133	103

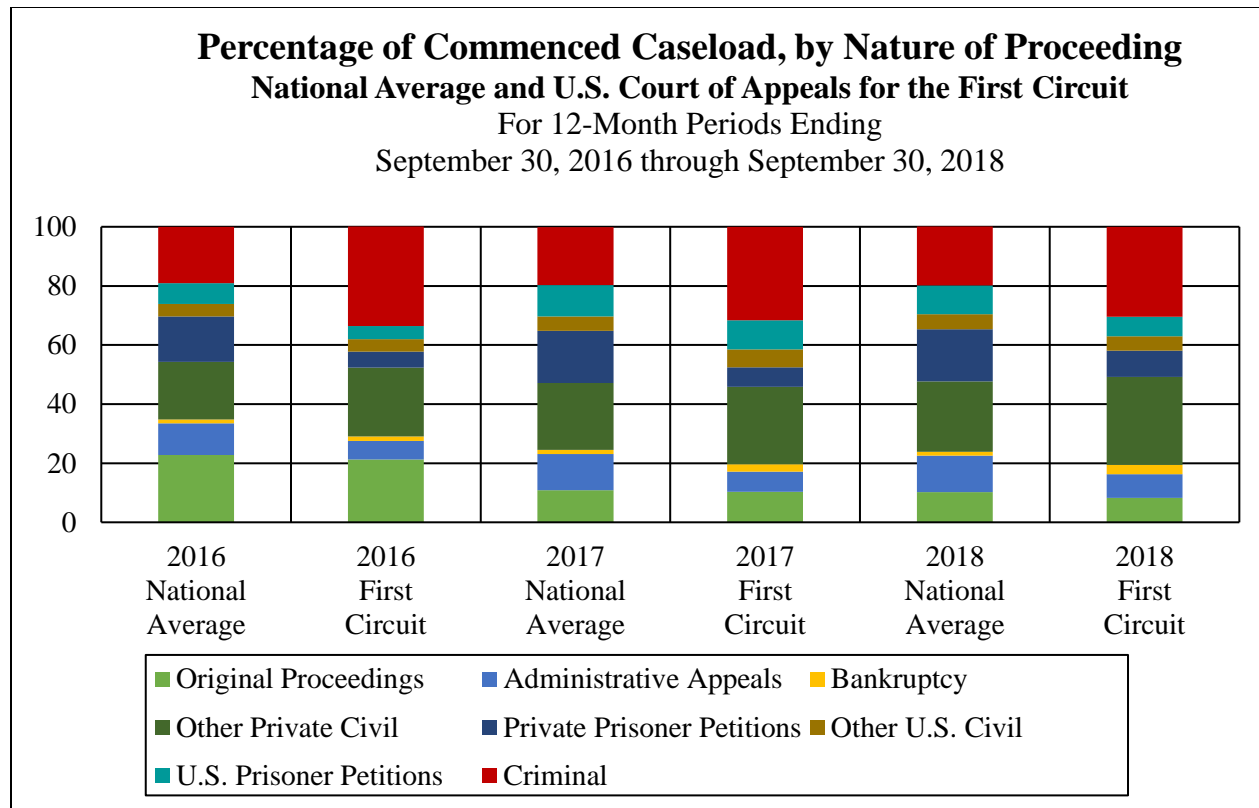
**Totals include reopened, remanded, and reinstated appeals, as well as original appeals.*

***Beginning in 2014, miscellaneous applications are included in this category.*



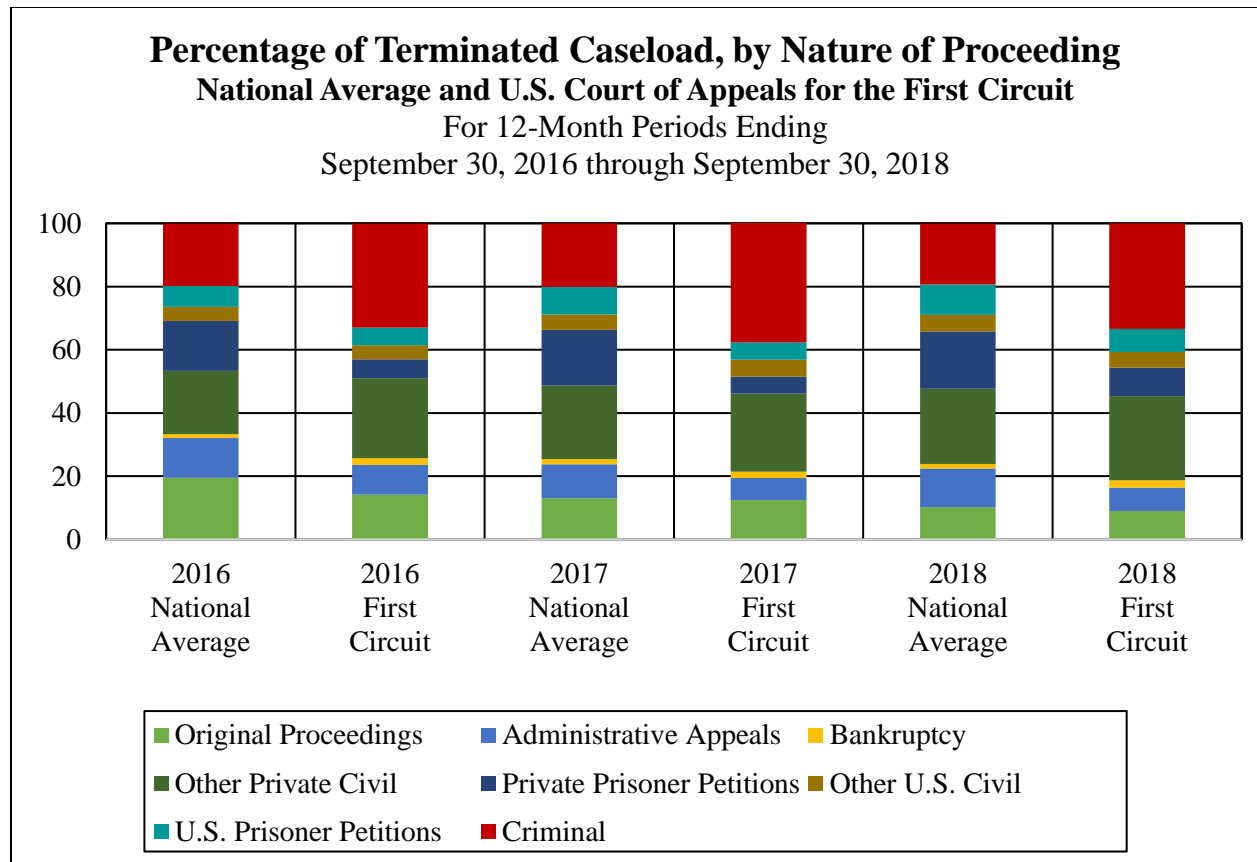
Appeals Commenced, Terminated, and Pending U.S. Court of Appeals for the First Circuit For 12-Month Periods Ending September 30, 2009 through September 30, 2018										
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Appeals Commenced	1,746	1,530	1,507	1,587	1,578	1,421	1,504	1,704	1,296	1,245
Appeals Terminated	1,750	1,706	1,437	1,612	1,472	1,401	1,589	1,472	1,472	1,232
Appeals Pending*	1,466	1,212	1,250	1,215	1,324	1,343	1,256	1,490	1,317	1,330

*Pending caseloads for 2009 - 2017 as revised by the AO.



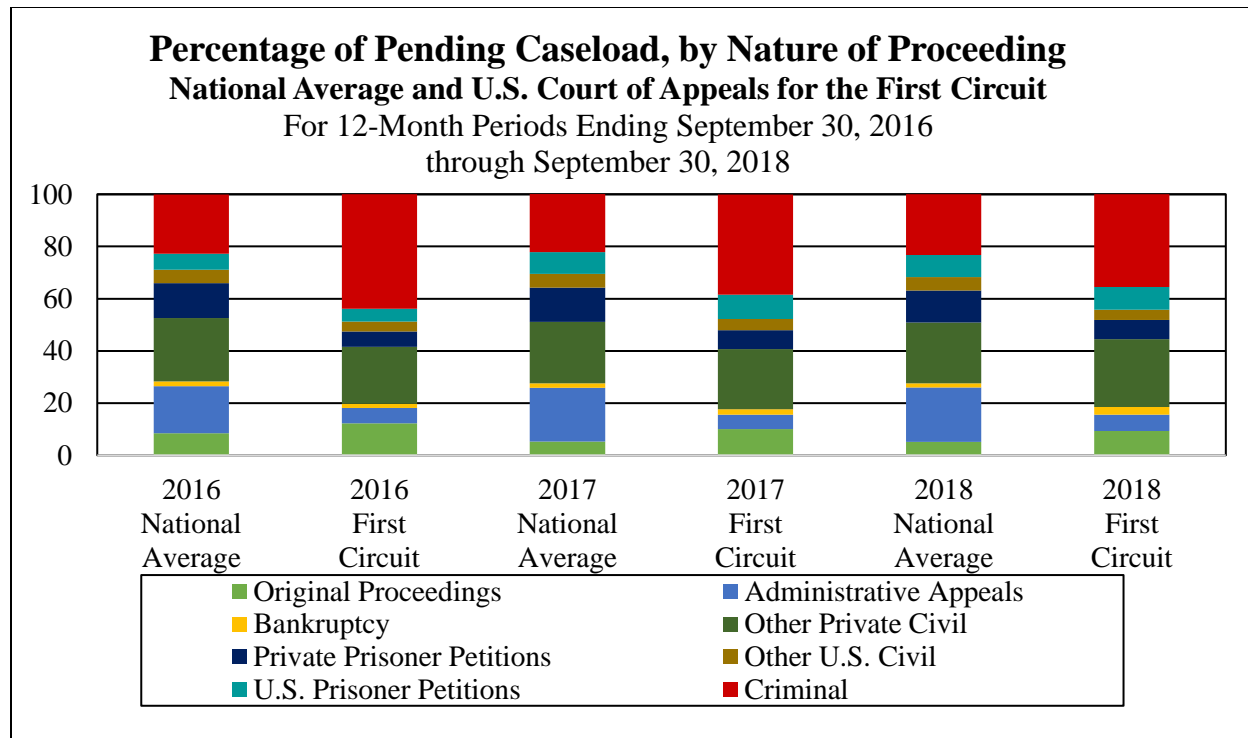
Percentage of Commenced Caseload, by Nature of Proceeding
National Average and U.S. Court of Appeals for the First Circuit
 For 12-Month Periods Ending September 30, 2016 through September 30, 2018

	2016		2017		2018	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
Criminal	19.1	33.7	19.6	31.6	19.9	30.4
U.S. Prisoner Petitions	7.0	4.4	10.6	9.9	9.8	6.6
Other U.S. Civil	4.2	4.2	4.9	6.1	5.1	4.9
Private Prisoner Petitions	15.4	5.5	17.7	6.6	17.6	8.9
Other Private Civil	19.5	23.2	22.6	26.2	23.8	29.8
Bankruptcy	1.3	1.6	1.4	2.5	1.3	3.1
Administrative Appeals	10.7	6.2	12.2	6.8	12.4	8.0
Original Proceedings and Miscellaneous Applications	22.8	21.3	10.9	10.3	10.2	8.3



Percentage of Terminated Caseload, by Nature of Proceeding
National Average and U.S. Court of Appeals for the First Circuit
 For 12-Month Periods Ending September 30, 2016 through September 30, 2018

	2016		2017		2018	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
Criminal	19.7	32.9	20.1	37.8	19.2	33.4
U.S. Prisoner Petitions	6.6	5.6	8.7	5.4	9.7	7.3
Other U.S. Civil	4.5	4.4	4.9	5.4	5.2	5.0
Private Prisoner Petitions	15.8	6.0	17.6	5.4	18.1	9.0
Other Private Civil	20.0	25.3	23.3	24.7	23.8	26.6
Bankruptcy	1.2	2.1	1.6	2.0	1.4	2.3
Administrative Appeals	12.6	9.4	10.8	7.0	12.3	7.4
Original Proceedings and Miscellaneous Applications	19.5	14.2	13.0	12.4	10.2	9.0



Percentage of Pending Caseload,* by Nature of Proceeding
National Average and U.S. Court of Appeals for the First Circuit
 For 12-Month Periods Ending September 30, 2016 through September 30, 2018

	2016		2017		2018	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
Criminal	22.7	43.8	22.3	38.3	23.2	35.5
U.S. Prisoner Petitions	6.1	5.0	8.3	9.4	8.5	8.7
Other U.S. Civil	5.2	3.8	5.3	4.3	5.2	4.0
Private Prisoner Petitions	13.3	5.9	13.1	7.2	12.2	7.3
Other Private Civil	24.3	21.8	23.5	23.0	23.3	26.0
Bankruptcy	1.8	1.6	1.7	2.1	1.6	2.9
Administrative Appeals	18.0	5.9	20.6	5.6	20.9	6.3
Original Proceedings and Miscellaneous Applications	8.5	12.2	5.3	10.0	5.1	9.3

*Pending caseloads for 2016 and 2017 as revised by the AO.

U.S. Courts of Appeals Median Time Intervals in Months, by Circuit, For Cases Terminated After Hearing or Submission For 12-Month Period Ending September 30, 2018 (From Filing of Notice of Appeal to Final Disposition)		
Circuit	No. of Cases	Interval
National Average	31,408	8.7
D.C.	553	12.5
First	760	13.6
Second	2,266	10.9
Third	1,778	7.9
Fourth	3,049	5.4
Fifth	4,152	9.6
Sixth	3,121	7.5
Seventh	1,412	8.5
Eighth	2,243	7.2
Ninth	7,386	11.7
Tenth	1,212	8.4
Eleventh	3,476	7.8

Percentage of Terminations on the Merits National Average and U.S. Court of Appeals for the First Circuit For 12-Month Periods Ending September 30, 2014 through September 30, 2018						
		2014	2015	2016	2017	2018
After Oral Hearing	1st Cir.	26.3%	29.1%	26.1%	25.5%	24.2%
	Nat'l	18.0%	19.0%	16.3%	18.7%	19.2%
After Submission	1st Cir.	66.0%	62.9%	68.2%	68.2%	68.6%
	Nat'l	74.5%	73.4%	76.8%	74.7%	73.9%
By Consolidation	1st Cir.	7.6%	8.0%	5.7%	6.3%	7.2%
	Nat'l	7.4%	7.7%	6.9%	6.6%	6.8%

Clerk's Office

On September 30, 2018, Margaret Carter, Clerk of Court, retired, after more than 25 years of service to the Court. Maria R. Hamilton, formerly Chief Deputy Clerk, was appointed Clerk of Court on October 1, 2018. Anastasia Dubrovsky was appointed Chief Deputy Clerk on October 1, 2018.

In October, the Court of Appeals held a sitting at the Roger Williams Law School.

Local Rules Amendments

In March, the Court adopted a new local rule (Local Rule 18.0) to ensure the orderly presentation of issues placed before the Court in immigration cases and to preserve the Court's ability to make considered decisions in such cases.

In December, numerous changes to the Federal Rules of Appellate Procedure went into effect, including the rules concerning issuance of mandate and filing deadlines for reply briefs. The Local Rules (LR) were amended in accordance with the updated Federal Rules.

Statistics

In Fiscal Year (FY) 2018, the Court of Appeals reported 1,245 filings, compared with 1,296 filings for FY 2017, a 3.9% decrease in filings. Case terminations decreased 16.3%, from 1,472 terminations in FY 2017 to 1,232 in FY 2018. During the same period, pending cases increased by 1.0%, with 1,330 cases pending at the end of FY 2018 compared with 1,317 cases pending at the beginning of FY 2018. See supra, at 14.

For this time period, the largest sources of appeals were the Districts of Massachusetts (464) and Puerto Rico (284). The number of appeals from the Districts of Maine, New Hampshire, and Rhode Island were 102, 82, and 71, respectively. There were 100 appeals from administrative agencies, most of which

were from the Board of Immigration Appeals (84). The remaining cases were bankruptcy appeals (39), original proceedings, and miscellaneous applications (103). See supra, at 13.

In FY 2018, civil cases (including prisoner petitions) represented 50.2% of the appeals commenced in the First Circuit, and criminal appeals represented 30.4% of appeals commenced. The remaining 19.4% consisted of agency appeals, bankruptcy appeals, original proceedings, and miscellaneous applications. The Court's median time intervals for merits terminations of appeals was 13.6 months in FY 2018. See supra, at 18.

Office of the Staff Attorneys

The Office of the Staff Attorneys (Staff Attorneys' Office) performs research for the judges of the Court of Appeals. During calendar year 2018, the office consisted of one senior staff attorney, one supervisory staff attorney, 16-18 staff attorneys (the fluctuation in numbers is due to the departures of two staff attorneys), and one support staff.

The following numbers of matters were referred by the Clerk's Office to the Staff Attorneys' Office for processing in 2018 (87 fewer matters than in 2017):

January	176
February	129
March	183
April	137
May	184
June	183
July	216
August	205
September	218
October	202
November	148
December	155
Total	2,136

In addition, there were 112 pro se or social security cases (nine fewer than in 2017) and 28 sua sponte summary dispositions assigned in counseled, briefed cases (one more than in 2017) referred to the Staff Attorneys' Office.

Types of matters referred to the Staff Attorneys' Office included: applications for a 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 other miscellaneous matters.

Civil Appeals Management Program

The First Circuit's Civil Appeals Management Program (CAMP) is governed by Local Rule 33.0. After a notice of appeal is filed in the Clerk's Office, the Court notifies the appellant of the program. The Clerk also notifies settlement counsel of all civil appeals considered eligible for the program.

Pursuant to the Local Rule, settlement counsel may direct counsel to attend a conference to consider settlement, the simplification of issues, and any other matters that may facilitate disposition of the proceeding. The Local Rule applies to civil appeals, except habeas corpus, prisoner petitions, pro se cases, National Labor Relations Board appeals, enforcement petitions, and original proceedings. Generally, settlement counsel requires pre-argument conferences in eligible cases, unless settlement counsel determines that there is no reasonable likelihood of settlement.

Appellants are required to submit electronically copies of the orders, memoranda, or opinions from which the appeal has been taken. If the parties choose, they may also file a confidential memorandum containing, inter alia, the history of any settlement negotiations, the major points of

error on appeal, factors which may affect a party's chances of prevailing upon appeal, and 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.

Conferences can last from a few hours to a full day or more. In special circumstances, a conference may be conducted by telephone, but in-person conferences, which are much more likely to produce positive results, are preferred. After the initial conference, settlement counsel may conduct follow-up conferences, by telephone or in person.

When the process is complete, a report is filed with the Clerk's Office indicating whether the case settled. The substance of any conference discussions or other information is confidential.

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

In FY 2018, of the 272 cases that CAMP opened, one or more conferences were held in 167 cases, which produced 65 settlements (approximately 39% of mediated cases).

Also, during FY 2018, Judge Cordero assisted Judge Domínguez, of the District of Puerto Rico, by continuing to mediate effectively hundreds of personal injury claims, as well as numerous claims regarding destroyed cargo in Donaldson, et al. v. American Cruise Ferries, Inc., et al., D.P.R. No. 16-cv-2529. To date, Judge Cordero has settled all the cargo claims and more than a dozen of the personal injury claims.

Library

Overview

The First Circuit Library system provides services to the judges and court staff of the First Circuit Court of Appeals, and the district and bankruptcy courts in the Circuit.

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; Hato Rey, Puerto Rico; and Providence, Rhode Island. There is no satellite library in Maine.

Personnel

On-board staff at the end of FY 2018 was distributed among the libraries as follows: six full-time and one part-time staff in Boston (including the Circuit Librarian), two full-time staff in Hato Rey, and one full-time staff each in Concord and Providence. The Boston library has a larger number of staff because of centralized budget and financial responsibilities, a larger collection, and the need to provide services to the public.

In FY 2018, the Boston Senior Reference Librarian and the Concord, New Hampshire Satellite Librarian's reference and research responsibilities were modified to more equitably distribute their work; the Concord Satellite Librarian now provides service to the Maine District and Bankruptcy Courts located in Portland and Bangor, while the Boston Senior Reference Librarian provides services to all Massachusetts judges and staff as well as the circuit judge in Portland.

Hurricane Maria devastated Puerto Rico in September 2017. The effects of the storm continued into FY 2018. The staff of the Hato Rey library, Ana Milagros Rodriguez and Jose Garcia, are to be commended for returning to work and resuming Library services for the

district and bankruptcy courts, while enduring sustained hardship and disruption in their homes and communities.

Legal Research Resources

The Library's FY 2018 legal research resources allotment decreased approximately 3.4% from FY 2017. Spending in electronic resources increased to 16% of the legal resources budget. The addition of new titles/subscriptions in print decreased. Cancellations of print subscriptions in libraries and chambers collections continue.

Two important studies of the national library program in FY 2018 provided data and conclusions for the circuit librarians in their mandate to reduce dependence on print resources: "Analysis of Legal Research Resource Spending FY 2011-2016" and a "Survey of Chambers Legal Research Resources" conducted in July 2018.

In August 2018, the Library implemented the use of Granicus/GovDelivery to distribute two of the Library's current awareness publications, *Today's News* and *Today's Supreme Court*.

Selected Staff Activities in FY 2018

In FY 2018, Library staff attended the Federal Court Librarians Conference (FCLC), Integrated Library System Working Group Meeting, 2018 Financial Forum, and the Computer Assisted Legal Research (CALR) Coordinators' Meeting. Staff served on the committees of the Electronic Public Access Working Group, Circuit Librarians Advisory Group, and the 2015 - 2020 Strategic Plan Working Groups on Research and Education, and Data and Metrics. Staff also attended the Law Librarians of New England meeting on "Fake News and Bias in Legal Publishing," Circuit Libraries' Learning, Exploration, Awareness and Development (LEAD) monthly webexes, and the FJC "Workshop on New Court Trainers." Library staff also

presented at the May 2018 LEAD session and participated in an advanced training on Bloomberg Law, the Wolters/Kluwer Cheetah treatise database, and Westlaw techniques.

Statistics

In FY 2018, staff responded to 5,330 reference questions. Staff conducted 222 training sessions, including sessions for judges, law clerks, and staff, and processed 203 interlibrary loan requests. There were also 2,207 in-library visits and 451 uses of the public computers in Boston. The Library circulated 1,066 print materials and processed 143 requests for translations of Puerto Rico Supreme Court and Puerto Rico Court of Appeals decisions. The Library also distributed news and opinion summaries as follows: *Today's News* (262 recipients); *Today's U.S. Supreme Court* (263); *U.S. First Circuit Court of Appeals Summaries* (197); *U.S. Supreme Court Opinions Summaries* (197); *Weekly Watch* (215); *Cases Appealed to the U.S. Supreme Court*; and the *First Circuit Sentencing Guide* (180).

Bankruptcy Appellate Panel

The BAP, which employs a clerk, a law clerk, and a part-time case manager, is located at the John Joseph Moakley U.S. Courthouse. The BAP generally conducts oral arguments in Boston, Massachusetts and travels to San Juan, Puerto Rico for hearings about once a year, as the caseload requires.

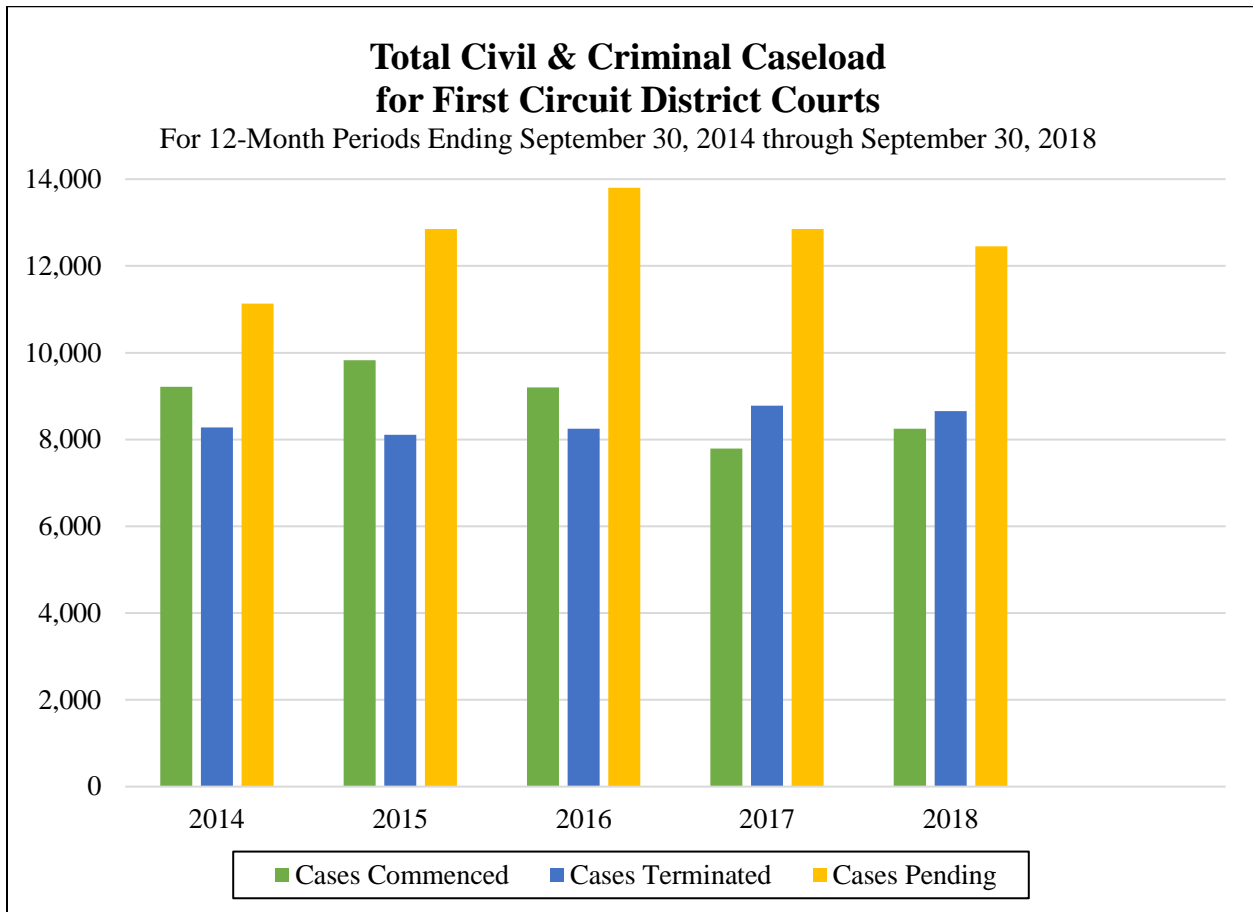
In 2018, BAP Clerk Leslie Storm was a member of the Appellate and BAP Clerks Advisory Committee, and also served on the Appellate Court and Circuit Offices Staffing Formula Development Subject-Matter Expert Working Group.

The BAP's caseload increased 7.3% between FY 2017 and FY 2018. In FY 2017, the BAP handled 44% of the First Circuit bankruptcy appeals; in 2018, that number increased to 58%. As has been the trend in past years, a significant portion of the BAP's appeals in 2018 originated from the bankruptcy courts for the Districts of Massachusetts and Puerto Rico. Pro se litigants continued to file appeals in the BAP with regularity, accounting for approximately one-third of the total cases filed during this reporting period.

U.S. Bankruptcy Appellate Panels									
Cases Commenced, Terminated, and Pending, by Circuit									
For 12-Month Periods Ending September 30, 2017 and September 30, 2018									
Circuit	Filed			Terminated			Pending*		
	2017	2018	% Change	2017	2018	% Change	2017	2018	% Change
First	55	59	7.3	55	47	-14.5	14	26	85.7
Sixth	42	46	9.5	52	47	-9.6	33	32	-3.0
Eighth	34	34	0.0	40	30	-25.0	8	12	50.0
Ninth	425	374	-12.0	453	389	-14.1	185	170	-8.1
Tenth	61	104	70.5	51	107	109.8	22	19	-13.6
Total	617	617	0.0	651	620	-4.8	262	259	-1.1

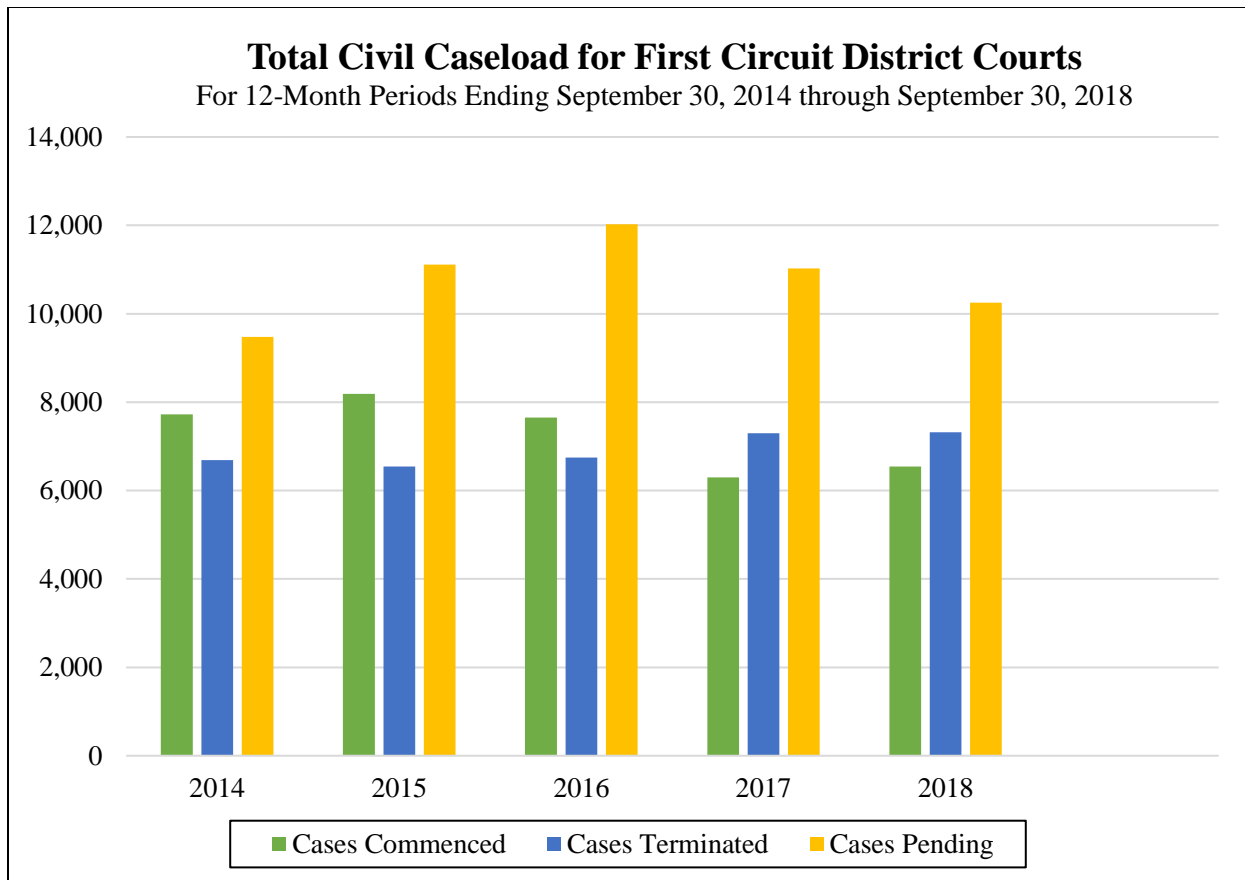
* Pending caseloads for 2017 as revised by the AO.

Statistical Report for District Courts in the First Circuit



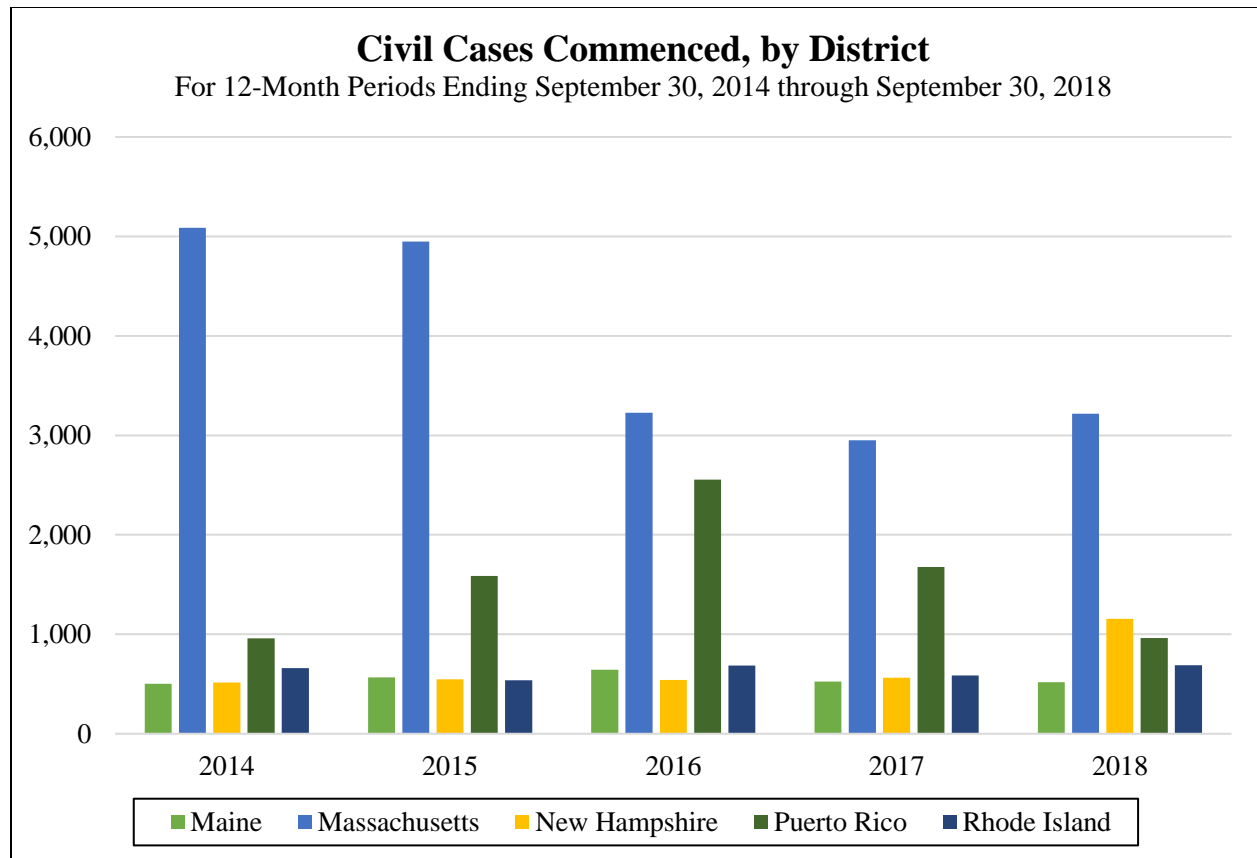
Total Civil & Criminal Caseload for First Circuit District Courts					
For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	9,214	9,825	9,198	7,794	8,246
Cases Terminated	8,279	8,109	8,246	8,781	8,652
Cases Pending*	11,135	12,848	13,803	12,848	12,451

* Pending caseloads for 2014 - 2017 as revised by the AO.



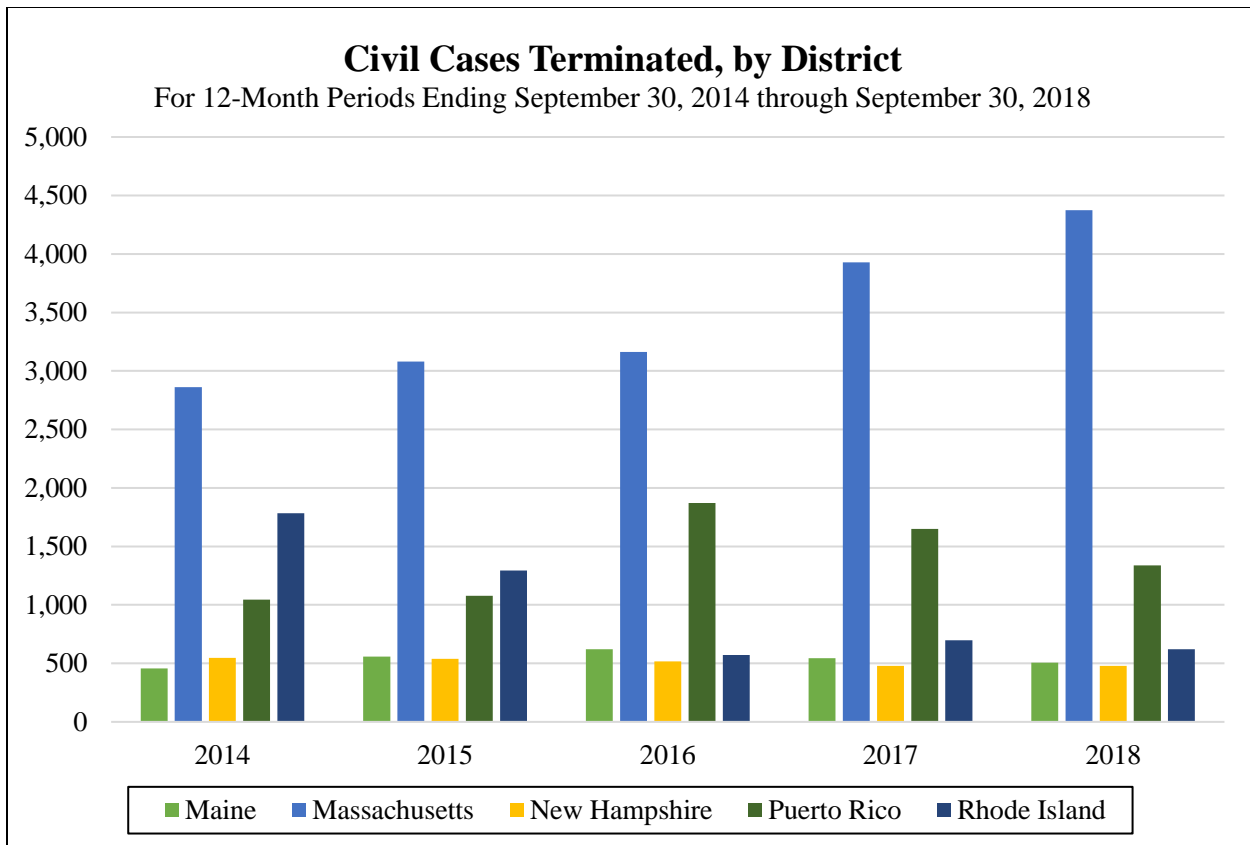
Total Civil Caseload for First Circuit District Courts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	7,723	8,184	7,652	6,297	6,543
Cases Terminated	6,691	6,546	6,744	7,296	7,316
Cases Pending*	9,479	11,110	12,022	11,023	10,250

* Pending caseloads for 2014 - 2017 as revised by the AO.

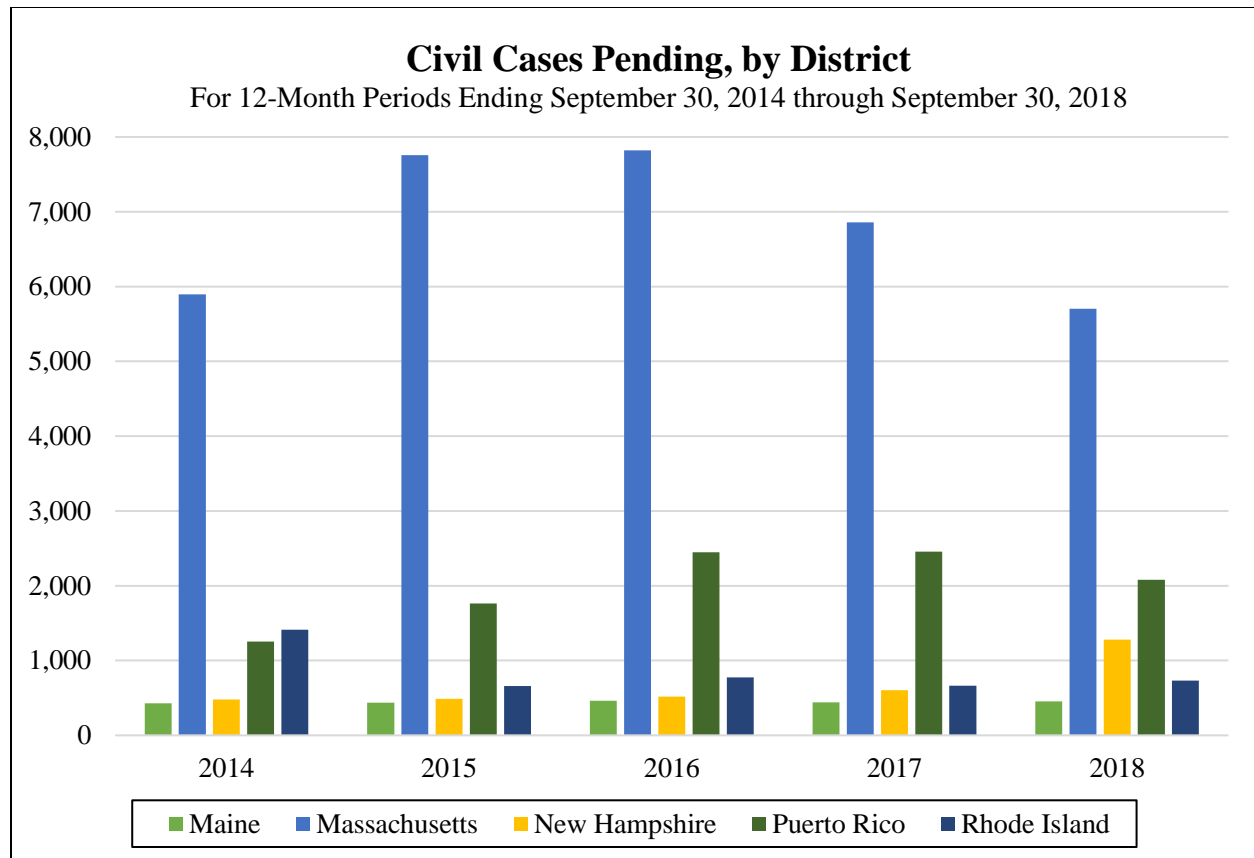


Civil Cases Commenced, by District
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

District	2014	2015	2016	2017	2018
Maine	501	566	645	524	519
Massachusetts	5,088	4,947	3,226	2,949	3,219
New Hampshire	516	547	541	563	1,154
Puerto Rico	958	1,585	2,556	1,676	961
Rhode Island	660	539	684	585	690

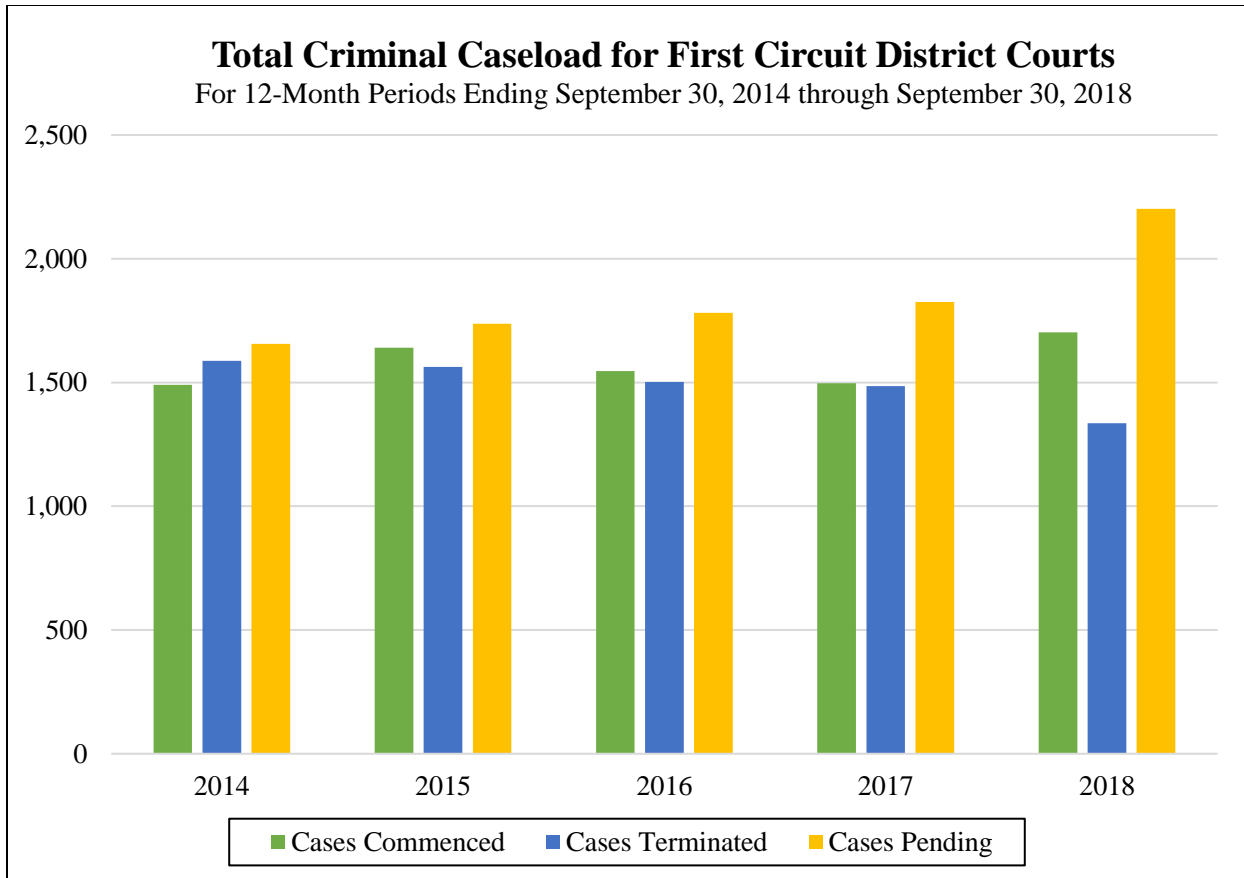


Civil Cases Terminated, by District For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	456	557	620	543	505
Massachusetts	2,861	3,081	3,163	3,928	4,375
New Hampshire	547	538	517	478	478
Puerto Rico	1,044	1,077	1,871	1,649	1,337
Rhode Island	1,783	1,293	573	698	621

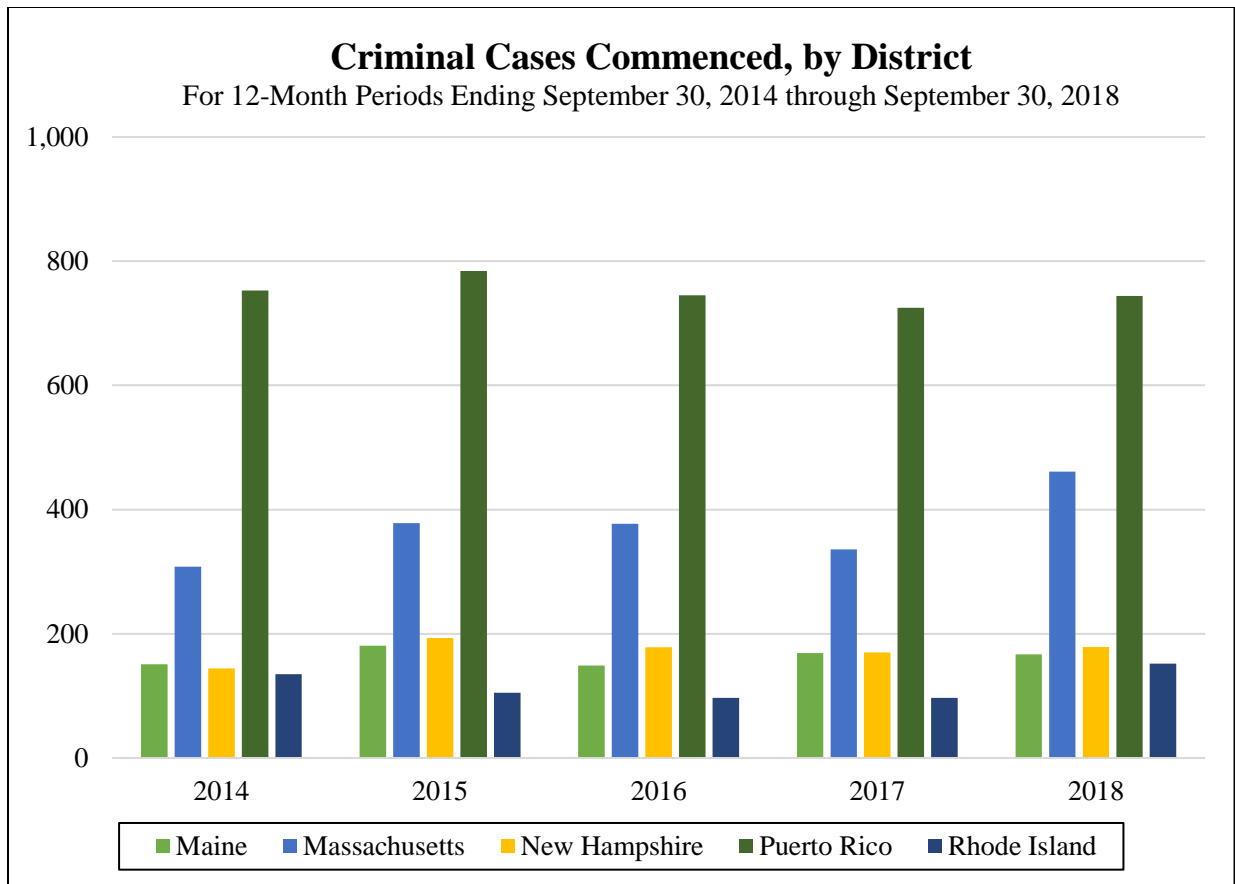


Civil Cases Pending,* by District					
For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	430	437	463	441	455
Massachusetts	5,898	7,758	7,821	6,859	5,703
New Hampshire	481	490	516	605	1,281
Puerto Rico	1,255	1,764	2,448	2,456	2,080
Rhode Island	1,415	661	774	662	731

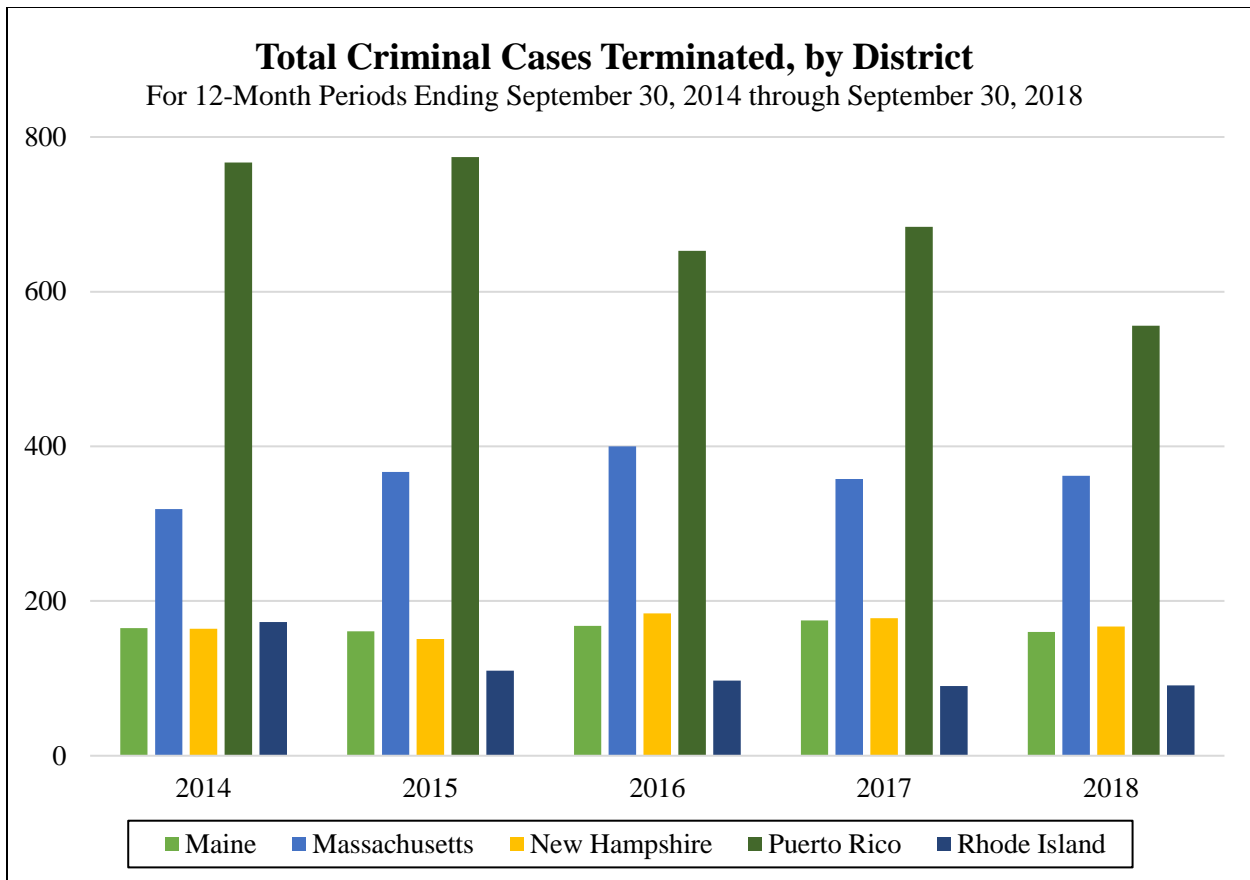
* Pending caseloads for 2014 - 2017 as revised by the AO.



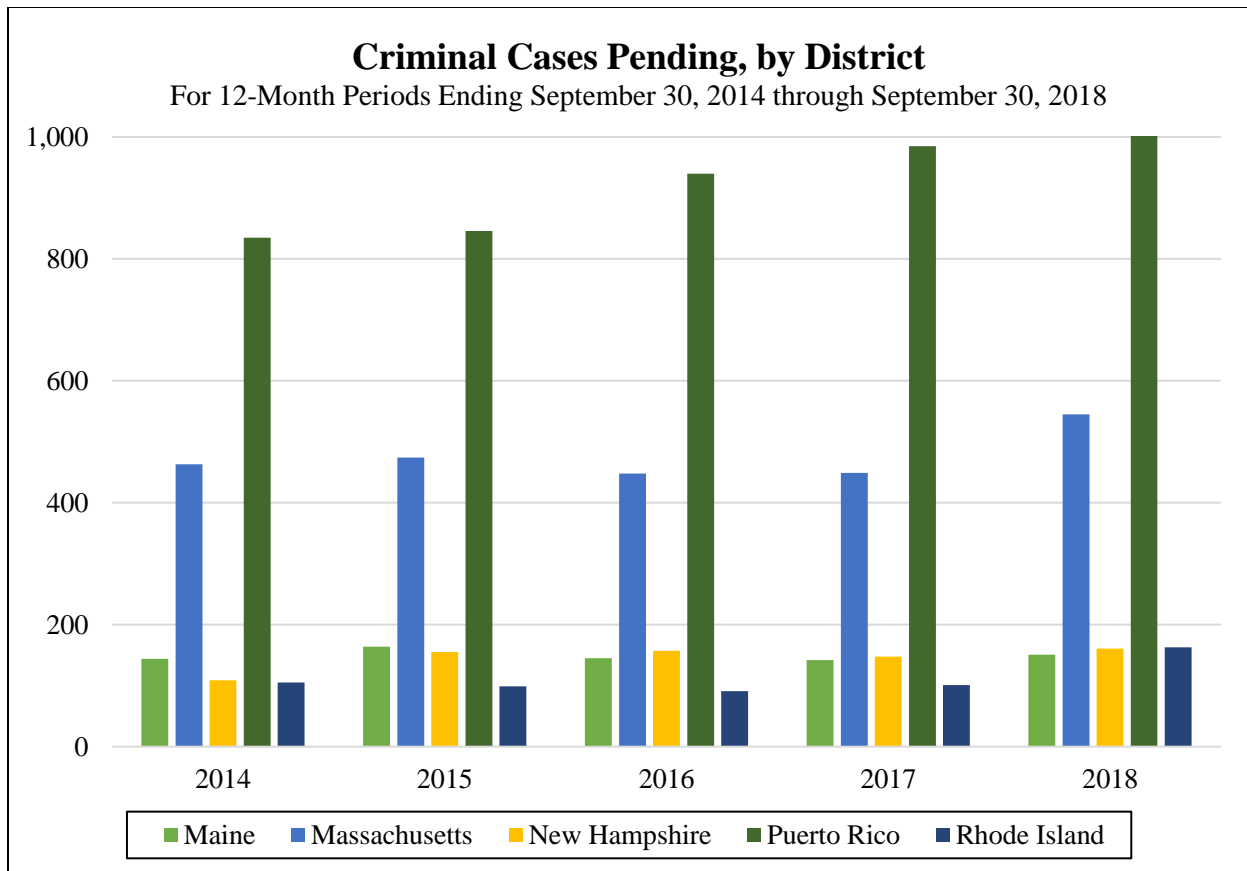
Total Criminal Caseload for First Circuit District Courts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	1,491	1,641	1,546	1,497	1,703
Cases Terminated	1,588	1,563	1,502	1,485	1,336
Cases Pending	1,656	1,738	1,781	1,825	2,201



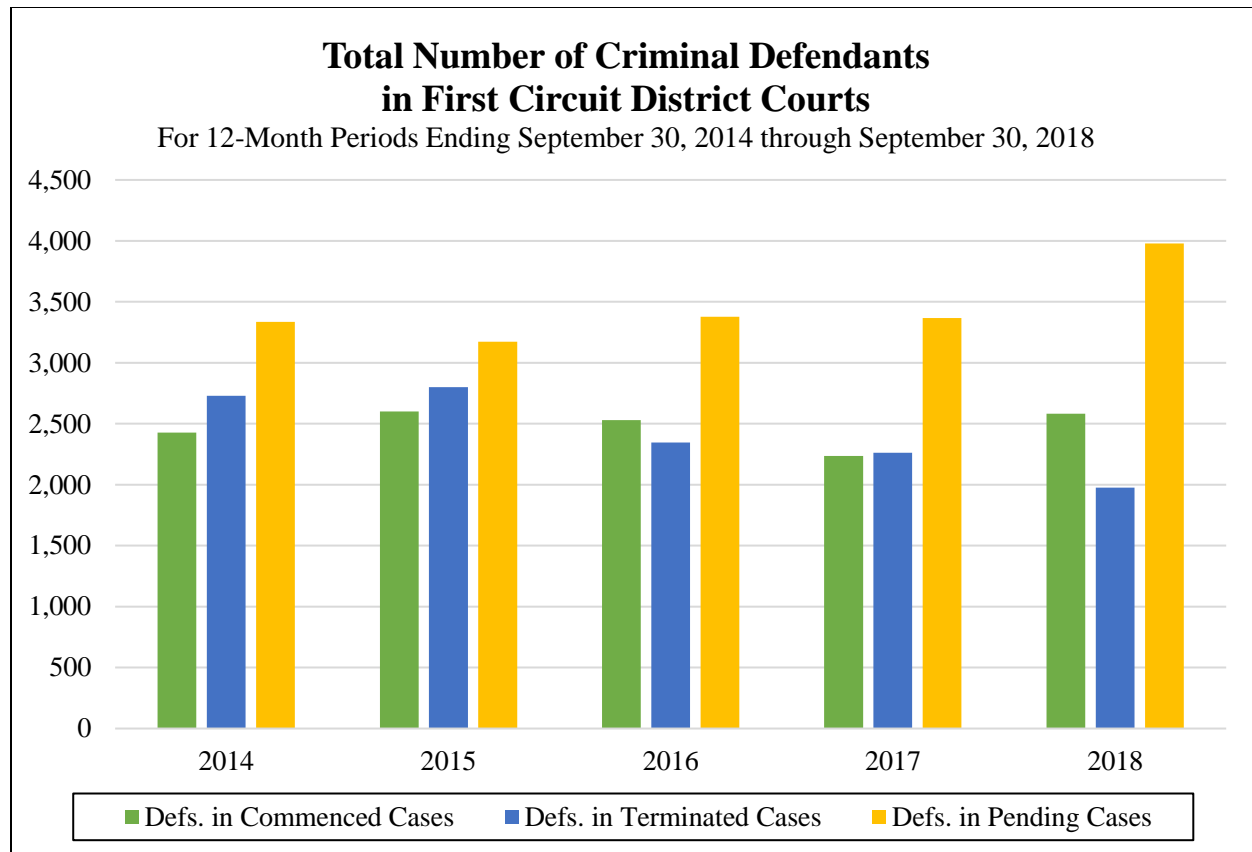
Criminal Cases Commenced, by District					
For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	151	181	149	169	167
Massachusetts	308	378	377	336	461
New Hampshire	144	193	178	170	179
Puerto Rico	753	784	745	725	744
Rhode Island	135	105	97	97	152



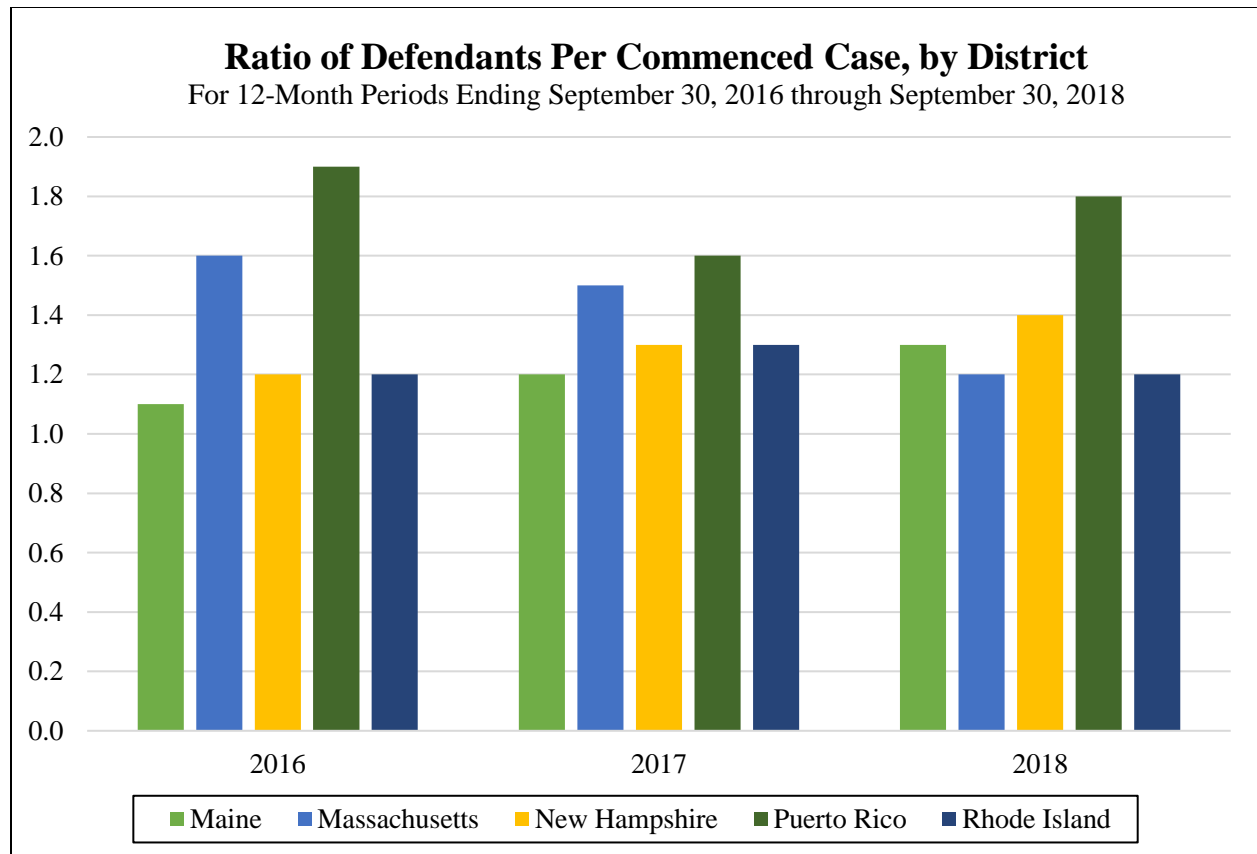
Criminal Cases Terminated, by District					
For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	165	161	168	175	160
Massachusetts	319	367	400	358	362
New Hampshire	164	151	184	178	167
Puerto Rico	767	774	653	684	556
Rhode Island	173	110	97	90	91



Criminal Cases Pending, by District					
For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	144	164	145	142	151
Massachusetts	463	474	448	449	545
New Hampshire	109	155	157	148	161
Puerto Rico	835	846	940	985	1,181
Rhode Island	105	99	91	101	163

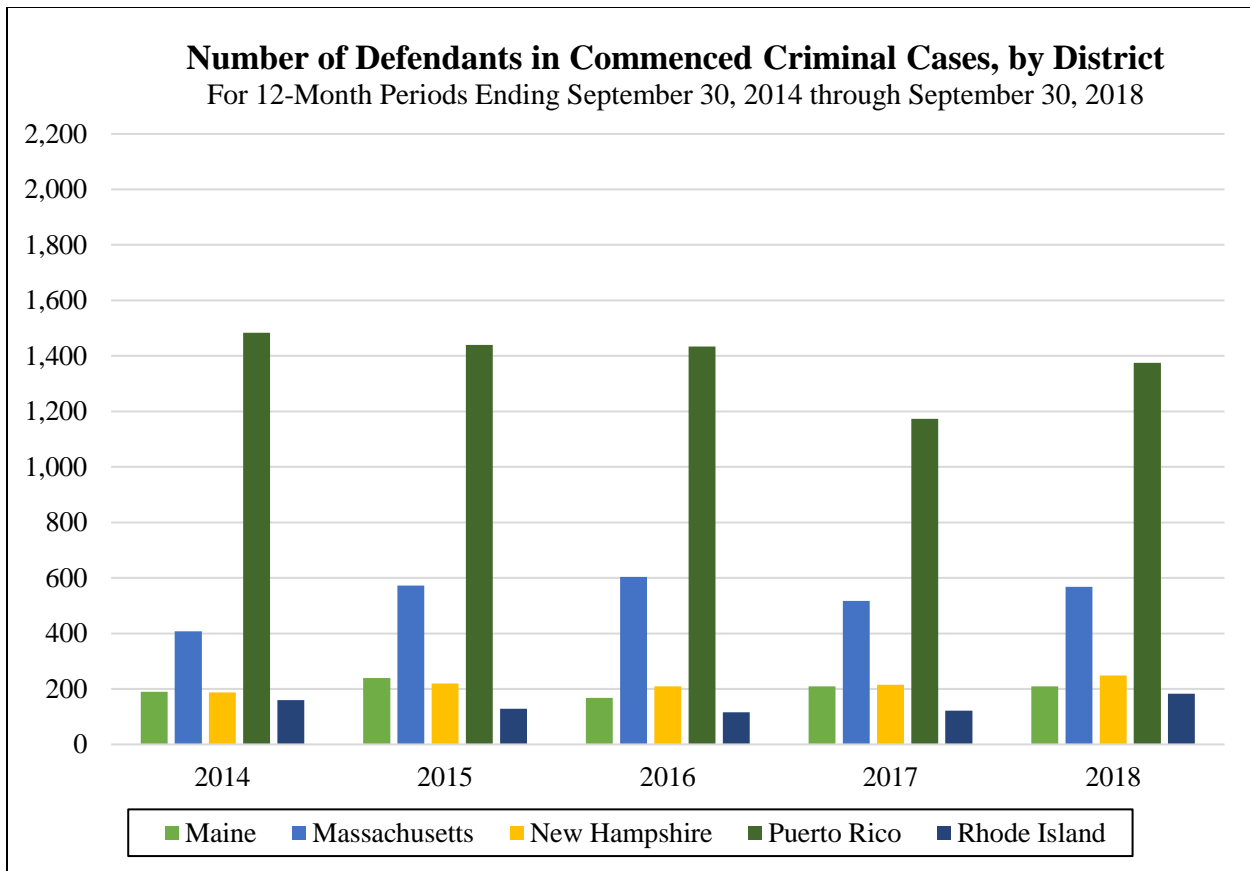


Total Number of Criminal Defendants in First Circuit District Courts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
No. of Defendants Commenced Criminal Cases	2,428	2,601	2,530	2,236	2,583
No. of Defendants Terminated Criminal Cases	2,795	2,799	2,347	2,262	1,975
No. of Defendants Pending Criminal Cases	3,335	3,174	3,377	3,366	3,979

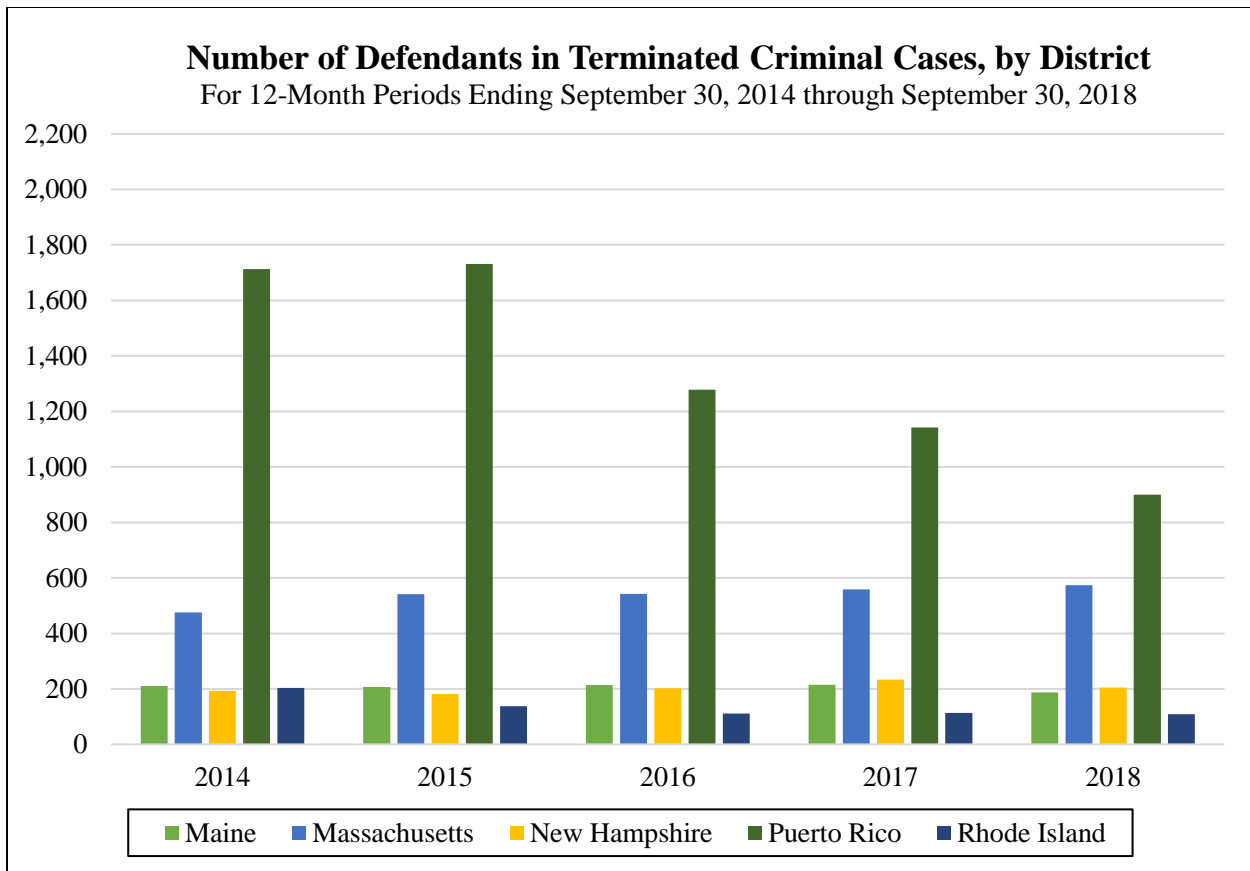


Number of Commenced Criminal Cases and Defendants and Ratio of Defendants Per Commenced Case, by District
For 12-Month Periods Ending September 30, 2016 through September 30, 2018

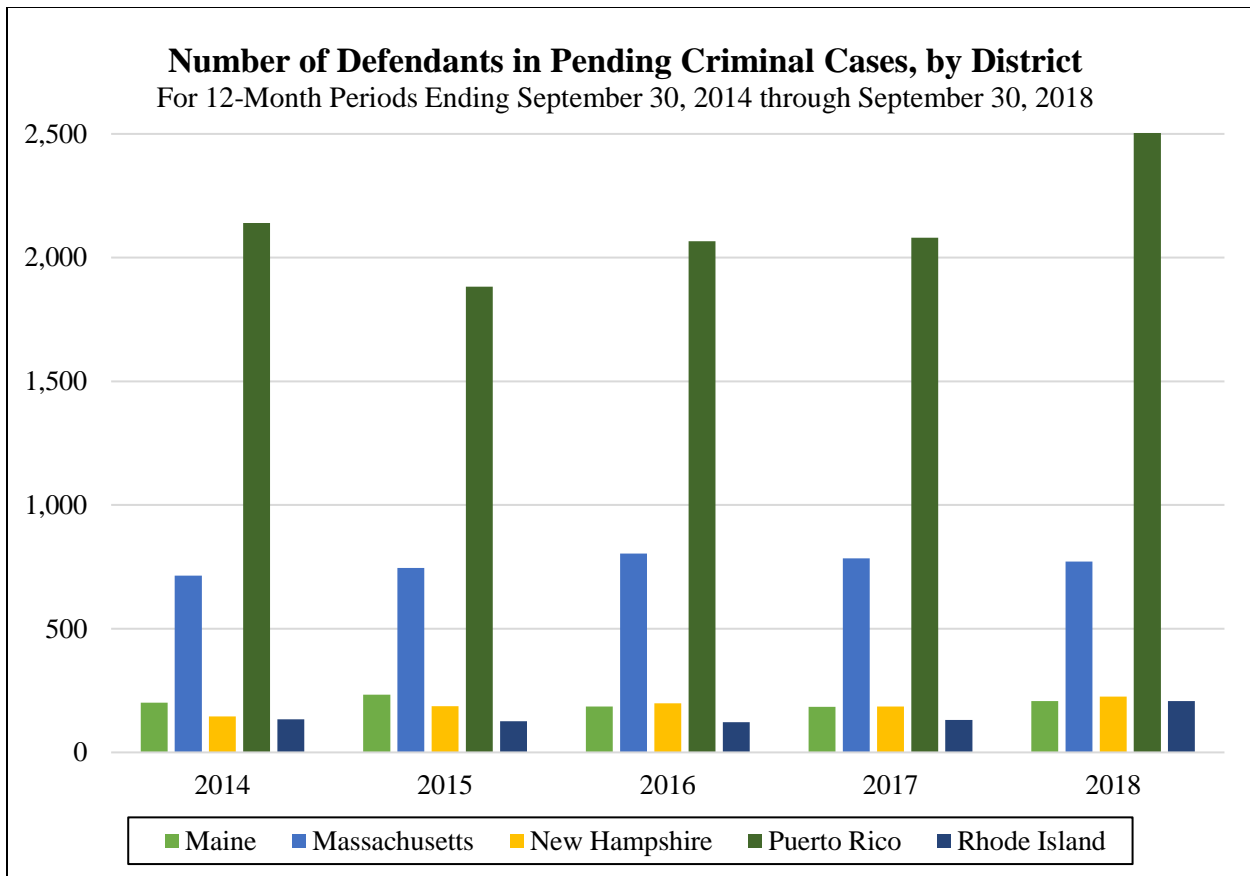
District	2016		Avg. No. of Defs./ Case	2017		Avg. No. of Defs./ Case	2018		Avg. No. of Defs./ Case
	Cases	Def.		Cases	Def.		Cases	Def.	
Maine	149	168	1.1	169	209	1.2	167	209	1.3
Massachusetts	377	603	1.6	336	517	1.5	461	568	1.2
New Hampshire	178	209	1.2	170	215	1.3	179	248	1.4
Puerto Rico	745	1,434	1.9	725	1,173	1.6	744	1,375	1.8
Rhode Island	97	116	1.2	97	122	1.3	152	183	1.2



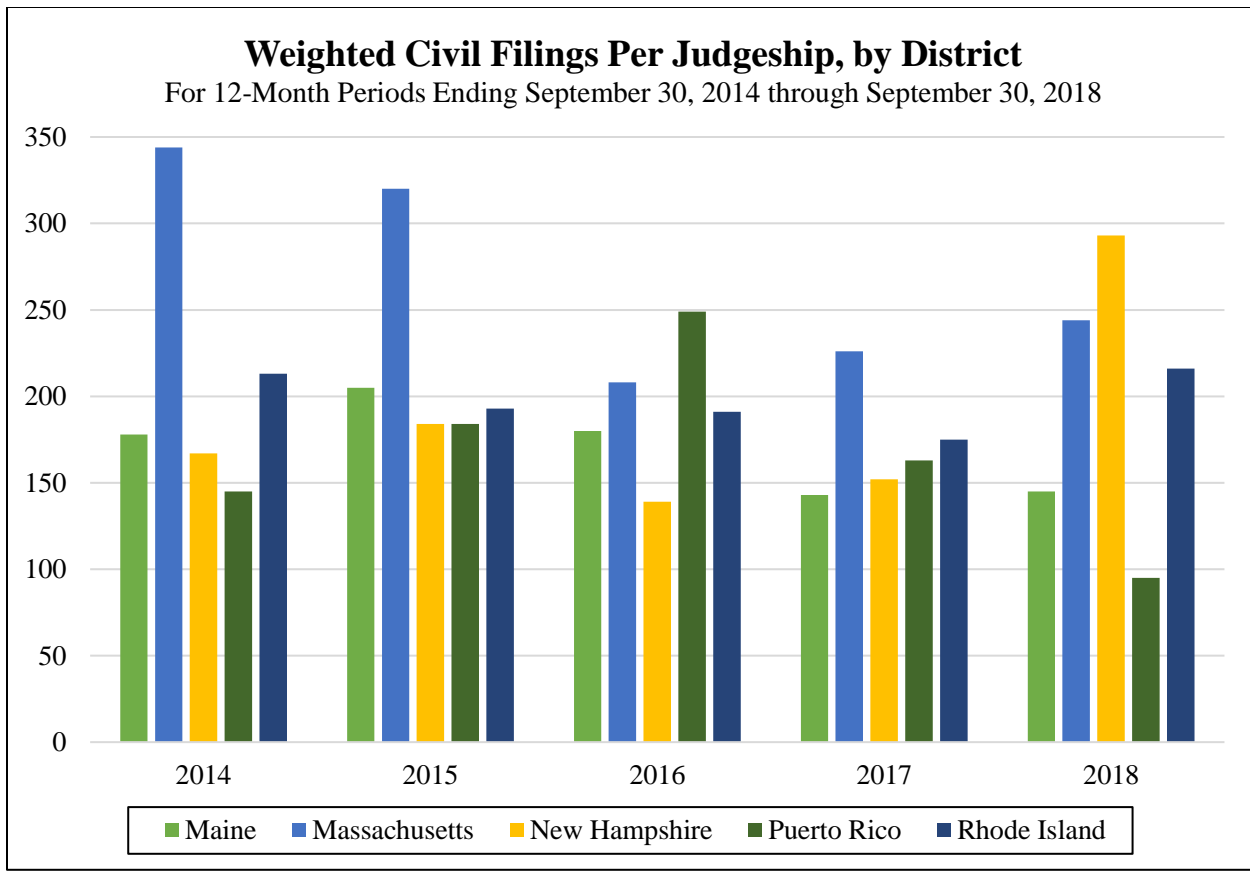
Number of Defendants in Commenced Criminal Cases, by District For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	190	239	168	209	209
Massachusetts	408	573	603	517	568
New Hampshire	187	220	209	215	248
Puerto Rico	1,483	1,440	1,434	1,173	1,375
Rhode Island	160	129	116	122	183



Number of Defendants in Terminated Criminal Cases, by District For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	210	207	214	215	187
Massachusetts	476	541	542	559	574
New Hampshire	193	182	202	233	205
Puerto Rico	1,713	1,713	1,278	1,142	900
Rhode Island	203	138	111	113	109

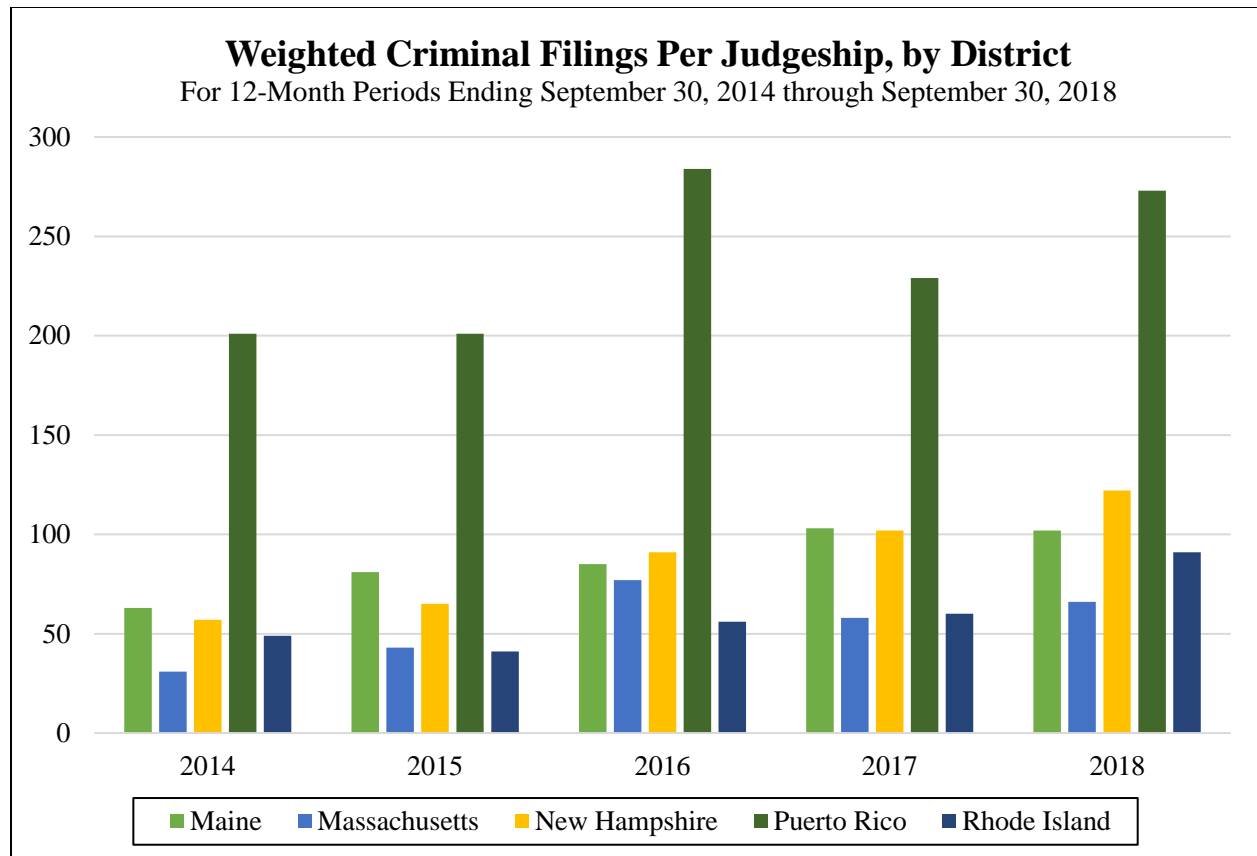


Number of Defendants in Pending Criminal Cases, by District For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	201	233	186	184	208
Massachusetts	714	746	804	785	771
New Hampshire	146	187	199	185	226
Puerto Rico	2,140	1,882	2,066	2,081	2,567
Rhode Island	134	126	122	131	207



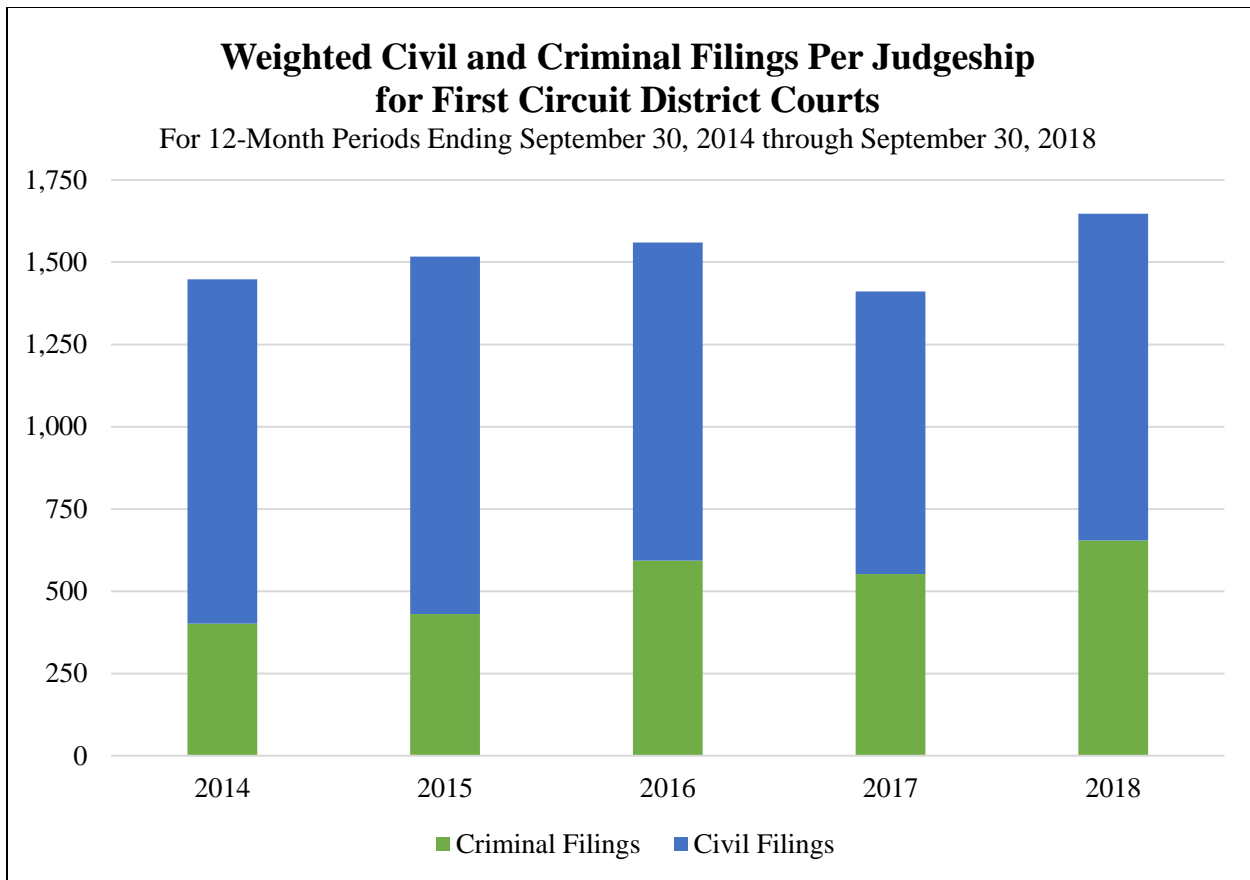
Weighted Civil Filings Per Judgeship, by District
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

District	Judgeships	2014	2015	2016	2017	2018
Maine	3	178	205	180	143	145
Massachusetts	13	344	320	208	226	244
New Hampshire	3	167	184	139	152	293
Puerto Rico	7	145	184	249	163	95
Rhode Island	3	213	193	191	175	216



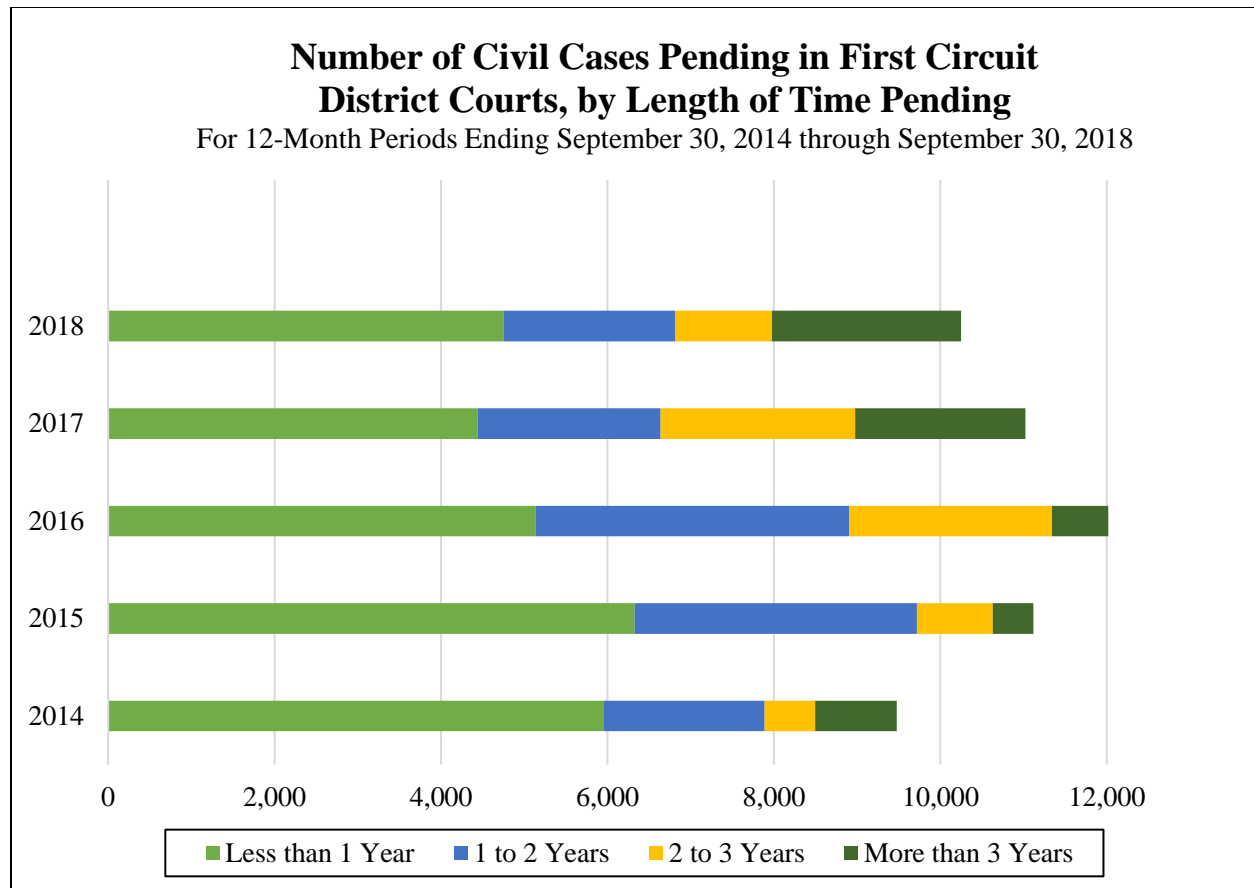
Weighted Criminal Filings Per Judgeship, by District
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

District	Judgeships	2014	2015	2016	2017	2018
Maine	3	63	81	85	103	102
Massachusetts	13	31	43	77	58	66
New Hampshire	3	57	65	91	102	122
Puerto Rico	7	201	201	284	229	273
Rhode Island	3	49	41	56	60	91



Weighted Civil and Criminal Filings Per Judgeship For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Civil Filings	1,047	1,086	967	859	993
Criminal Filings	401	431	593	552	654
Total Combined Filings	1,448	1,517	1,560	1,411	1,647

Number of Civil Cases Pending and Length of Time Pending, by District For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
MAINE					
Less than 1 Year	339	335	357	319	346
1 to 2 Years	72	83	82	94	63
2 to 3 Years	13	13	16	22	31
More than 3 Years	6	8	7	9	15
MASSACHUSETTS					
Less than 1 Year	4,138	4,061	2,250	2,030	2,140
1 to 2 Years	1,194	2,749	2,905	1,031	956
2 to 3 Years	293	710	2,170	1,943	610
More than 3 Years	271	244	496	1,838	1,997
NEW HAMPSHIRE					
Less than 1 Year	330	354	376	427	1,005
1 to 2 Years	98	88	93	115	200
2 to 3 Years	29	19	25	33	43
More than 3 Years	23	29	20	26	33
PUERTO RICO					
Less than 1 Year	708	1,208	1,651	1,268	811
1 to 2 Years	309	332	537	812	689
2 to 3 Years	146	121	168	283	422
More than 3 Years	92	102	93	112	158
RHODE ISLAND					
Less than 1 Year	437	371	504	397	452
1 to 2 Years	262	136	153	145	150
2 to 3 Years	128	51	54	59	59
More than 3 Years	587	103	61	60	70

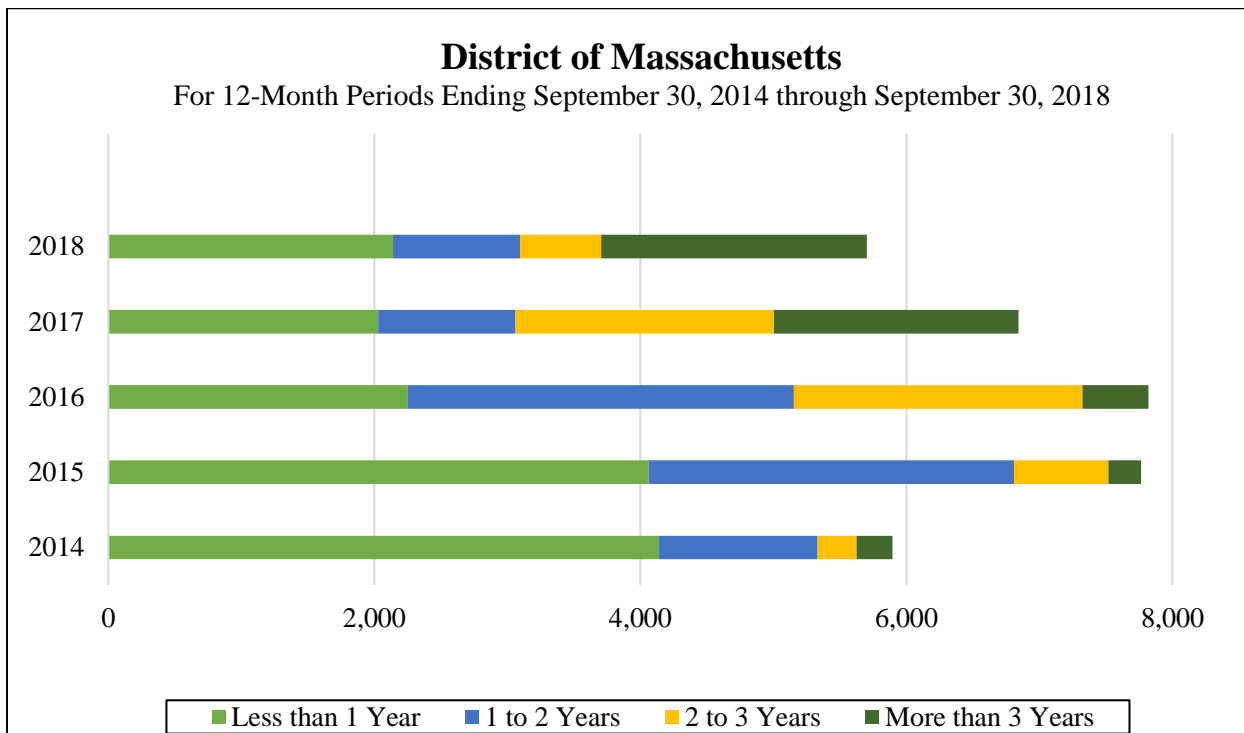
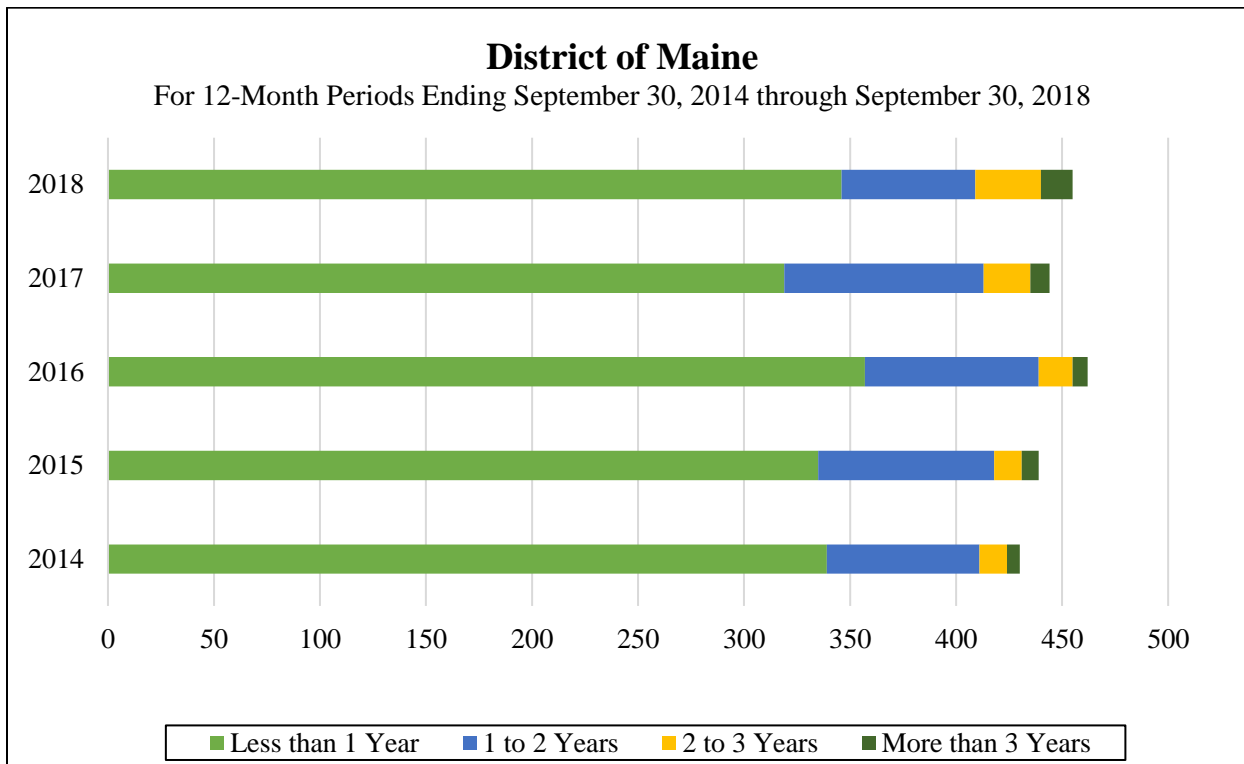


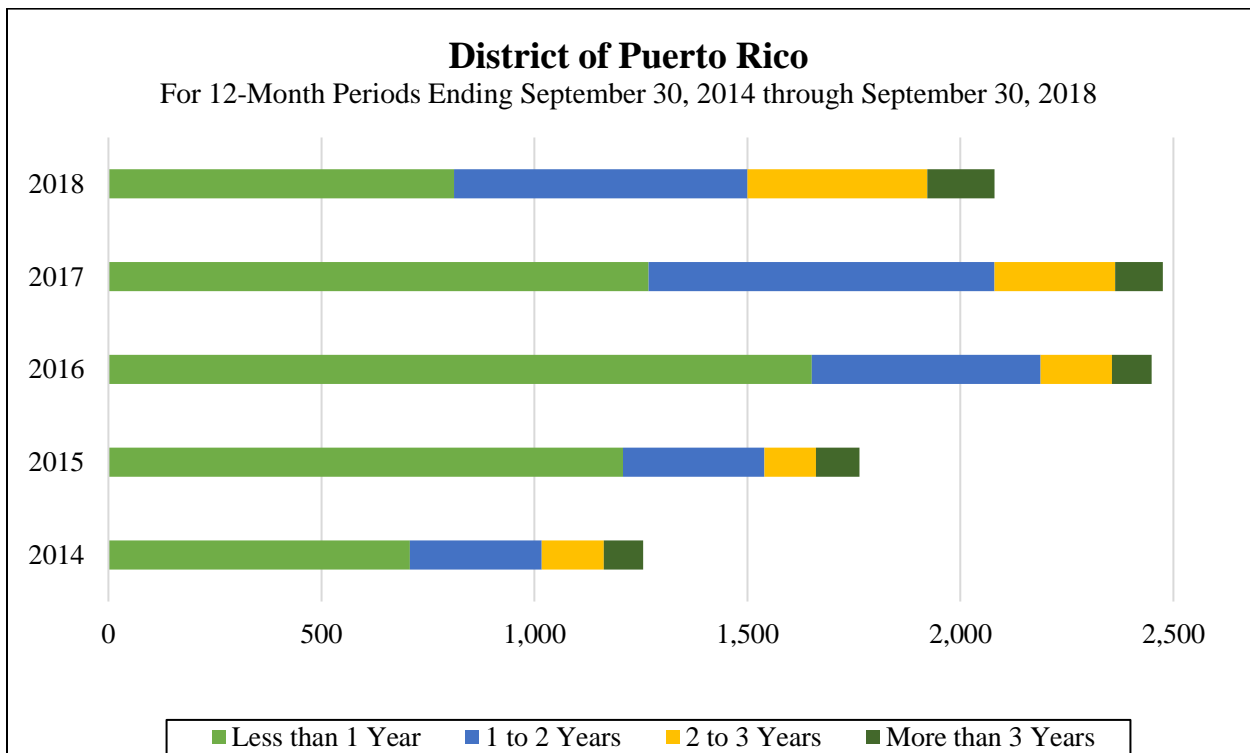
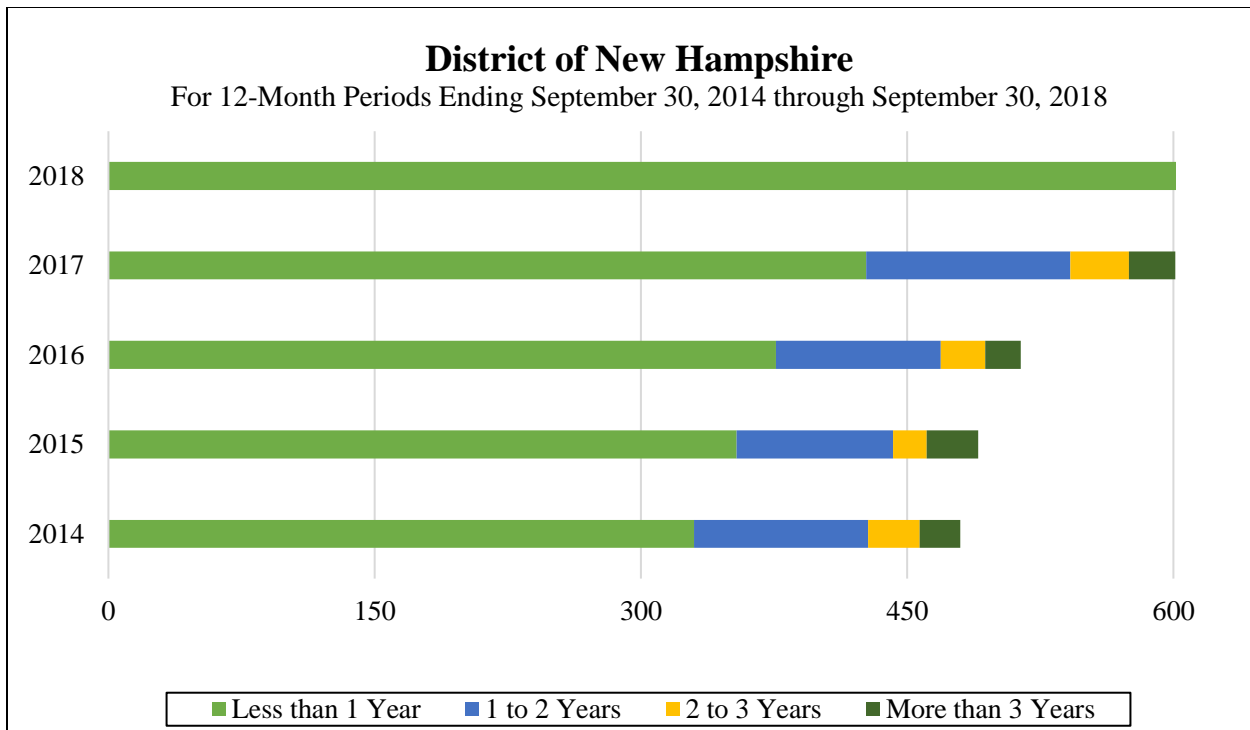
Number of Civil Cases Pending for First Circuit District Courts, by Length of Time Pending (and % Total)

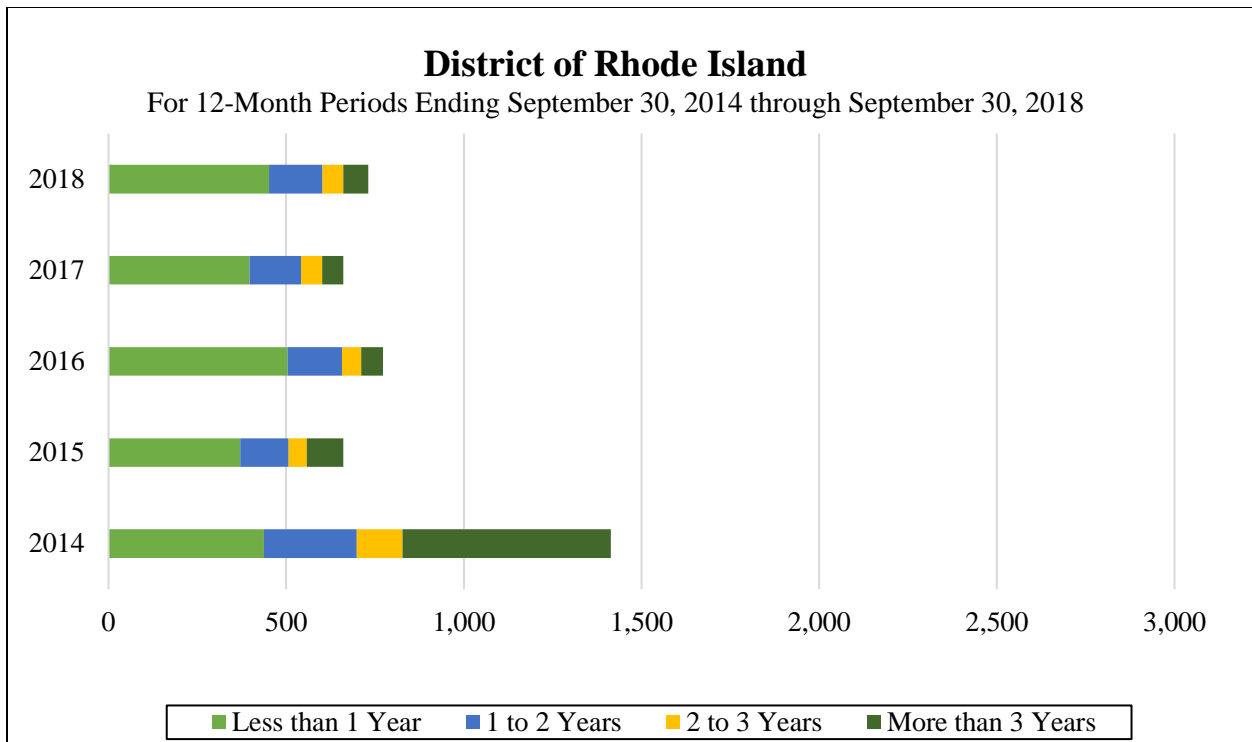
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

	2014	2015	2016	2017	2018
Less than 1 Year	5,952 (62.8%)	6,329 (56.9%)	5,138 (42.8%)	4,441 (40.3%)	4,754 (46.4%)
1 to 2 Years	1,935 (20.4%)	3,388 (30.5%)	3,770 (31.4%)	2,197 (19.9%)	2,058 (20.1%)
2 to 3 Years	609 (6.4%)	914 (8.2%)	2,433 (20.2%)	2,340 (21.2%)	1,165 (11.4%)
More than 3 Years	979 (10.3%)	486 (4.4%)	677 (5.6%)	2,045 (18.6%)	2,273 (22.2%)

**Number of Civil Cases Pending in First Circuit District Courts,
 by Length of Time**







Report for the District of Maine

Court Profile

In 2018, the District had three district judges, three senior district judges, and two magistrate judges. The Clerk's Office operated with 25 employees and five court reporters.

In FY 2018, the District's weighted filings per judgeship increased 19.1%, and total filings per judgeship increased 6.5%, compared to the national decline of 2.4%. Civil filings grew 4.3%, paralleling national growth, while criminal filings per judgeship grew 11%. Civil rights and social security appeals comprised 46% of the District's civil caseload, while social security cases constituted 25% of the District's caseload compared to 7% nationally. The percentage of jurors who were not selected, serving, or challenged for jury service (NSSC) increased from 17.9% to 29.4%, but remained below the JCUS NSSC goal of 30%.

Committee Membership

In 2018, Clerk Christa K. Berry was a member of the District Court Local Rules Advisory Committee, the District Court Criminal Law Committee, and the First Circuit Judicial Council Jury Plan Committee.

Local Rules

In December 2018, the District adopted amendments to Local Rules 41.2, 65.1, 77, 132, 163, and Appendix IV.

Information Technology

The District hired IT Director Matthew Day, Systems Engineer John Whetstone, and Systems Support Specialist Daren Thomas.

In FY 2018, the IT Department engaged in several national trainings as well as annual

security trainings in Bangor and Portland. The IT Department updated its network and developed and revised its policies following a Security Operations Center Security Assessment. It also transitioned to the Microsoft O365 platform, upgraded software, and adopted a national security-related service.

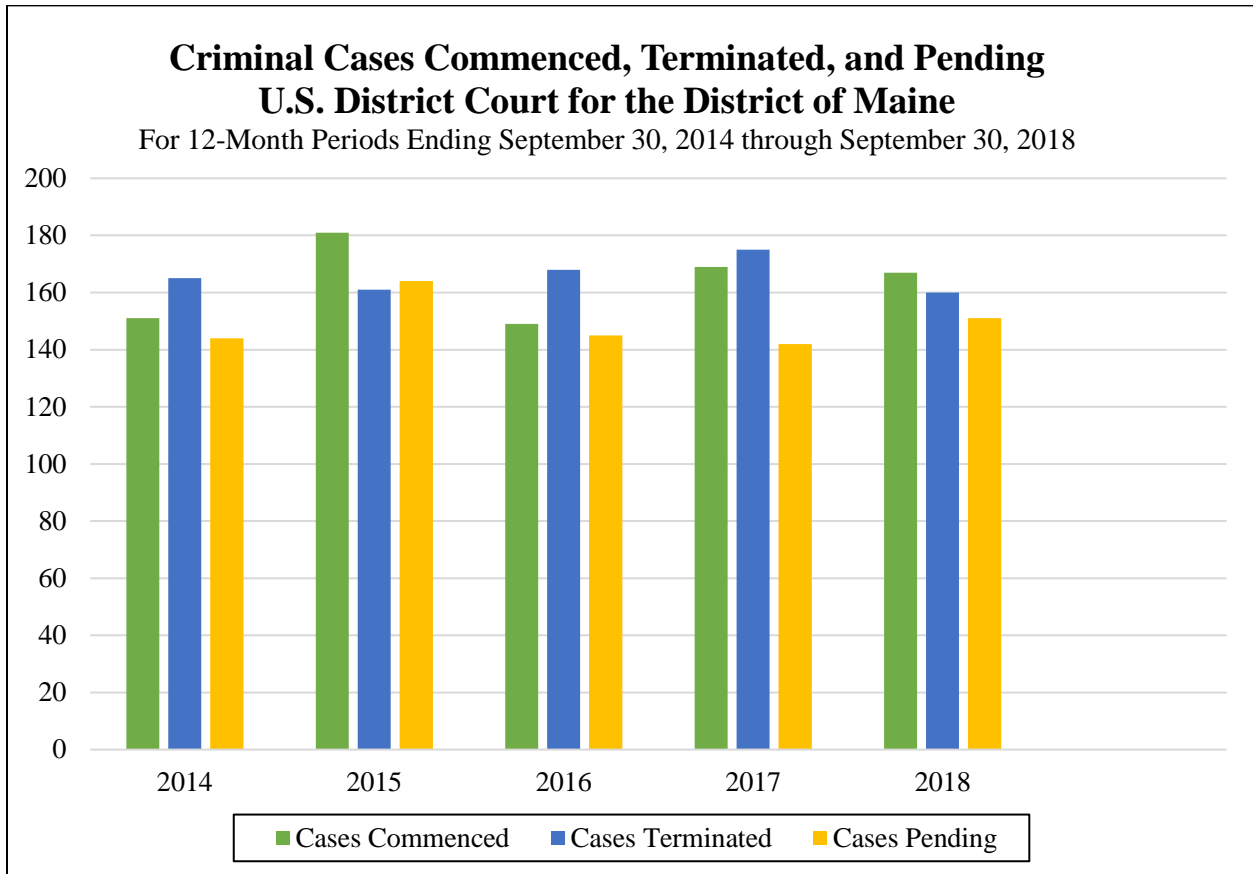
Clerk's Office

In 2018, the Clerk's Office hired Executive Assistant Jenny Wood, Case Manager Stacey Graf, and Intern Lilly Black.

Staff Training

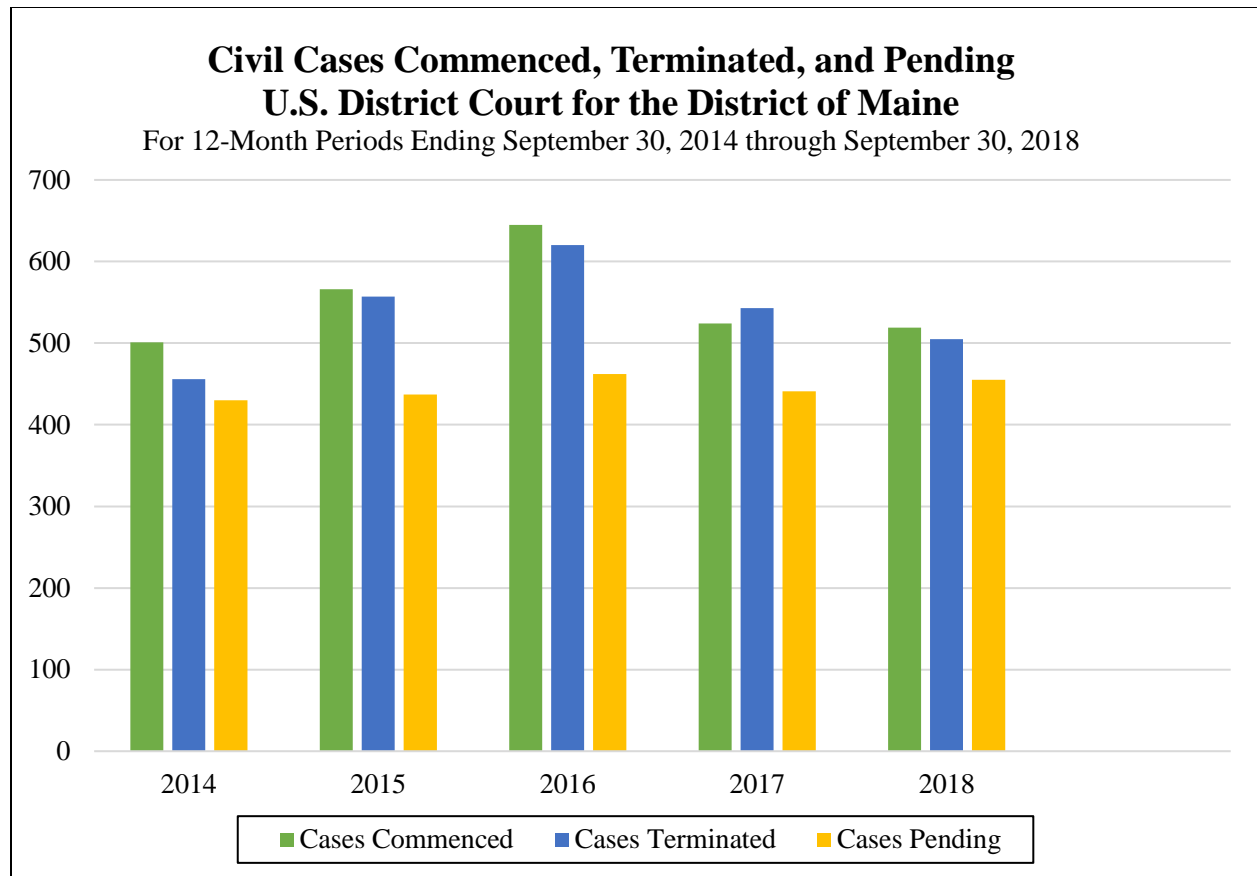
In September, court employees and judges participated in a two-day offsite training on employment dispute resolution, creating a safe and welcoming workplace, and implicit bias. Several court employees attended a speedy trial training, Central Violations Bureau (CVB) training, and the National Operations Forum. The Court's IT Department received funds to enhance trainings in various specialized areas.

In October, the District and the U.S. Marshals Service (USMS) provided live active shooter and occupant emergency plan training for all court employees in the Gignoux Courthouse. The USMS also completed a classroom-based, active shooter scenario training at the Margaret Chase Smith Building in Bangor.



Criminal Cases Commenced, Terminated, and Pending
U.S. District Court for the District of Maine
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

	2014	2015	2016	2017	2018
Cases Commenced	151	181	149	169	167
Cases Terminated	165	161	168	175	160
Cases Pending	144	164	145	142	151



Civil Cases Commenced, Terminated, and Pending U.S. District Court for the District of Maine For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	501	566	645	524	519
Cases Terminated	456	557	620	543	505
Cases Pending*	430	437	463	441	455

* Pending cases for 2014 - 2017 as revised by the AO.

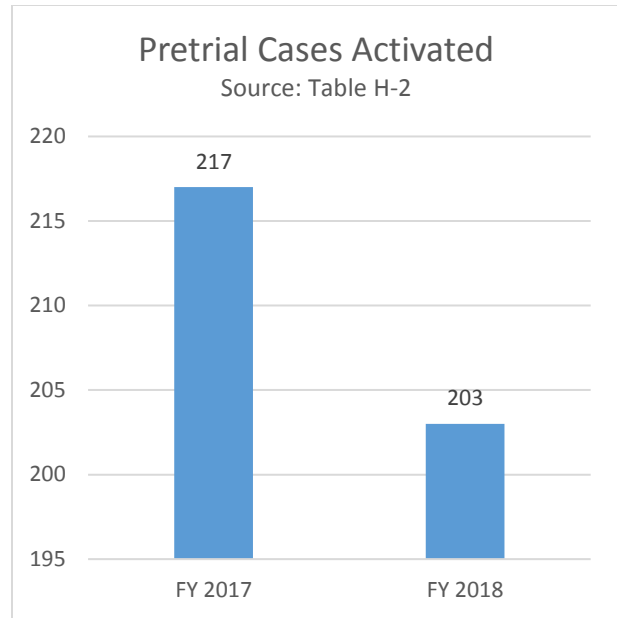
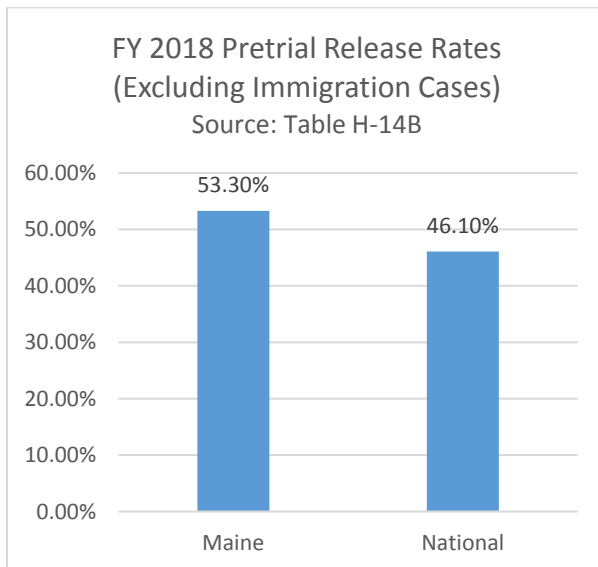
**Probation & Pretrial Services Office
 District of Maine**

Personnel

On March 30, 2018, Chief U.S. Probation Officer Karen-Lee Moody retired after 27 years of service to the U.S. Courts. Kimberly Rieger, former Deputy Chief U.S. Probation Officer for the Western District of Oklahoma, became Chief on April 2, 2018. Senior U.S. Probation Officer Tim Duff retired in April 2018 after 24 years of service. During FY 2018, the District hired its first probation technicians, who support the pretrial, presentence, and post-conviction supervision units in Bangor and Portland.

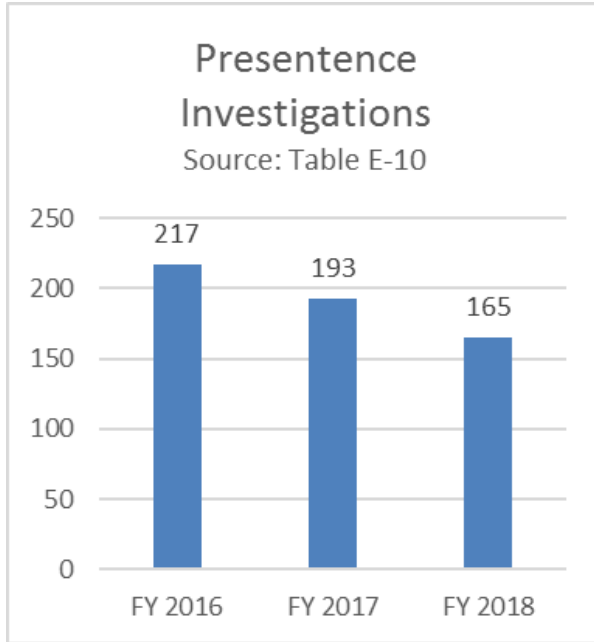
Pretrial Services

The District's release rates continued to exceed national averages. The number of pretrial investigations completed during FY 2018 increased slightly from FY 2017, but pretrial cases opened declined.



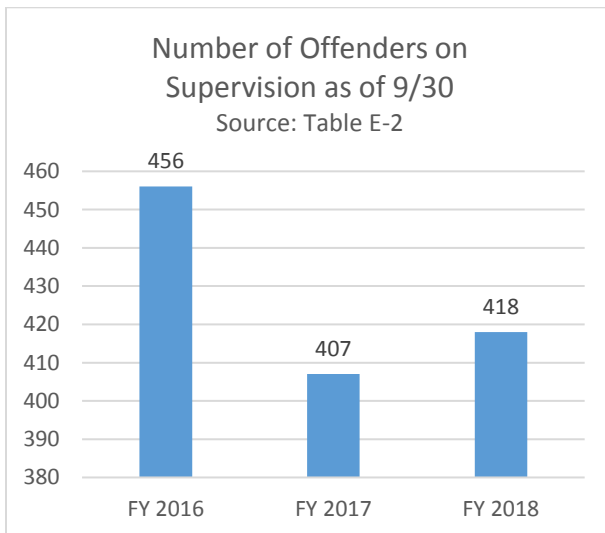
Presentence Investigations

For the third consecutive year, the number of presentence investigation reports completed declined. The District is working hard to improve operational efficiencies regarding these investigations and assigned a probation technician to assist officers with information gathering. The District continues to work with the U.S. Attorney's Office to address challenges regarding receiving and processing discovery.



Post-Conviction Supervision

In FY 2018, post-conviction supervision cases increased slightly.



District Initiatives

Deputy Chief Michael Penders was selected to serve on the Probation and Pretrial Services National Information Standards Working Group, and Data Quality Analyst Terri

Chizmar was selected to serve on the National Data Quality Peer Review Board.

In preparation for the District's Probation and Pretrial Services Office (PPSO) program review, scheduled for April 2019, the District conducted an in-depth internal review across all operational areas, utilizing a team of subject matter experts from around the country to train and assist staff with completing the review. Since then, three staff members have joined the national volunteer system to serve on review teams in other districts.

The District increased its participation with the New England Critical Incident Stress Management (CISM) team, dedicating four staff members to that important work.

The District began utilizing the regional drug testing laboratory in the District of Massachusetts (having previously used the regional laboratory in the Western District of Texas) for initial screening of all urine samples. This change provided faster notice of drug use for cases under pretrial and post-conviction supervision.

In an effort to enhance supervision of sex offenders, the District's two sex offender specialist officers became involved in reviewing treatment provided at contract treatment vendor locations.

The District suffered a loss to its re-entry services and program in FY 2018 when the residential re-entry center in Bangor, Maine closed. However, the District maintained its dedication to re-entry services with its re-entry specialist officer, who worked closely with the District's residential re-entry center in Portland. The District also participated in an annual job and resource fair hosted in cooperation with several other agencies, and continued to use Second Chance Funds to support re-entry needs and the post-conviction supervision process.

The District continued to host the problem-solving court, SWiTCH, which targets treatment, intervention, and resources to persons under supervision battling drug abuse and addiction.

Training and Professional Development

In FY 2018, officers participated in the PPSO-hosted National Pretrial Services Conference and attended the National Treatment Services Conference, the inaugural National Wellness Conference, and trainings related to the use of Second Chance Funds.

All members of the District's presentence investigation unit attended the National Sentencing Guidelines Training.

Treatment Services Specialist Melanie Holton was accepted into the FJC Treatment Services program, "Negotiating Pathways and Supporting Successful Transitions."

Report for the District of Massachusetts

Court Profile

At the end of 2018, the District had 11 district judges, six senior district judges, seven magistrate judges, and three recalled magistrate judges.

In 2018, the District closed five multi-district litigation (MDL) matters and was not assigned any additional MDL matters, resulting in a total of seven pending MDLs, with 6,667 pending member cases.

Community Outreach

The District continued to support Discovering Justice's work with youth civics education. In 2018, the program was active in all three courthouses in the District and educational programs in the surrounding communities. Judges and Clerk's Office staff participated in semi-annual mock trial events.

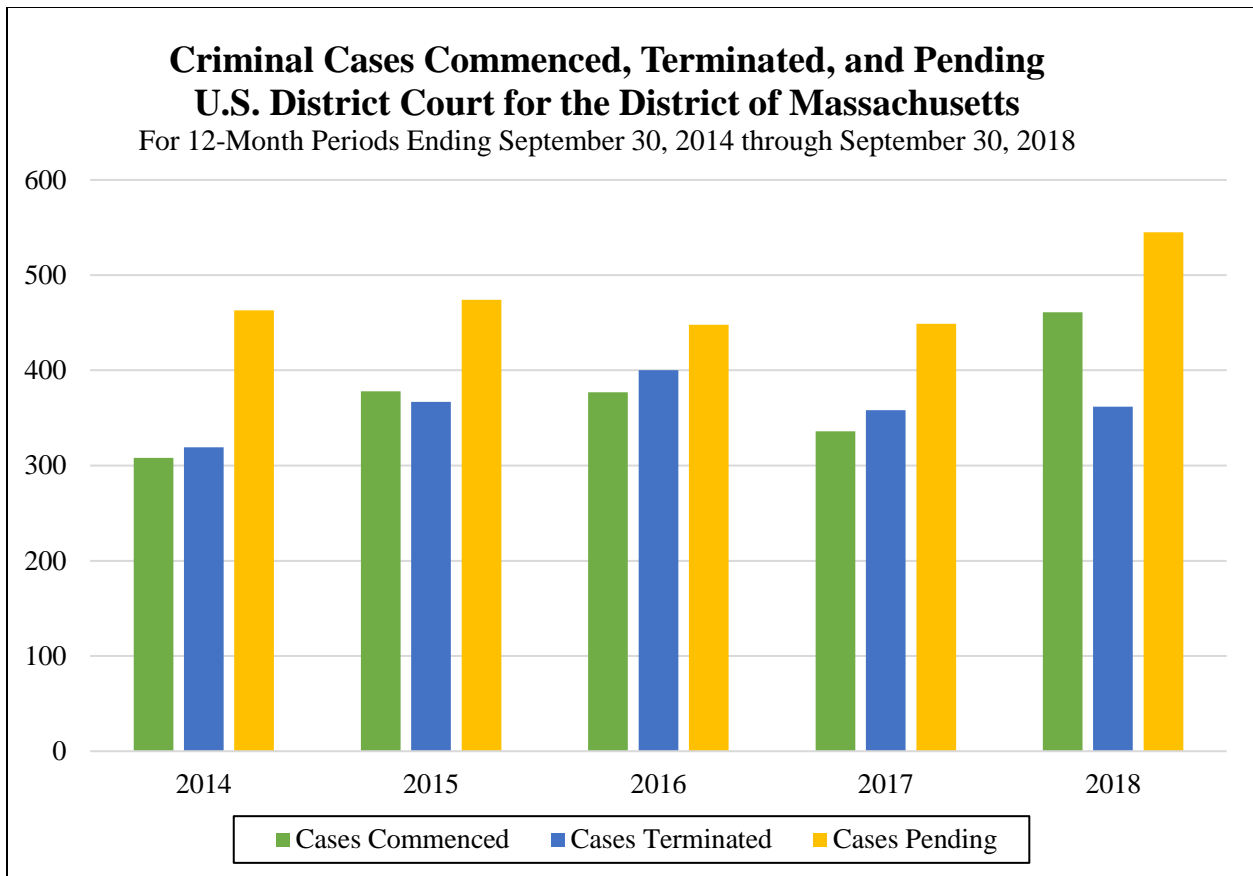
In 2018, the District conducted 169 trials (73 civil and 96 criminal). Judges spent 2,673 hours conducting trials and 2,311 hours conducting other proceedings.

The Nelson Fellowship: 12 students participated in the 21st year of the Fellowship, a summer program encouraging civic engagement and higher education. Participants met community leaders, visited local colleges, and were introduced to organizations that facilitate the college application process.

The Lindsay Fellowship: Six college students participated in the eighth year of the Lindsay Fellowship, named for the late Judge Reginald C. Lindsay. Fellows were assigned to a judge and either the U.S. Attorney's Office, the Federal Defender Program, or U.S. Probation and Pretrial Services. The Fellows attended a research and writing program and competed in moot court.

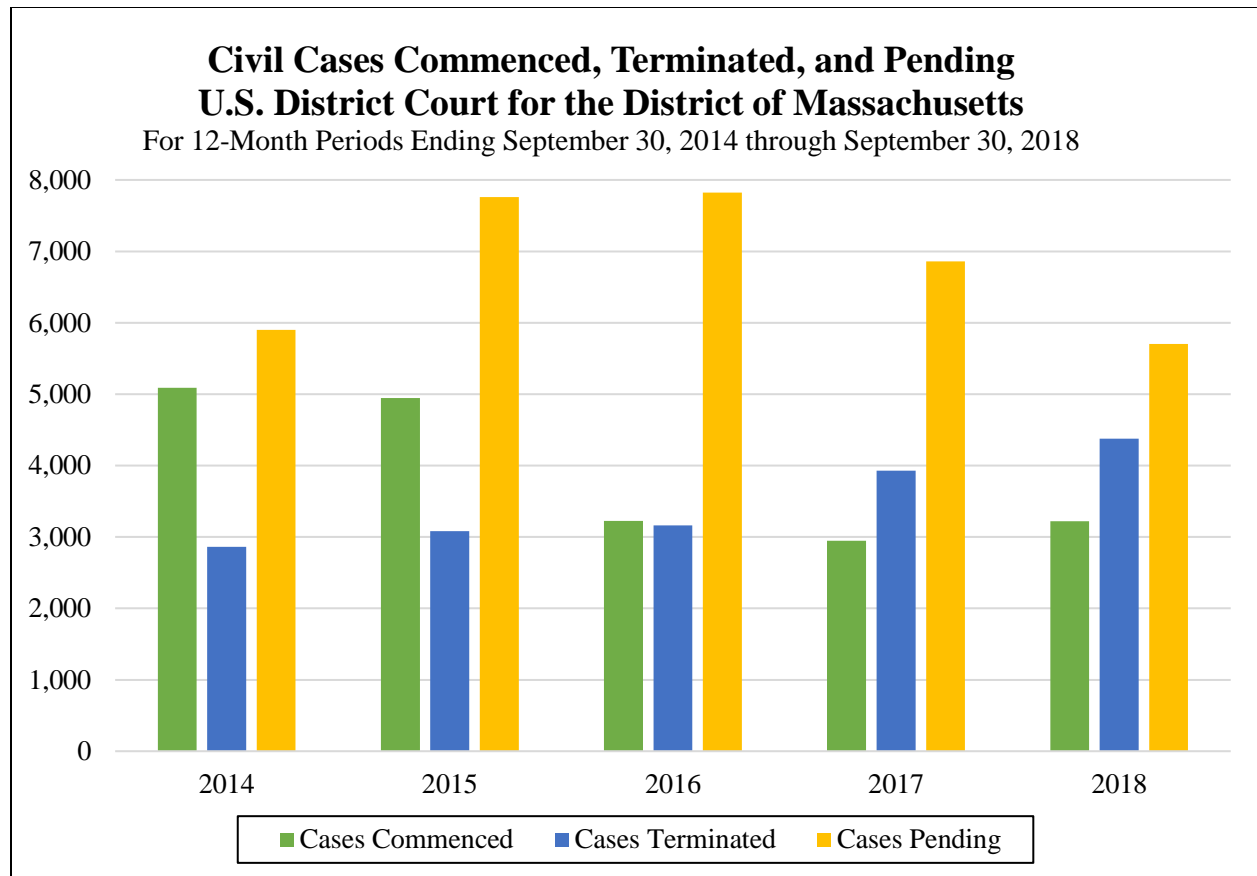
Operations

Civil filings increased 4.2%, from 3,002 cases in calendar year 2017 to 3,127 cases in calendar year 2018. The number of criminal defendants charged in calendar year 2018 increased 24.3%, to 598 from 481 in calendar year 2017.



Criminal Cases Commenced, Terminated, and Pending
U.S. District Court for the District of Massachusetts
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

	2014	2015	2016	2017	2018
Cases Commenced	308	378	377	336	461
Cases Terminated	319	367	400	358	362
Cases Pending	463	474	448	449	545



Civil Cases Commenced, Terminated, and Pending U.S. District Court for the District of Massachusetts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	5,088	4,947	3,226	2,949	3,219
Cases Terminated	2,861	3,081	3,163	3,928	4,375
Cases Pending*	5,898	7,758	7,821	6,859	5,703

* Pending cases for 2014 - 2017 as revised by the AO.

**Probation & Pretrial Services Office
 District of Massachusetts**

Personnel

In 2018, Probation Officer Assistant Denise Rivera retired and Officers Meaghan Mills and Shonte Brittle transferred to the Districts of Colorado and California, respectively. The Probation Office welcomed Officers Jennifer Dailey, Ramon Guzman, Kristina Zanini, Kaileen Paiva, and several student interns.

Investigations and Supervision

Pretrial Investigations: In 2018, the PPSO activated 665 cases.

Year	Cases Activated	Release/ Detention Rate	Interview Rate
2014	488	56% 44%	57%
2015	612	54% 46%	58%
2016	611	47% 53%	56%
2017	531	51% 49%	51%
2018	665	46% 54%	56%

Pretrial Supervision: At the end of 2018, 366 defendants were under supervision, a 19% increase from 2017. The office's supervision strategies continued to align with risk and needs including the results of the Pretrial Risk Assessment Instrument (PTRA). Of the 592 pretrial defendants who were supervised for all or part of 2018, seven missed a court hearing, five were rearrested, and 19 had their supervision revoked, all well below national statistics.

Presentence Investigations:

Year	Cases Assigned	Cases Sentenced w/out PSR
2014	503	17
2015	483	26
2016	459	27
2017	519	47
2018	451	23

Offense types covered by presentence investigations and reports included drugs, financial, immigration, weapons, robbery, sex, obstruction, tax, and under the influence offenses. Officers continued to: pre-screen defendants for placement in the Bureau of Prisons (BOP) Residential Drug and Alcohol Program (RDAP); handle re-sentencings; identify Massachusetts state lab tampering impacted cases; and recommend individuals for participation in the Court Assisted Recovery Effort (CARE) and Repair, Invest, Succeed, Emerge (RISE) programs. Investigations officers also began to digest the provisions of The First Step Act, which was signed into law in December 2018.

Post-Conviction Supervision: In 2018, 1,349 post-conviction clients were under supervision, 46% of whom were considered moderate or high risk, compared to the national average of 34%. The opiate epidemic, criminal thinking, and poor peer relationships continued to pose the biggest challenges. The District's revocation rate of 26.4% fell below the national average of 36.1%.

Space Initiatives

In 2018, the PPSO planned renovations of the Springfield office.

District Resources and Initiatives

In 2018, the PPSO started Operation Exit-RENEW (Release-Engage-Network-Employ-Win), in conjunction with the City of Boston

and the Gavin Foundation, which provided 120 days of employment and the opportunity to find long-term employment opportunities in the City of Boston to four individuals on supervision.

The office, in partnership with the University of Massachusetts, held a financial literacy workshop for individuals under supervision.

In April 2018, the office held a Re-Entry Fair at Federal Correctional Institution Berlin, where it brought approximately 20 community partners to meet with approximately 80 inmates scheduled to release from the BOP within the following 24 months.

The office continued a series of BBA presentations for individuals under supervision on topics including family law, housing, low income benefits, and criminal record guidance, and the Federal Bar Association (FBA) offered a workshop involving mock job interviewing. Continued initiatives also included, but were not limited to: the RISE, CARE, and Reentry Empowering Successful Today, and Responsible Tomorrow (RESTART) programs; community-based drug treatment programs for 2017 graduates of RDAP; and Staff Training Aimed at Reducing Re-arrest (STARR).

Training, Professional Development

Staff participated in numerous training and professional development opportunities, including, but not limited to: CISM; firearms training; Federal Probation and Pretrial Officers' Association Conference; United States Sentencing Commission National Guidelines Conference; National Association of Pretrial Services Agencies Conference; and national conferences focused on IT, location monitoring, sex offenders, and STARR. Locally, staff participated in training on leadership, medication assisted treatment, gangs, domestic violence, computer

monitoring, officer response tactics, and restorative justice. Officers also continued to participate in AO district program reviews, temporary duty placements, and national workgroups.

Report for the District of New Hampshire

Human Resources/Staffing

Chief Deputy Clerk Pamela Phelan left the Court to take a position at the Disability Rights Center, and Merrimack County Superior Court Clerk Tracy Uhrin was hired as Chief Deputy Clerk. Other new hires included IT Systems Support Specialist Stephen Bradley, Jury Administrator Brigid Davis, Administrative Attorney Erin Fisher, and Intake Clerks Erica Jordan and Brier Temple. Case Manager Judy Barrett-Weatherbee, Jury Administrator Cathy Dube, Court Reporter Sandra Bailey, and Judicial Assistant Joan Ausman retired.

Conferences/Educational Programs

The Federal Court Advisory Committee (FCAC) met twice in 2018 and provided feedback to the court regarding upcoming continuing legal education (CLE) programs, courtroom technology upgrades, and local rule amendments. The FCAC also reviewed expenditures from the Court's library fund.

In October, the District hosted the 2018 Federal Practice Institute, which was attended by nearly 200 attorneys and included an advanced legal writing and editing workshop with Professor Bryan Garner; an ethics seminar and breakout sessions for civil, criminal, and bankruptcy practitioners; and a keynote speech by Professor Shon Hopwood.

Information Technology

The District underwent an IT security audit in 2018 and improved its IT security score by several points. The District also migrated to Microsoft O365.

Local Rules/Procedure

In December, the District enacted amendments to its Local Rules to address recent changes to the Federal Rules of Civil

Procedure and the Federal Rules of Criminal Procedure.

Operations

The District completed a financial self-audit in April 2018.

Case Management

Civil filings increased significantly from 732 in 2017 to 1247 in 2018, due primarily to a considerable increase in personal injury filings related to In Re: Atrium Medical Corp. C-Our Mesh Products Liability Litigation, an MDL case assigned to Chief Judge McCafferty. Criminal filings also increased, from 185 defendants charged in 2017 to 255 in 2018.

Staff Training

In March, staff attended a District-wide meeting on respect in the workplace led by then-Chief Judge Laplante, Judge Barbadoro, and Magistrate Judge Johnstone, followed by district-wide training on workplace conduct led by Ana Dubrovsky, then of the Office of the Circuit Executive, on behalf of the FJC.

In April, procurement and financial staffers attended the 2018 Financial Forum in New Orleans.

Court IT staff provided District-wide technology training to court staff throughout the year and attended the trainings, including, but not limited to, Automation Trainers Community, ECF Operations Forum, First Circuit Technology User Group, and Windows 2016 Security and Administration.

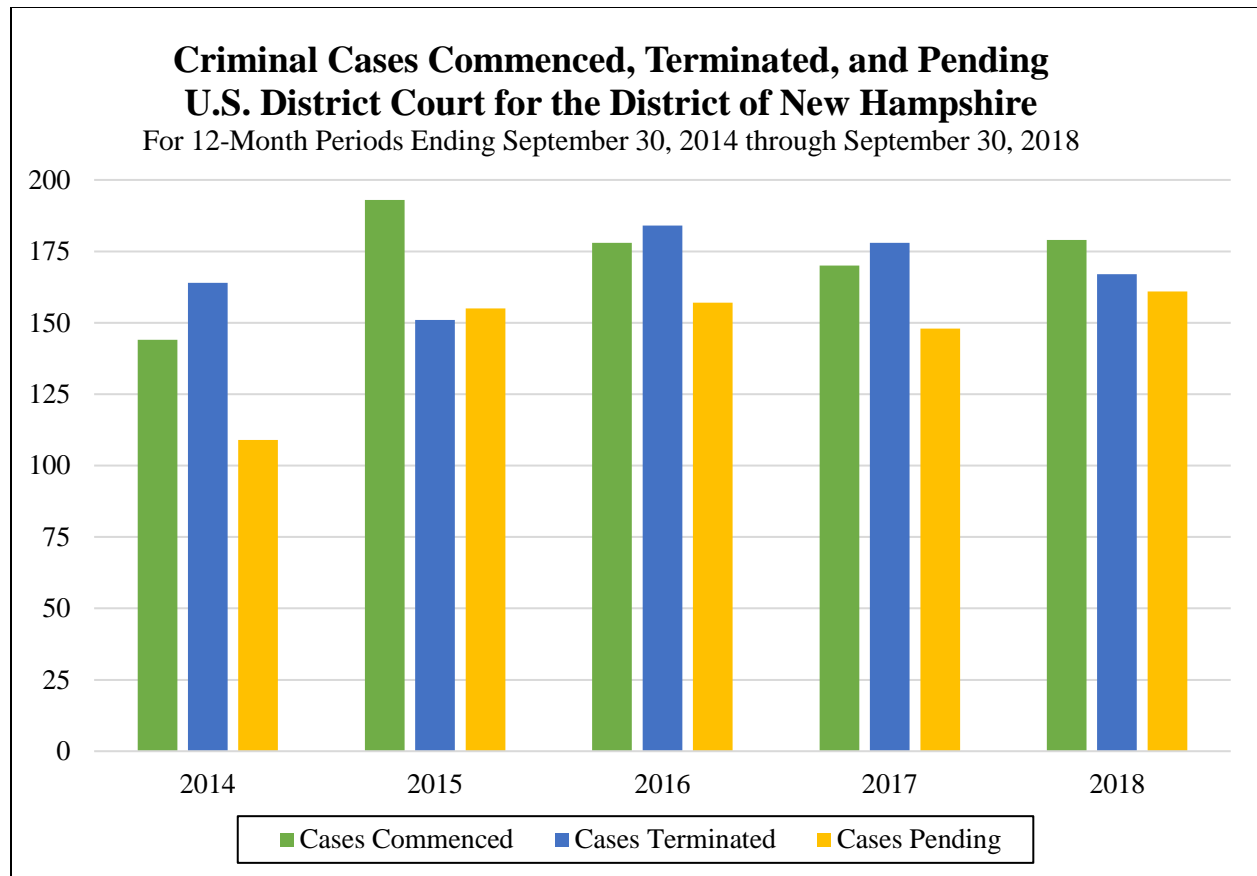
Community Outreach

The Court provided tours and educational programming for local students and held offsite naturalization ceremonies at UNH Durham to celebrate Constitution Day and Strawberry Banke to celebrate Independence Day.

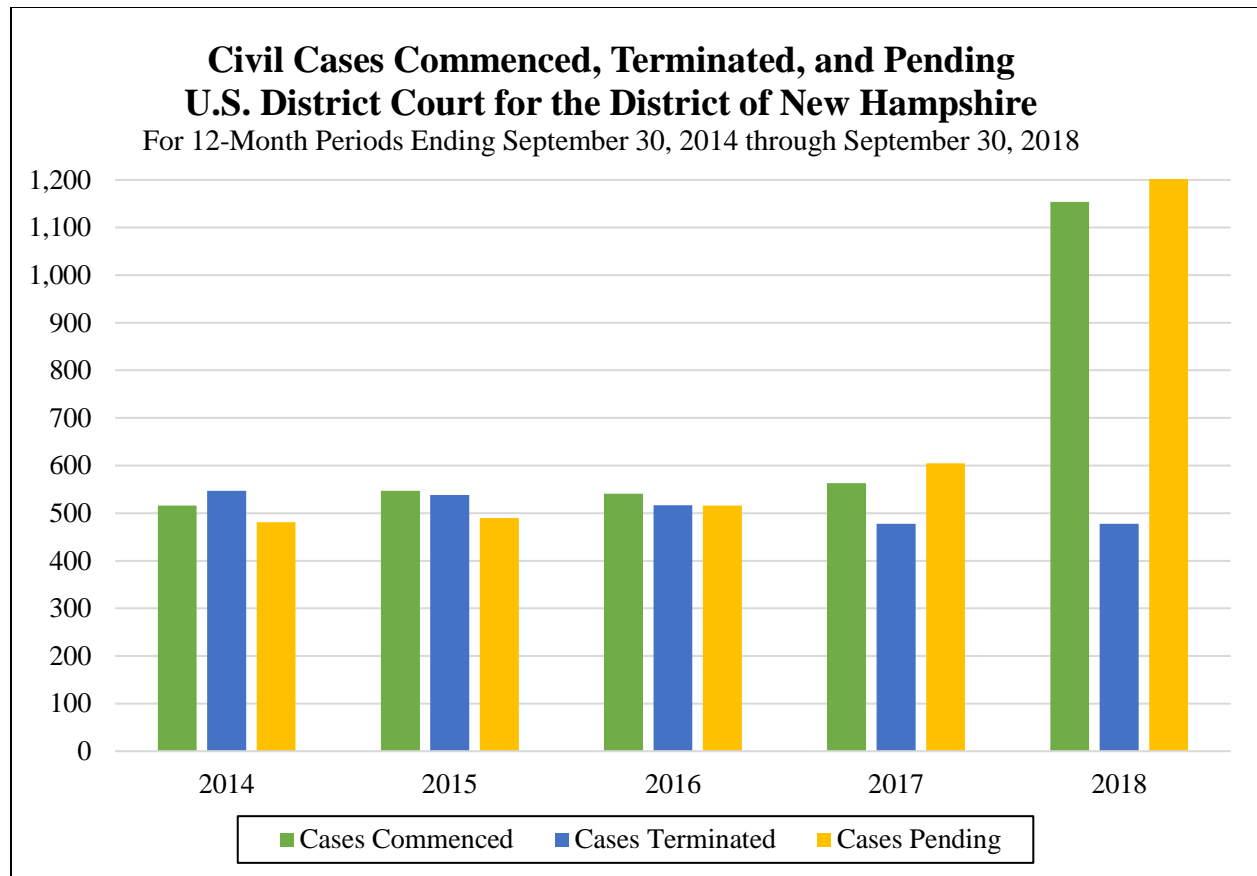
Clerk Daniel J. Lynch and Chief Deputy Clerk Tracy Uhrin hosted numerous legal delegations through the World Affairs Council, and Clerk Lynch taught a half-day seminar on state and federal courts to adult learners in March 2018.

Space & Facilities

In FY 2018, a buildout in the Cleveland Building for the U.S. Bankruptcy Trustees was completed; design and planning for a project to add an additional law clerk office to Chief Judge McCafferty's chambers was initiated; and new air conditioning units were installed in the Rudman Courthouse server rooms.



Criminal Cases Commenced, Terminated, and Pending U.S. District Court for the District of New Hampshire For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	144	193	178	170	179
Cases Terminated	164	151	184	178	167
Cases Pending	109	155	157	148	161



Civil Cases Commenced, Terminated, and Pending U.S. District Court for the District of New Hampshire For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	516	547	541	563	1,154
Cases Terminated	547	538	517	478	478
Cases Pending*	481	490	516	605	1,281

* Pending cases for 2014 - 2017 as revised by the AO.

**Probation & Pretrial Services Office
District of New Hampshire**

Personnel

U.S. Probation Officer Paul Daniel resigned effective February 14, 2018. Gabriella DeLena was hired as a temporary, part-time student intern effective June 18, 2018.

Pretrial Services

In FY 2018, the office activated 229 new cases, a 2% increase from FY 2017. Drugs were the largest proportion of charged offenses (110; 48.0%). The District's pretrial detention rate in FY 2018 was 42.4% (excluding immigration cases). A total of 64 defendants were released for supervision in FY 2018.

In FY 2018, there were 23 pretrial supervision violation investigations, a 30% decrease from FY 2017.

Presentence Investigations

The office completed 191 presentence investigations in FY 2018, including two retroactive amended guideline reports and three armed career criminal cases, a 5% decrease from FY 2017.

Post-Conviction Supervision

The opioid crisis in New Hampshire continued to affect the supervision population and the officers' responses.

In FY 2018, the Supervision Unit continued to employ evidence-based practices to help change the behavior of persons under supervision, most notably through STARR. STARR techniques were used in 36% of all personal contacts, a 6% increase from FY 2017. As in FY 2017, in FY 2018 the District ranked first nationally in using STARR techniques.

At the end of FY 2018, 315 cases were on active post-conviction supervision, of which

86% were on supervised release, and 40% were for drug offense convictions. Cases deemed intense or elevated risk accounted for 51.7% of post-conviction supervision, compared to 33.7% nationally, and represented a 6% increase from FY 2017, double the national increase.

In FY 2018, the office closed 177 cases from active supervision, 44 (24.9%) of which were closed due to revocation. Of those revoked, 27 (15.3%) were considered technical violations, four (2.3%) were major violations, and 13 (7.3%) were minor violations. Total cases revoked dropped from 58 in FY 2017 to 44 in FY 2018, a 24% decrease.

In FY 2018, the office terminated 20 cases early from supervision, a 100% increase in the number of cases terminated early from FY 2017, resulting in a total savings of \$126,544.00.

Treatment Services

Although the opioid crisis in New Hampshire continued to be rampant, treatment services costs decreased 13% from FY 2017. Participation in post-conviction substance use treatment decreased by 20%, largely due to an increase in the use of private insurance for residential treatment admissions. Location monitoring costs also decreased 17.6% in FY 2018. In FY 2018, the office increased the number of individuals participating in Moral Reconciliation Therapy, a systematic treatment strategy that seeks to decrease recidivism by increasing moral reasoning, and spent \$14,297.00 on those services, a 31% increase.

LASER Docket Program

Since 2010, the District has operated the Law-Abiding, Sober, Employed, and Responsible (LASER) Docket, a cooperative effort between the Court, the U.S. Attorney's Office, the PPSO, the Federal Defender's Office, and the USMS. The LASER Docket offers treatment and sanction alternatives to address

defendant/offender behavior, promote rehabilitation, reduce recidivism, and ensure community safety. During FY 2018, nine pretrial defendants were approved for the program, bringing the total number of participants for FY 2018 to 15. Finally, two participants graduated from the program, and two participants were terminated.

Information Technology

The office continues to share IT services with the District and Bankruptcy Courts. In 2018, the District achieved numerous goals including, but not limited to:

- Creation and launching of a new intranet site;
- Implementing the Jury Management System backup scanner system for checking in jurors; and
- IT security upgrades.

Officer Safety

At the Officer Response Tactics (ORT) training in June and November 2018, officers reviewed safety-related policies and practiced officer response techniques. In August, two ORT instructors participated in a regional meeting of safety officers hosted by the District of Rhode Island, where instructors from across New England shared and received best practices.

In Summer 2018, the ORT team conducted classroom and practical training in the use of restraints, and all probation officers were issued handcuffs in accordance with local and national policy. Additionally, the ORT and the Firearms Team conducted three non-lethal training ammunition trainings, during which officers practiced proper firearm safety combined with tactical movements.

Training and Professional Development

In FY 2018, the office staff participated in several national, regional, and local training seminars, as attendees and/or presenters, including, but not limited to: stress first aid training; workplace harassment training; New Hampshire Drug Court Conference; forensic laboratory training; 2018 United States Sentencing Guidelines (USSG) training; and employee dispute resolution training.

In addition, Probation Officer Specialist Scott Christensen and Probation Officer Scott Davidson participated in the District's LEAD program, in which they completed various problem-solving and cross-training assignments, including shadowing leaders and experts within and outside the probation industry.

Recognition

During FY 2018, on recommendation from the Employee Recognition Committee, the following staff members were cited for outstanding work:

- Chief's Award for Community Service/Public Relations – Daniel Gildea
- Chief's Award for Quality Improvement – Matthew Senesi
- District Award for Sustained Superior Performance – Wendy Fosher
- District Award for Special Service/Exceeding Expectations – Matt DiCarlo

Report for the District of Puerto Rico

Court Profile

In 2018, the District had five district judges, three senior district judges, and five magistrate judges. Chambers staff totaled 37, including two full-time pro se law clerks.

At the end of calendar year 2018, the Clerk's Office operated with a staff of 66 full-time employees and seven interpreters, and the District had seven court reporters.

Human Resources/Staffing

In June 2018, Maria Antongiorgi, Esq., was appointed as Chief Deputy Clerk.

Conferences/Educational Programs

In August 2018, the District and the USSC sponsored a USSG training, which judges, law clerks, members of the bar, and staff from the U.S. Attorney's Office, the Federal Public Defender's Office (FPDO), and the PPSO attended.

In November 2018, the District sponsored a CLE program for more than 350 attorneys on evidence and legal ethics, with professors Edward J. Imwinkelried and David Luban.

In December 2018, the District sponsored an ethics seminar for law clerks of the Puerto Rico Supreme Court, U.S. District Court, and the U.S. Bankruptcy Court.

During 2018, the District hosted seven Department of Justice (DOJ) Judicial Studies Institute and Office of Overseas Prosecutorial Development Assistance and Training visits from judges from Central and South American countries.

Local Rules/Procedure

In April and May 2018, Chief Judge Gelpí formed a Local Rules Committee, constituted by Committee Chair, District Judge Francisco Besosa, Magistrate Judge Bruce McGiverin,

Bankruptcy Judge Edward Godoy, and lawyers and other individuals competent in judicial practice, administration, and procedure, to recommend local rules revisions to the Court.

Interpreters

In FY 2018, staff interpreters completed 10,459 Spanish language interpreting events (866 more than in 2017) and contract interpreters completed 1,307 Spanish language events.

District Bar Examination

In April and November 2018, 346 individuals took the district bar exam and 92 passed, for a 26% aggregate passing rate. A total of 98 attorneys were admitted to practice in the District during 2018, including those who passed the test in previous years.

Civil Pro Bono Program

In 2018, 195 attorneys were selected to serve on the Civil Pro Bono Panel, and 61 pro bono appointments were made.

Criminal Justice Act (CJA) Committee

In March and April 2018, interviews for new appointments and reappointments were conducted, and in May 2018, two new members were appointed to the CJA Committee.

Naturalization Ceremonies

The Court held 21 naturalization ceremonies in 2018, during which 807 persons were sworn in as citizens. In November 2018, Chief Judge Gelpí presided over a special naturalization ceremony for 51 new citizens, held at the Theater José Fuxench in the Commonwealth of Puerto Rico's Department of State, in San Juan.

Information Technology

IT staff continued identifying and addressing vulnerabilities and updating and implementing security measures based on the IT Scorecard guidelines and providing IT security training to staff.

Clerk's Office IT staff resumed updating judges' courtrooms to include high definition video and videoconferencing capabilities, which have been useful for the high volume of videoconferences related to the implementation of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA), remote hearings, and inmate interviews.

IT staff worked on the implementation of Microsoft O365 and were actively involved in moving the PPSO into its new high-tech working space as part of the Integrated Workplace Initiative project.

Jury Administration

In August 2018, the Advanced Judicial Information System (AJIS) was implemented as part of the existing Jury Management System. AJIS has streamlined the juror summons process in the District.

Staff Training

In February 2018, the Human Resources Department offered an orientation to employees on Federal Tax Law led by Certified Public Accountant Margaret Valentin, and Chief Deputy Clerk Maria Antongiorgi offered a lecture on the District's Equal Employment Opportunity (EEO) and Employment Dispute Resolution (EDR) Plan.

Community Outreach

Student and Youth Visits: In FY 2018, the Court hosted 12 visits from high school and college students. In April 2018, the Court sponsored the Puerto Rico Trial Advocacy Competition, hosted by the Interamerican

University School of Law and the Trial Advocacy Association. In May 2018, the Court hosted a moot court for students of the Juris Doctor English Program of the Interamerican University School of Law. The moot court panel included District Judge Francisco Besosa, Magistrate Judge Sylvia Carreño-Coll, U.S. Bankruptcy Judge Edward Godoy, and local bar members. In June 2018, Judge Aida M. Delgado-Colón hosted the Citizenship in the Nation merit badge activity for eighty Boy Scouts.

Truman Scholarship Foundation: The Clerk continued to serve as Chair of the Truman Scholarship Foundation for Puerto Rico.

Combined Federal Campaign (CFC): The Court continued its outstanding contribution to the CFC Campaign for Puerto Rico and the U.S. Virgin Islands.

Space and Facilities

The American Recovery and Reinvestment Act follow-on project was substantially completed on schedule except for delays caused by Hurricane Maria.

Projects completed at the Federico Degetau Federal Building included: upgrades to the air conditioning, lighting, and electrical systems; renovations to restrooms on upper floors; replacement of the main roof; and construction of a new rainwater harvesting system and cistern to reduce municipal water consumption.

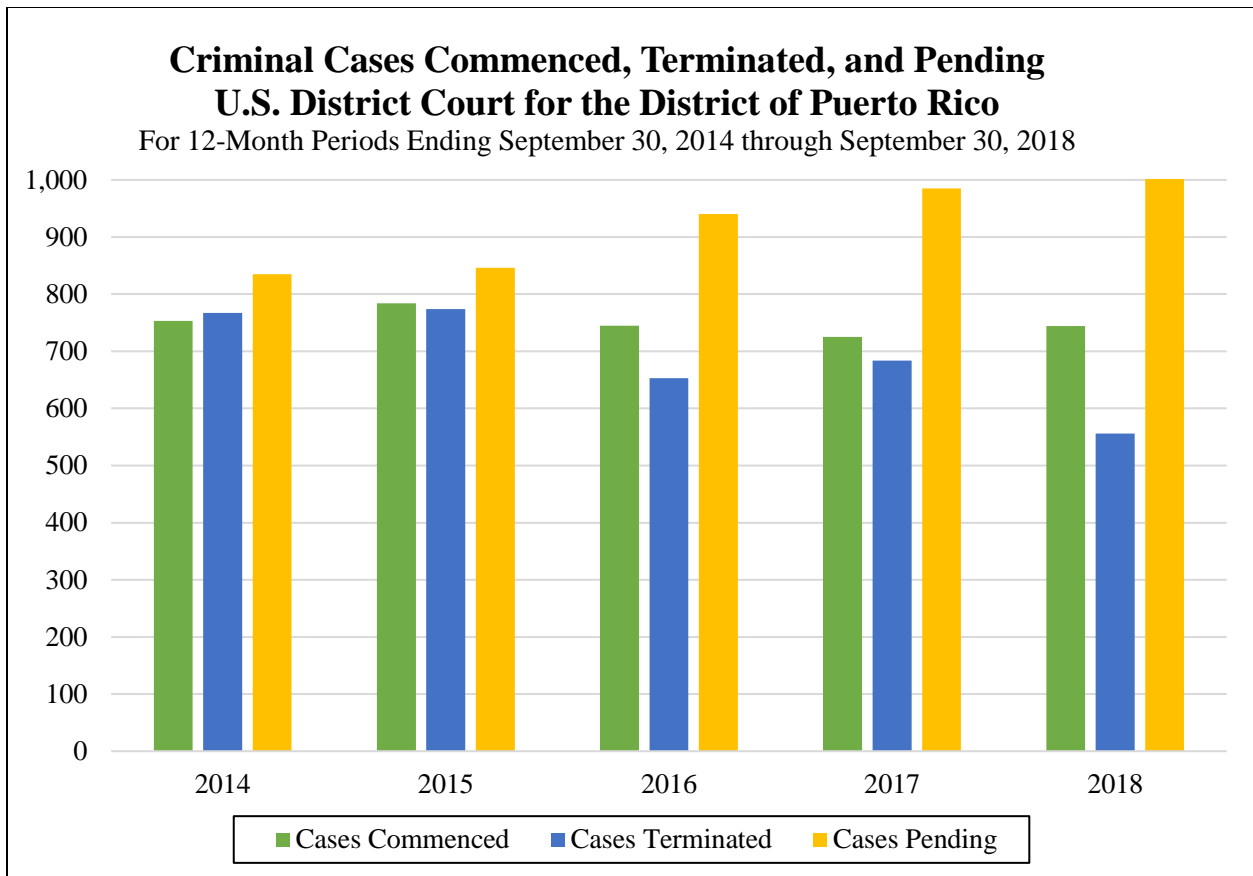
The district judges' and magistrate judges' restrooms in the Clemente Ruiz Nazario Courthouse and the Federico Degetau Federal Building were refurbished.

The first phase of the Clerk's Office reconfiguration project was completed.

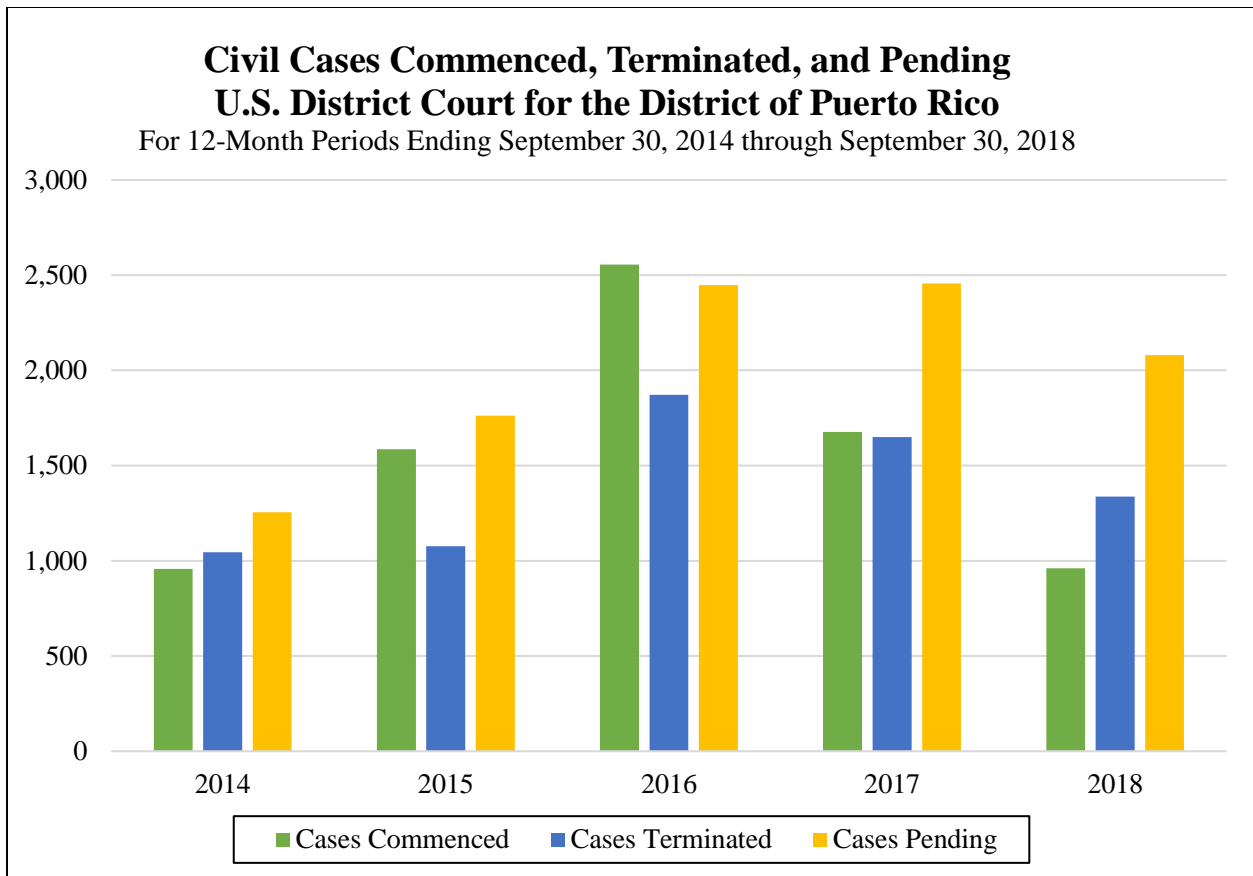
Awards

In November 2018, Clerk's Office staff and the IT Manager of the Bankruptcy Court

received the AO Director's Award for Extraordinary Actions for their response to Hurricanes Irma and Maria and their ability to provide uninterrupted operational support for judicial proceedings related to PROMESA. The employees, led by Clerk of Court Frances Ríos de Moran, were praised for their resilience, bravery, resourcefulness, and commitment to the Court's mission.



Criminal Cases Commenced, Terminated, and Pending U.S. District Court for the District of Puerto Rico For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	753	784	745	725	744
Cases Terminated	767	774	653	684	556
Cases Pending	835	846	940	985	1,181



Civil Cases Commenced, Terminated, and Pending U.S. District Court for the District of Puerto Rico For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	958	1,585	2,556	1,676	961
Cases Terminated	1,044	1,077	1,871	1,649	1,337
Cases Pending*	1,255	1,764	2,448	2,456	2,080

* Pending cases for 2014 - 2017 as revised by the AO.

**Probation & Pretrial Services Office
 District of Puerto Rico**

FY 2018 was another challenging year for the office as the Island continued to recover in the aftermath of Hurricanes Irma and Maria. Probation operations were restored by December 2017.

Personnel

Chief U.S. Probation Officer Eustaquio Babilonia retired on September 30, 2018 after 16 years as the court unit executive, and Dr. Luis O. Encarnación-Canales, who had previously served as a career officer and supervisor for 18 years, was selected as the new Chief.

The office hired one probation officer and one probation officer assistant, and two probation officers transferred from other districts. Six staff members separated due to retirement, transfer, or resignation.

Investigations and Supervision

Court Services: The Court Services Division had 25 full-time officers, one part-time officer, one task force officer conducting presentence and pretrial investigations, and six support staff. During FY 2018, the division completed 1,311 bail reports and had a 99% completion rate for PTRAs. The Division completed a total of 786 presentence reports, a reduction from the previous FY mostly due to Hurricanes Irma and Maria.

Pretrial Services Investigations: During FY 2017, the office opened 1,289 cases. Controlled substances remained the most common offense type, followed by firearms and violent crimes.

Supervision Division: The Supervision Division faced one of its greatest challenges in restoring normal operations in community supervision after Hurricanes Irma and Maria, requiring close coordination with the AO's Probation and Pretrial Service Office, the

BOP, and the USMS. The division focused on early terminations in qualifying cases, increased supervision for higher risk cases, and caseload distribution by risk level. The office continued to have one of the highest investments nationwide in Second Chance funds for Offender-Defendant Reentry Services.

<i>Persons Under Supervision</i>	<i>FY 2017</i>	<i>FY 2018</i>	<i>% Change</i>
Pretrial Services (and Diversion) Supervision	780	719	-8.48%
Post-Conviction Supervision	3,509	3,682	4.93%

<i>Cases Revoked and Closed</i>			
	<i>FY 2016</i>	<i>FY 2017</i>	<i>FY 2018</i>
Total Cases Closed	573	589	626
Cases Closed by Early Termination	106	38	64
Revocations	125	199	194
Revocation Rate	22%	34%	31%

District Initiatives

During FY 2018, the office continued its community outreach efforts to raise public awareness about safety, familiarize the public with the mission and responsibility of the agency, and materially assist non-profit

organizations within the District. During FY 2018, the office held a total of 25 outreach activities.

Training and Professional Development

The office provided 21 in-house training sessions to employees. Staff also participated in 35 training events outside of the jurisdiction.

Space Initiatives

In 2018, the office was in the final stages of Integrated Workplace Initiative (IWI) construction, which supports mobility and incorporates an open plan, collaborative spaces, interview rooms, urinalysis operations located within the secured reception area, and a specialized training area. The new office design will accommodate more employees than the current office space.

Report for the District of Rhode Island

Committee Membership

Clerk of Court Hanorah Tyer-Witek served on the First Circuit Judicial Council IT Committee.

Chief Deputy Clerk Frank Perry continued to serve on the District Best Practices Working Group – Technology Subgroup and served as faculty for the FJC’s New Deputy Court Unit Executive (CUE) and Experienced Deputy CUE programs.

IT Director Heather Restifo continued to serve as Co-Chair to the Court IT Operations Working Group.

Alternative Criminal Case Programs

Deferred Sentencing Program: There were four participants in the program at the end of 2018.

HOPE Court: In 2018, nine individuals joined and four individuals graduated from the Helping Offenders Prepare for reEntry (HOPE) program.

Conferences/Educational Programs

Attorney Admissions Program: In 2018, 92 new attorneys were admitted to the District’s bar.

Litigation Academy: The District, in partnership with the Roger Williams University School of Law and the Rhode Island chapter of the FBA, continued its Litigation Academy, a program designed to improve attorneys’ federal litigation skills, with sessions on deposition skills and direct and cross examination of expert witnesses, in April and October, respectively.

Local Rules/Procedures

In December, the District approved 23 amendments to its Local Rules, including an

amendment to the bar admissions process and many technical amendments.

Information Technology

The IT Department undertook several projects, including launching a new external website, deploying Microsoft O365, standardization, and security and infrastructure initiatives.

Case Management

The Clerk’s Office continued improving efficiencies and case management practices by creating reports in CM/ECF that allow staff to manage case progression and quality control more effectively and by identifying ways in which the Clerk’s Office can better serve and support chambers.

Staff Training

Clerk’s Office staff were represented at all AO-sponsored forums in 2018. Internally, staff conducted the AO Continuity of Operations Workshop and workplace conduct training.

Community Outreach

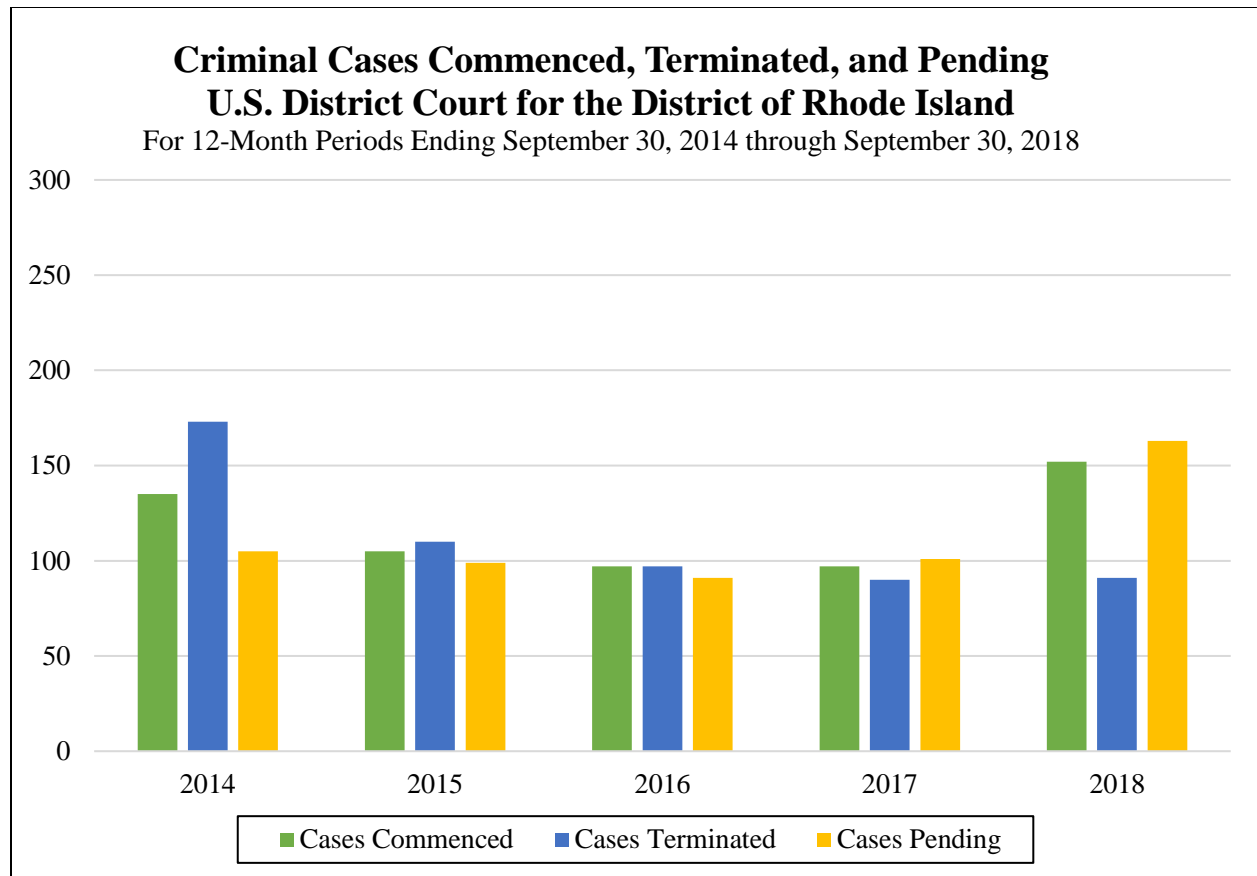
Civic Education Programs: In partnership with the FBA Rhode Island chapter, the Court conducted four civic education programs for elementary, middle, and high school students, including a mock trial and a sentencing exercise.

Special Naturalization Ceremonies: Judge McConnell presided over a special naturalization ceremony at the Paw Sox Stadium in Pawtucket.

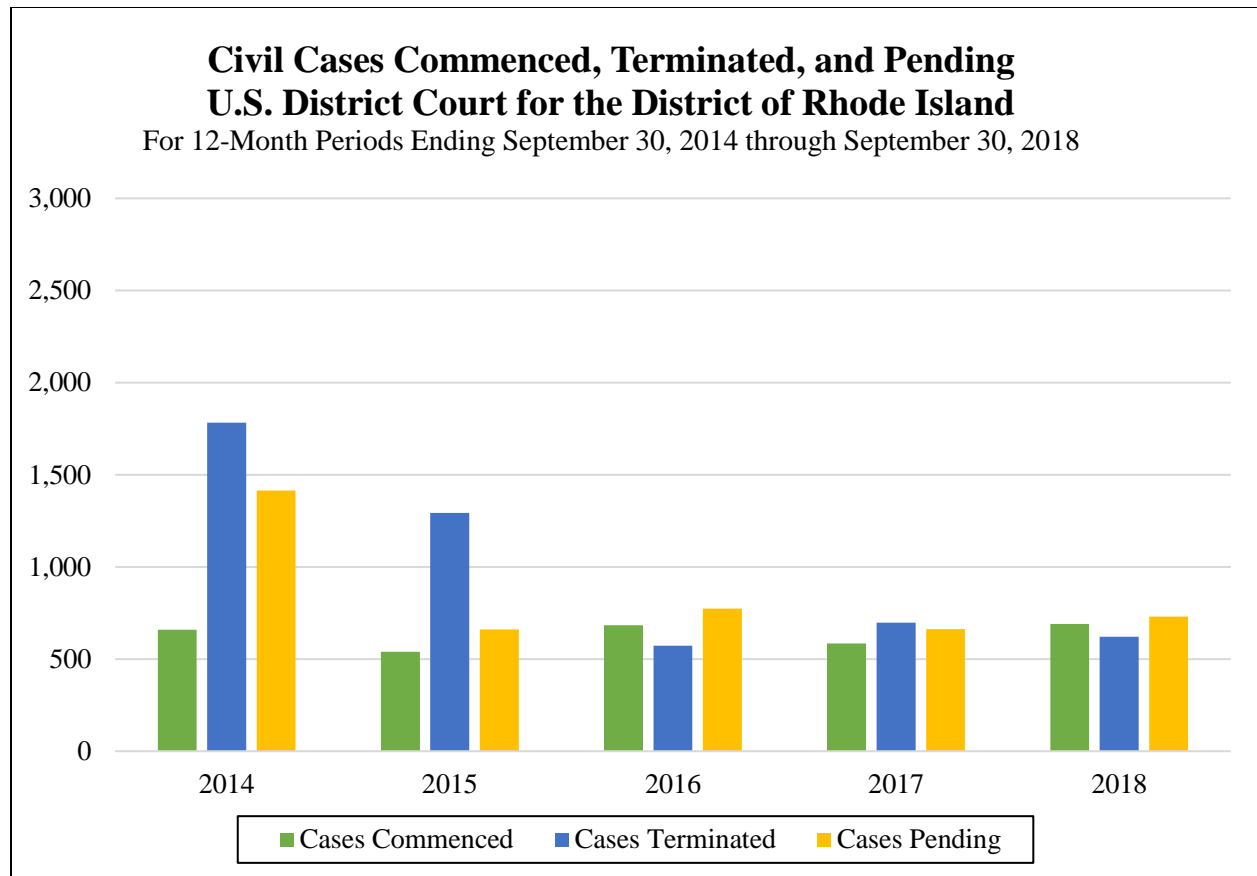
Motion Hearing at Roger Williams Law School: In March 2018, Judge McConnell heard motions in the law school auditorium and then took questions from the students in attendance.

Space and Facilities

In 2018, the Court continued a major fiber backbone replacement project, necessary for its courtroom technology initiative.



Criminal Cases Commenced, Terminated, and Pending U.S. District Court for the District of Rhode Island For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	135	105	97	97	152
Cases Terminated	173	110	97	90	91
Cases Pending	105	99	91	101	163



Civil Cases Commenced, Terminated, and Pending U.S. District Court for the District of Rhode Island For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	660	539	684	585	690
Cases Terminated	1,783	1,293	573	698	621
Cases Pending*	1,415	661	774	662	731

* Pending cases for 2014 - 2017 as revised by the AO.

**Probation & Pretrial Services Office
District of Rhode Island**

Personnel

Officer Charleen Jenkins retired after 20 years of service. Kristin Ann Mattias was promoted to Deputy Chief U.S. Probation Officer; Heather Maloney was promoted to Supervising U.S. Probation Officer; Anthony Desjardins was promoted to Special Offender Specialist; and Timothy Donohue was promoted to Drug, Alcohol, and Mental Health Treatment Specialist. Elvis Guillen, Mandy Henderson, and Kosean Kokeh were hired as U.S. Probation Officers. Jessica Austin was hired as a Probation Office Technician.

Pretrial Services

In 2018, the office activated 150 new cases (excluding Rule 5 cases), a 1% increase from 2017. The District's pretrial release rate for the 12-month period ending December 31, 2018, was 43.0%, compared to the national average of 27.6%. On average, the PPSO supervised 71 pretrial defendants each month. During 2018, the office also completed two pretrial diversion investigations, 41 pretrial supervision violations, and 43 collateral investigations for other districts.

Presentence Investigations

The PPSO completed 123 presentence investigations, a 27% increase from 2017. In addition, the office completed 65 collateral investigations for other districts.

Post-Conviction Supervision

In 2018, the office supervised an average of 420 offenders per month, a 7% decrease from FY 2017. At the end of 2018, 407 individuals were on supervision: 50 on probation, 355 on supervised release, and two on parole. The

District's revocation rate decreased for the third year in a row, from 30.9% in FY 2017 to 22.9% in FY 2018, and was below the FY 2018 national average of 31.8%.

The PPSO continued to focus on increasing usage of STARR skills and on enhancing community contact standards for moderate to high risk individuals on supervision.

Treatment Services

Treatment services costs for substance abuse, mental health, and sex offender treatment in 2018 remained steady from 2017. Defendant and offender co-payments collected increased by approximately 31%.

District Initiatives

In 2018, the Court's Deferred Sentencing Program, which provides eligible defendants with a framework of supervision and services in lieu of incarceration, enlisted the expert services of Dr. Robert Kinscherff, who assisted in identifying and addressing significant drug and mental health issues.

HOPE Court, which supports high risk offenders with intensive supervision strategies and targeted services, was chosen for and participated in the FJC's Quality Improvement Program from October 2017 to October 2018. At the end of the program, HOPE Court was selected to be the model re-entry court for the FJC's next program.

In 2018, the PPSO contracted with Open Doors, a local agency that aids formerly incarcerated individuals with job placement and retention.

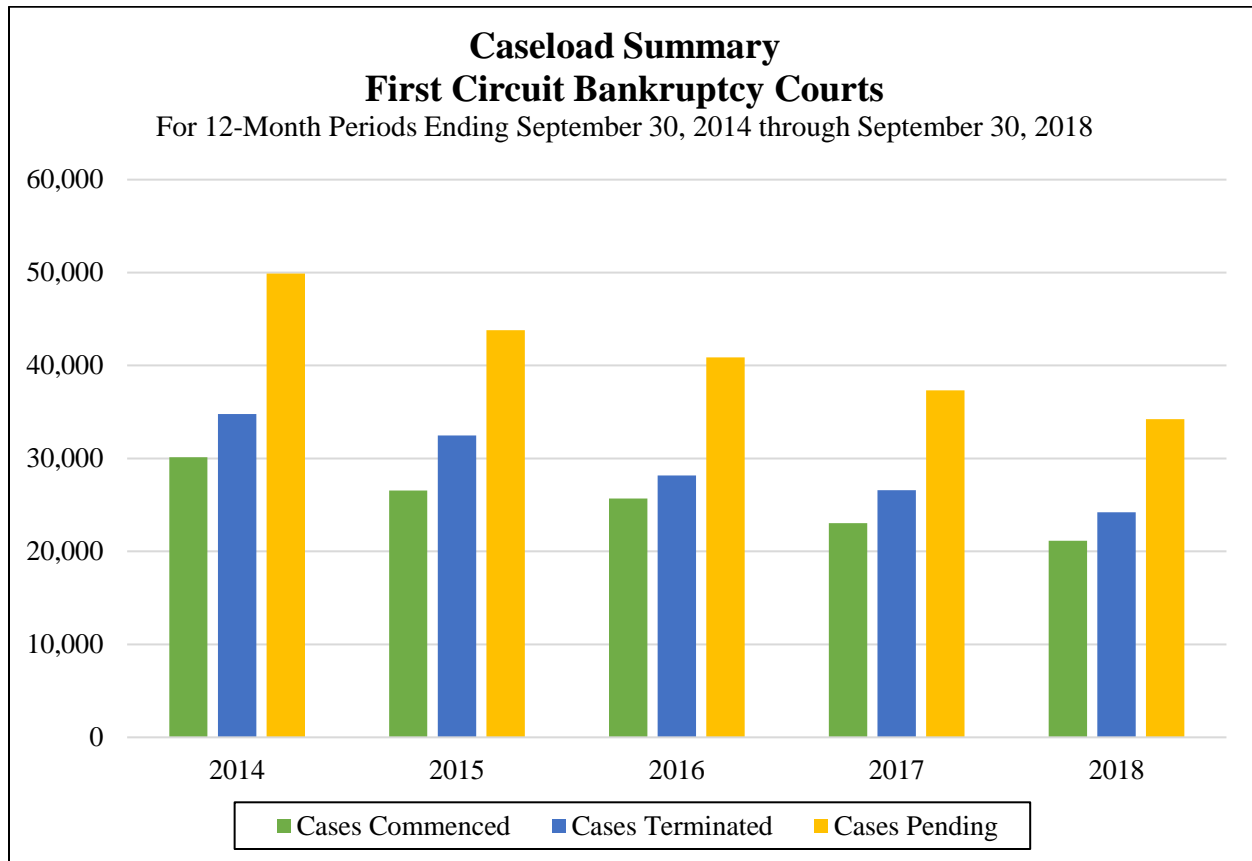
Training and Professional Development

As attendees and/or presenters, staff participated in several national, regional, and

local training seminars on the following topics: STARR; CISM; moral reconnection therapy; Narcan; workplace harassment; location monitoring; treatment services; and USSG staff also attended the Federal Probation and Pretrial Services Officer Association Seminar and the AO Pretrial Services Conference.

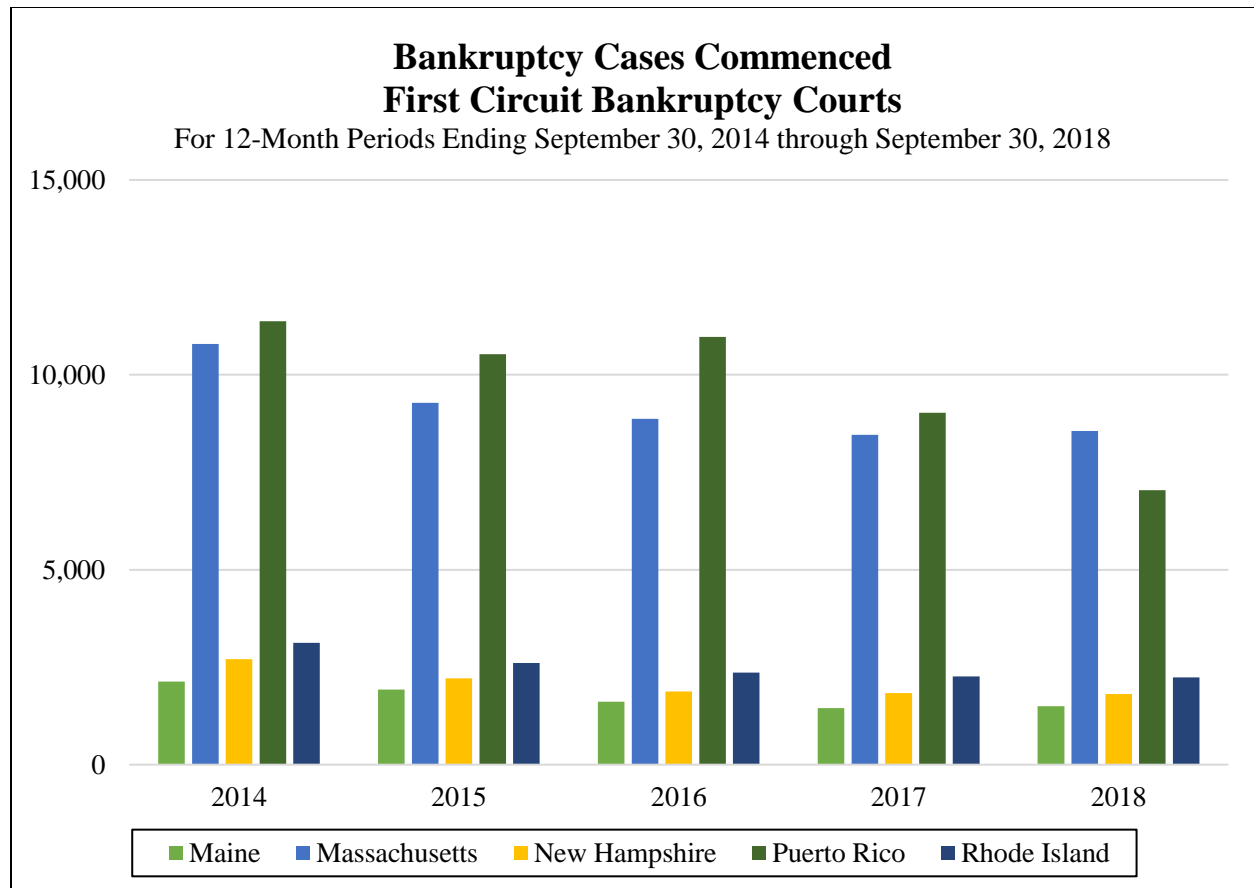
Several staff members participated in one or more program reviews for other districts.

Statistical Report for the Bankruptcy Courts in the First Circuit



Caseload Summary First Circuit Bankruptcy Courts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	30,129	26,565	25,701	23,038	21,145
Cases Terminated	34,783	32,484	28,180	26,600	24,221
Cases Pending*	49,910	43,815	40,868	37,321	34,248

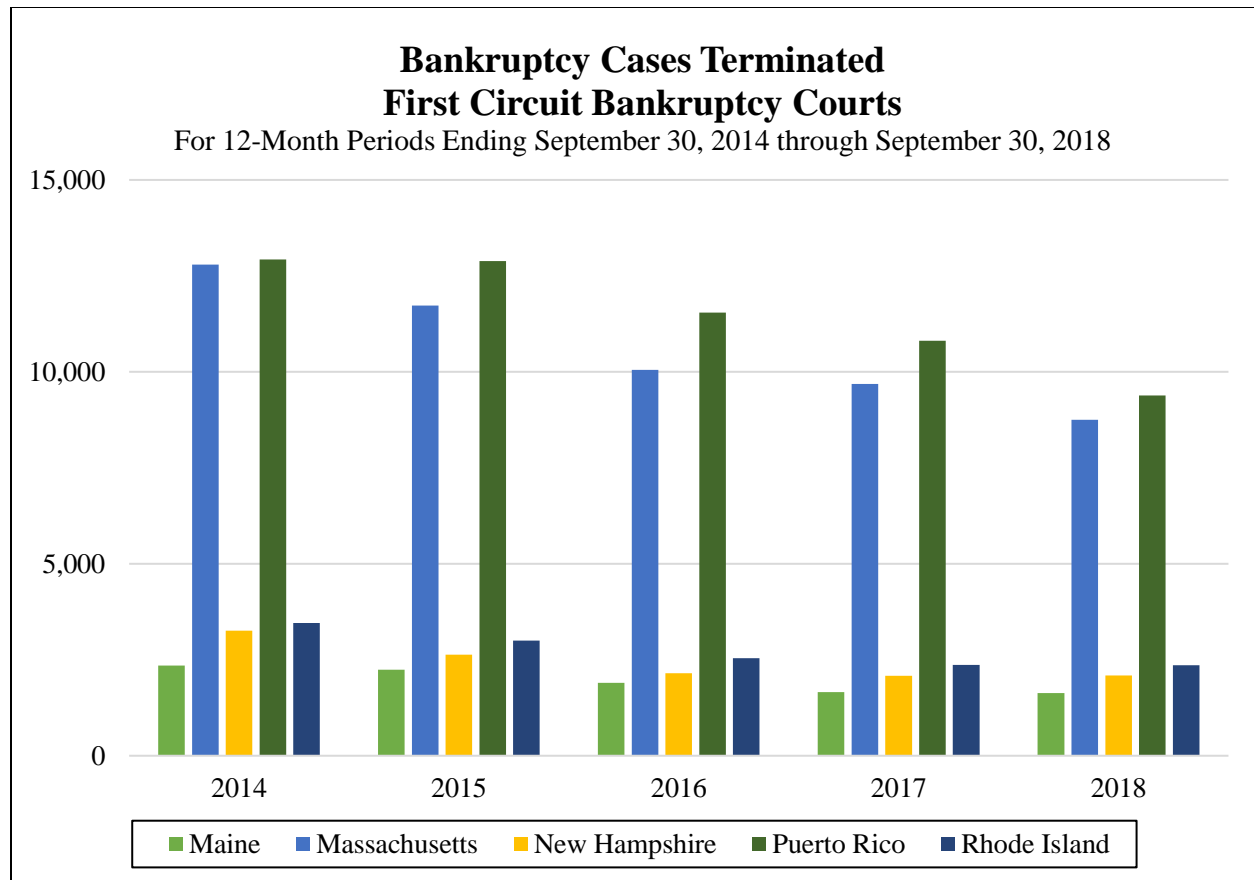
* Pending caseloads for 2014 - 2017 as revised by the AO.



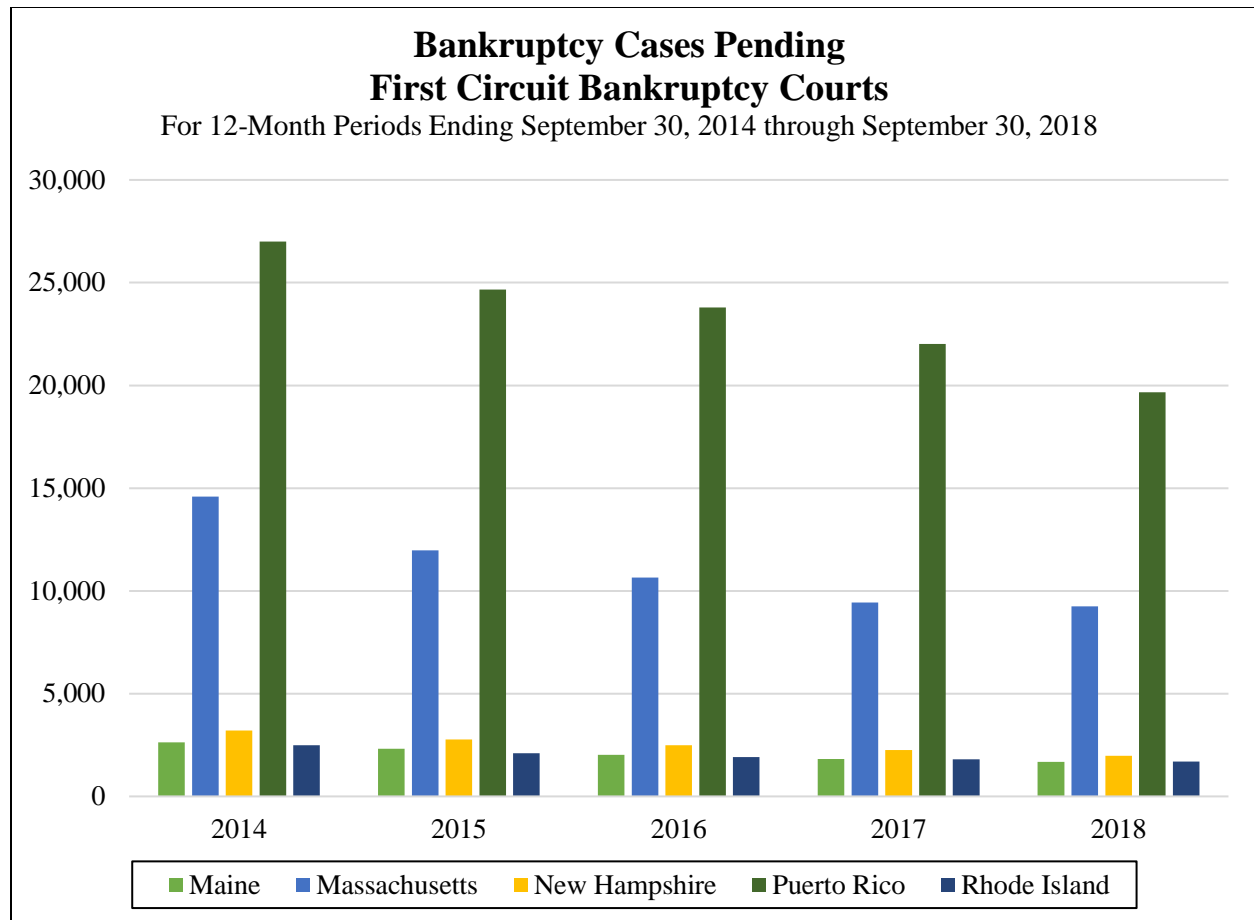
Bankruptcy Cases Commenced First Circuit Bankruptcy Courts

For 12-Month Periods Ending September 30, 2014 through September 30, 2018

District	2014	2015	2016	2017	2018
Maine	2,135	1,930	1,613	1,450	1,497
Massachusetts	10,789	9,280	8,873	8,458	8,556
New Hampshire	2,704	2,211	1,878	1,840	1,812
Puerto Rico	11,377	10,533	10,973	9,028	7,038
Rhode Island	3,124	2,611	2,364	2,262	2,242



Bankruptcy Cases Terminated First Circuit Bankruptcy Courts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
District	2014	2015	2016	2017	2018
Maine	2,352	2,244	1,896	1,657	1,633
Massachusetts	12,793	11,724	10,054	9,681	8,748
New Hampshire	3,254	2,633	2,146	2,082	2,093
Puerto Rico	12,926	12,882	11,543	10,813	9,386
Rhode Island	3,458	3,001	2,541	2,367	2,361



Bankruptcy Cases Pending*
First Circuit Bankruptcy Courts
For 12-Month Periods Ending September 30, 2014 through September 30, 2018

District	2014	2015	2016	2017	2018
Maine	2,630	2,315	2,020	1,816	1,680
Massachusetts	14,590	11,969	10,650	9,433	9,244
New Hampshire	3,205	2,768	2,494	2,252	1,971
Puerto Rico	26,995	24,660	23,794	22,012	19,664
Rhode Island	2,490	2,103	1,910	1,808	1,689

* Pending caseloads for 2014 - 2017 as revised by the AO.

Business Bankruptcy Filings, by chapter First Circuit Bankruptcy Courts For 12-Month Period Ending September 30, 2018				
District	chapter 7	chapter 11	chapter 12	chapter 13
Maine	43	16	6	9
Massachusetts	218	64	9	36
New Hampshire	49	13	2	11
Puerto Rico	69	82	10	28
Rhode Island	58	4	0	3

Nonbusiness Bankruptcy Filings, by chapter First Circuit Bankruptcy Courts For 12-Month Period Ending September 30, 2018			
District	chapter 7	chapter 11	chapter 13
Maine	1,210	2	211
Massachusetts	5,037	39	3,153
New Hampshire	1,265	4	468
Puerto Rico	3,028	29	3,792
Rhode Island	1,607	0	570

Report for the Bankruptcy Court for the District of Maine

Human Resources/Staffing

The Bankruptcy Court continues to share administrative services (human resources, procurement, budgeting, space and facilities, payables, and IT) with the District Court.

Information Technology

The Court upgraded its audio and recording systems in Bangor and installed an evidence presentation system in Portland. The Court implemented video conference capabilities with New Hampshire courtrooms to enable Judge Fagone to more effectively assist the District of New Hampshire Bankruptcy Court with its caseload. Additionally, the Court implemented numerous security tools and national wireless service.

Space and Facilities

Funded in large part by the First Circuit, a law clerk's office and copy room in the visiting chambers were repurposed into a second conference room, which, when combined with the remaining facilities, created a contained, functional mediation suite.

Conferences/Educational Programs

The Clerk's Office sent staff to the 2018 New Orleans Financial Forum, AO Operations Forum in Minneapolis, National Conference of Bankruptcy Clerks (NCBC) annual meeting in New York City, and an EDR Training in Omaha, Nebraska. IT staff participated in statistics training in San Antonio and a multi-circuit IT Conference in Charleston, South Carolina.

Statistics

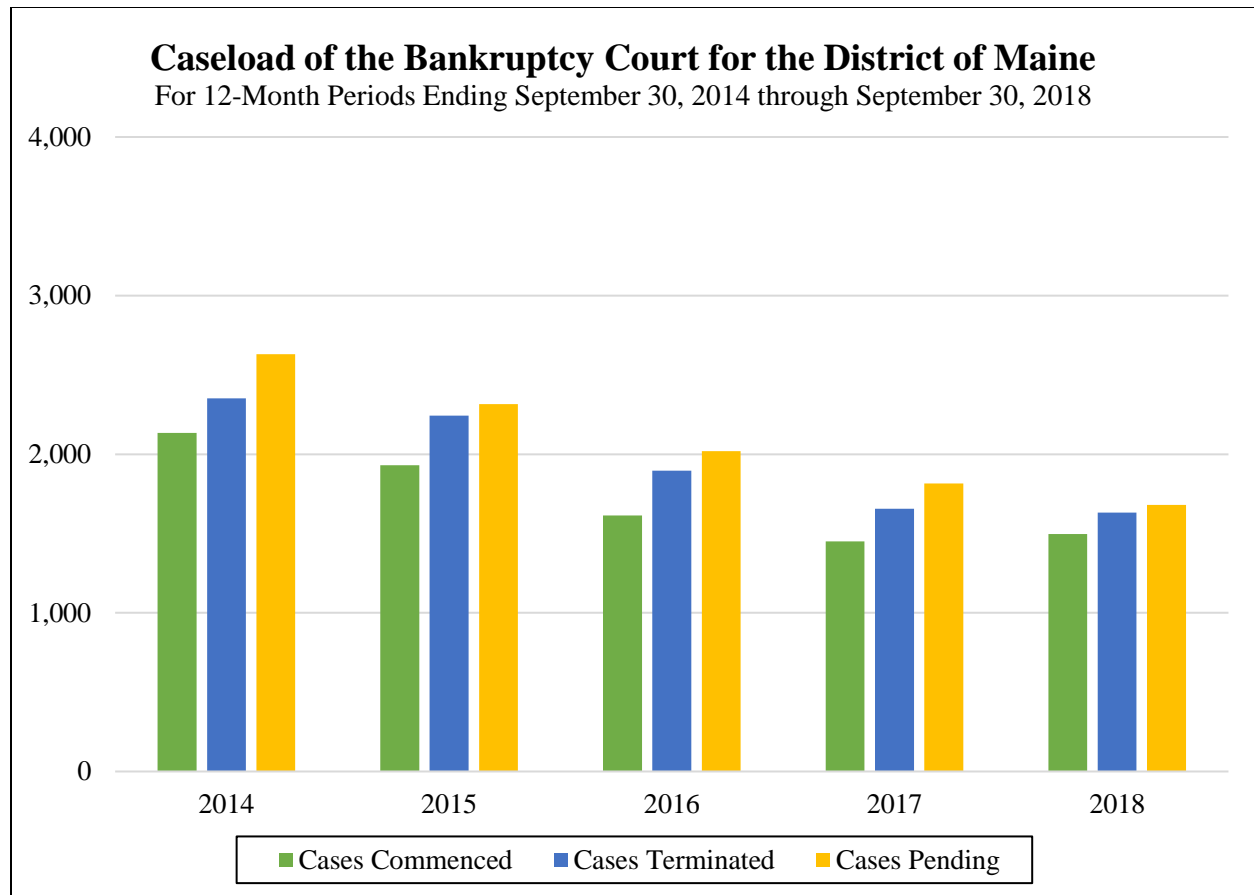
Calendar year figures for 2017 and 2018 show that filings for the District of Maine have

slightly increased (1.3%) for the first time in several years.

Community Outreach

Clerk Alec Leddy and Chief Deputy Clerk David LePauloue attended the Maine Judicial Conference.

Alec Leddy and the Court remained active in CARE, a national financial literacy program through which bankruptcy professionals, including judges, Clerk's Office staff, and practicing attorneys, educate young adults on budgeting, saving, and obtaining and using credit responsibly.



Caseload for the Bankruptcy Court for the District of Maine For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	2,135	1,930	1,613	1,450	1,497
Cases Terminated	2,352	2,244	1,896	1,657	1,633
Cases Pending*	2,630	2,315	2,020	1,816	1,680

* Pending caseloads for 2014 - 2017 as revised by the AO.

Report for the Bankruptcy Court for the District of Massachusetts

Human Resources/Staffing

In July, the Court's head of Finance passed away. In September 2018, the head of Personnel, Paula Charette, retired. Also, in September, James Reynolds joined the Court to serve as the Administrative Manager of both departments.

events at Western New England School of Law and Suffolk University Law School.

Space and Facilities

The Court engaged in routine maintenance but did not undertake any large-scale projects.

Local Rules

Co-chaired by Chief Judge Panos and Judge Hoffman, the Local Rules Advisory Committee met quarterly to review and discuss proposed modifications and improvements to the Local Rules. A rules modernization subcommittee is presently reviewing the rules in their entirety and once that work is finished, the committee will finalize all new and amended rules and forms.

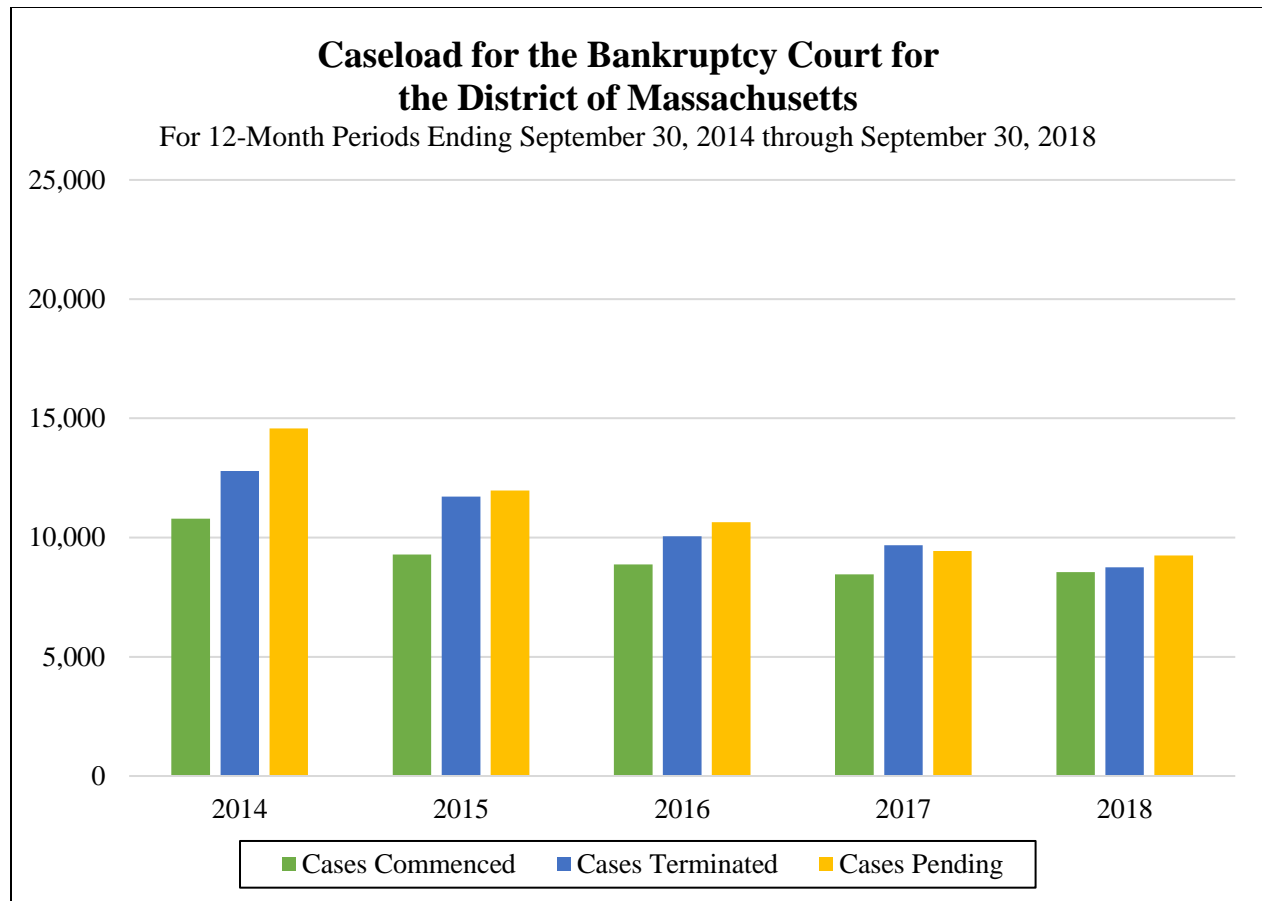
Statistics

Filings in calendar year 2018 increased by 0.9%, from 8,517 in 2017 to 8,582 in 2018; pending cases decreased by 13.0%, from 9,271 in 2017 to 9,034 in 2018.

Community Outreach

The Court's Pro Bono Committee, co-chaired by Judge Feeney and Judge Katz, continued its efforts to increase the number of attorneys available to accept pro bono cases.

Co-chaired by Chief Judge Panos and Judge Bailey, the Court's Diversity Initiative Task Force continued to work with local bar associations, law schools, and affinity groups to increase the diversity of attorneys who practice bankruptcy law. The task force held



Caseload for the Bankruptcy Court for the District of Massachusetts For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	10,789	9,280	8,873	8,458	8,556
Cases Terminated	12,793	11,724	10,054	9,681	8,748
Cases Pending*	14,590	11,969	10,650	9,433	9,244

* Pending caseloads for 2014 - 2017 as revised by the AO.

Report for the Bankruptcy Court for the District of New Hampshire

Human Resources/Staffing

The Bankruptcy Court and the District Court continued to share human resources, IT, and procurement services.

Staff Training

Employees attended the Financial Forum in New Orleans, Operations Forum in Minneapolis, Bankruptcy Data Conference in San Antonio, NCBC meeting in New York City, First Circuit's Space and Security meeting in Boston, Federal Court Clerks Association/NCBC EDR training in Omaha, CM/ECF Dictionary class, and the AO's System Deployment and Support Office's IT Scorecard Tools class in San Antonio.

As a veteran Clerk's Office operations staff member retired in October 2018, the Clerk's Office focused on training three newly-hired Docket Specialists.

Information Technology

The Court underwent an on-site security assessment by the AO's IT Security Office, which concluded that, overall, the Court has incorporated security into its culture and IT systems management practice.

Space and Facilities

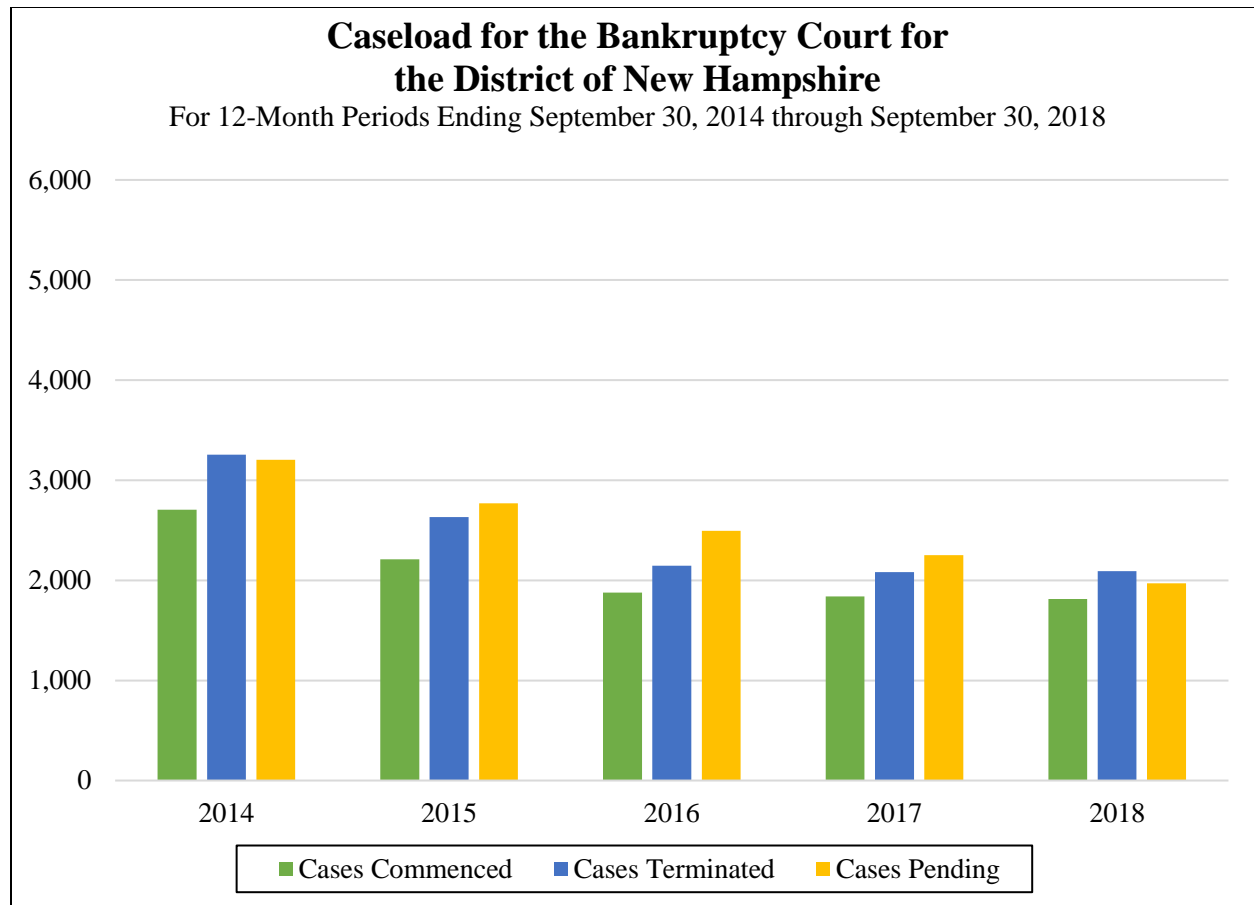
As the Court moved into newly renovated space in November 2017, it had minimal construction needs. Minor improvements included installing additional Facility Access Card readers in Courtroom A and instant hot water heaters in the Clerk's Office's and in chambers' kitchens.

Case Management

At the Clerk's Office's initiative, the Court created new guides to assist pro se parties with filing chapter 7 and 13 cases, chapter 13 plans, and certificates of service, notices of hearings, and motions.

Community Outreach

In December 2018, court employees participated in the Capital Region Food Program's 45th annual Holiday Food Basket Project. The Capital Region Food Program is a private, not-for-profit, all-volunteer organization which endeavors to reduce hunger in the greater Concord, New Hampshire area through the distribution of food to individuals, families, and local agencies.



Caseload for the Bankruptcy Court for the District of New Hampshire For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	2,704	2,211	1,878	1,840	1,812
Cases Terminated	3,254	2,633	2,146	2,082	2,093
Cases Pending*	3,205	2,768	2,494	2,252	1,971

* Pending caseloads for 2014 - 2017 as revised by the AO.

Report for the Bankruptcy Court for the District of Puerto Rico

Local Rules/Procedures

Effective April 12, 2018, the Court adopted Local Rule 3015-3: chapter 13 Plan Requirements and Confirmation, and Amended Local Rule 9013-1: Motions Practice.

Information Technology

AO IT Security Office personnel conducted an IT Security Assessment for the Court. The Court enrolled in patch and assets management services. The Court also installed Office 365 and requested to be included in the Outlook email migration wave during the first half of 2019 or as soon as possible. The Court completed the Judiciary IT Security Self-Assessment Program Scorecard in December 2018. The Court also received technical CM/ECF support with management of the PROMESA case.

Case Management

The Court completed three draft operations procedures manuals: a Courtroom Deputy Procedures Manual; a Court Services Manual; and a Quality Control Program Manual. To improve service for internal and external stakeholders, staff now prepare pending orders reports and the Court's Chambers Automated Order System has been converted to Word.

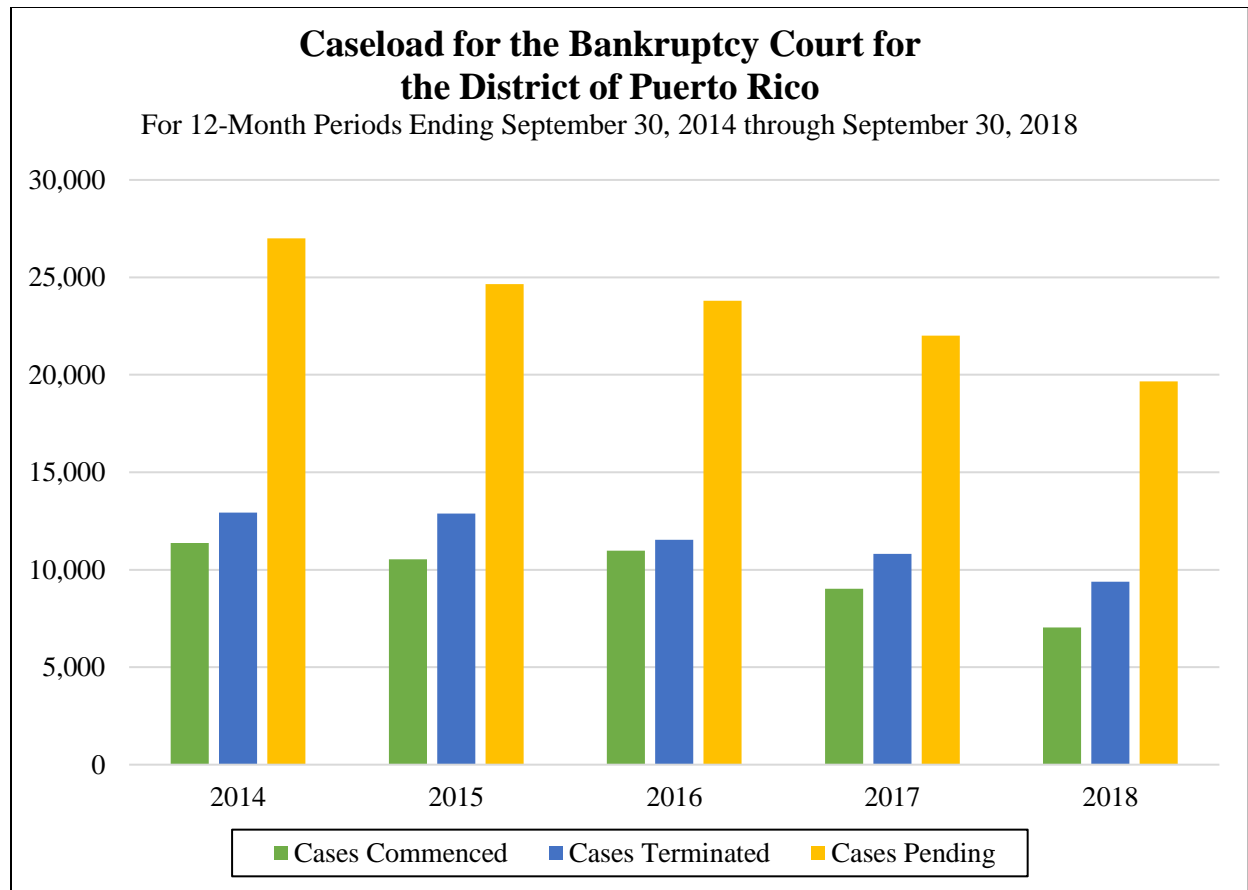
Staff Training

All staff completed a required IT security awareness and ethics training. Staff also participated in a retreat on the power of motivation at work, Human Resources Management Information System (HRMIS) and Judiciary Online University trainings, and quarterly Employee Assistance Program (EAP) presentations. Court personnel

attended the NCBC, AO HR Academy, Department of Labor Workers Compensation Training, Federal Clerks Association/NCBC EDR Training Program, FJC New Supervisors' Development Program, 2018 Financial Forum, Operations Forum, National Patch and Asset Management (PaAM) User Training, and FJC Management Development Program.

Community Outreach

The Clerk's Office led tours of the Court's historic building for students and the public.



Caseload for the Bankruptcy Court for the District of Puerto Rico For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	11,377	10,533	10,973	9,028	7,038
Cases Terminated	12,926	12,882	11,543	10,813	9,386
Cases Pending*	26,995	24,660	23,794	22,012	19,664

* Pending caseloads for 2014 - 2017 as revised by the AO.

Report for the Bankruptcy Court for the District of Rhode Island

Human Resources/Staffing

The Bankruptcy Court shared procurement administrative services with the District Court and continues to partner with the New Hampshire Bankruptcy Court to perform annual internal controls reviews.

Staff Training

Clerk Susan Thurston, Chief Deputy Kristen Batty, and other staff attended various conferences, including, but not limited to: the SharePoint On-Line Planning Session; FJC's National Conference of CUEs; Automation Training Community of Practice Conference; East Coast IT Conference; Financial Forum; AO Bankruptcy Court Data Conference; National PaAM Training; Operational Practices Forum; NCBC; training on all Unify applications including Office 365; building-wide Active Shooter training; workplace harassment trainings; and internal trainings regarding Occupant Emergency Planning, SharePoint, Computer Security and Password Policy, and Continuity of Operations.

Information Technology

The IT team implemented numerous upgrades and services, including, but not limited to: National Active Directory; Office 365 ProPlus; National Wireless Service; PaAM Service; and the upgrade to CM/ECF version 5.2. In February 2019, the Court completed the migration of Lotus Notes email to Outlook email and migrated the existing on-premises SharePoint 2013 to the 2016 platform. The Court also completed its annual self-assessment of the IT security environment using the judiciary IT Security Scorecard.

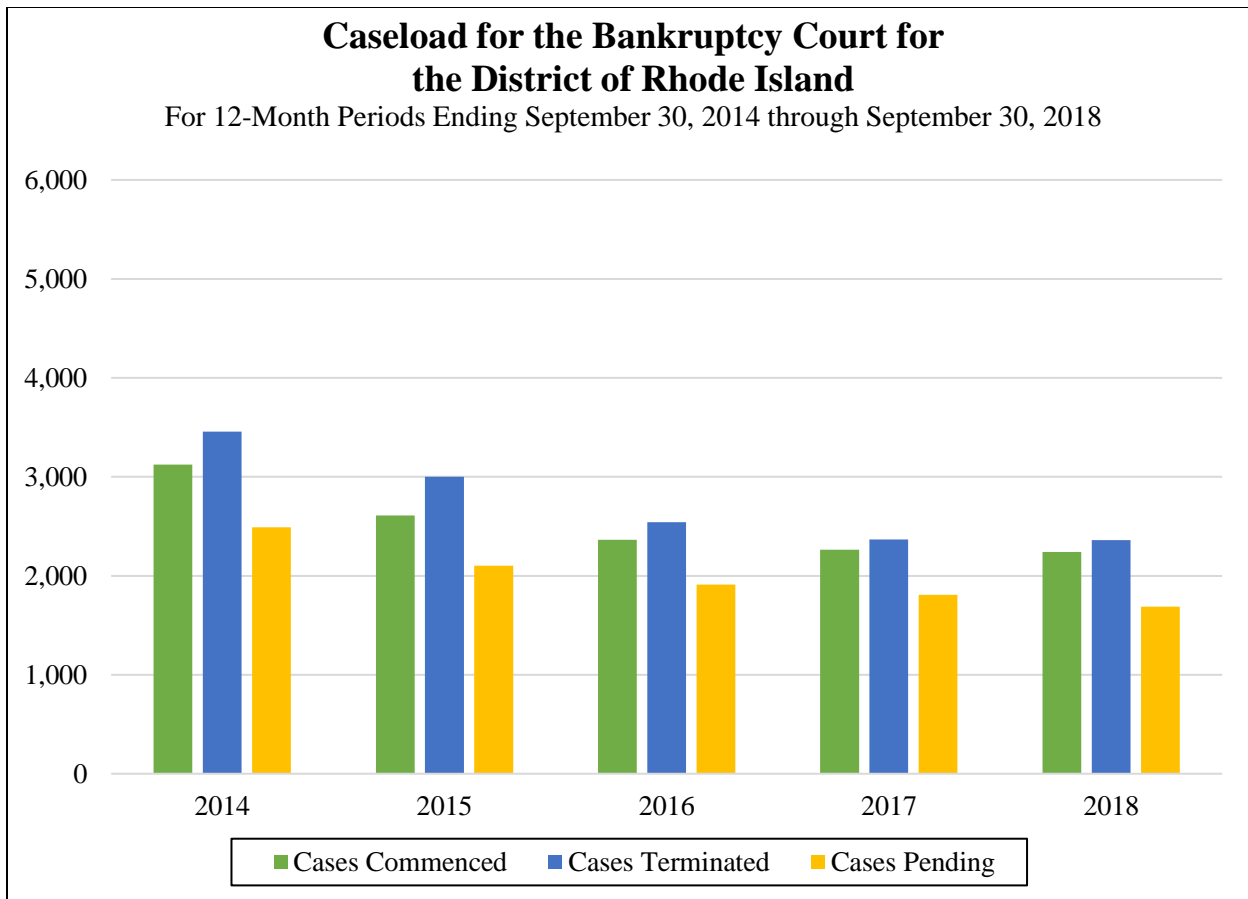
Case Management

Operations staff updated the standard language generated by the Court's public website's live chat feature, as well as rule references and hyperlinks to forms and rules. Staff also uploaded over 200 form templates from CM/ECF onto the Court's SharePoint content management site.

Community Outreach

On January 31, 2018, the Bankruptcy Court and district judges welcomed Supreme Court Justice Ruth Bader Ginsburg for a breakfast with judges and court unit executives.

Judge Finkle and Clerk's Office representatives met with the bankruptcy bar to receive input and suggestions on improving Court operations and procedures. The Court honored volunteer attorneys at the Bankruptcy Legal Clinic's first anniversary. Three federal judiciary units developed teamwork, communication, and leadership skills while providing a Day of Service to the Dare to Dream Ranch in Foster, RI. The children of court employees performed a scripted mock trial (*The Three Bears v. Goldilocks*) developed by the ABA.



Caseload for the Bankruptcy Court for the District of Rhode Island For 12-Month Periods Ending September 30, 2014 through September 30, 2018					
	2014	2015	2016	2017	2018
Cases Commenced	3,124	2,611	2,364	2,262	2,242
Cases Terminated	3,458	3,001	2,541	2,367	2,361
Cases Pending*	2,490	2,103	1,910	1,808	1,689

* Pending caseloads for 2014 - 2017 as revised by the AO.

Judicial Administration

The Judicial Conference of the United States

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; to prepare plans for the assignment of judges to or from courts of appeals or district courts, where necessary; to submit suggestions to the various courts to promote uniformity of management procedures and the expeditious conduct of court business; to exercise authority provided in chapter 16 of Title 28 of the United States Code for the review of circuit council conduct and disability orders filed under that chapter; and to 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's members are 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 AO.

At the March 2018 and September 2018 Judicial Conferences, AO Director James C. Duff reported on judicial business, AO matters, and the work of the Federal Judiciary Workplace Conduct Working Group; FJC Director Judge Fogel spoke about FJC programs; and Judge Pryor, of the Eleventh Circuit Court of Appeals, reported on USSC activities in his role as Acting Chair. Also at the September 2018 Judicial Conference, Judge Scirica, of the Third Circuit Court of Appeals and Chair of the Committee on Judicial Conduct and Disability, and Chief Judge Rebecca Beach Smith, of the Eastern District of Virginia and Chair of the Committee on Codes of Conduct, reported on their committees' efforts to amend the Rules of Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct) and the codes of conduct for judges and for judicial employees, respectively, in response to the June 2018 report of the Workplace Conduct Working Group.

**First Circuit Judges Serving on the Judicial Conference,
Judicial Conference Committees, Special Courts, and Boards**
[Generally, terms begin and expire on October 1 of the year noted.]

MEMBERS OF THE JUDICIAL CONFERENCE

			<u>Start Date</u>	<u>End Date</u>
Jeffrey R. Howard	CJ	New Hampshire	2015	2022
Nancy Torresen	DJ	Maine	2017	2020

COMMITTEE ON AUDITS AND AO ACCOUNTABILITY

			<u>Start Date</u>	<u>End Date</u>
Gustavo A. Gelpí	DJ	Puerto Rico	2013	2019

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

			<u>Start Date</u>	<u>End Date</u>
Pedro A. Delgado-Hernández	DJ	Puerto Rico	2017	2020

COMMITTEE ON CODES OF CONDUCT

			<u>Start Date</u>	<u>End Date</u>
John J. McConnell, Jr.	DJ	Rhode Island	2017	2020

COMMITTEE ON COURT ADMINISTRATION AND CASE MANAGEMENT

			<u>Start Date</u>	<u>End Date</u>
Joseph N. Laplante	DJ	New Hampshire	2012	2018
Leo Sorokin	DJ	Massachusetts	2018	2021
Patricia A. Sullivan	MJ	Rhode Island	2016	2019

COMMITTEE ON CRIMINAL LAW

			<u>Start Date</u>	<u>End Date</u>
Indira Talwani	DJ	Massachusetts	2016	2019

COMMITTEE ON DEFENDER SERVICES

			<u>Start Date</u>	<u>End Date</u>
Landya B. McCafferty	DJ	New Hampshire	2015	2021

COMMITTEE ON FEDERAL-STATE JURISDICTION

			<u>Start Date</u>	<u>End Date</u>
Timothy S. Hillman	DJ	Massachusetts	2013	2019

COMMITTEE ON FINANCIAL DISCLOSURE

			<u>Start Date</u>	<u>End Date</u>
Rya W. Zobel	DJ	Massachusetts	2013	2019

COMMITTEE ON INFORMATION TECHNOLOGY

			<u>Start Date</u>	<u>End Date</u>
O. Rogeriee Thompson	CJ	First Circuit	2014	2020

COMMITTEE ON INTERNATIONAL JUDICIAL RELATIONS

			<u>Start Date</u>	<u>End Date</u>
Richard G. Stearns	DJ	Massachusetts	2014	2020

COMMITTEE ON JUDICIAL RESOURCES

			<u>Start Date</u>	<u>End Date</u>
Douglas P. Woodlock	DJ	Massachusetts	2011	2018
William E. Smith	DJ	Rhode Island	2018	2021

COMMITTEE ON JUDICIAL SECURITY

			<u>Start Date</u>	<u>End Date</u>
Denise J. Casper	DJ	Massachusetts	2015	2020

COMMITTEE ON THE ADMINISTRATION OF THE MAGISTRATE JUDGES SYSTEM

			<u>Start Date</u>	<u>End Date</u>
Mark G. Mastroianni	DJ	Massachusetts	2017	2020

ADVISORY COMMITTEE ON BANKRUPTCY RULES

			<u>Start Date</u>	<u>End Date</u>
Melvin S. Hoffman	BJ	Massachusetts	2016	2019

ADVISORY COMMITTEE ON CIVIL RULES

			<u>Start Date</u>	<u>End Date</u>
Jennifer C. Boal	MJ	Massachusetts	2018	2021

ADVISORY COMMITTEE ON CRIMINAL RULES

			<u>Start Date</u>	<u>End Date</u>
Bruce J. McGiverin	MJ	Puerto Rico	2017	2020

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

			<u>Start Date</u>	<u>End Date</u>
William J. Kayatta, Jr.	CJ	First Circuit	2018	2021

COMMITTEE ON SPACE AND FACILITIES

			<u>Start Date</u>	<u>End Date</u>
Aida M. Delgado-Colón	DJ	Puerto Rico	2013	2019

FJC BOARD OF DIRECTORS

			<u>Start Date</u>	<u>End Date</u>
George Z. Singal	DJ	Maine	2016	2020

FOREIGN INTELLIGENCE SURVEILLANCE COURT

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

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 circuit 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, a “workshop,” is designed primarily for judicial officers. In addition to the judges, others who attend include the Circuit Executive, senior court personnel, and representatives of the AO and the FJC. These conferences are organized by a committee of judges, appointed by the Chief Circuit Judge, with the assistance of the Circuit Executive and staff.

The other meeting format is the full-scale conference. Attendees at these conferences include those who attend the workshops 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. Public officials 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 of the conference and assigns one of the districts in the Circuit to act as a host district. The Chief Circuit Judge appoints a Planning Committee to organize and conduct the conference. This planning 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 Circuit Judge, the number of invitees that the site can accommodate is determined, and a number of invites is 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. Based on these lists, invitations are then extended by the Chief Circuit Judge.

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 Secretary of the conference. There were no judicial conferences held during 2018.

Business of the First Circuit Judicial Council

Circuit judicial councils were created by Congress in 1939, along with the AO and circuit judicial conferences, to assist in the management of the courts. The Chief Circuit Judge 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. In 2018, there were two Judicial Council meetings. The spring Council meeting, held on May 10 and the fall session, held on October 3, both took place at the John Joseph Moakley United States Courthouse. Many matters were decided by email vote between meetings.

One 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 actions taken by the Council during 2018 are provided at pages 98-99.

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 help where assistance is required.

Other Judicial Council actions taken during 2018 included: review of the federal judiciary’s budget; adoption of continued Circuit-wide cost containment measures; review of courthouse construction projects and expenditures; review of juror utilization, trials, and other court activity statistics; review of judicial vacancies; review of court security measures; review of privacy rules; and approval of bankruptcy judge assignments.

Members of the Judicial Council of the First Circuit
as of December 31, 2018

Honorable Jeffrey R. Howard, Chief Judge	Court of Appeals
Honorable Juan R. Torruella	Court of Appeals
Honorable Sandra L. Lynch	Court of Appeals
Honorable O. Rogeriee Thompson	Court of Appeals
Honorable William J. Kayatta, Jr.	Court of Appeals
Honorable David J. Barron	Court of Appeals
Honorable Jon D. Levy	District of Maine
Honorable Timothy S. Hillman	District of Massachusetts
Honorable Joseph N. Laplante	District of New Hampshire
Honorable Pedro A. Delgado-Hernández	District of Puerto Rico
Honorable John J. McConnell, Jr.	District of Rhode Island

Observing Members

Honorable Andrea K. Johnstone	District of New Hampshire Magistrate Judge
Honorable Diane Finkle	District of Rhode Island Bankruptcy Judge

Court Unit Executives

as of December 31, 2018

- FIRST CIRCUIT CLERKS OF COURT -

Maria Hamilton
Court of Appeals

Christa K. Berry
District of Maine

Robert Farrell
District of Massachusetts

Daniel Lynch
District of New Hampshire

Frances Ríos de Morán
District of Puerto Rico

Hanorah E. Tyer-Witek
District of Rhode Island

- FIRST CIRCUIT BANKRUPTCY CLERKS OF COURT -

Alec Leddy
District of Maine

Mary P. Sharon
District of Massachusetts

Bonnie L. McAlary
District of New Hampshire

María de los Ángeles González
District of Puerto Rico

Susan M. Thurston
District of Rhode Island

- FIRST CIRCUIT CHIEFS OF PROBATION AND PRETRIAL SERVICES -
as of December 31, 2018

Kimberly Rieger
District of Maine

Christopher Maloney
District of Massachusetts

Jonathan E. Hurtig
District of New Hampshire

Luis O. Encarnacion Canales
District of Puerto Rico

John Marshall
District of Rhode Island

- FIRST CIRCUIT FEDERAL PUBLIC DEFENDERS -

David Beneman
District of Maine

Miriam Conrad
Districts of Massachusetts, New Hampshire, and Rhode Island

Eric Vos
District of Puerto Rico

Space and Facilities

Space Reduction Initiative

The national space reduction initiative concluded on September 30, 2018. The Circuit exceeded its space reduction goal by more than 10,000 usable square feet (USF). The 10,000 USF will be banked to offset any future expansion requirements.

Court of Appeals

Several cyclical maintenance projects were completed in 2018, including painting in the Circuit Executive's and Clerk's Offices at the Moakley Courthouse.

Infrastructure upgrades were made to the EnBanc and Panel Courtrooms in July 2018.

A secure storage room in the Court of Appeals Clerk's Office was constructed in January 2018.

The lease term for the CAMP office space in Puerto Rico will expire in the fall of 2020. The renewal process was initiated with the goal of maintaining the existing location for another ten-year period.

A project was initiated to relocate Judge Selya's law clerks in the Providence Courthouse. The new space will be recarpeted and painted prior to occupancy, which is expected in the spring of 2019.

Funding was allocated to replace the Staff Attorneys' Office corridor carpet. This project will be completed in the spring of 2019.

District of Maine

The District of Maine is updating its Long-Range Facilities Plan. The final report, anticipated in March 2019, is expected to recommend new construction.

GSA requested prospectus level funding in its FY 2020 budget to install a critically needed HVAC system, along with life safety upgrades, at Gignoux Courthouse.

A project was initiated to modify existing Bankruptcy Court space in Portland. This work will create a more effective space for visiting judges and mediations. The project is expected to conclude early in 2019.

USMS funded design services to enhance the security screening stations in both the Gignoux Courthouse and the Portland Probation Office space. Design options along with cost estimates have been finalized and submitted to USMS and the AO Security Division for consideration.

District of Massachusetts

A project to provide additional office space and to redesign the District Court's intake area was developed in 2018. Design documents are expected in the summer of 2019 and construction will follow.

GSA is revisiting the design of additional security bollards along the base of Courthouse Way. In addition to the bollards, the design will also include changes to the existing landscaping and proposed additional lights for the park. The updated design is expected in the summer of 2019.

A new interview/multi-purpose meeting area was completed in the Probation Office in Boston in November 2018.

Expansion of the Probation Office's existing testing lab and creation of a large interview/multi-purpose area is planned in Taunton. Construction will begin in early 2019. This work was timed to coincide with the lease renewal.

The Probation space in Springfield will be modified to include secure interview rooms. The design is complete and construction is anticipated early in 2019.

District of New Hampshire

A project to enhance the acoustical conditions in the Probation Office space was completed in the summer of 2018.

District of Puerto Rico

GSA received approximately \$45 million in 2018 to make necessary repairs to federal buildings in Puerto Rico following Hurricane Maria. This work is primarily focused in Hato Rey and includes a replacement roof for the Nazario Courthouse, upgrades to the campus generators and water filtrations systems, elevator repairs or replacements, and fence line upgrades.

In 2015, the AO completed a Capital Security Fund study which reviewed the security deficiencies of the Hato Rey campus and recommended improvements. The project received 2018 funds to design and implement these recommendations. The general scope of work includes the construction of a prisoner sallyport, construction of two new elevators, and the creation of secure prisoner circulation in the Nazario Courthouse.

The JCUS approved the construction of a new security screening enclosure for the Hato Rey campus. Design of an extension to the existing link was completed in 2018. Construction will commence in the spring of 2019.

The Probation Office's IWI space was completed in November 2018.

The existing FPDO space will be expanded to account for additional staff. Design is complete, and construction will extend until spring of 2020.

District of Rhode Island

In 2018, the District Court designed new space to house its IT Department. Construction is expected to begin in the spring of 2019.

The District Court is upgrading the fiber to the Courthouse and Pastore Building. This project is anticipated to be completed in spring of 2019. A similarly timed project will upgrade the cooling in the computer room and data closets.

A restacking study of existing Clerk's Office space was initiated in 2018. Design intent options will be reviewed in 2019.

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 staff of the Circuit Executive’s Office receives a complaint, the Chief Circuit 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 and 353.

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

In March 2008, pursuant to 28 U.S.C. §§ 331 and 358, the JCUS adopted the Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct).

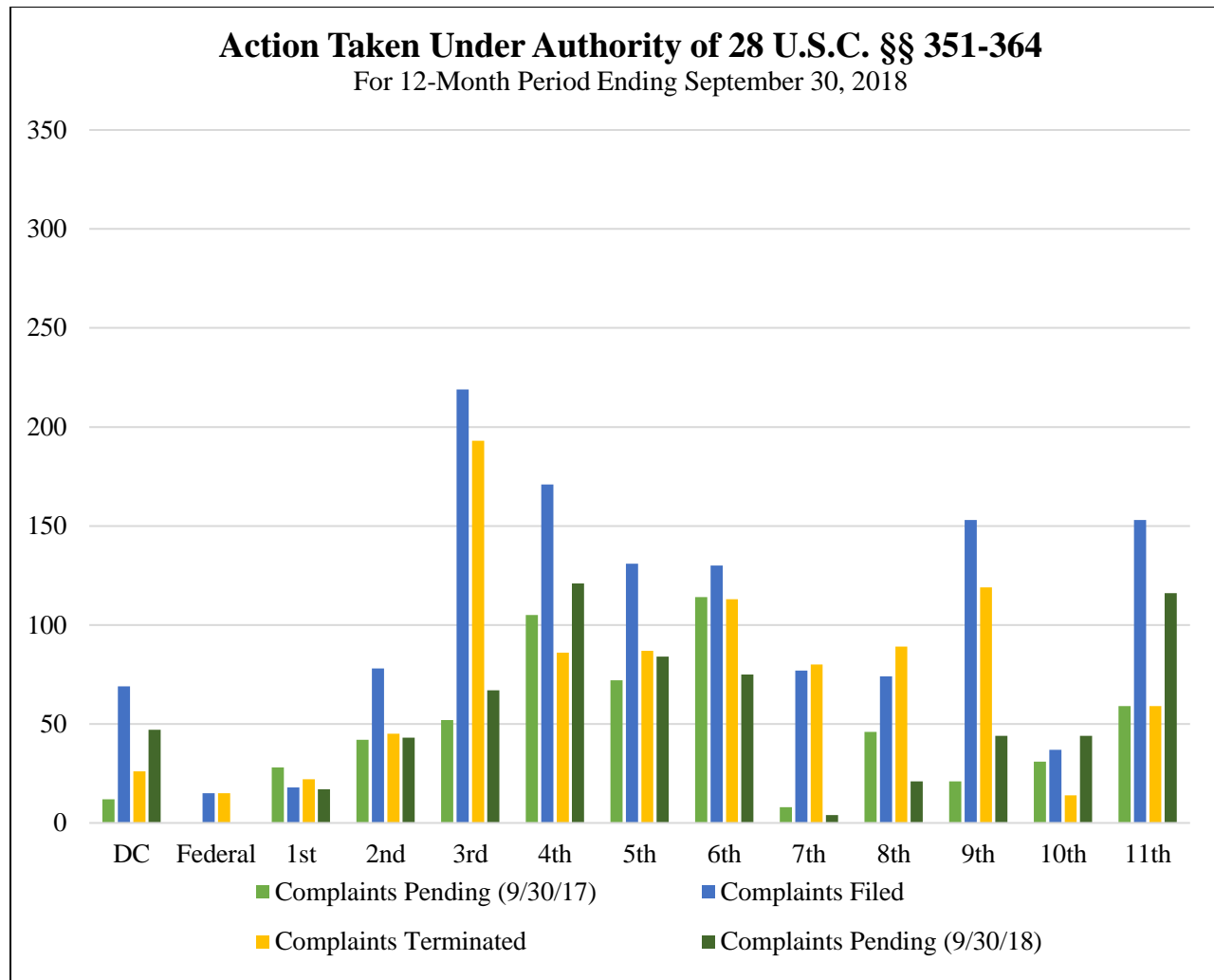
The adoption of uniform mandatory rules was intended to provide national standards and procedures for handling judicial misconduct and disability proceedings. The Rules of Judicial-Conduct were also intended to effectuate many of the recommendations included in the “Breyer Committee Report,” 239 F.R.D. 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. The JCUS amended the Rules of Judicial-Conduct in September 2015.

Pursuant to 28 U.S.C. § 352(d) and the Rules of Judicial-Conduct, the Chief Circuit Judge annually designates two (2) 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 Circuit Judge and Judicial Council are publicly available and are published on the First Circuit’s website. See 28 U.S.C. § 360.

Summary of First Circuit Complaints of Judicial Misconduct or Disability, 2018*	
Complaints Filed in 2018 (Calendar Year)	35
Orders of Dismissal Issued by Chief Judge	30
Petitions for Review Filed with Judicial Council	18
Orders of Dismissal Affirmed by Judicial Council	15
Show Cause Orders Issued	2
Preclusion Orders Issued	1
Total Number of Complainants in 2018 (Calendar Year)	17**

* *This table includes actions taken on matters filed in 2017.*

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



Action Taken Under Authority of 28 U.S.C. §§ 351-364 For 12-Month Period Ending September 30, 2018													
Summary of Activity	Circuit												
	DC	Fed.	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th
Complaints Pending* (9/30/17)	12	0	28	42	52	105	72	114	8	46	21	31	59
Complaints Filed	69	15	18	78	219	171	131	130	77	74	153	37	153
Complaints Terminated	26	15	22	45	193	86	87	113	80	89	119	14	59
Complaints Pending (9/30/18)	47	0	17	43	67	121	84	75	4	21	44	44	116

* Pending caseloads for 2017 as revised by the AO.

Attorney Discipline

During 2018, the Court of Appeals for the First Circuit handled four attorney disciplinary cases under the Rules of Attorney Disciplinary Enforcement for the Court of Appeals for the First Circuit (Rules of Disciplinary Enforcement). Two attorney discipline cases resulted in disbarment, and two resulted in suspensions. Two matters arose out of the reciprocity provisions of Rule II of the Rules of Disciplinary Enforcement, and the Court of Appeals initiated two proceedings.

Work of the Federal Public Defender

Report for the Federal Public Defender for the District of Maine

The District of Maine's Federal Defender Office (FDO) remains the smallest federal defender office in the country with three lawyers and three and a half support professionals divided between the Portland and Bangor offices. The FDO continues to operate at or below budget in all areas of its operation. It also continues to be one of the few federal defender offices participating in a shared services agreement with other court entities in procurement and employee benefits.

Statistics

In 2018, the FDO closed 128 district court cases and now retains only three unresolved Johnson cases. In 2018, the FDO opened 110 new cases including four appeals. The office's caseload is projected to increase.

New cases opened in 2018 were predominantly drug (39%) and firearms (23%) cases. The balance of the FDO's cases included: fraud (11%), interstate threatening (9%), sexual misconduct or child pornography (7%), and immigration cases (7%). Mental health difficulties, addiction, poverty, and limited education are recurrent factors in clients' lives.

The FDO also added eight new participants to the SWiTCH drug court and four existing participants graduated from the program.

Information Technology/Human Resources

The office also took the initial steps of transitioning to HRMIS Leave Tracking and anticipates full implementation in April 2019.

The FDO successfully transitioned from Lotus Notes to Microsoft Outlook 2016, Office 365, and Skype for Business.

Conferences/Educational Programs

As part of the District Conference Committee, David Beneman helped facilitate a successful District Conference on October 18-19, 2018 in Rockport, and moderated the criminal law breakout session on "Social Media's Effect on Criminal Law." David Beneman continues his service on the District's CJA, Criminal Law, Local Rules, and Court Security Committees, on the SWiTCH drug court team, and at District Administrative Meetings.

Community Outreach

David Beneman was inducted as a Fellow in the American College of Trial Lawyers. The FDO provided CLE training to the CJA panel attorneys through live training, individual consultation, and email newsletters. The CJA Committee continued to diversify the CJA panel. FDO employees attended training events, including: Federal Defenders Conference in Atlanta; Financial Forum in New Orleans; National Seminar for Federal Defenders in Kansas City; Administrative Officers Conference in Philadelphia; and the Paralegal and Investigator Seminar in Minneapolis.

**Report for the Federal Public Defender for the Districts of Massachusetts, New Hampshire,
and Rhode Island**

Massachusetts						
	Cases Opened				Cases Closed	Cases Pending
	Total	Prosecutions	Appeals	Other		
FY 2013	469	193	12	264	487	377
FY 2014	423	218	16	189	448	352
FY 2015	579	248	26	305	552a	409
FY 2016	1,102	227	138	737	1,063	448
FY 2017	507	222	39	246	527	423
FY 2018	552	279	9	264	651	324

New Hampshire						
	Cases Opened				Cases Closed	Cases Pending
	Total	Prosecutions	Appeals	Other		
FY 2013	142	96	10	36	146	94
FY 2014	165	111	1	53	170	89
FY 2015	225	131	6	88	195	119
FY 2016	363	140	52	171	311	171
FY 2017	232	137	19	76	283	118
FY 2018	198	127	7	64	199	117

Rhode Island						
	Cases Opened				Cases Closed	Cases Pending
	Total	Prosecutions	Appeals	Other		
FY 2013	139	97	4	38	144	103
FY 2014	124	85	2	37	136	91
FY 2015	198	66	2	130	196	93
FY 2016	290	67	101	122	199	184
FY 2017	167	61	17	89	252	101
FY 2018	121	61	1	59	127	95

The new prosecutions opened by the FPDO for the Districts of Massachusetts, New Hampshire, and Rhode Island's Massachusetts office increased by more than 25% in FY 2018. In fall 2018, the U.S. Attorney's Office added three attorney positions to focus on immigration offenses and violent crime. In 2018, the number of prosecutions and overall cases in New Hampshire declined slightly, while the number of prosecutions in Rhode Island held steady.

Human Resources

Assistant Federal Public Defender (AFPD) Tara Allen left the Rhode Island office to join the faculty at Roger Williams School of Law, and the FPDO hired Joanne Daley, an experienced Massachusetts state public defender, to replace her. Boston AFPD Jennifer Pucci took a job in the municipal law office in Newton, Massachusetts and Julie-Ann Olsen replaced her.

Conferences/Training

The FPDO continued to provide training and support to the various CJA panels through quarterly seminars, two email listservs, and its website. The FPDO now streams its Boston training programs to the Worcester, Springfield, New Hampshire, and Rhode Island courthouses, and appreciates the cooperation and support of the staffs of the Clerk's Offices in each of these courthouses.

Report for the Federal Public Defender for the District of Puerto Rico

Post-Hurricane Maria

While the Island still suffers from the devastating effects of Hurricane Maria, the FPDO for the District of Puerto Rico has recovered and has implemented mechanisms to provide continuity in the event of a further emergency, including a secondary office location.

staff. During 2018, two attorneys continued to participate as temporary full-time detail at the Defender Services Office's Legal and Policy Division in Washington, D.C.

Space and Facilities

Working with the GSA and the Circuit's Space and Security Office, the FPDO has entered into a new lease and anticipates the completion of a two-phase move beginning in July/August 2019 and concluding by November 2019. The new space will accommodate a growing staff.

Statistics

In 2018, the FPDO opened 1,730 cases unrelated to Johnson, as compared to 1,126 non-Johnson-related cases opened in 2017. This represents a 54% increase in non-Johnson case openings.

Information Technology

Over the last five years, the FPDO has transformed computer workstations, servers, and office-wide networks to allow for mobility, security, and increased digital discovery associated with modern criminal defense. During 2018, the FPDO successfully migrated from a Lotus Notes platform to Microsoft Outlook. The new office space will include a Voice over Internet Protocol system. During 2018, the FPDO also serviced the U.S. Virgin Islands FPDO's IT needs.

Human Resources

In 2018, the FPDO increased its full-time staff by nine. Four of the new employees were attorneys (AFPD's or Research and Writing Specialists) and the other five were support