

# **United States Courts for the First Circuit**



## **2020 Annual Report**

## **Table of Contents**

Foreword.....	1
Structure of the Federal Judiciary.....	2
Judges and Judicial Milestones.....	3
Judgeship Summary.....	3
Listing of Judges.....	4
Judicial Milestones and Other Highlights.....	8
Work of the Courts.....	14
Court of Appeals.....	14
Statistical Report for the Court of Appeals.....	14
Clerk’s Office.....	21
Office of the Staff Attorneys.....	21
Civil Appeals Management Program.....	21
Library.....	22
Bankruptcy Appellate Panel.....	23
Statistical Report for District Courts in the First Circuit.....	25
Report for the District of Maine.....	48
Probation & Pretrial Services Office, District of Maine.....	51
Report for the District of Massachusetts.....	53
Probation & Pretrial Services Office, District of Massachusetts.....	56
Report for the District of New Hampshire.....	58
Probation & Pretrial Services Office, District of New Hampshire.....	61
Report for the District of Puerto Rico.....	63
Probation & Pretrial Services Office, District of Puerto Rico.....	67
Report for the District of Rhode Island.....	68
Probation & Pretrial Services Office, District of Rhode Island.....	72
Statistical Report for Bankruptcy Courts.....	74
Report for the Bankruptcy Court for the District of Maine.....	79

Report for the Bankruptcy Court for the District of Massachusetts .....	81
Report for the Bankruptcy Court for the District of New Hampshire .....	83
Report for the Bankruptcy Court for the District of Puerto Rico .....	85
Report for the Bankruptcy Court for the District of Rhode Island .....	87
Judicial Administration.....	90
The Judicial Conference of the United States.....	90
First Circuit Judges Serving on the Judicial Conference Judicial Conference Committees, Special Courts, and Boards .....	91
First Circuit Judicial Conferences.....	93
Business of the First Circuit Judicial Council.....	94
Members of the Judicial Council of the First Circuit .....	95
Listing of Court Unit Executives .....	96
Space and Facilities.....	98
Judicial Misconduct and Disability.....	101
Attorney Discipline.....	104
Work of the Federal Public Defender .....	105
Federal Public Defender for the District of Maine .....	105
Federal Public Defender for the Districts of Massachusetts, New Hampshire, and Rhode Island .....	106
Federal Public Defender for the District of Puerto Rico.....	108

## **Foreword**

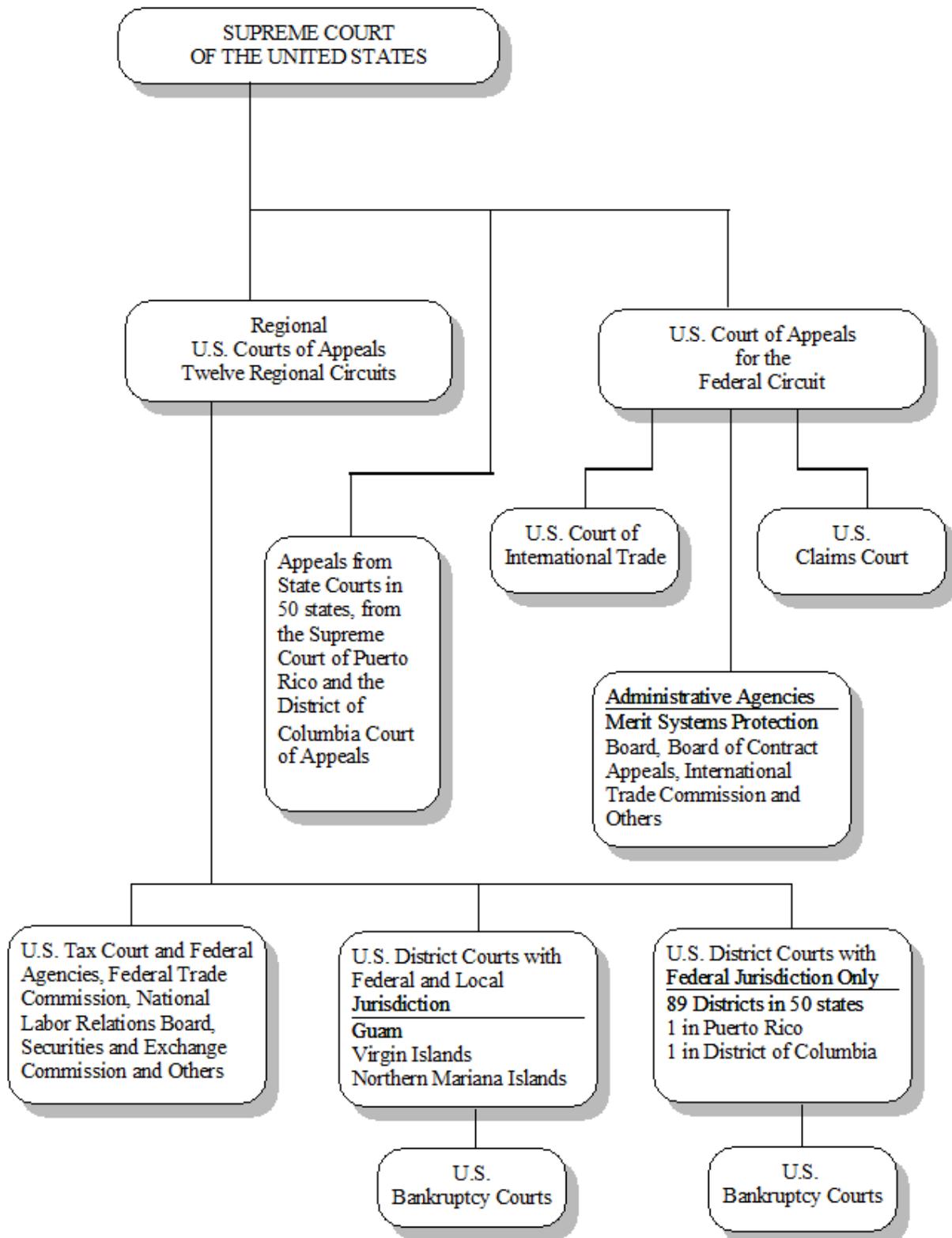
**Susan J. Goldberg**  
**Circuit Executive**

I am pleased to provide this Annual Report of the work of the Courts of the First Circuit in 2020. Federal Courts nationally faced many unique and unanticipated challenges this year, due to the restrictions imposed to combat the Covid-19 pandemic. The material presented here illustrates that the Courts of the First Circuit responded to those challenges with innovative solutions and great resiliency. The high standards of the circuit's judges and court staff with respect to the fair and efficient disposition of cases and judicial administration were maintained throughout. The efforts of all who have participated in executing the mission of the First Circuit Courts during the year are greatly appreciated.

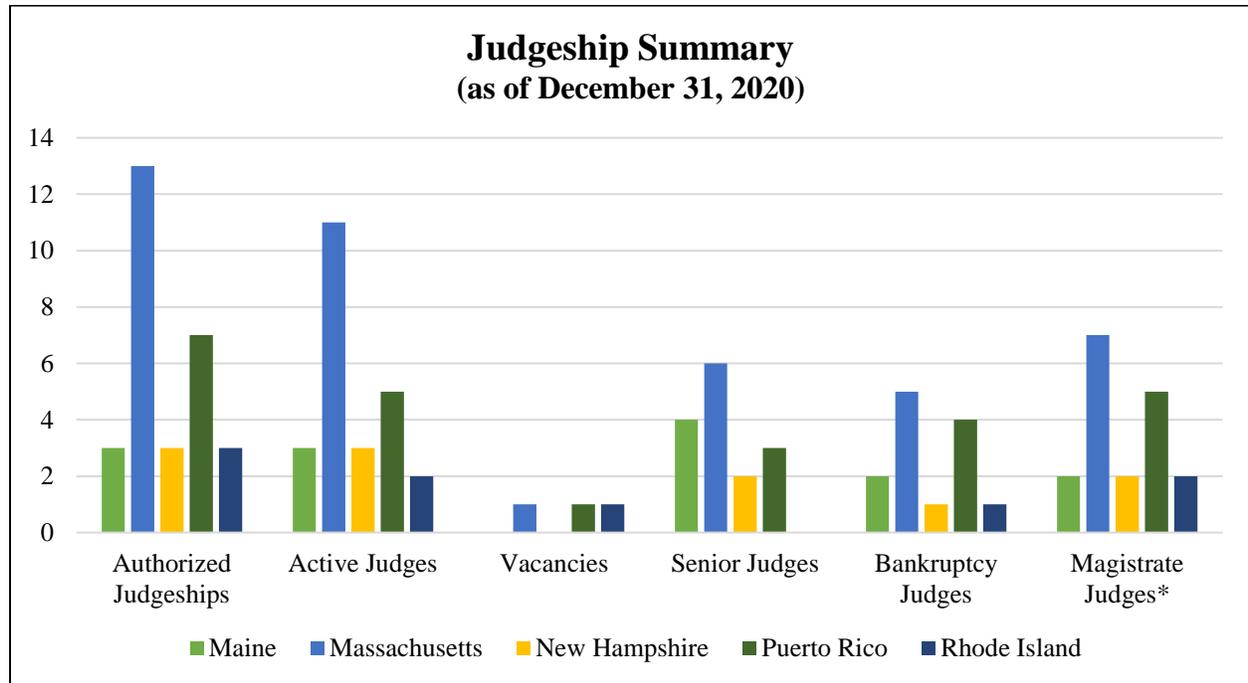
I wish to thank all of the unit executives throughout the circuit who contributed to providing the information in this Report. Special thanks to those who compiled the material in this Report, most notably the following members of Circuit Executive's Office staff: Amy Campbell, Sierra Dennison, Julia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

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

**Structure of the Federal Judiciary**



**Judges and Judicial Milestones**



<b>Judgeship Summary</b> (as of December 31, 2020)						
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	7	0	2	3	4
Rhode Island	3	3	0	1	1	2
<b>Total Dist. Ct.</b>	<b>29</b>	<b>27</b>	<b>2</b>	<b>15</b>	<b>12</b>	<b>17</b>
<b>Total Court of Appeals</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>4</b>	<b>-</b>	<b>-</b>
<b>Total 1st Cir.</b>	<b>35</b>	<b>32</b>	<b>3</b>	<b>19</b>	<b>12</b>	<b>17</b>

\* 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 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 Jon D. Levy, Chief  
Honorable Nancy Torresen  
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 F. Dennis Saylor, IV, Chief	Honorable Leo T. Sorokin
Honorable William G. Young	Honorable Allison D. Burroughs
Honorable Nathaniel M. Gorton	Honorable Rya W. Zobel
Honorable Richard G. Stearns	Honorable Mark L. Wolf
Honorable Patti B. Saris	Honorable Douglas P. Woodlock
Honorable Denise J. Casper	Honorable Edward F. Harrington
Honorable Timothy S. Hillman	Honorable Michael A. Ponsor
Honorable Indira Talwani	Honorable George A. O'Toole, Jr.
Honorable Mark G. Mastroianni	

---

---

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

Honorable Christopher J. Panos, Chief	Honorable Elizabeth D. Katz
Honorable Frank J. Bailey	Honorable Janet Bostwick
Honorable Melvin S. Hoffman	

---

---

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

Honorable M. Page Kelley, Chief	Honorable Katherine Robertson
Honorable Marianne B. Bowler	Honorable Donald L. Cabell
Honorable Judith G. Dein	Honorable Robert B. Collings (recalled)
Honorable Jennifer C. Boal	Honorable Kenneth P. Neiman (recalled)
Honorable David H. Hennessy	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 Raul Arias-Marxuach  
Honorable Carmen Consuelo Cerezo          Honorable Silvia Carreño-Coll  
Honorable Aida M. Delgado-Colón          Honorable Daniel R. Domínguez  
Honorable Francisco A. Besosa              Honorable Jay A. Garcia-Gregory  
Honorable Pedro A. Delgado-Hernández

---

---

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

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

---

---

**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 Marshal D. Morgan

---

---

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

Honorable John J. McConnell, Jr., Chief  
Honorable William E. Smith  
Honorable Mary McElroy  
Honorable Mary M. Lisi

---

---

**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

---

---

**Judicial Milestones and Other Highlights**

***Court of Appeals***

On October 26, 2020, Judge Juan R. Torruella passed away at the age of 87. Judge Torruella celebrated his 36th year on the First Circuit Court of Appeals on October 4, 2020.

Judge Torruella was born in Old San Juan, Puerto Rico, on June 7, 1933. He graduated from the University of Pennsylvania's Wharton School in 1954 with a B.S. and received his law degree from Boston University School of Law in 1957. Judge Torruella's educational pursuits continued long into his career. In 1984, he obtained his LL.M. from the University of Virginia School of Law and his M.P.A. from the University of Puerto Rico Graduate School of Public Administration. In 2003, Judge Torruella received a Master of Studies in Modern European History from Magdalen College, Oxford University.

After graduating from law school, Judge Torruella was a law clerk to the Honorable Pedro Pérez-Pimentel of the Supreme Court of Puerto Rico, from 1957 to 1958. Then, Judge Torruella was an attorney at the National Labor Relations Board, 24th Region, until 1960. Thereafter, until 1974, Judge Torruella worked in private practice. On December 20, 1974, Judge Torruella was appointed to the U.S. District Court for the District of Puerto Rico, after having been nominated by President Gerald Ford. He served as chief judge of the District of Puerto Rico from 1982 to 1984, when he was appointed to the U.S. Court of Appeals for the First Circuit, following his nomination by President Ronald Reagan. Judge Torruella was the first Hispanic judge to serve on the First Circuit Court of Appeals and was chief judge of the Court from 1994 to 2001.

Judge Torruella received numerous awards and honors during his career, such as an Honorary LL.D. from St. John's University in 1995, the Boston University School of Law Alumni Award also in 1995, and an Honorary LL.D. from Roger Williams University in 1998.

Judge Torruella was a competitive sailor and competed for Puerto Rico in four Olympic sailing events between 1964 and 1976. He also served as President of the Court of Arbitration for Sport, an organization that settles disputes in competitive sports. Judge Torruella was married to his wife, Judith, for more than 65 years. Judge Torruella was also survived by his four children and eight grandchildren.

***Bankruptcy Appellate Panel***

Judge Brian K. Tester retired in 2020.

***District of Maine***

Chief Judge Levy administered and oversaw the District's response to the Covid-19 pandemic and served on the District Court Pandemic Team, the First Circuit Judicial Council, the Federal Judge's Association Board and Pay and Benefits Committee, and the Maine State/Federal Judicial Council. He also participated in a Bar Fellows Conversation on Civil Legal Aid in the Age of Coronavirus, gave multiple talks and participated in a number of town-hall sessions with the Maine State Bar, the federal bar in Maine, and Court staff, hosted a Civil Discourse community outreach event for high school students, participated in a workplace conduct conference, and spoke at the John Waldo Ballou Inn of Court in Bangor.

Judge Torresen continued to serve as a member of the Judicial Conference of the United States (JCUS). She also chaired the District of Maine Court Security Committee,

served on the First Circuit Judicial Council Workplace Conduct Committee, and facilitated the Court's Success with the Court's Help (SWiTCH) re-entry program.

Judge Walker chaired the District's Criminal Law Committee and Pro Bono Work to Empower and Represent (POWER) Act of 2018 Committee and was a member of the First Circuit Judicial Council and the Judicial Conference Committee on Financial Disclosure.

Judge Hornby presented a lecture to the District's law clerks titled "Early History of the Federal Court in the District of Maine" and authored several publications, including: "Requiem for Harden v. Gordon" published in the *Journal of Maritime Law & Commerce*; "Insight: When Clarence Darrow Came to Maine," "Insight: The Nation's First Black Lawyer Got His Start in Maine," and "Insight: Daniel Webster and Maine" published in the *Portland Press Herald*; and Episodes 1 and 2 of "History Lessons: Instructive Legal Episodes from Maine's Early Years" for the *Green Bag*. He was also a member of the Maine State/Federal Judicial Council.

Judge Singal served on the United States Foreign Intelligence Surveillance Committee and the Board of Directors for the Federal Judicial Center (FJC) and was a member of the Maine State/Federal Judicial Council.

Judge Woodcock was a member of the John Ballou Inn of Court, the University of Maine School of Law Board of Visitors, and the Maine State/Federal Judicial Council (Executive Committee Member). He also participated as a guest lecturer in a Legal Writing Class via Zoom at Wake Forest Law School.

Magistrate Judge Rich served on the JCUS Committee on the Administration of Magistrate Judges System and Strategic Planning Group, the Maine Justice Action

Group (JAG) (Executive Committee Member), JAG's standing Pro Bono Committee (as Co-Chair), the Federal Courts Law Review (as Articles Editor), and the District's standing Local Rules Advisory Committee (Judicial Liaison). He also assisted Judge Torresen with the Court's SWiTCH re-entry program court.

Magistrate Judge Nivison served on the District's Criminal Law Committee and the District Court Operations Advisory Committee and chaired a working group on pro se litigants' access to the courts. He also served on the faculty of Thomas College in Waterville.

#### ***District of Massachusetts***

The District of Massachusetts judges served on a number of committees in 2020. Judge Gorton served on the Judicial Panel on Multidistrict Litigation. Judge Stearns served on the JCUS Committee on International Judicial Relations. Judge Casper served on the JCUS Committee on Judicial Security. Judge Hillman served on the JCUS Committee on Federal and State Jurisdiction and the First Circuit Judicial Council IT Committee. Judge Talwani served on the JCUS Committee on Criminal Law and the First Circuit Judicial Council. Judge Mastroianni served on the JCUS Committee on the Administration of the Magistrate Judges System. Judge Sorokin served on the JCUS Committee on Court Administration and Case Management. Judge Burroughs served on the Committee on Information Technology. Judge O'Toole served on the Committee on Judicial Security. Magistrate Judge Boal served on the Civil Rules Advisory Committee.

#### ***District of New Hampshire***

Chief Judge McCafferty continued to oversee the District's educational outreach program,

virtually visited a number of local high schools, and worked with the New Hampshire Institute for Civics Education to match state court judges with interested schools. She also served on the JCUS Committee on Defender Services and the First Circuit Judicial Council Workplace Conduct Committee.

Judge Laplante served on the JCUS Court Administration and Case Management Committee, the First Circuit Judicial Council, and the First Circuit Information Technology Committee, and co-chaired the New Hampshire Supreme Court Access to Justice Commission. He also taught statutory interpretation at Boston College Law School, Georgetown Law School, and University of New Hampshire Franklin Pierce School of Law, and led a virtual civics outreach program with Nashua North High School.

Judge DiClerico chaired the District's Security Committee, and Judge McAuliffe served on the District's Security Committee.

Magistrate Judge Johnstone continued to serve as an observer member of the First Circuit Judicial Council, and on the New Hampshire Bar Association's (NHBA) Committee on Cooperation with the Courts and the Daniel Webster-Batchelder Inn of Court. She also served as a trustee on the Proctor Academy board.

Clerk/Magistrate Judge Lynch served on the District Clerks Advisory Group, the IT Advisory Group, the IT Infrastructure Formula Working Group, the Common Support Staffing Formula Development Steering Group, the National Forms Working Group, 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 December 10, 2020, Judge Juan M. Pérez-Giménez passed away. Judge Pérez-Giménez served for forty-five years on the Court, including four years as a United States Magistrate Judge.

Judge Delgado-Colón served as a member of the First Circuit Judicial Council Workplace Conduct Committee.

Judge Delgado-Hernández was a member of the JCUS Committee on the Administration of Bankruptcy System.

Judge Arias-Marxuach was a member of the First Circuit Judicial Council.

On March 2, 2020, Magistrate Judge Silvia Carreño-Coll was sworn in as a district judge of the Court.

Magistrate Judge López hosted an educational event for students from Commonwealth-Parkville School in February 2020.

### *District of Rhode Island*

Chief Judge McConnell continued to serve on the JCUS Codes of Conduct Committee, and the First Circuit Jury Plan Committee. As part of the Court's civic education program, Chief Judge McConnell hosted a virtual debate with the group Princes 2 Kings on environmental racism and a virtual screening of the movie "Dark Waters," followed by a discussion about environmental advocacy.

Judge Smith continued to serve on the JCUS Judicial Resources Committee and to chair the FJC's District Judge Education Advisory Committee. Judge Smith also 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.

Judge McElroy chaired the Court's new Diversity and Inclusion Committee.

Senior Judge Lisi was designated from June through December 2020 to assist with compassionate releases.

Magistrate Judge Almond was reappointed for a third eight-year term.

Magistrate Judge Sullivan was reappointed for a second eight-year term and continued to serve on the JCUS Court Administration and Case Management Committee, the Next Generation Case Management/Electronic Case Files (CM/ECF) Project Steering Group, and the Board of Trustees of the Rhode Island Bar Foundation.

***Bankruptcy Court  
for the District of Maine***

In 2020, Chief Judge Cary served on the following committees: FJC 2020 Consumer Programs Committee; First Circuit Judicial Council on Workplace Conduct Committee; the National Conference of Bankruptcy Judges (NCBJ) Endowment Committee; the NCBJ Ambassador Committee; and the Maine State Bar Association (MSBA) Workplace Harassment Committee. Chief Judge Cary presented at the following programs: the American Bankruptcy Institute (ABI) 2020 Northeast Conference; an FJC panel on *Uses of Adversity*; the Administrative Office of the U.S. Court's (AO) Chief Judge Leadership Program; the MSBA meeting on *Effective Use of Mediation and JSC in Remote Times*; the AO's New Chief Judge Discussion Leaders Meeting; and the National Consumer Law Center's panel *Gender on Trial and Virtual Consumer Rights*. Chief Judge Cary also participated in the *Civil Discourse and Difficult Decisions* program at two Maine high schools. Through this program, high school students visit Maine's federal courthouses to

learn about civil discourse and the justice system and participate in simulated court hearings, presided over by a federal judge and facilitated by volunteer attorneys, that showcase jury deliberations and allow students to practice civil discourse skills.

Chief Judge Cary also presented two programs, via Zoom, for fifth grade students studying government.

Judge Fagone served on the following committees: American Bankruptcy Institute's Executive Committee; NCBJ's Endowment for Education Committee; and John Waldo Ballou Inn of Court Planning Committee. Judge Fagone presented at the Maine State Bar Association fall 2020 conference.

***Bankruptcy Court  
for the District of Massachusetts***

In 2020, Chief Judge Christopher J. Panos served as Co-Chair of the Local Rules Advisory Committee and of the Diversity Initiative Task Force, and as Judicial Chair of the M. Ellen Carpenter Financial Literacy Program, a collaboration between the Boston Bar Association and the Bankruptcy Court. Chief Judge Panos was also a member of the American College of Bankruptcy Judicial Outreach Committee, the Massachusetts Bar Association Complex Commercial Litigation Section Council, and the NCBJ Security Committee. He also served on the Bankruptcy Court's Technology Committee and Pro Bono Committee. In 2020, Chief Judge Panos was the Bankruptcy Court non-voting representative on the District of Massachusetts Technology Committee and Budget Committee and was a member of the District of Massachusetts Central Division Courthouse Security Committee.

Judge Frank J. Bailey served as the President of the NCBJ. Judge Bailey served alongside

Chief Judge Panos as Co-Chair of the Diversity Initiative Task Force. Judge Bailey also served many roles in the American Bar Association (ABA), such as member of the Executive Committee of the ABA, Judicial Member at Large for the ABA Board of Governors, Co-Chair for the Judicial Division's Committee on the Diversity of the American Judiciary, Board Liaison to the National Conference of Federal Trial Judges and to the Forums on Affordable Housing and Franchising Law, and Delegate in the ABA House of Delegates. In 2020, Judge Bailey was also a member of the OSCAR Working Group Committee for the JCUS.

Judge Melvin S. Hoffman served as Co-Chair of the Local Rules Advisory Committee, as a member of the Bankruptcy Court's Automation Committee and of the JCUS Advisory Committee on Bankruptcy Rules, and as Associate Editor for the American Bankruptcy Law Journal.

Judge Elizabeth D. Katz served as Co-Chair of the Pro Bono Committee, Chair of the Building Security Committee at the Springfield Courthouse, and as a member of the NCBJ Public Outreach Committee.

Judge Janet E. Bostwick served as Co-Chair of the Local Rules Advisory Committee. Judge Bostwick also served as a member of the Bankruptcy Court's Pro Bono and Technology Committees. Additionally, she served as a member of the NCBJ New Member, Member Services, and Next Gen Committees. Judge Bostwick also served as Chair for the Pro Bono Committee of the American College of Bankruptcy Foundation and as Director of the American College of Bankruptcy Foundation. Additionally, she served the ABA as Co-Chair for the Business Bankruptcy Committee's Closely Held and Small Business Subcommittee and as Co-

Chair for the Business Bankruptcy Committee's Subcommittee on Administration and Courts.

***Bankruptcy Court  
for the District of New Hampshire***

Chief Judge Harwood continued his term as Secretary of the ABI, serving on its Board of Directors and its Executive Committee. He also spoke on two panels at the ABI's Annual Spring Meeting in April, as well as on a panel at the Turnaround Management Association's National Meeting in June. Chief Judge Harwood also began a two-year appointment as an observer member of the First Circuit Judicial Council.

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

Chief Judge Mildred Cabán served on the board of the FJC and worked with the FJC Education Committee for Bankruptcy Judges. Also, she served on the Federal Bar Examination Committee for the District of Puerto Rico. Chief Judge Cabán served as the First Circuit Governor for the NCBJ, chaired the NCBJ Security Committee, and served as the liaison for the Hispanic National Bar Association and the NCBJ. She was also a volunteer coordinator and a member of the Advisory Board for Credit Abuse Resistance Education (C.A.R.E.). Chief Judge Cabán provided a virtual training to new bankruptcy judges at the American Bankruptcy Institute's Midwestern Conference.

Judge Tester served on the Administrative Office's Electronic Public Access Working Group.

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

Judge Finkle served as a member of the NCBJ and on its Diversity and On-Line Learning

Committees. During 2020, Judge Finkle was also a member of the AO's Bankruptcy Judges Advisory Group and the judicial chair of the ABI's Advisory Board for the ABI Annual Northeast Bankruptcy Conference. Judge Finkle continued her service on the First Circuit Bankruptcy Appellate Panel (BAP) and as an observer member on the First Circuit Judicial Council until the end of her term in July 2020.

Further, Judge Finkle helped prepare a handbook on clerking for the bankruptcy courts for dissemination to law schools as part of the NCBJ's diversity outreach efforts. She also participated in a new summer virtual internship program to encourage first-year law students to clerk in smaller bankruptcy courts.

**Work of the Courts**

**Court of Appeals**

***Statistical Report***

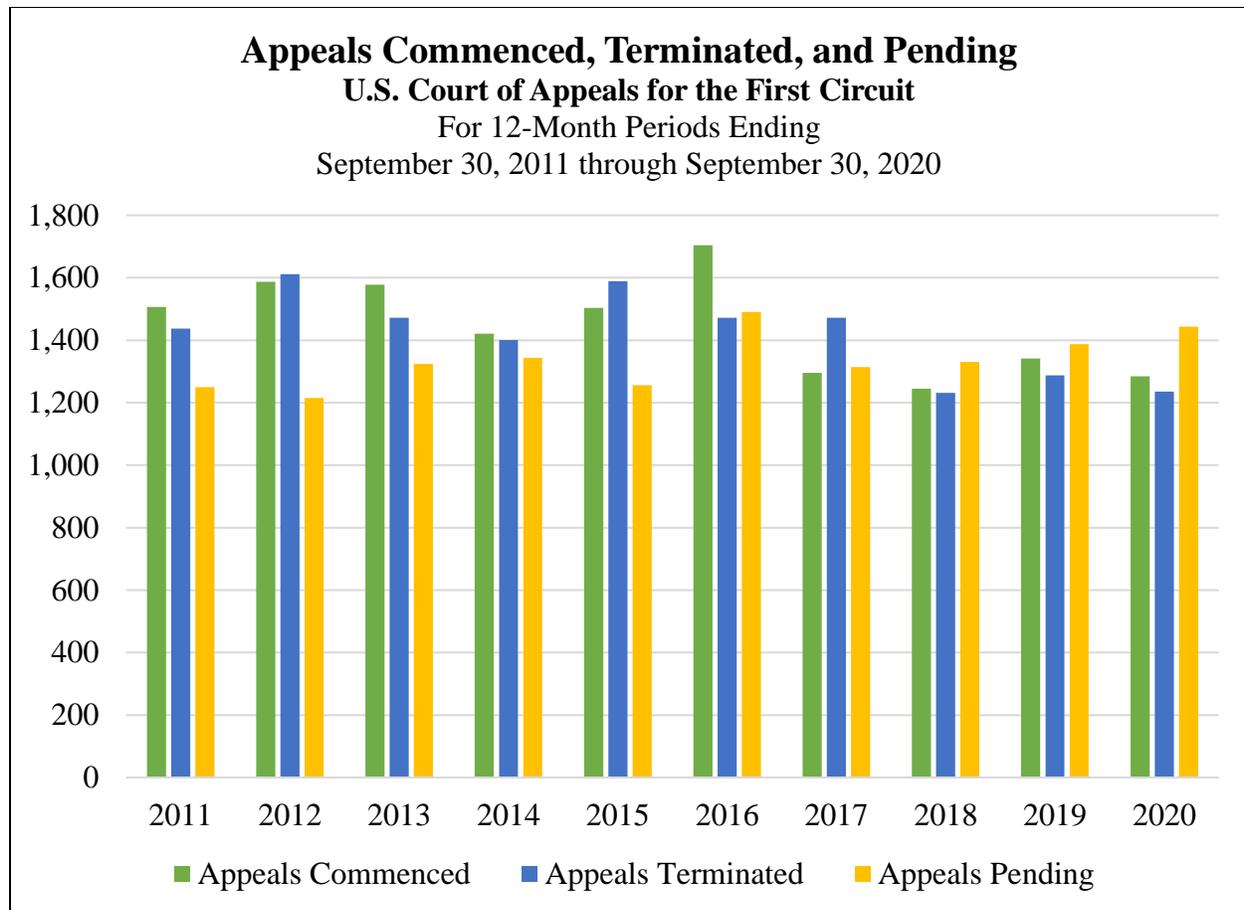
<b>Courts of Appeals Caseload Summary</b>									
Appeals Commenced, Terminated, and Pending, by Circuit									
For 12-Month Periods Ending September 30, 2019 and September 30, 2020									
<b>Circuit</b>	<b><u>Commenced</u></b>			<b><u>Terminated</u></b>			<b><u>Pending*</u></b>		
	<b>2019</b>	<b>2020</b>	<b>% Change</b>	<b>2019</b>	<b>2020</b>	<b>% Change</b>	<b>2019</b>	<b>2020</b>	<b>% Change</b>
<b>Total</b>	48,486	48,190	-0.6%	47,889	48,300	0.9%	38,841	38,731	-0.3%
<b>D.C.</b>	908	1,118	23.1%	1,023	972	-5.0%	1,100	1,246	13.3%
<b>First</b>	1,342	1,284	-4.3%	1,288	1,236	-4.0%	1,395	1,443	3.4%
<b>Second</b>	4,260	4,698	10.3%	3,890	4,496	15.6%	4,096	4,298	4.9%
<b>Third</b>	3,503	2,877	-17.9%	3,018	3,574	18.4%	2,805	2,108	-24.8%
<b>Fourth</b>	4,517	4,680	3.6%	4,233	4,200	-0.8%	2,729	3,209	17.6%
<b>Fifth</b>	7,020	6,401	-8.8%	7,109	6,154	-13.4%	4,632	4,879	5.3%
<b>Sixth</b>	4,243	4,306	1.5%	4,101	4,347	6.0%	2,756	2,715	-1.5%
<b>Seventh</b>	2,622	2,609	-0.5%	2,713	2,525	-6.9%	1,712	1,796	4.9%
<b>Eighth</b>	2,812	2,766	-1.6%	2,849	2,998	5.2%	1,768	1,536	-13.1%
<b>Ninth</b>	10,106	10,400	2.9%	10,210	10,504	2.9%	11,268	11,164	-0.9%
<b>Tenth</b>	1,757	1,737	-1.1%	1,737	1,794	3.3%	1,252	1,195	-4.6%
<b>Eleventh</b>	5,396	5,314	-1.5%	5,718	5,500	-3.8%	3,328	3,142	-5.6%

\* Pending caseloads for 2019 as revised by the AO.

<b>Source of Appeals and Original Proceedings</b> <b>U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2013 through September 30, 2020								
Source	2013	2014	2015	2016	2017	2018	2019	2020
<b>First Circuit Totals*</b>	1,578	1,421	1,504	1,704	1,296	1,245	1,342	1,284
<b>Maine</b>	118	113	206	117	116	102	103	97
<b>Massachusetts</b>	497	418	506	499	377	464	486	448
<b>New Hampshire</b>	95	74	74	86	90	82	78	67
<b>Puerto Rico</b>	501	425	399	461	372	284	376	329
<b>Rhode Island</b>	89	94	61	45	87	71	66	65
<b>Bankruptcy</b>	35	29	34	28	33	39	40	45
<b>U.S. Tax Court</b>	4	4	3	4	2	3	0	1
<b>National Labor Relations Board</b>	4	5	11	8	6	3	3	8
<b>Board of Immigration Appeals</b>	153	144	113	83	68	84	76	106
<b>Administrative Agencies (Total)</b>	165	161	139	105	88	100	88	122
<b>Original Proceedings**</b>	78	107	85	363	133	103	105	111

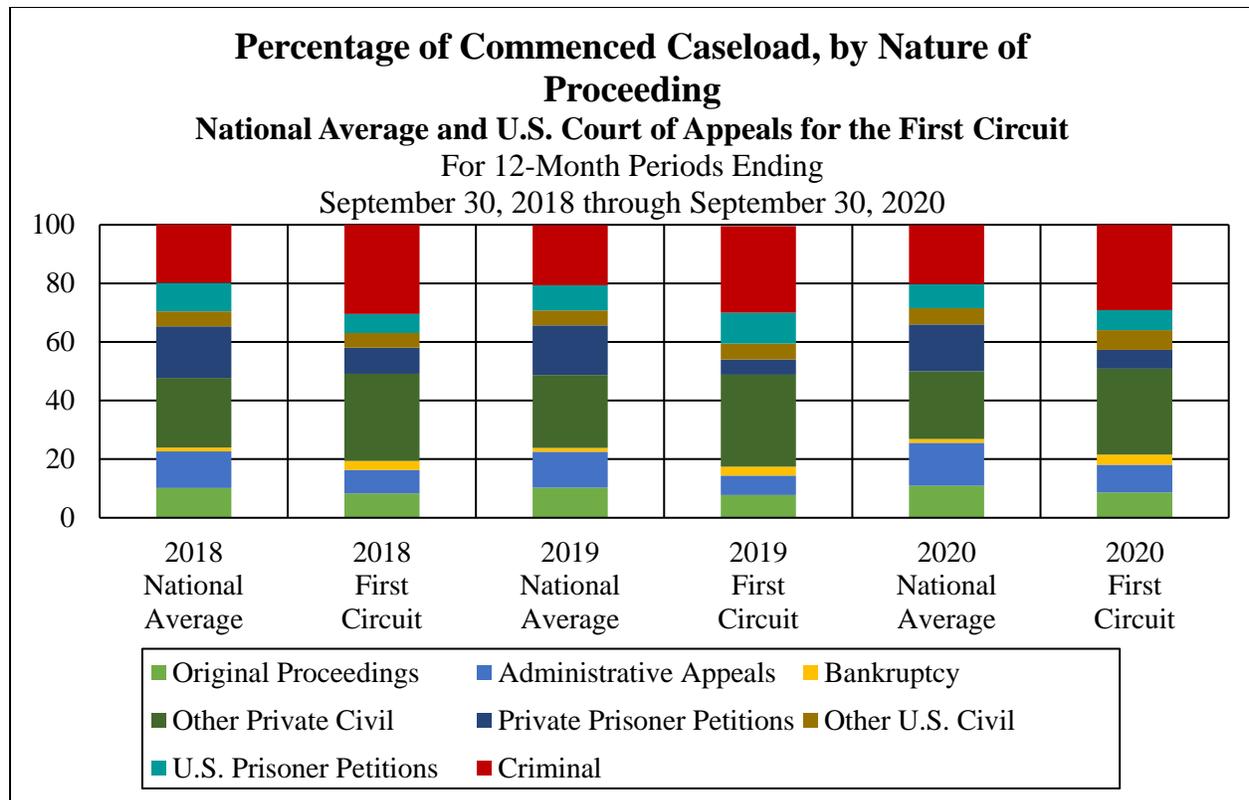
*\*Totals include reopened, remanded, and reinstated appeals, as well as original appeals.*

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



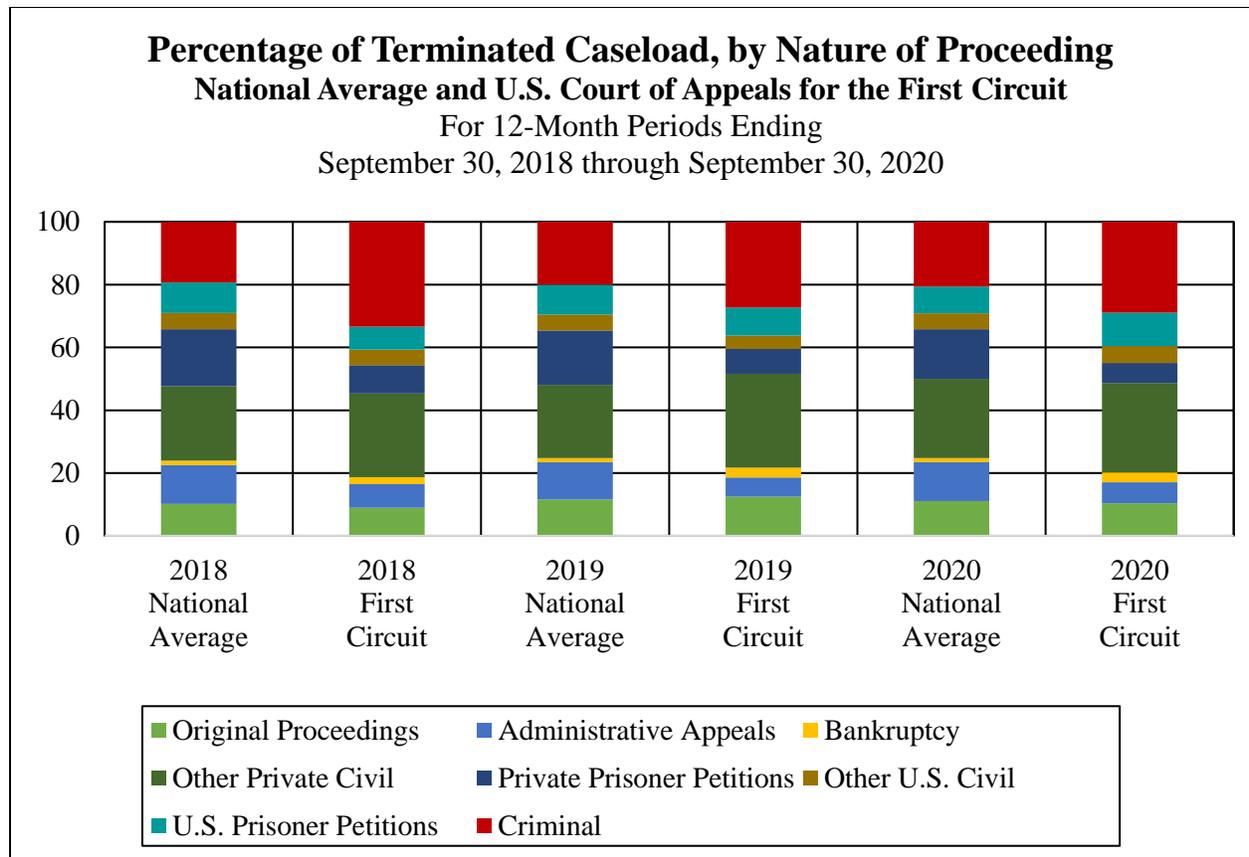
<b>Appeals Commenced, Terminated, and Pending</b> <b>U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2011 through September 30, 2020										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
<b>Appeals Commenced</b>	1,507	1,587	1,578	1,421	1,504	1,704	1,296	1,245	1,342	1,284
<b>Appeals Terminated</b>	1,437	1,612	1,472	1,401	1,589	1,472	1,472	1,232	1,288	1,236
<b>Appeals Pending*</b>	1,250	1,215	1,324	1,343	1,256	1,490	1,317	1,330	1,387	1,443

\*Pending caseloads for 2011 - 2019 as revised by the AO.



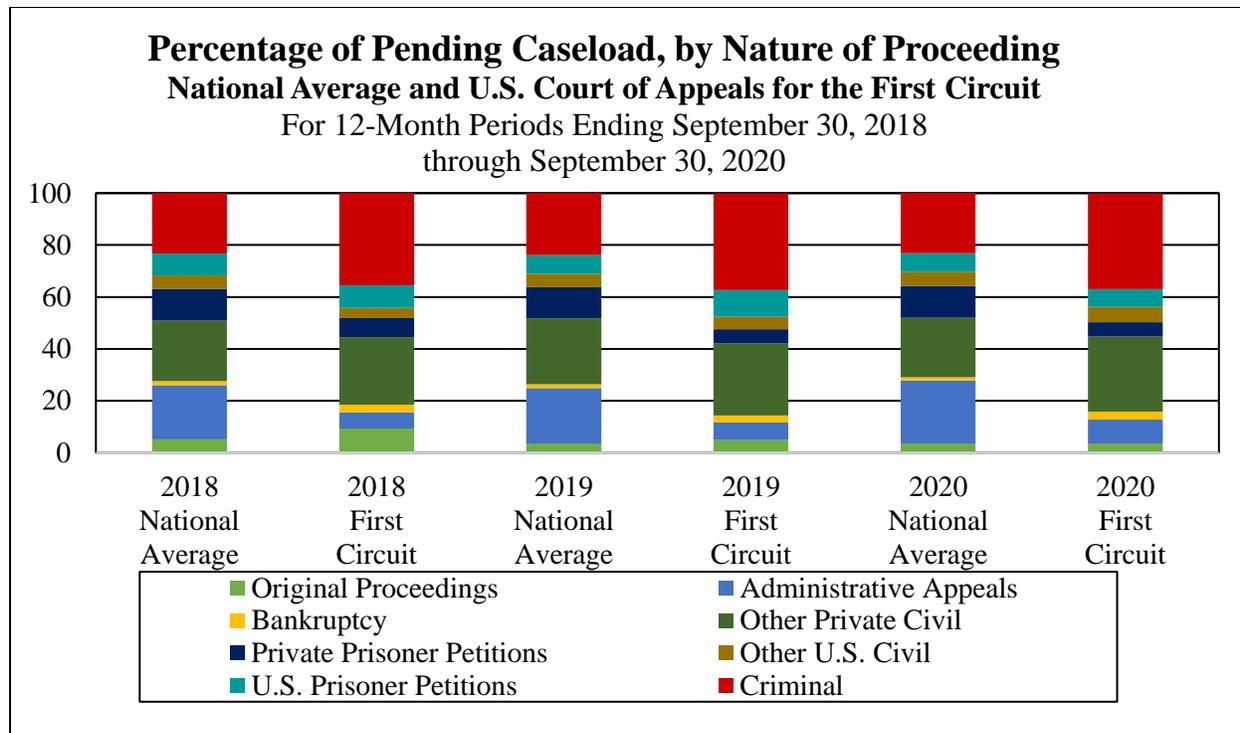
**Percentage of Commenced Caseload, by Nature of Proceeding**  
**National Average and U.S. Court of Appeals for the First Circuit**  
For 12-Month Periods Ending September 30, 2018 through September 30, 2020

	2018		2019		2020	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
<b>Criminal</b>	19.9	30.4	20.6	29.5	20.1	29.1
<b>U.S. Prisoner Petitions</b>	9.8	6.6	8.5	10.5	8.3	6.9
<b>Other U.S. Civil</b>	5.1	4.9	5.1	5.5	5.5	6.7
<b>Private Prisoner Petitions</b>	17.6	8.9	17.0	5.2	16.0	6.4
<b>Other Private Civil</b>	23.8	29.8	24.9	31.4	23.1	29.3
<b>Bankruptcy</b>	1.3	3.1	1.3	3.0	1.3	3.5
<b>Administrative Appeals</b>	12.4	8.0	12.2	6.6	14.7	9.5
<b>Original Proceedings and Miscellaneous Applications</b>	10.2	8.3	10.3	7.8	10.9	8.6



**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, 2018 through September 30, 2020

	2018		2019		2020	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
<b>Criminal</b>	19.2	33.4	20.1	27.3	20.6	28.9
<b>U.S. Prisoner Petitions</b>	9.7	7.3	9.5	8.9	8.5	10.7
<b>Other U.S. Civil</b>	5.2	5.0	5.1	4.3	5.1	5.3
<b>Private Prisoner Petitions</b>	18.1	9.0	17.3	7.9	15.8	6.4
<b>Other Private Civil</b>	23.8	26.6	23.3	29.9	25.2	28.5
<b>Bankruptcy</b>	1.4	2.3	1.4	3.1	1.4	3.1
<b>Administrative Appeals</b>	12.3	7.4	11.8	6.1	12.3	6.7
<b>Original Proceedings and Miscellaneous Applications</b>	10.2	9.0	11.6	12.5	11.1	10.4



**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, 2018 through September 30, 2020

	2018		2019		2020	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
<b>Criminal</b>	23.2	35.5	23.9	37.3	23.2	36.9
<b>U.S. Prisoner Petitions</b>	8.5	8.7	7.2	10.2	7.1	6.8
<b>Other U.S. Civil</b>	5.2	4.0	5.2	4.8	5.6	5.9
<b>Private Prisoner Petitions</b>	12.2	7.3	12.0	5.4	12.2	5.5
<b>Other Private Civil</b>	23.3	26.0	25.4	27.9	22.9	29.0
<b>Bankruptcy</b>	1.6	2.9	1.4	2.7	1.3	3.1
<b>Administrative Appeals</b>	20.9	6.3	21.3	6.7	24.3	9.1
<b>Original Proceedings and Miscellaneous Applications</b>	5.1	9.3	3.6	4.9	3.5	3.6

\*Pending caseloads for 2018 and 2019 as revised by the AO.

<b>U.S. Courts of Appeals</b> <b>Median Time Intervals in Months, by Circuit,</b> <b>For Cases Terminated After Hearing or Submission</b> For 12-Month Period Ending September 30, 2020 (From Filing of Notice of Appeal to Final Disposition)		
<b>Circuit</b>	<b>No. of Cases</b>	<b>Interval</b>
<b>National Average</b>	30,071	9.1
<b>D.C.</b>	466	11.1
<b>First</b>	887	12.6
<b>Second</b>	2,452	12.8
<b>Third</b>	1,996	8.5
<b>Fourth</b>	2,768	6.2
<b>Fifth</b>	3,710	9.4
<b>Sixth</b>	3,000	7.9
<b>Seventh</b>	1,360	9.0
<b>Eighth</b>	2,281	6.1
<b>Ninth</b>	6,680	12.5
<b>Tenth</b>	1,234	10.1
<b>Eleventh</b>	3,237	7.4

<b>Percentage of Terminations on the Merits</b> <b>National Average and U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020						
		<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>After Oral Hearing</b>	<b>1st Cir.</b>	26.1%	25.5%	24.5%	20.3%	22.4%
	<b>Nat'l</b>	16.3%	18.7%	18.7%	18.9%	17.7%
<b>After Submission</b>	<b>1st Cir.</b>	68.2%	68.2%	69.1%	74.0%	72.2%
	<b>Nat'l</b>	76.8%	74.7%	74.6%	73.8%	74.0%
<b>By Consolidation</b>	<b>1st Cir.</b>	5.7%	6.3%	6.4%	5.7%	5.4%
	<b>Nat'l</b>	6.9%	6.6%	6.7%	7.3%	8.3%

### Clerk's Office

#### *Federal and Local Rules Amendments*

The Local Rules were amended in accordance with the updated Federal Rules of Appellate Procedure in January 2020. Those amendments brought the Local Rules in conformity with updated citation formats and fee information.

#### *Statistics*

In Fiscal Year (FY) 2020, the Court of Appeals reported 1,284 filings, compared with 1,342 filings in FY 2019, a 4.3% decrease in filings. Case terminations decreased by 4.0%, from 1,288 in FY 2019 to 1,236 in FY 2020. During the same period, pending cases increased by 3.4%, from 1,395 in FY 2019 to 1,443 in FY 2020. See supra p. 14.

For this time period, the largest sources of appeals were the Districts of Massachusetts (448) and Puerto Rico (329). The number of appeals from the Districts of Maine, New Hampshire, and Rhode Island were 97, 67, and 65, respectively. There were 122 appeals from administrative agencies, most of which were from the Board of Immigration Appeals (106). The remaining cases were original proceedings and miscellaneous applications (111) and bankruptcy appeals (45). See supra p. 15.

In FY 2020, civil cases (including prisoner petitions) represented 49.2% of the appeals commenced in the First Circuit, and criminal appeals represented 29.1% of appeals commenced. The remaining 21.7% consisted of agency appeals, bankruptcy appeals, original proceedings, and miscellaneous applications. See supra p. 17.

#### **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 2020, the office consisted of one senior staff attorney, one supervisory staff attorney, approximately 17 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 2020 (68 more matters than in 2019):

January	194
February	200
March	229
April	151
May	185
June	239
July	161
August	179
September	176
October	215
November	206
December	197
<b>Total</b>	<b>2,332</b>

In addition, there were 114 pro se or social security submitted cases (28 more than in 2019) and 43 sua sponte summary dispositions assigned in counseled, briefed cases (17 more than in 2019).

Types of matters referred to the Staff Attorneys' Office included: applications for certificate of appealability; applications for leave to file second or successive habeas petitions; motions for summary affirmance or dismissal; mandamus petitions; Anders briefs; motions for stay or bail; section 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 electronic 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. If a case does not settle during the initial conference, settlement counsel will follow-up with counsel by telephone. Prior to the Covid-19 pandemic, most conferences were conducted in-person; however, due to the pandemic, most conferences are now conducted via Zoom or Microsoft Teams.

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 2020, of the 304 cases that were opened, one or more conferences were held in 155 cases, which produced 54 settlements (approximately 34.8% of mediated cases).

## **Library**

### ***Overview***

The U.S. Courts for 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. The Satellite Librarian in Concord, New Hampshire, provides services to the Maine District and Bankruptcy Courts located in Portland and Bangor.

### ***Personnel***

On-board staff at the end of FY 2020 was distributed among the libraries as follows: five 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 staff due to the centralized budget and financial responsibilities, a larger collection, and the need to provide services to

the public. During 2020, two Assistant Librarians retired, and replacements were hired, and one part-time Technical Services Assistant left the Library and had not yet been replaced by the end of the year.

### ***Legal Research Resources***

The Library's FY 2020 legal research resources allotment decreased 6.7% from FY 2019, while prices for both print and electronic resources continued to rise. The percentage increase varied among the legal resource vendors, ranging from 3.5% to 18.5%. Spending in electronic resources was approximately 9% of the legal resources budget. The Library continued to work with chambers in reducing print subscriptions.

### **Bankruptcy Appellate Panel**

#### ***Overview***

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 2020, after an interruption precipitated by Covid-19, the BAP resumed arguments virtually in July by using Microsoft Teams and continued to do so throughout the remainder of the year. The BAP also adjusted to pandemic conditions by issuing orders that modified filing methods for pro se litigants and working remotely.

#### ***Conferences/Outreach***

Clerk of Court Leslie Storm served as a coach for Suffolk University Law School students participating in the Duberstein Moot Court Competition. Further, Clerk Storm continued to serve as a member of the AO's Appellate Court and BAP Clerks Advisory Group. The

BAP also mentored intern Clarissa Brady, a student at Suffolk University Law School.

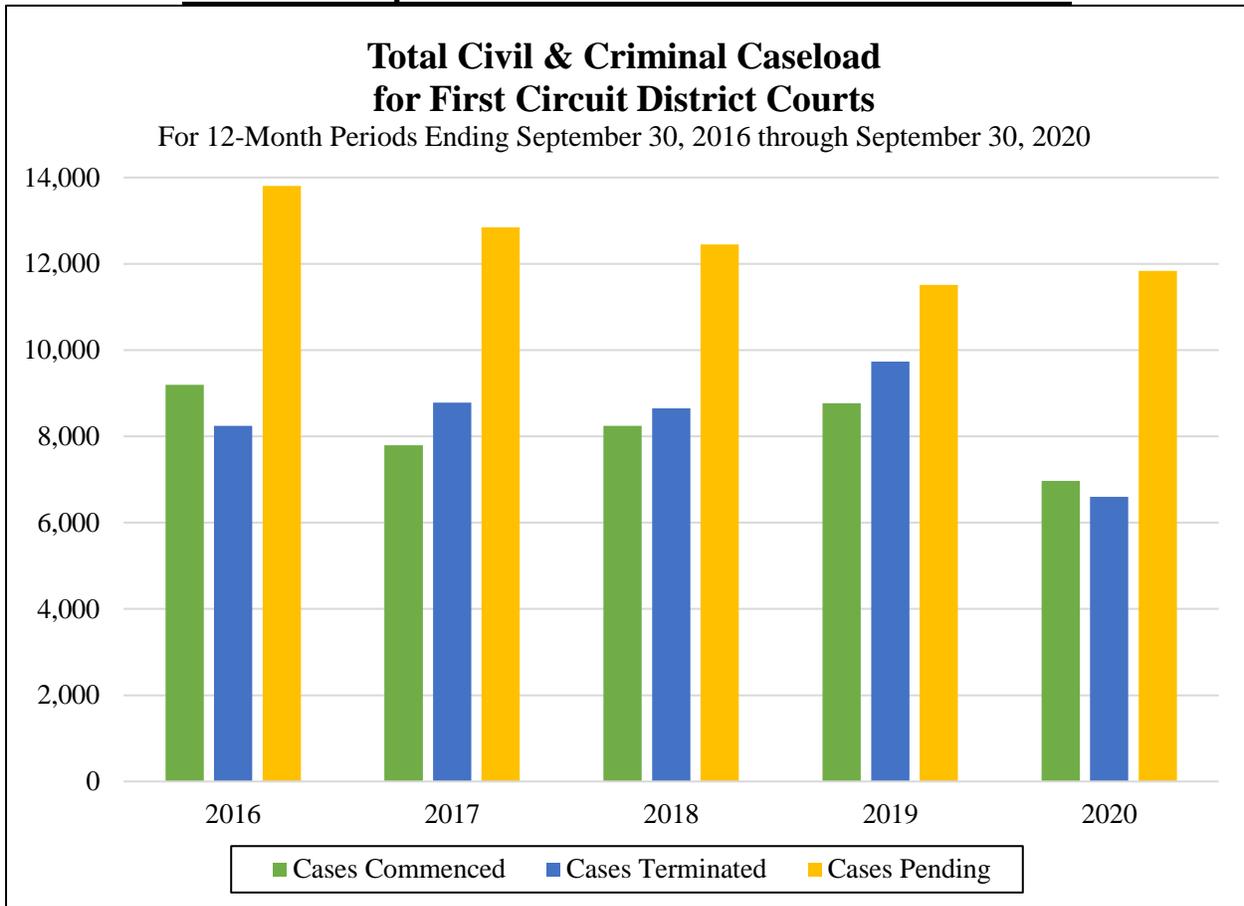
#### ***Statistics***

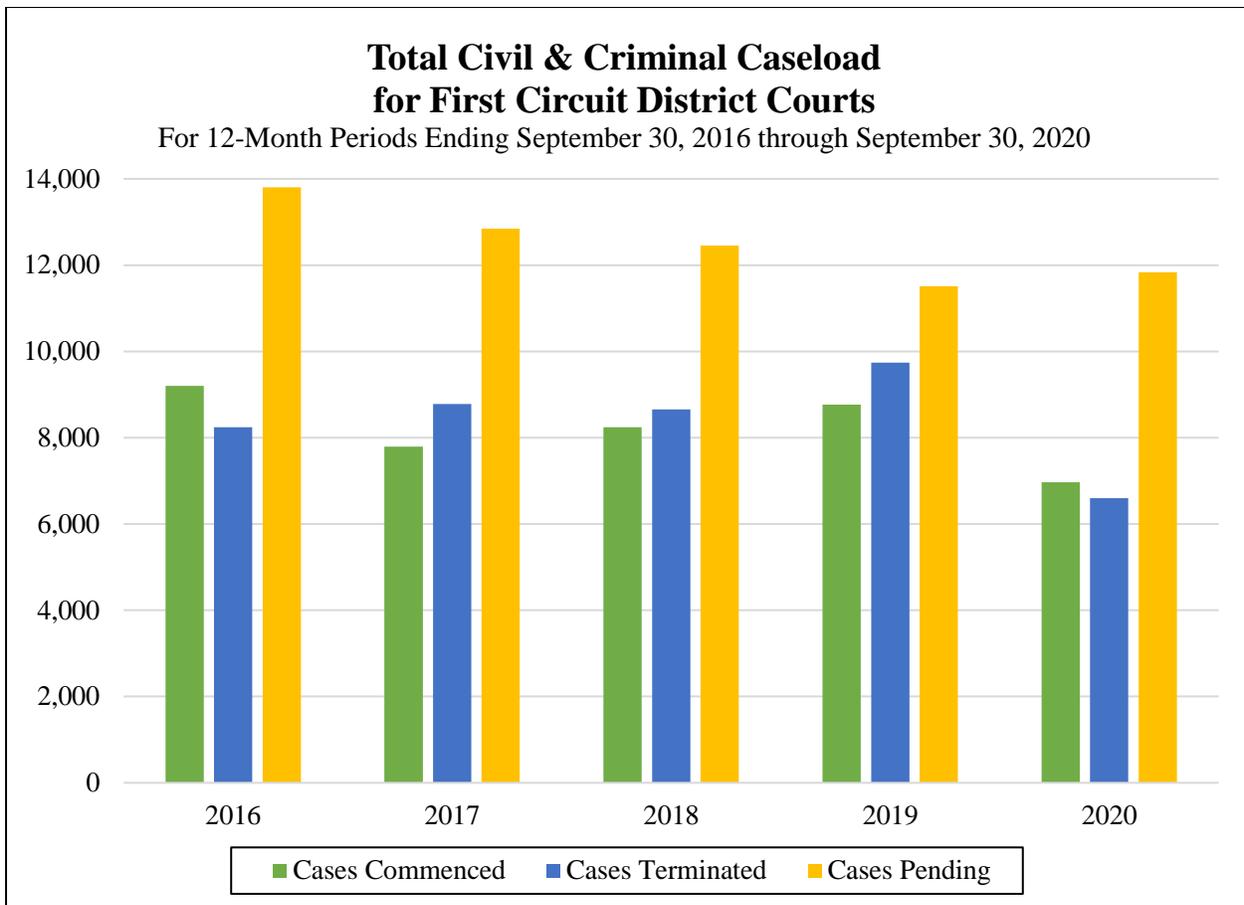
The BAP's caseload decreased during 2020, as was the trend nationally during the pandemic. During 2020, the BAP handled 49% of First Circuit bankruptcy appeals. The majority of cases received by the BAP in 2020 came from the bankruptcy court for the District of Massachusetts (68%), followed by the District of Maine bankruptcy court (15%). Pro se litigants continued to file appeals to the BAP regularly, accounting for 51% of the total cases filed during this reporting period.

<b>U.S. Bankruptcy Appellate Panels</b>									
<b>Cases Commenced, Terminated, and Pending, by Circuit</b>									
For 12-Month Periods Ending September 30, 2019 and September 30, 2020									
<b>Circuit</b>	<b>Filed</b>			<b>Terminated</b>			<b>Pending*</b>		
	<b>2019</b>	<b>2020</b>	<b>% Change</b>	<b>2019</b>	<b>2020</b>	<b>% Change</b>	<b>2019</b>	<b>2020</b>	<b>% Change</b>
<b>First</b>	65	60	-7.7%	69	51	-26.1%	21	30	42.9%
<b>Sixth</b>	34	35	2.9%	46	28	-39.1%	20	27	35.0%
<b>Eighth</b>	36	30	-16.7%	33	39	18.2%	15	6	-60.0%
<b>Ninth</b>	330	339	2.7%	350	362	3.4%	151	128	-15.2%
<b>Tenth</b>	60	61	1.7%	65	65	0.0%	14	10	-28.6%
<b>Total</b>	525	525	0.0%	563	545	-3.2%	221	201	-9.0%

\* Pending caseloads for 2019 as revised by the AO.

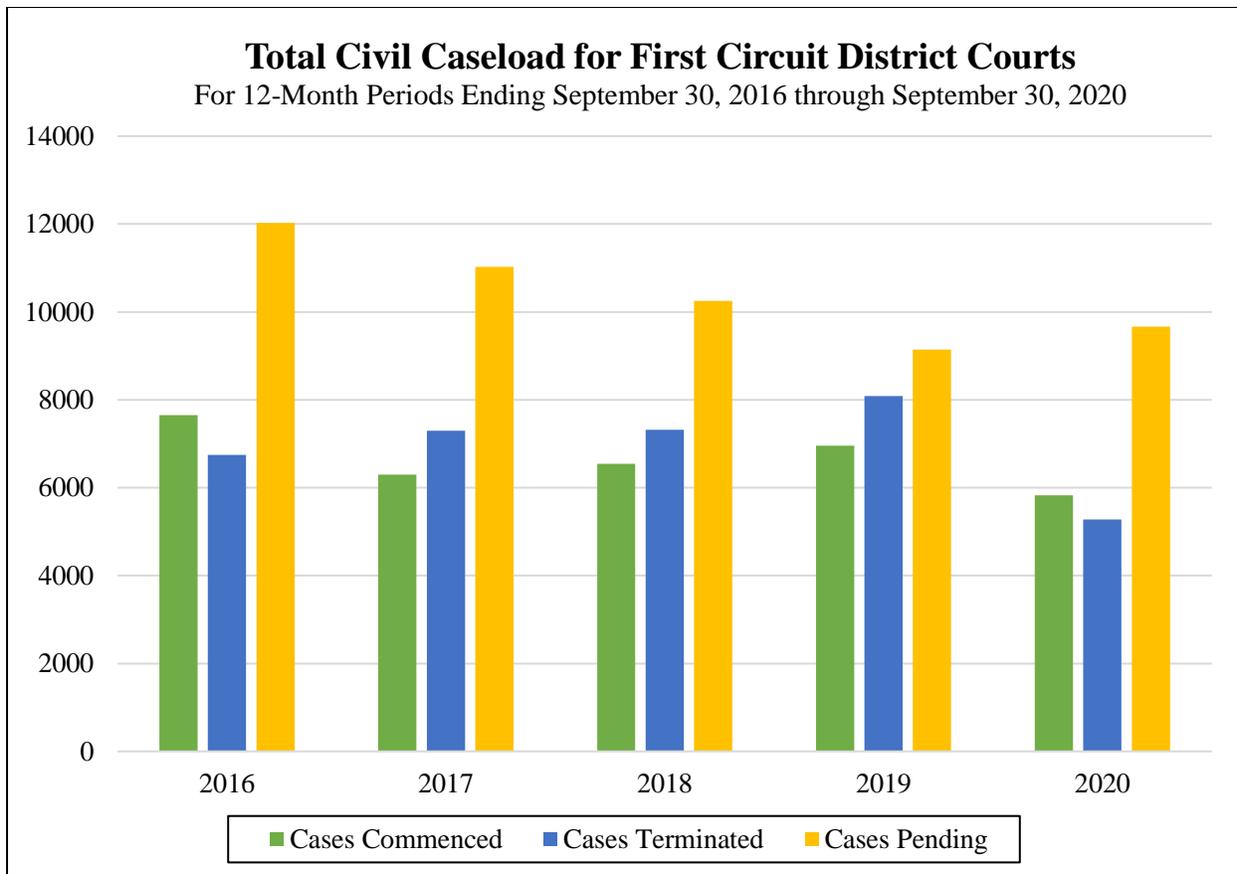
**Statistical Report for District Courts in the First Circuit**





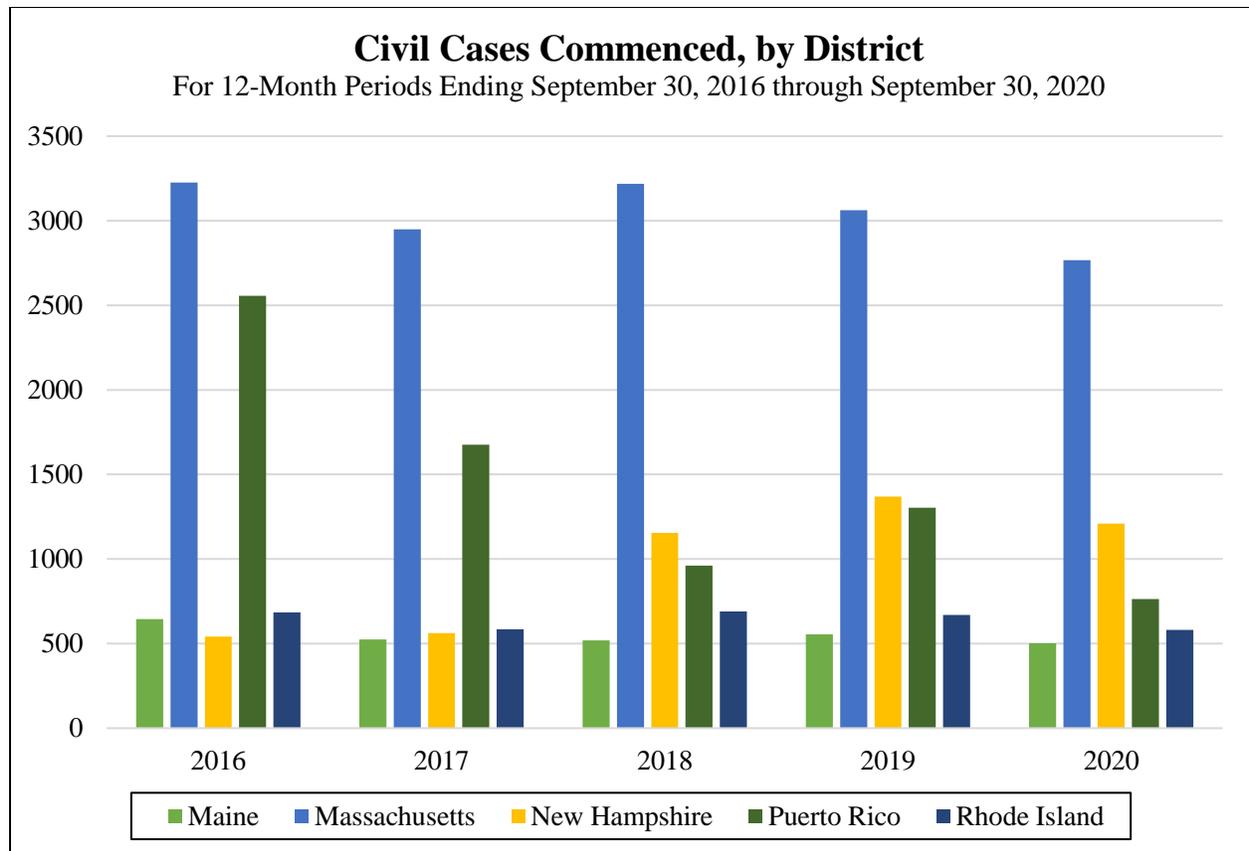
<b>Total Civil &amp; Criminal Caseload for First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	9,198	7,794	8,246	8,766	6,968
<b>Cases Terminated</b>	8,246	8,781	8,652	9,737	6,601
<b>Cases Pending*</b>	13,803	12,848	12,451	11,509	11,832

\* Pending caseloads for 2016 - 2019 as revised by the AO.

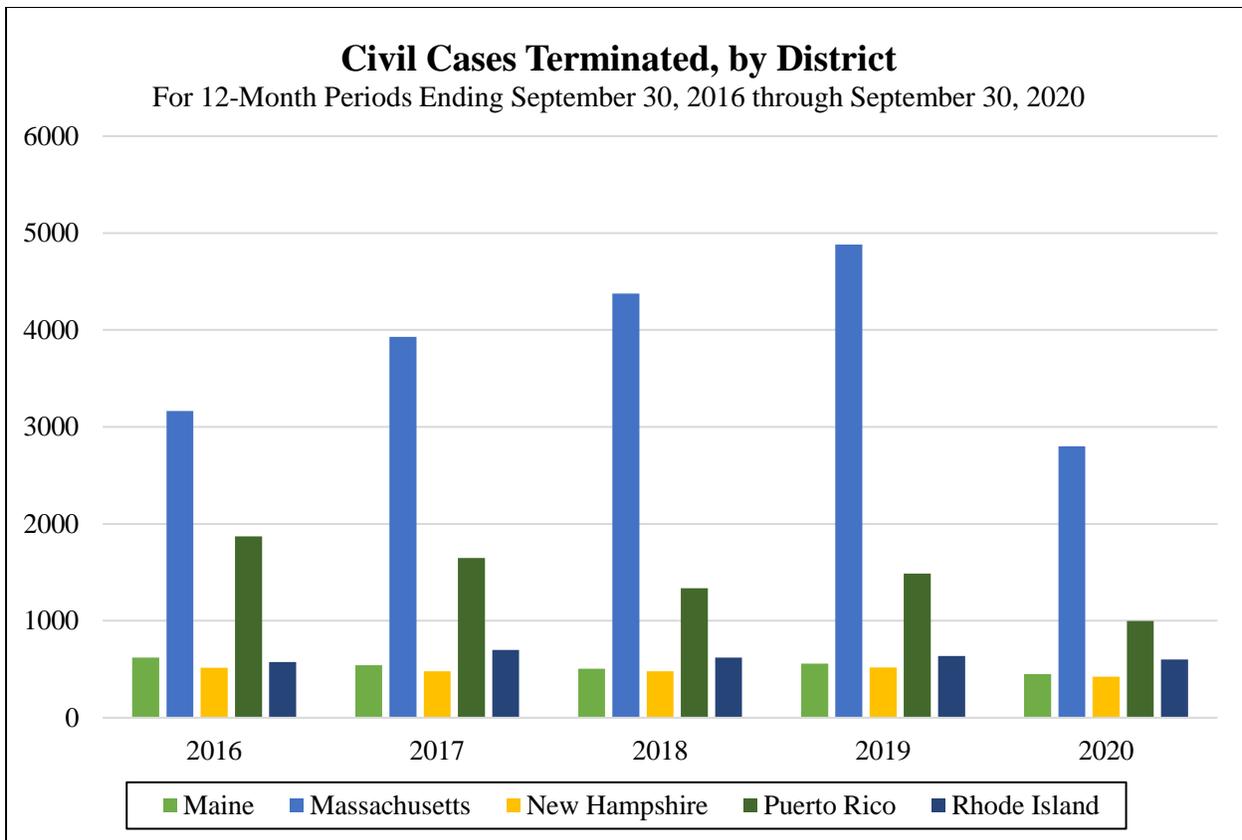


Total Civil Caseload for First Circuit District Courts For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	7,652	6,297	6,543	6,960	5,824
<b>Cases Terminated</b>	6,744	7,296	7,316	8,083	5,274
<b>Cases Pending*</b>	12,022	11,023	10,250	9,113	9,663

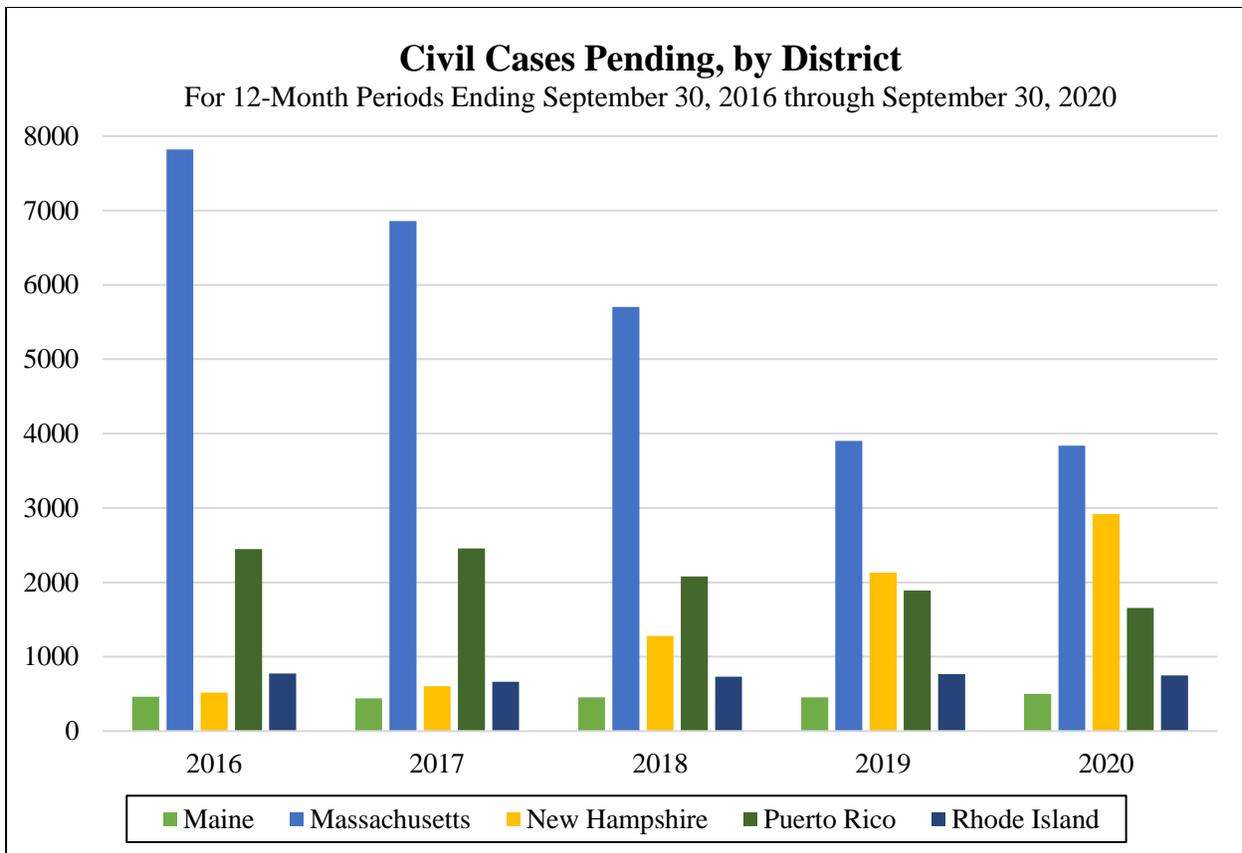
\* Pending caseloads for 2016 - 2019 as revised by the AO.



<b>Civil Cases Commenced, by District</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
<b>District</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Maine</b>	645	524	519	554	502
<b>Massachusetts</b>	3,226	2,949	3,219	3,063	2,767
<b>New Hampshire</b>	541	563	1,154	1,370	1,209
<b>Puerto Rico</b>	2,556	1,676	961	1,303	764
<b>Rhode Island</b>	684	585	690	670	582

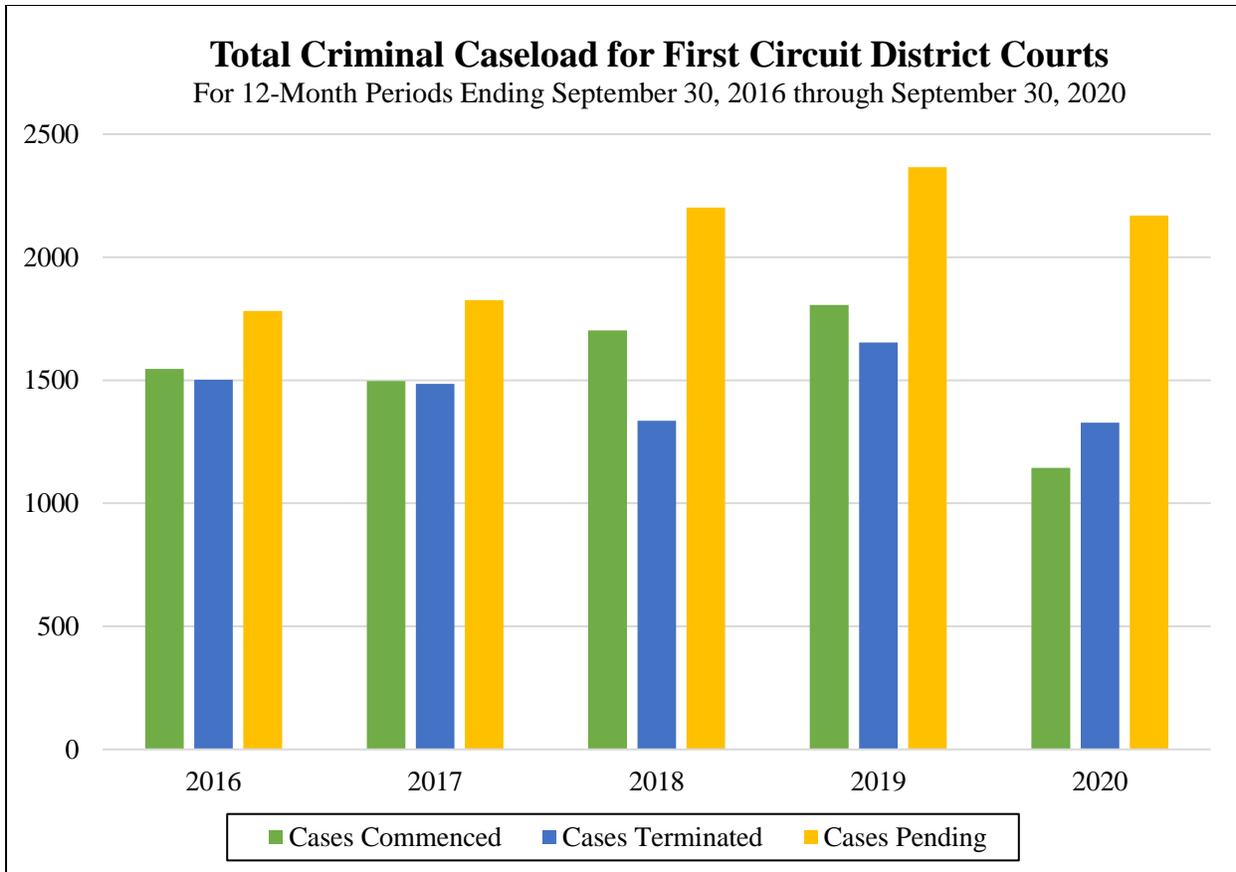


<b>Civil Cases Terminated, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
District	2016	2017	2018	2019	2020
<b>Maine</b>	620	543	505	558	450
<b>Massachusetts</b>	3,163	3,928	4,375	4,882	2,800
<b>New Hampshire</b>	517	478	478	519	424
<b>Puerto Rico</b>	1,871	1,649	1,337	1,487	998
<b>Rhode Island</b>	573	698	621	637	602

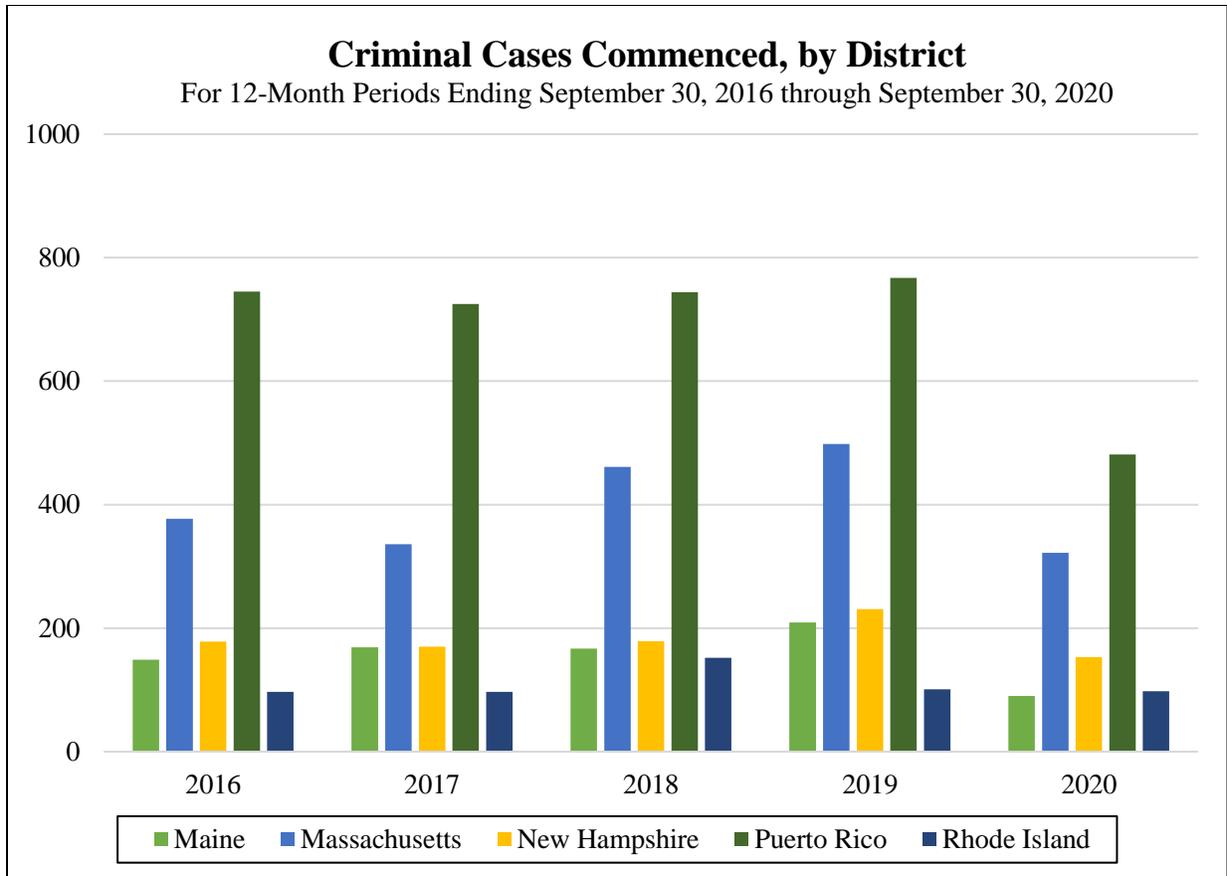


<b>Civil Cases Pending,* by District</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
District	2016	2017	2018	2019	2020
<b>Maine</b>	463	441	455	450	502
<b>Massachusetts</b>	7,821	6,859	5,703	3,870	3,837
<b>New Hampshire</b>	516	605	1,281	2,133	2,918
<b>Puerto Rico</b>	2,448	2,456	2,080	1,892	1,658
<b>Rhode Island</b>	774	662	731	768	748

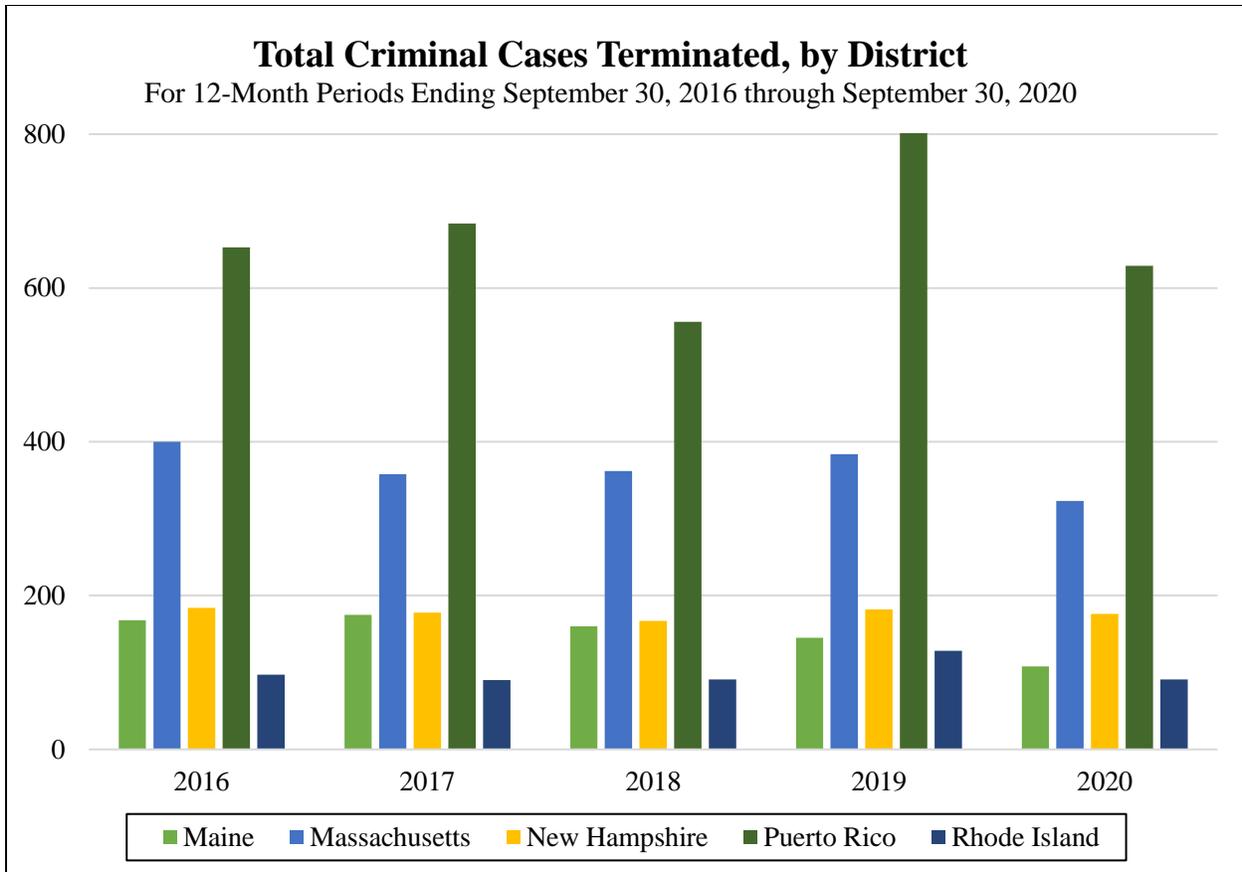
\* Pending caseloads for 2016 - 2019 as revised by the AO.



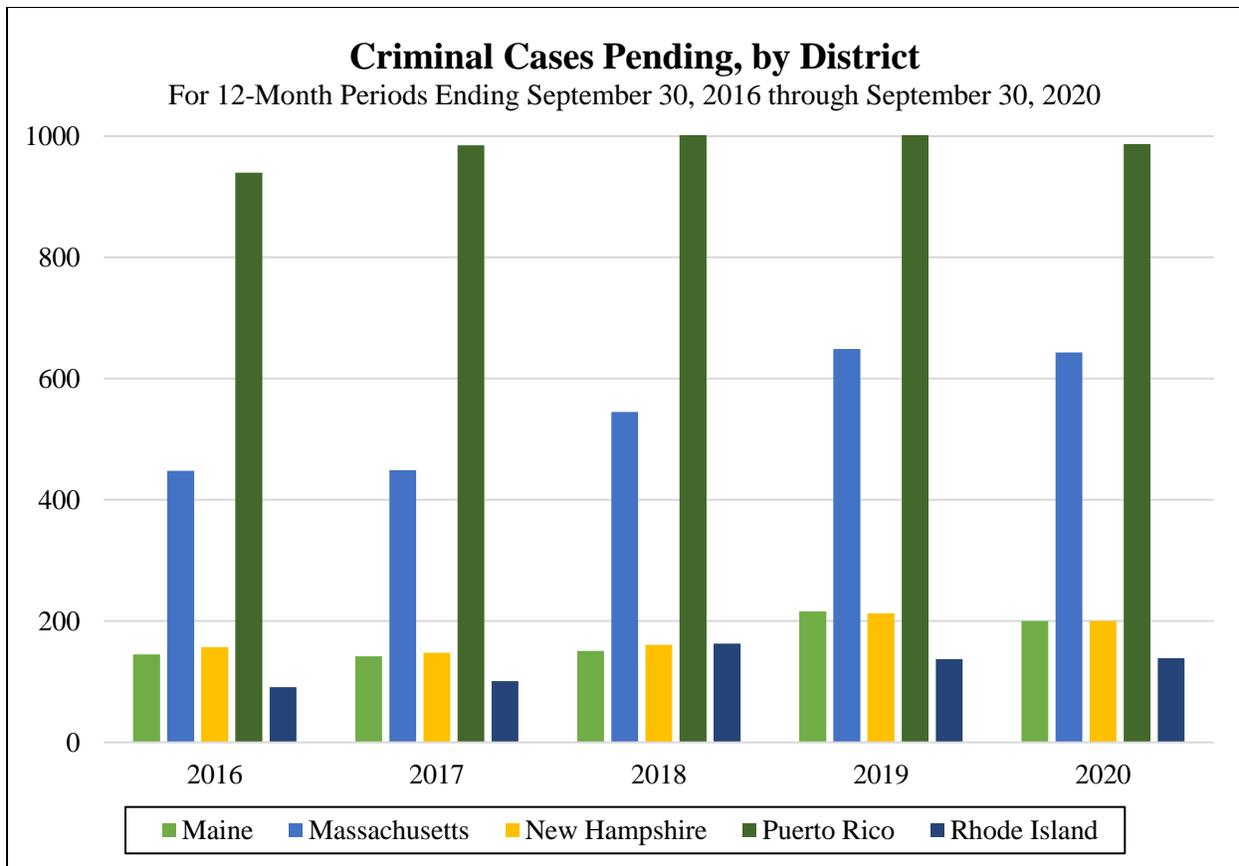
<b>Total Criminal Caseload for First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	1,546	1,497	1,703	1,806	1,144
<b>Cases Terminated</b>	1,502	1,485	1,336	1,654	1,327
<b>Cases Pending</b>	1,781	1,825	2,201	2,366	2,169



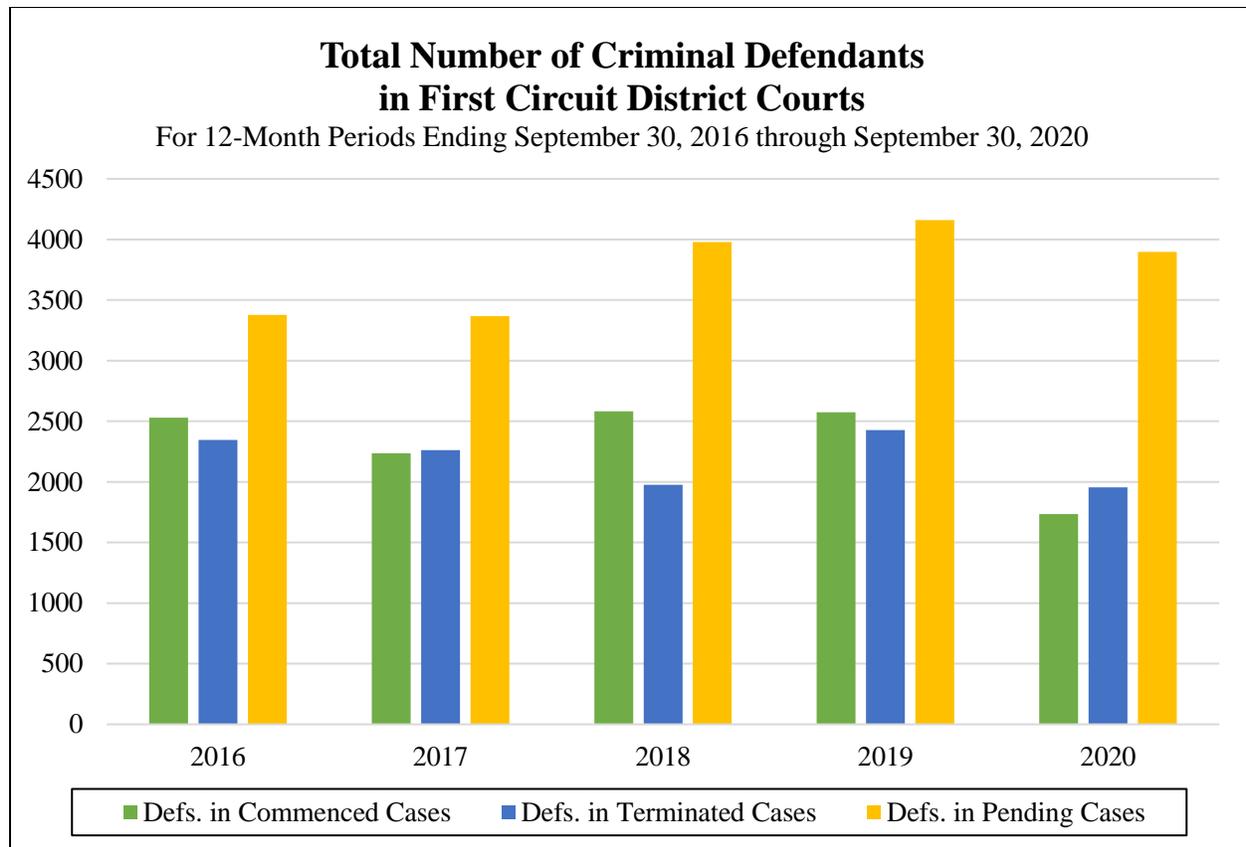
<b>Criminal Cases Commenced, by District</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
<b>District</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Maine</b>	149	169	167	209	90
<b>Massachusetts</b>	377	336	461	498	322
<b>New Hampshire</b>	178	170	179	231	153
<b>Puerto Rico</b>	745	725	744	767	481
<b>Rhode Island</b>	97	97	152	101	98



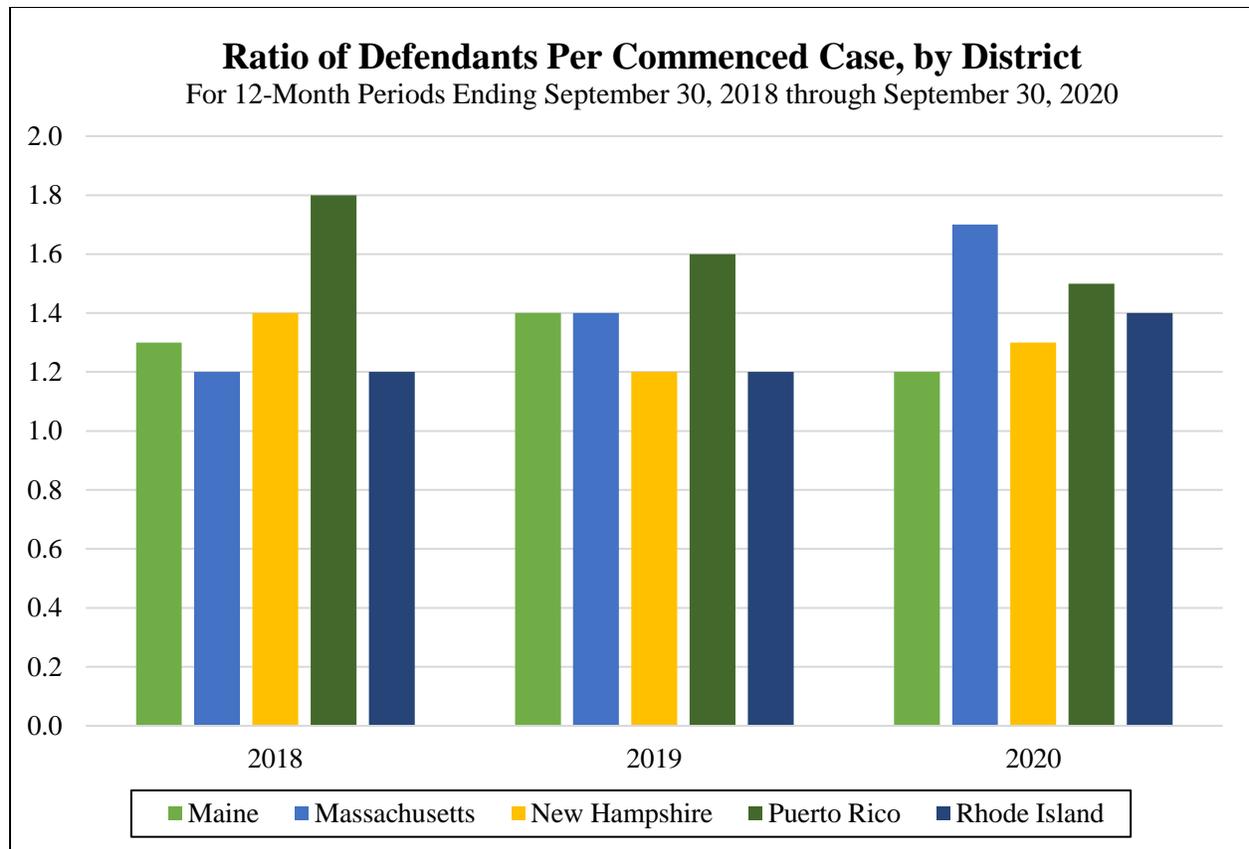
<b>Criminal Cases Terminated, by District</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
District	2016	2017	2018	2019	2020
Maine	168	175	160	145	108
Massachusetts	400	358	362	384	323
New Hampshire	184	178	167	182	176
Puerto Rico	653	684	556	815	629
Rhode Island	97	90	91	128	91



<b>Criminal Cases Pending, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
<b>District</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Maine</b>	145	142	151	216	200
<b>Massachusetts</b>	448	449	545	649	643
<b>New Hampshire</b>	157	148	161	213	200
<b>Puerto Rico</b>	940	985	1,181	1,151	987
<b>Rhode Island</b>	91	101	163	137	139

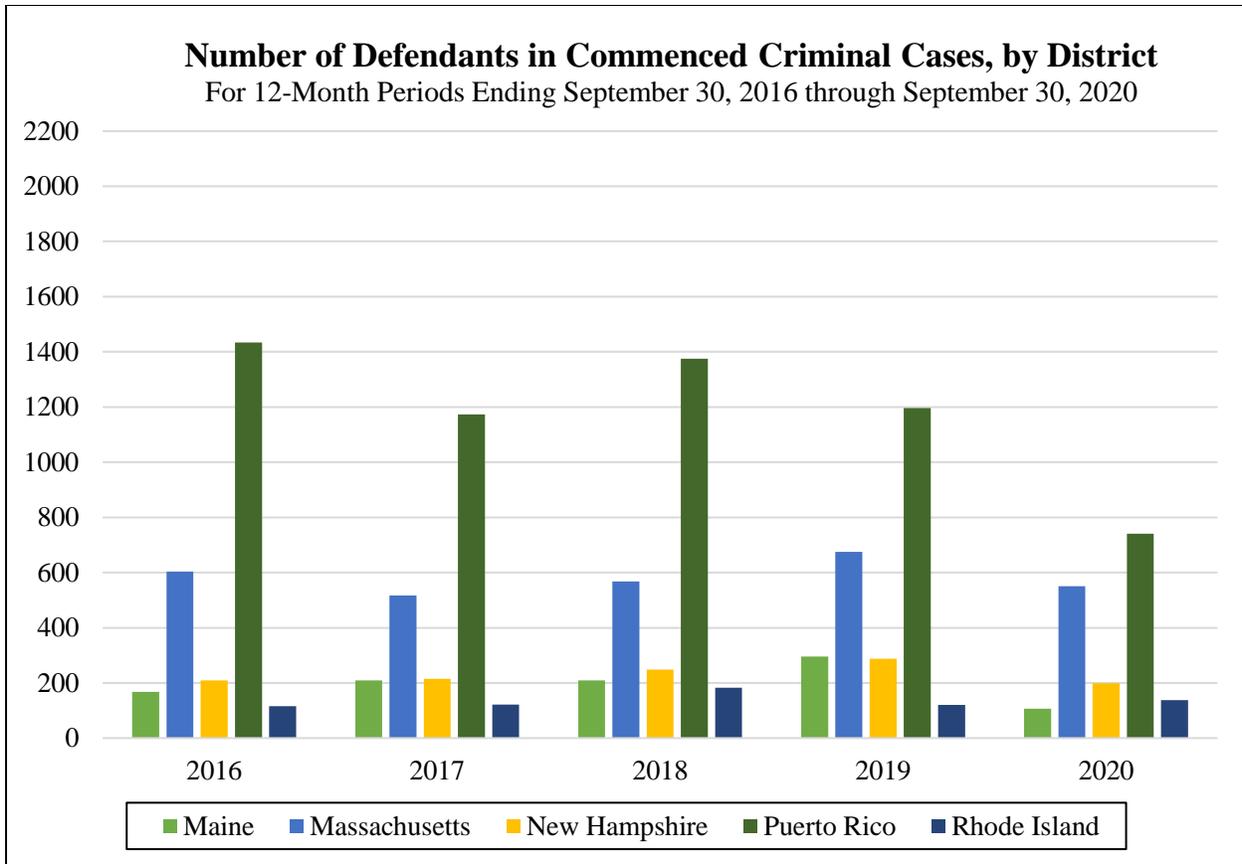


<b>Total Number of Criminal Defendants in First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>No. of Defendants Commenced Criminal Cases</b>	2,530	2,236	2,583	2,575	1,735
<b>No. of Defendants Terminated Criminal Cases</b>	2,347	2,262	1,975	2,427	1,956
<b>No. of Defendants Pending Criminal Cases</b>	3,377	3,366	3,979	4,160	3,896

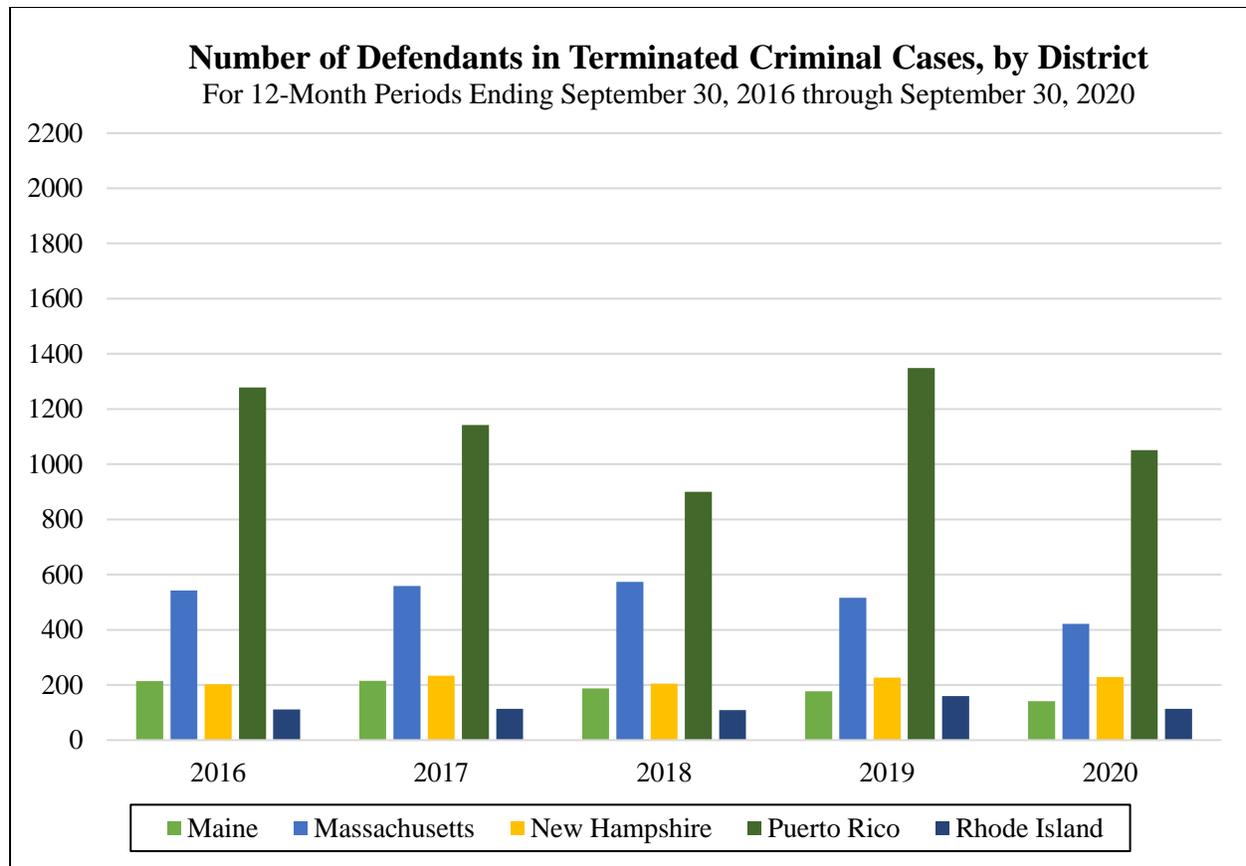


**Number of Commenced Criminal Cases and Defendants and Ratio of Defendants Per Commenced Case, by District**  
For 12-Month Periods Ending September 30, 2018 through September 30, 2020

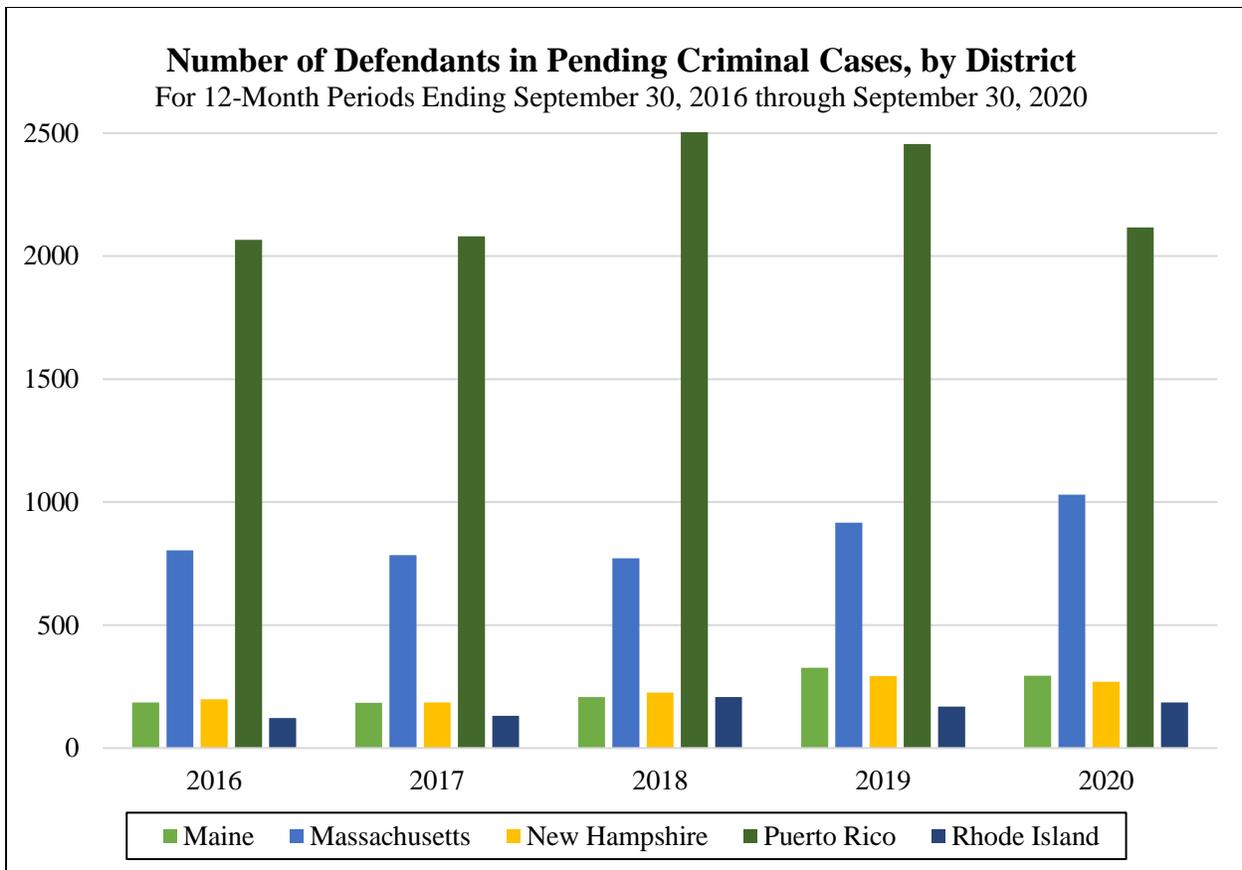
District	2018		Avg. No. of Defs./ Case	2019		Avg. No. of Defs./ Case	2020		Avg. No. of Defs./ Case
	Cases	Def.		Cases	Def.		Cases	Def.	
Maine	167	209	1.3	209	296	1.4	90	107	1.2
Massachusetts	461	568	1.2	498	675	1.4	322	550	1.7
New Hampshire	179	248	1.4	231	288	1.2	153	199	1.3
Puerto Rico	744	1,375	1.8	767	1,196	1.6	481	741	1.5
Rhode Island	152	183	1.2	101	120	1.2	98	138	1.4



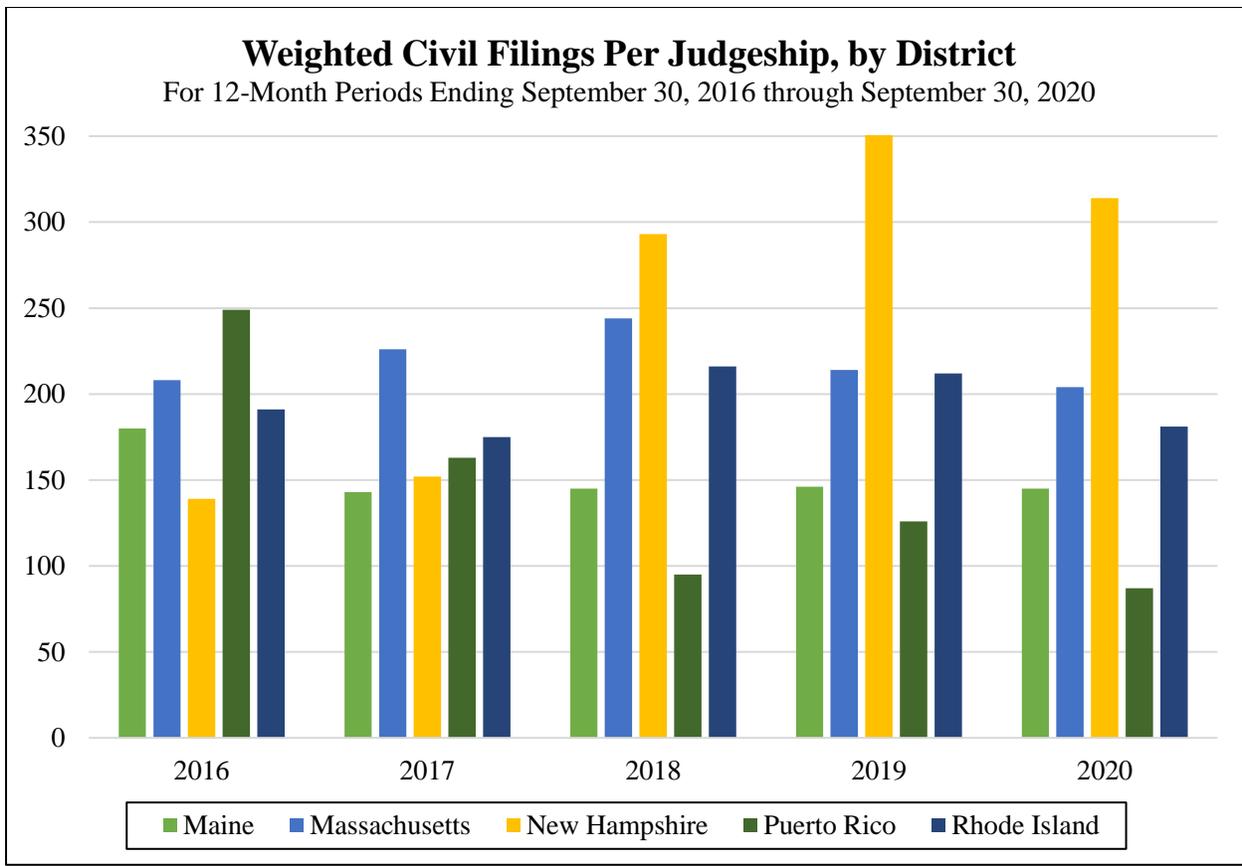
<b>Number of Defendants in Commenced Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
<b>District</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Maine</b>	168	209	209	296	107
<b>Massachusetts</b>	603	517	568	675	550
<b>New Hampshire</b>	209	215	248	288	199
<b>Puerto Rico</b>	1,434	1,173	1,375	1,196	741
<b>Rhode Island</b>	116	122	183	120	138



<b>Number of Defendants in Terminated Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
<b>District</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Maine</b>	214	215	187	177	141
<b>Massachusetts</b>	542	559	574	516	421
<b>New Hampshire</b>	202	233	205	226	229
<b>Puerto Rico</b>	1,278	1,142	900	1,348	1,051
<b>Rhode Island</b>	111	113	109	160	114

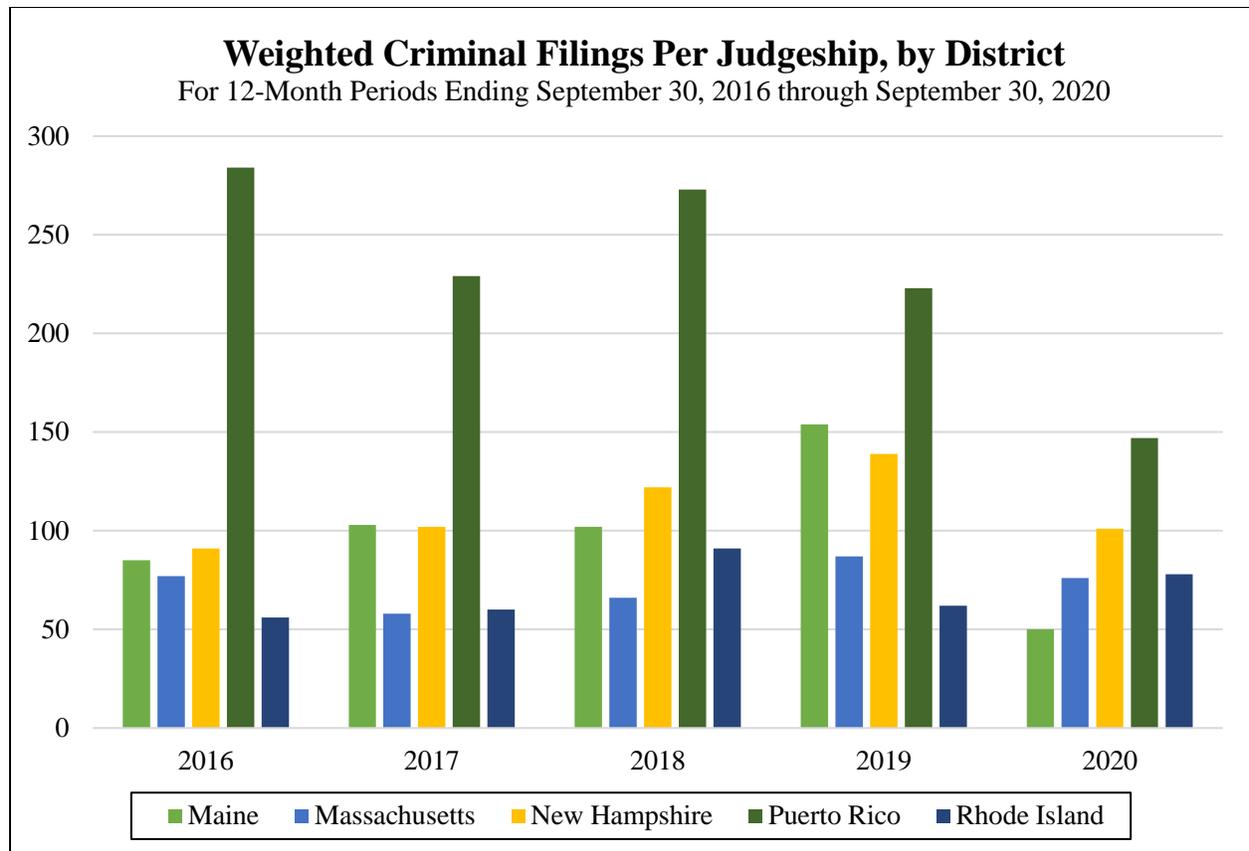


<b>Number of Defendants in Pending Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
District	2016	2017	2018	2019	2020
<b>Maine</b>	186	184	208	327	294
<b>Massachusetts</b>	804	785	771	916	1,030
<b>New Hampshire</b>	199	185	226	293	269
<b>Puerto Rico</b>	2,066	2,081	2,567	2,455	2,117
<b>Rhode Island</b>	122	131	207	169	186

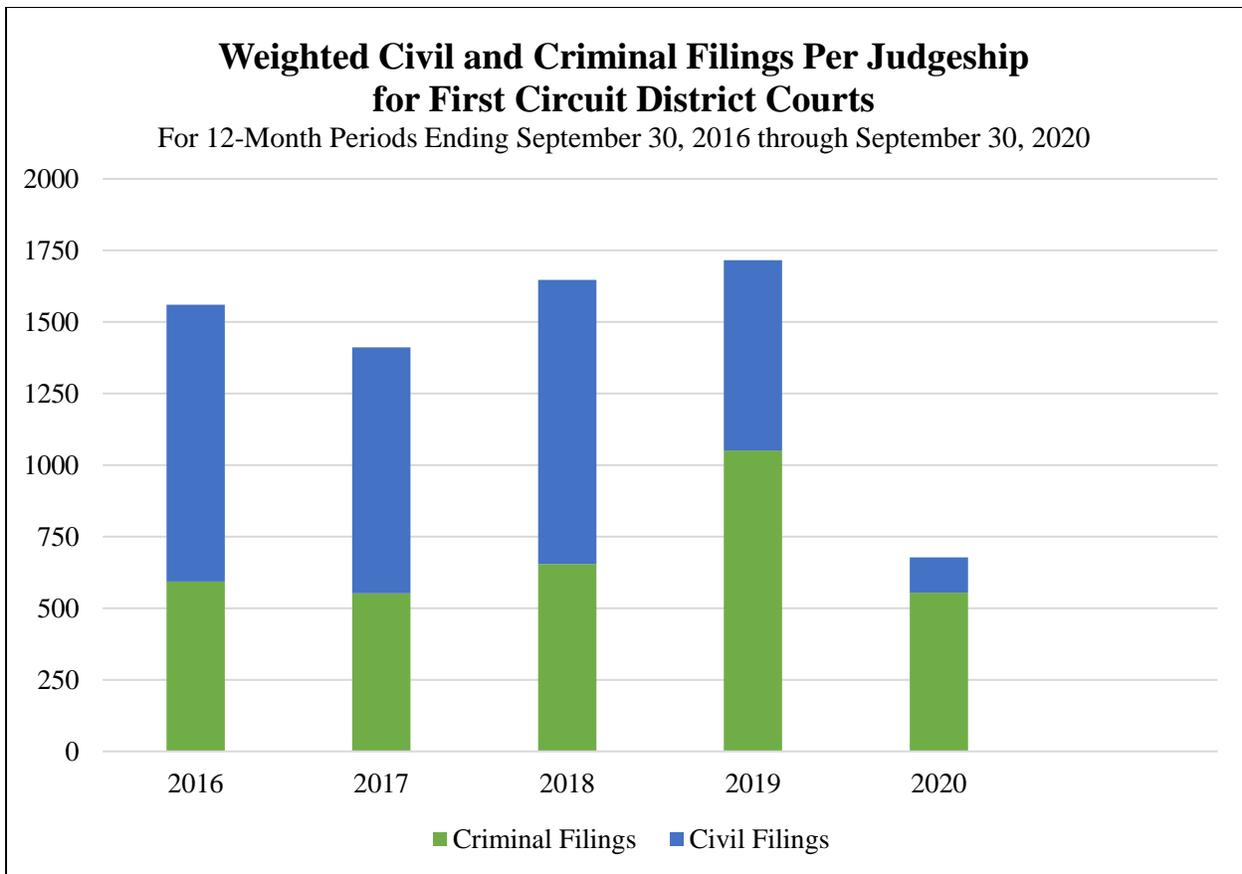


**Weighted Civil Filings Per Judgeship, by District**  
For 12-Month Periods Ending September 30, 2016 through September 30, 2020

District	Judgeships	2016	2017	2018	2019	2020
Maine	3	180	143	145	146	145
Massachusetts	13	208	226	244	214	204
New Hampshire	3	139	152	293	353	314
Puerto Rico	7	249	163	95	126	87
Rhode Island	3	191	175	216	212	181

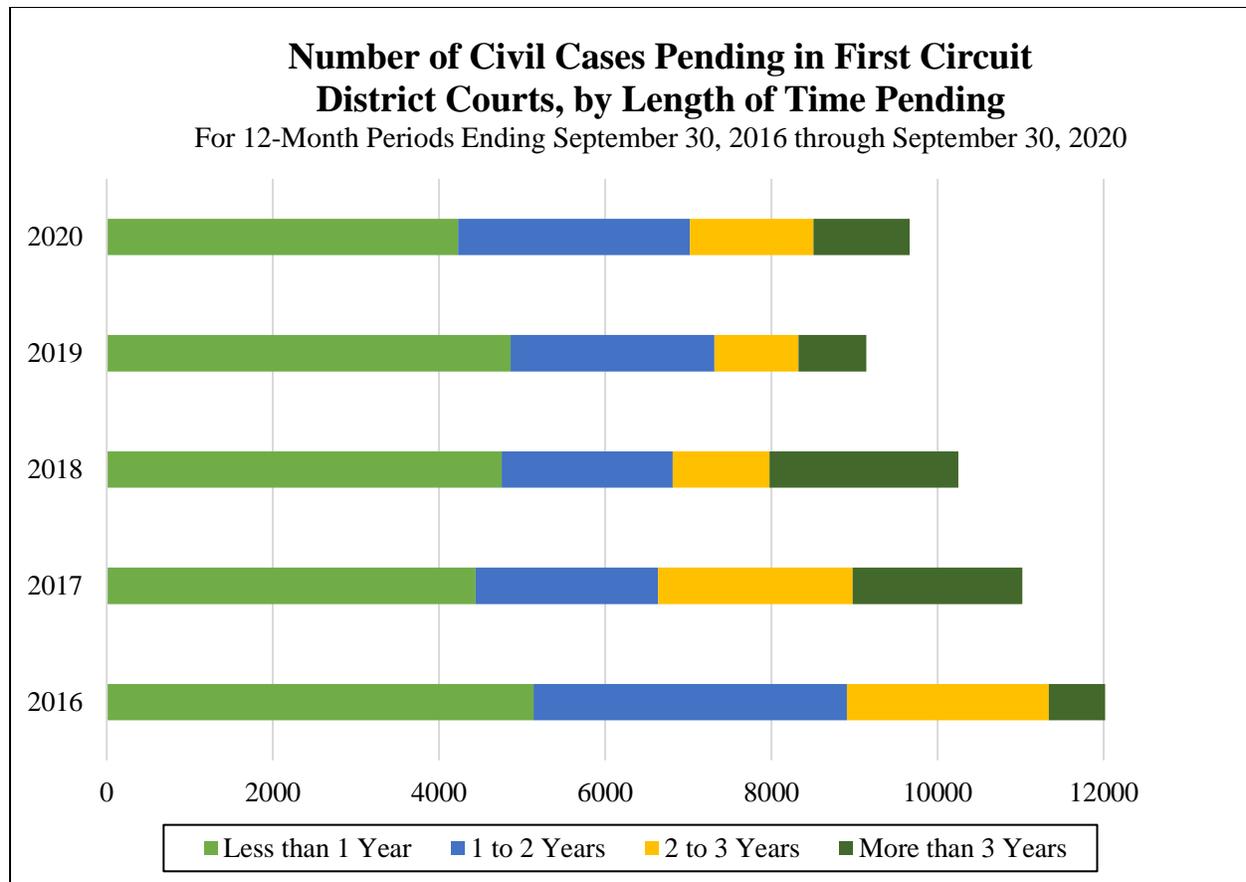


<b>Weighted Criminal Filings Per Judgeship, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020						
District	Judgeships	2016	2017	2018	2019	2020
Maine	3	85	103	102	154	50
Massachusetts	13	77	58	66	87	76
New Hampshire	3	91	102	122	139	101
Puerto Rico	7	284	229	273	223	147
Rhode Island	3	56	60	91	62	78



<b>Weighted Civil and Criminal Filings Per Judgeship</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Civil Filings</b>	967	859	993	1,051	554
<b>Criminal Filings</b>	593	552	654	665	124
<b>Total Combined Filings</b>	1,560	1,411	1,647	1,716	681

<b>Number of Civil Cases Pending and Length of Time Pending, by District</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>MAINE</b>					
<b>Less than 1 Year</b>	357	319	346	353	357
<b>1 to 2 Years</b>	82	94	63	64	115
<b>2 to 3 Years</b>	16	22	31	17	19
<b>More than 3 Years</b>	7	9	15	18	11
<b>MASSACHUSETTS</b>					
<b>Less than 1 Year</b>	2,250	2,030	2,140	1,871	1,828
<b>1 to 2 Years</b>	2,905	1,031	956	1,022	900
<b>2 to 3 Years</b>	2,170	1,943	610	500	435
<b>More than 3 Years</b>	496	1,838	1,997	509	674
<b>NEW HAMPSHIRE</b>					
<b>Less than 1 Year</b>	376	427	1,005	1,191	1,053
<b>1 to 2 Years</b>	93	115	200	772	991
<b>2 to 3 Years</b>	25	33	43	127	725
<b>More than 3 Years</b>	20	26	33	43	149
<b>PUERTO RICO</b>					
<b>Less than 1 Year</b>	1,651	1,268	811	999	611
<b>1 to 2 Years</b>	537	812	689	414	570
<b>2 to 3 Years</b>	168	283	422	308	233
<b>More than 3 Years</b>	93	112	158	170	244
<b>RHODE ISLAND</b>					
<b>Less than 1 Year</b>	504	397	452	447	381
<b>1 to 2 Years</b>	153	145	150	183	212
<b>2 to 3 Years</b>	54	59	59	59	76
<b>More than 3 Years</b>	61	60	70	76	79

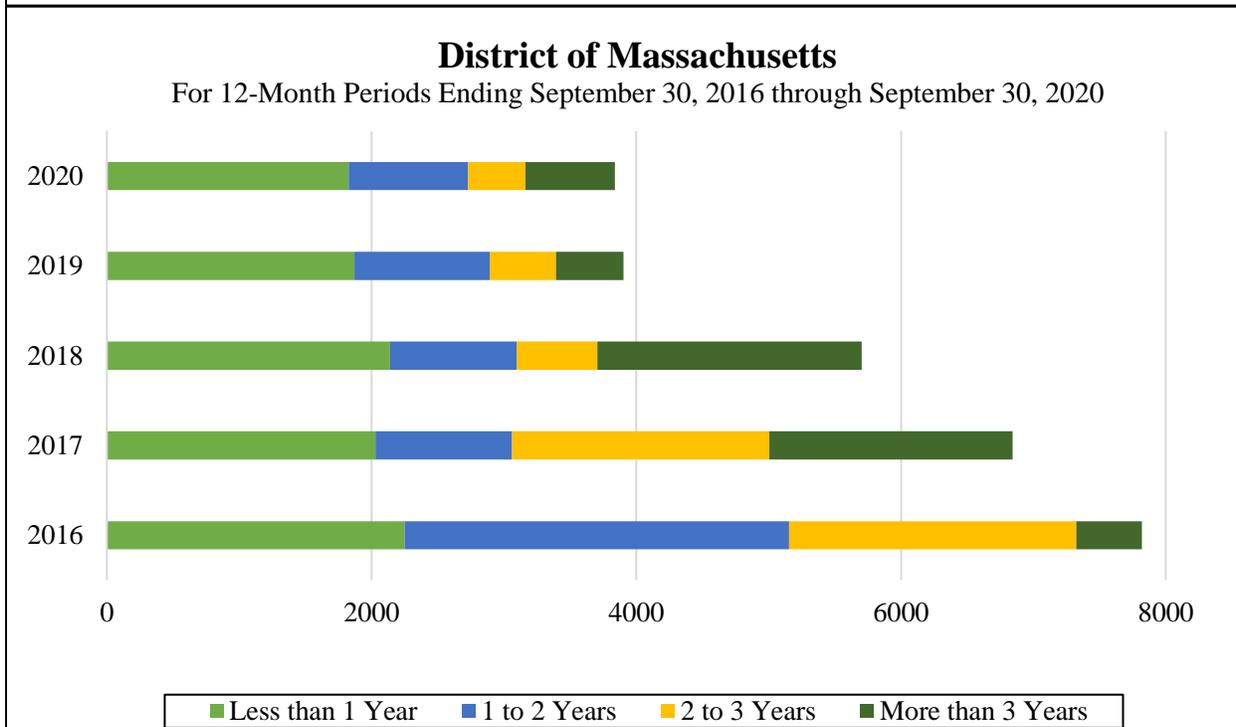
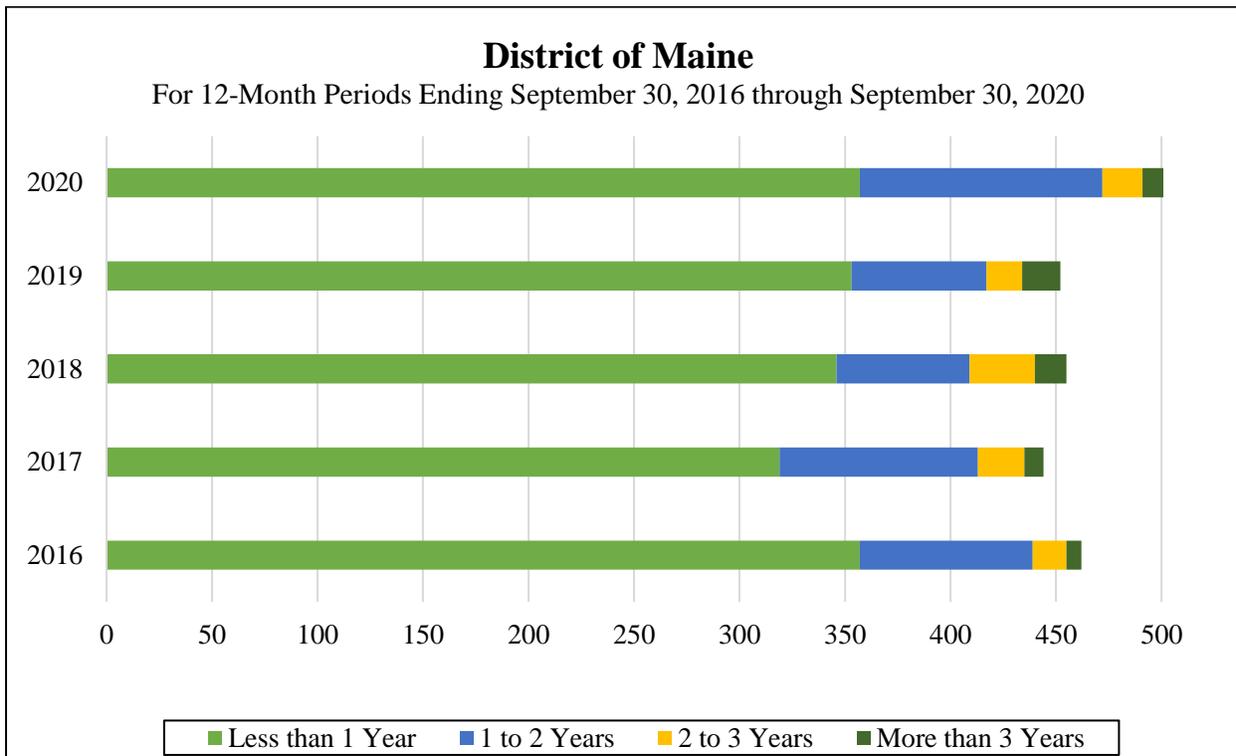


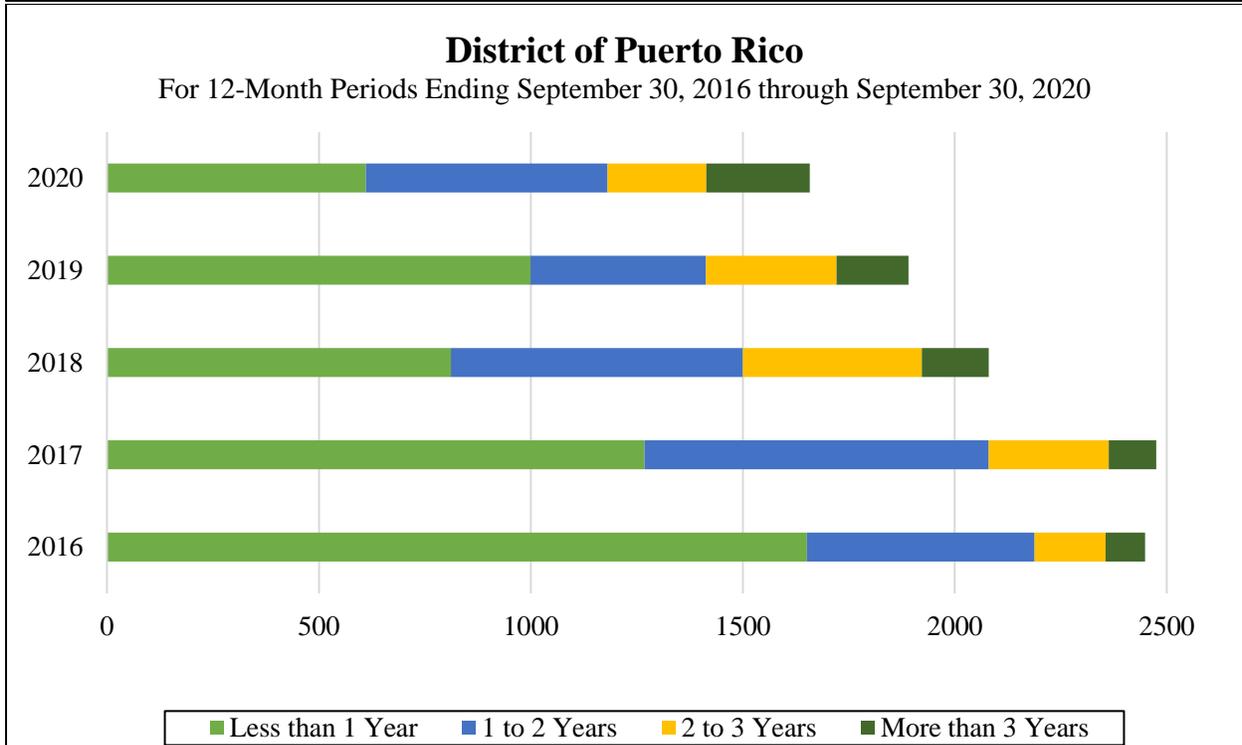
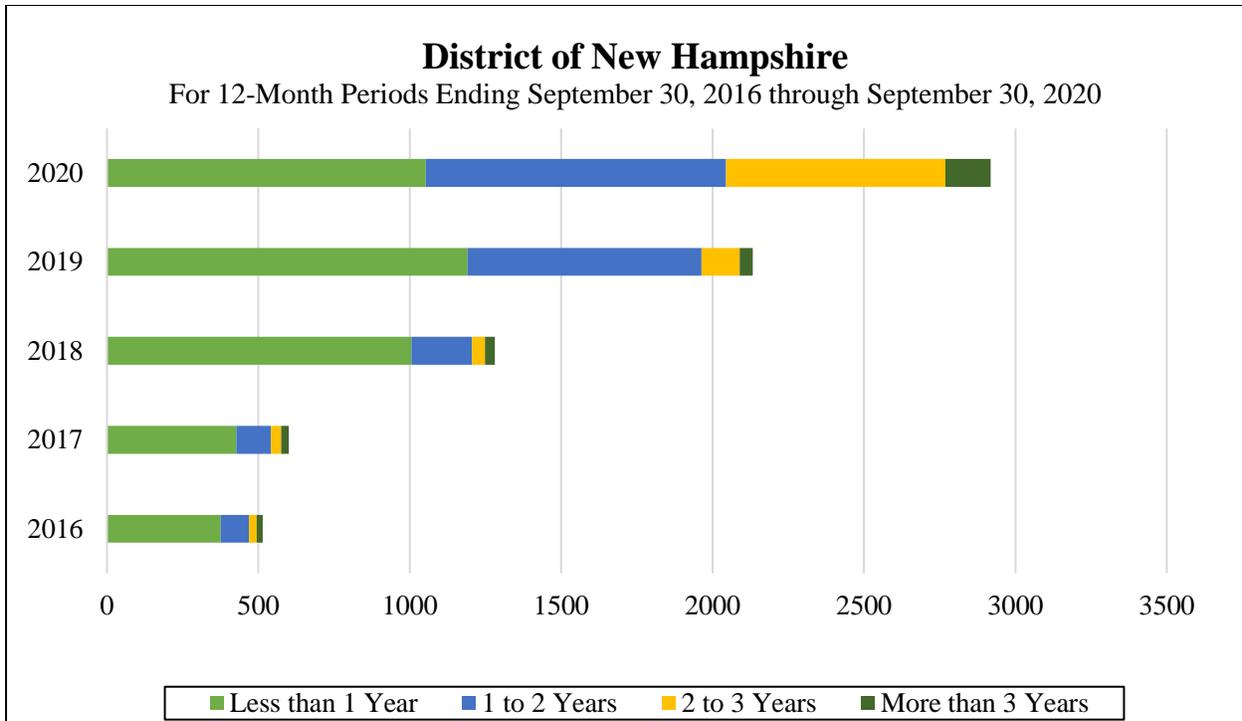
### Number of Civil Cases Pending for First Circuit District Courts, by Length of Time Pending (and % Total)

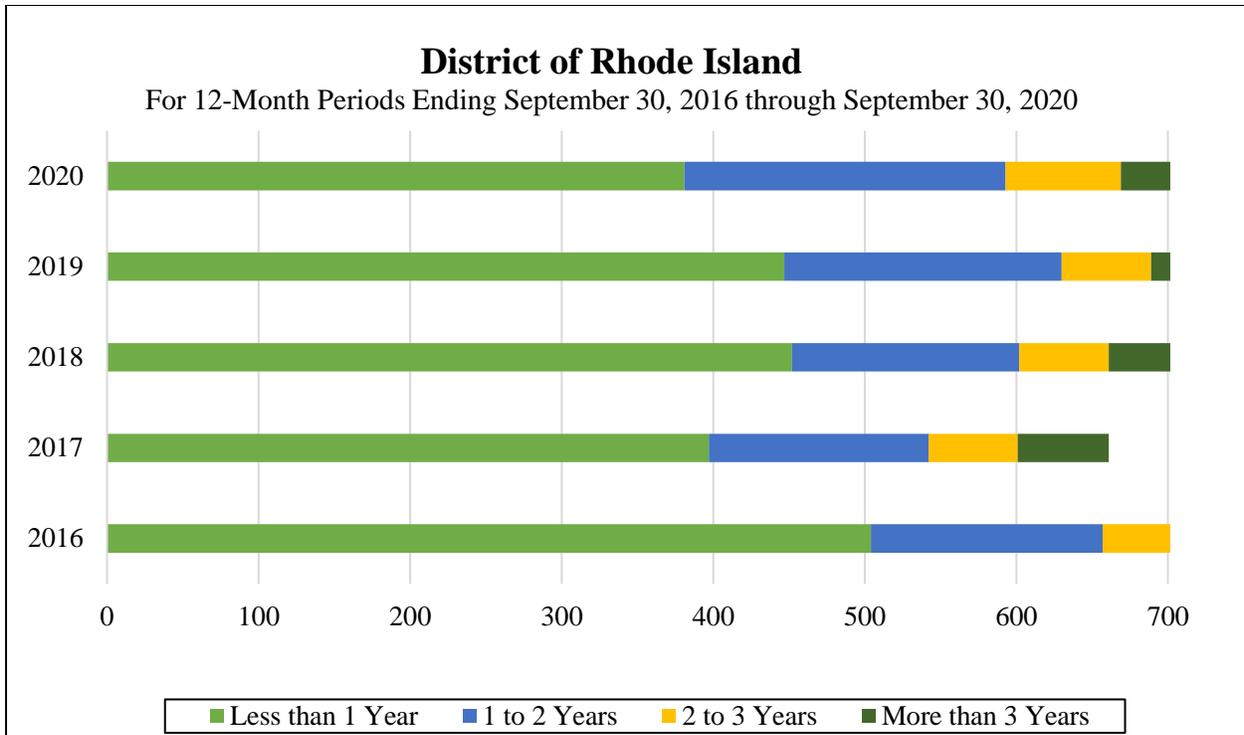
For 12-Month Periods Ending September 30, 2016 through September 30, 2020

	2016	2017	2018	2019	2020
<b>Less than 1 Year</b>	5,138 (42.8%)	4,441 (40.3%)	4,754 (46.4%)	4,861 (2.3%)	4,230 (1.2%)
<b>1 to 2 Years</b>	3,770 (31.4%)	2,197 (19.9%)	2,058 (20.1%)	2,455 (19.3%)	2,788 (3.2%)
<b>2 to 3 Years</b>	2,433 (20.2%)	2,340 (21.2%)	1,165 (11.4%)	1,011 (-13.2%)	1,488 (3.3%)
<b>More than 3 Years</b>	677 (5.6%)	2,045 (18.6%)	2,273 (22.2%)	816 (-64.1%)	1,157 (2.2%)

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







---

**Report for the District of Maine**

***Court Profile***

In 2020, the District had three district judges, three senior district judges, and two magistrate judges. The Clerk's Office operated with 29 employees and five court reporters.

Due to the Covid-19 pandemic, the District's Grand Jury did not meet for the first eight months of 2020. As a result, criminal filings per judgeship decreased from 89 to 27. Civil filings per judgeship also declined, but not as sharply, from 194 in 2019 to 167 in 2020. As result of the declines in filings, the Court's weighted filings per judgeship fell nearly 38% in 2020.

***Committee Membership***

In 2020, Clerk Christa K. Berry was a member of the District Court Local Rules Advisory Committee and the District Court Criminal Law Committee.

***Local Rules***

In 2020, the District adopted amendments to Local Rules 1, 7A, 32, 41.1, and 157.6.

***Information Technology***

In 2020, the IT Department implemented the Court's COOP Plan, conducted court operations remotely, and conducted trainings on the use of Zoom and Microsoft Teams and on virtual proceedings.

***Clerk's Office***

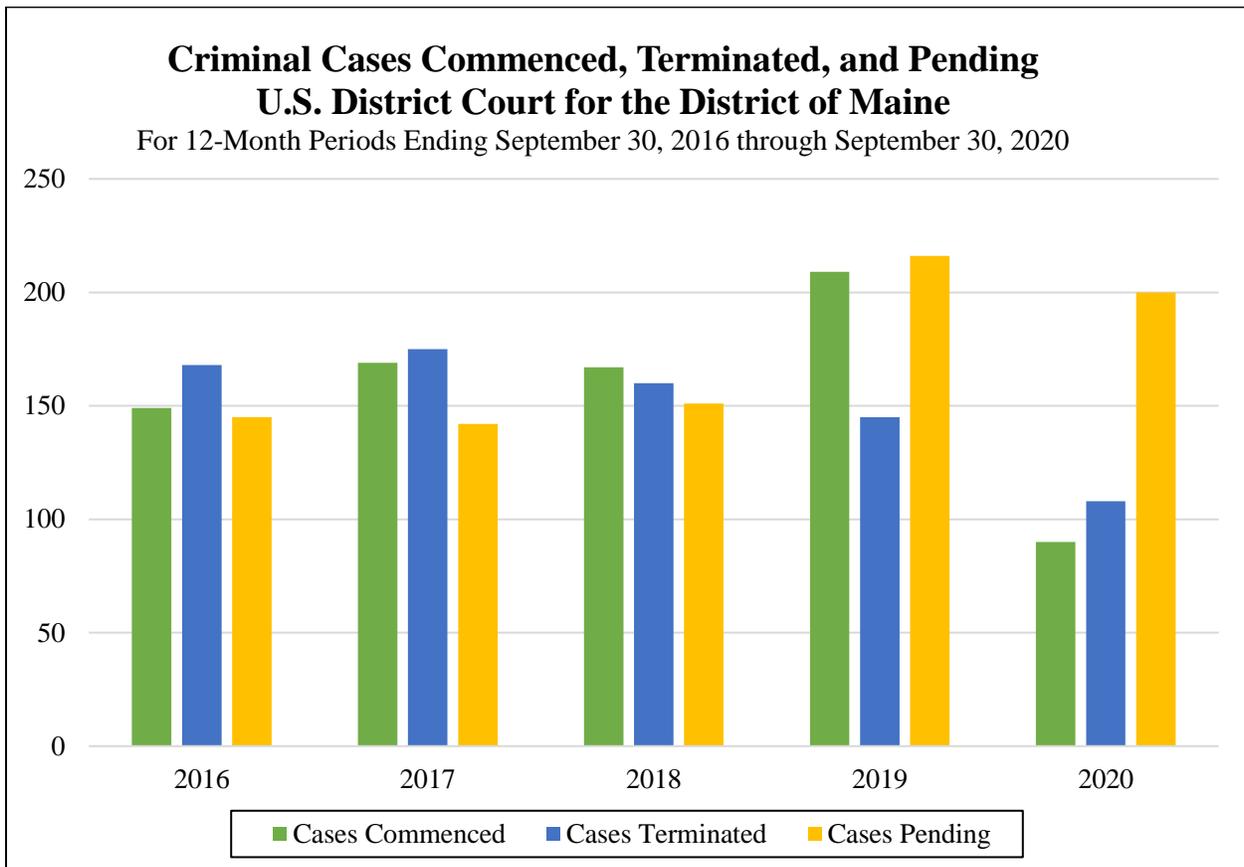
In 2020, the Clerk's Office hired Jury Specialist Meghan Maker.

***Staff Training***

In 2020, the Court focused its staff training on using teleworking technologies and holding meetings and hearings on Zoom.

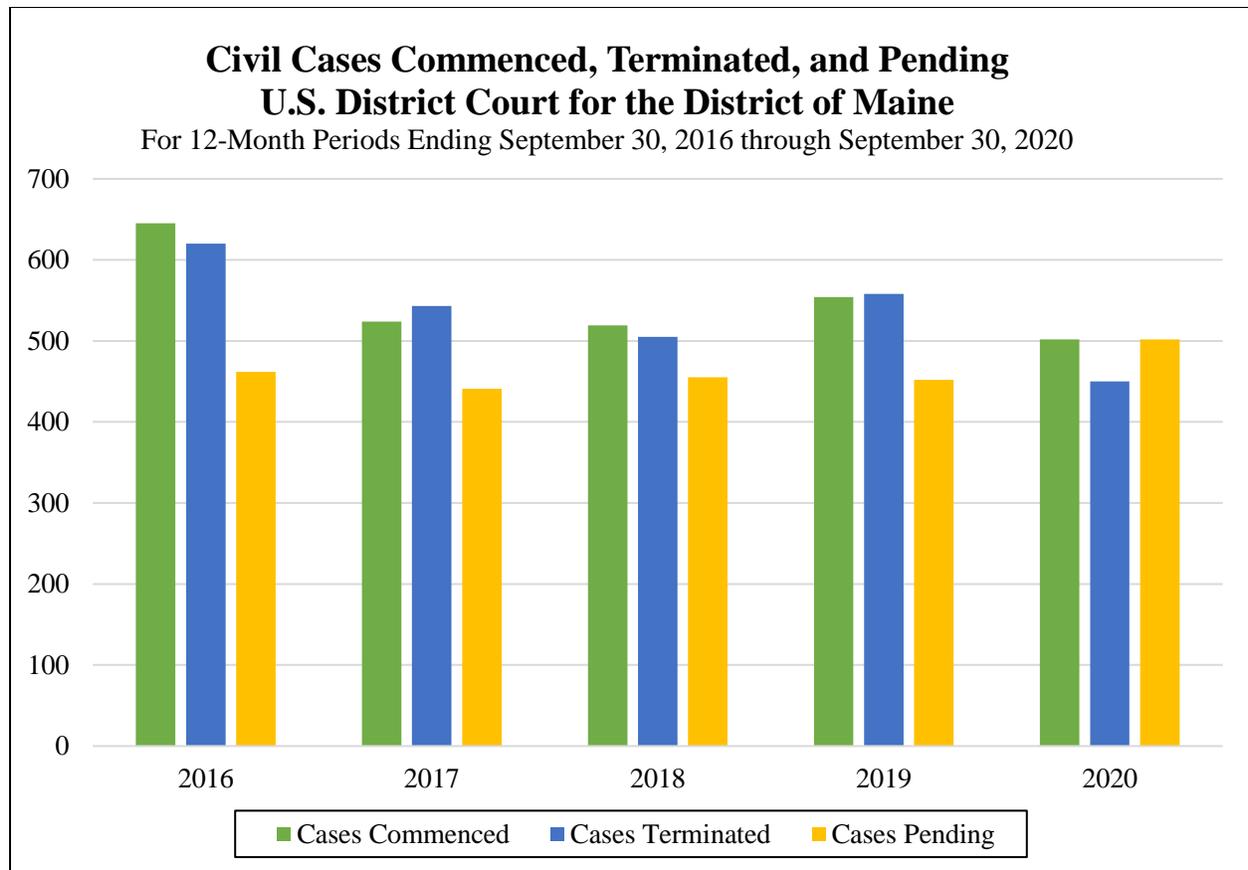
***Space, Facilities, and Security***

In November 2020, air handlers in both the Margaret Chase Smith Courthouse and the Gignoux Courthouse were optimized for increased air flow and filtration for Covid-19 safety, and a direct outside air system was installed in the Gignoux Courthouse.



**Criminal Cases Commenced, Terminated, and Pending**  
**U.S. District Court for the District of Maine**  
For 12-Month Periods Ending September 30, 2016 through September 30, 2020

	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	149	169	167	209	90
<b>Cases Terminated</b>	168	175	160	145	108
<b>Cases Pending</b>	145	142	151	216	200



<b>Civil Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Maine</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	645	524	519	554	502
<b>Cases Terminated</b>	620	543	505	558	450
<b>Cases Pending*</b>	463	441	455	450	502

\* Pending cases for 2016 - 2019 as revised by the AO.

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

***District Update***

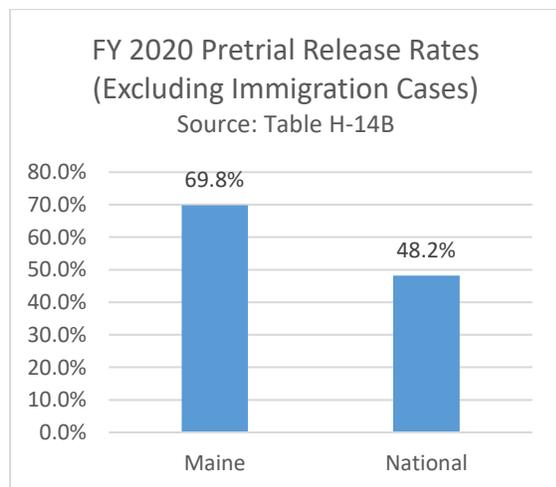
At the onset of the pandemic, the District shifted operations in order to continue its service to the Court and community while also protecting staff against the spread of the virus. Officers continued to supervise cases in the community and implemented several new innovations, such as virtual meetings to maintain contact with persons under supervision.

***Personnel***

Senior U.S. Probation Officer Sharon Reinheimer was selected to serve a one-year temporary duty assignment with the AO, focusing on pretrial services work.

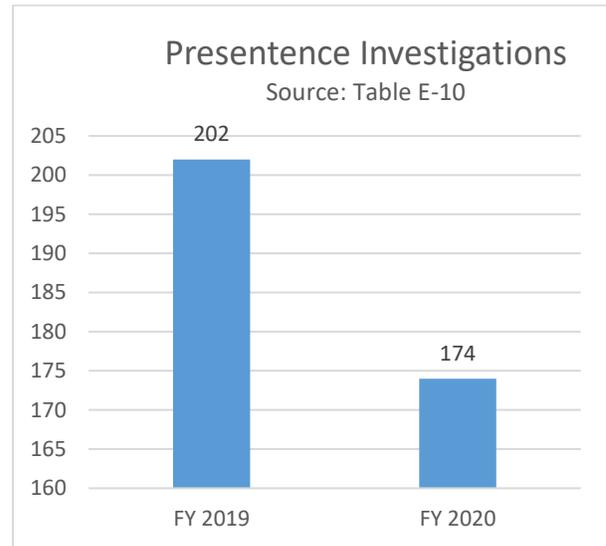
***Pretrial Services***

The District's release rates continued to exceed national averages. At the 2020 National Association of Pretrial Services Agencies Conference, the District was recognized as having the second highest release rate in the U.S. Pretrial Services system.



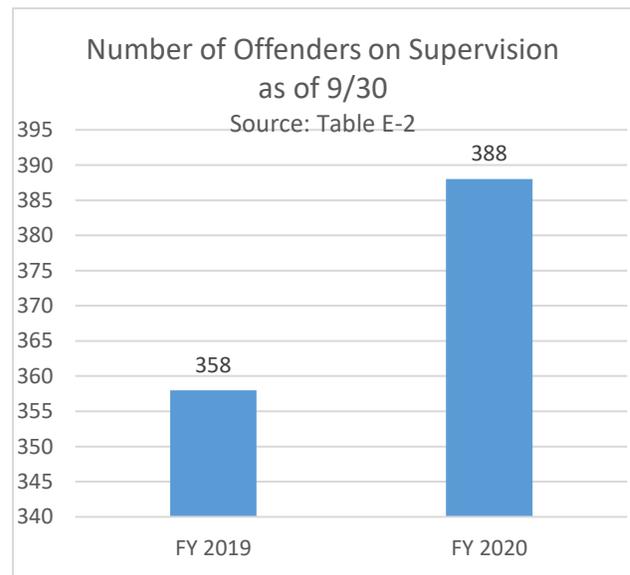
***Presentence Investigations***

The number of presentence investigation reports assigned and completed declined due to the suspension of many court activities during the Covid-19 pandemic.



***Post-Conviction Supervision***

In FY 2020, post-conviction supervision cases increased.



***District Initiatives***

The District's problem-solving court, SWiTCH, which targets treatment,

intervention, and resources to persons under supervision battling drug abuse and addiction, was temporarily suspended during 2020 as a result of the lack of available testing and treatment options during the pandemic.

---

**Report for the District of Massachusetts**

***Court Profile***

At the end of 2020, the District had 11 district judges, five senior district judges, seven magistrate judges, and three recalled magistrate judges.

In 2020, the District closed one multi-district litigation (MDL) matter and was assigned one additional MDL matter, resulting in a total of seven pending MDLs, with 1,055 pending member cases.

***Community Outreach***

The District continued to support Discovering Justice's work with youth civics education, and judges and Clerk's Office staff participated in virtual events. The Court was involved in Discovering Justice's strategic planning process for 2021 through 2024 and its Moakley Courthouse Tour Advisory Board to launch a virtual tour of the John J. Moakley Courthouse.

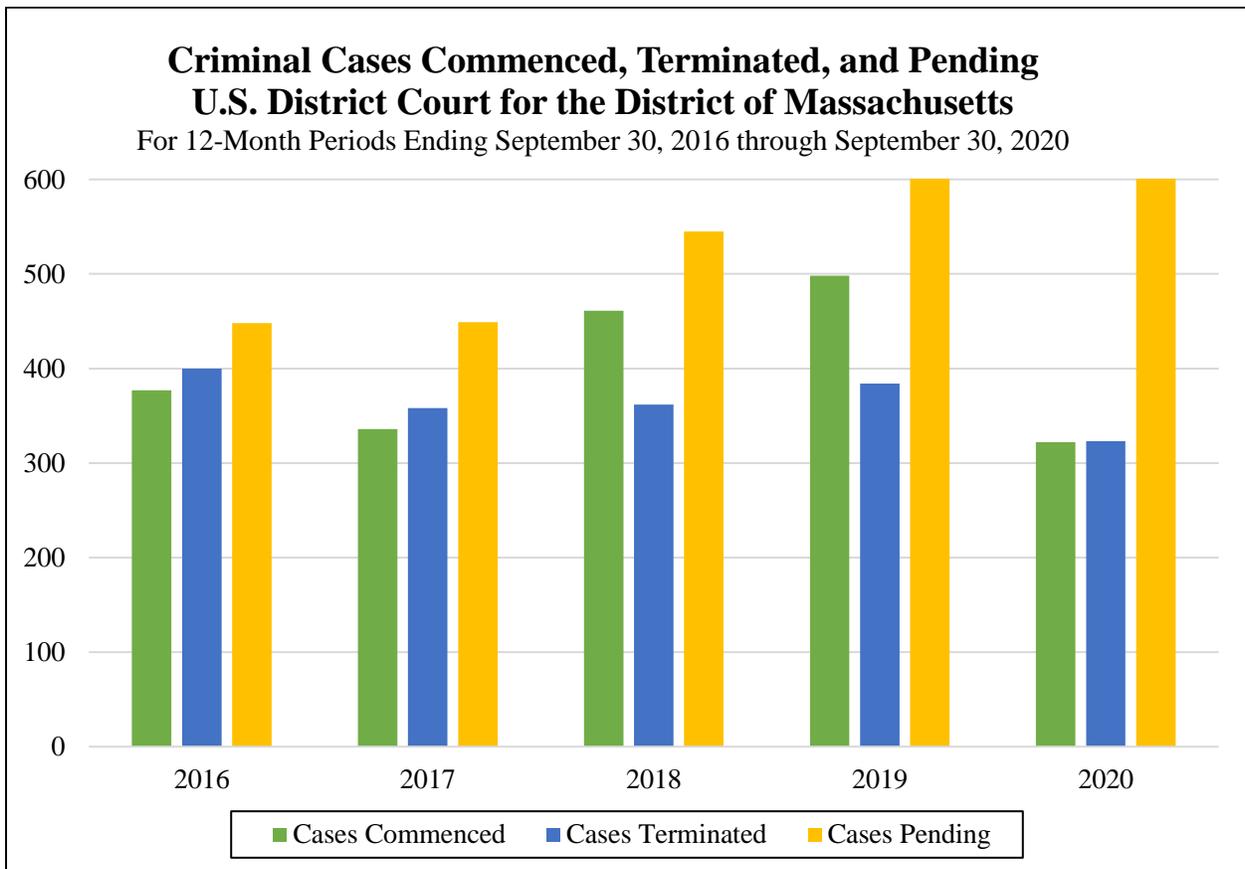
In 2020, the District conducted 80 trials (34 civil and 46 criminal). Judges spent 772 hours conducting trials and 2,136 hours conducting other proceedings.

The Nelson Fellowship: Twelve students participated in the Fellowship, a summer program encouraging civic engagement and higher education, and named for the late Judge David S. Nelson, the first African American federal judge appointed to the District of Massachusetts. The program was held virtually for the first time.

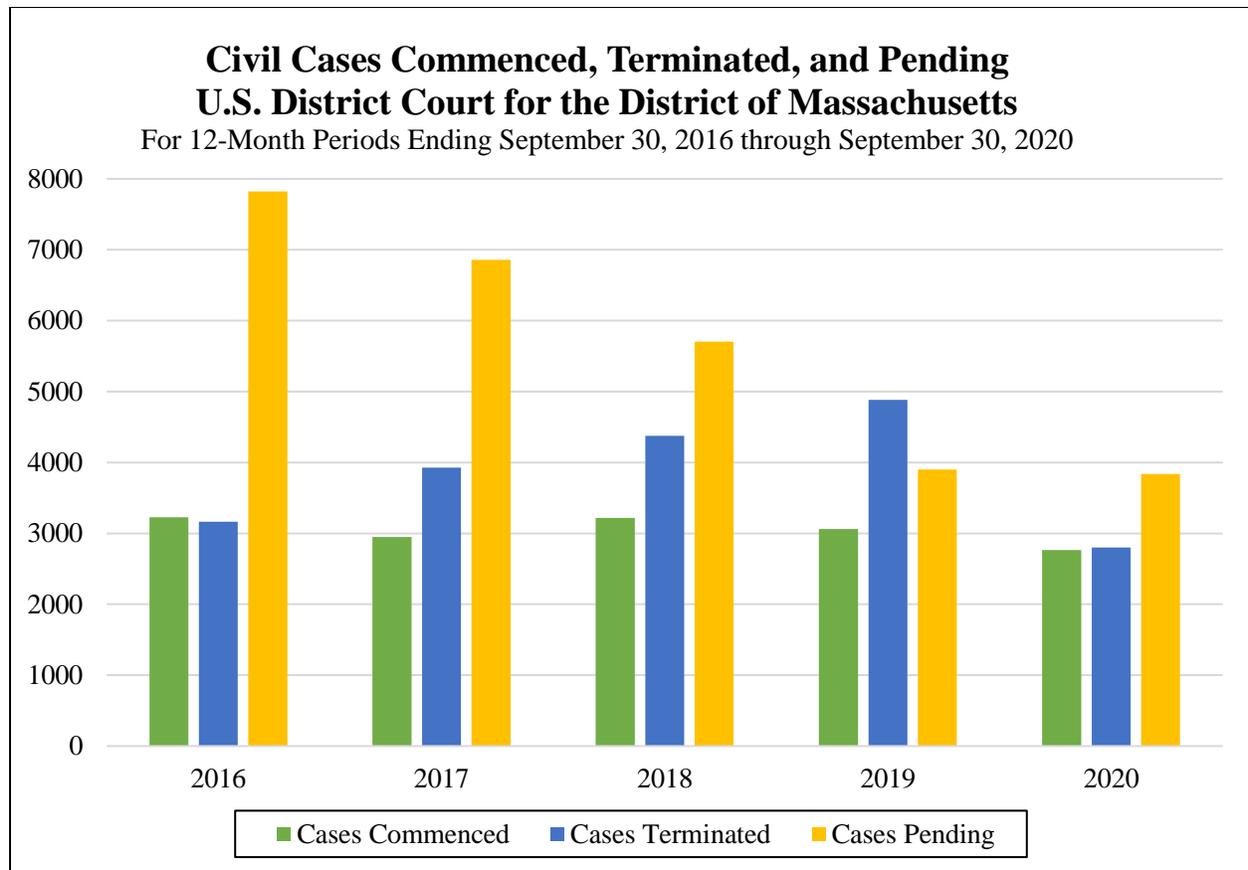
The Lindsay Fellowship: Six college students participated remotely in the tenth year of the Lindsay Fellowship, named for the late Judge Reginald C. Lindsay. Fellows were assigned to a judge and either the U.S. Attorney's Office, the Federal Defender Program, or U.S. Probation and Pretrial Services. The Fellows attended a research and writing program, competed in moot court, and participated in a client counseling component, which was added in 2020.

***Operations***

Civil filings decreased 9.9%, from 3,002 cases in calendar year 2019 to 2,705 cases in calendar year 2020. The number of criminal defendants charged in calendar year 2020 decreased 40.5%, to 458 from 770 in 2019.



<b>Criminal Cases Commenced, Terminated, and Pending</b>					
<b>U.S. District Court for the District of Massachusetts</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Cases Commenced</b>	377	336	461	498	322
<b>Cases Terminated</b>	400	358	362	384	323
<b>Cases Pending</b>	448	449	545	649	643



<b>Civil Cases Commenced, Terminated, and Pending</b>					
<b>U.S. District Court for the District of Massachusetts</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Cases Commenced</b>	3,226	2,949	3,219	3,063	2,767
<b>Cases Terminated</b>	3,163	3,928	4,375	4,882	2,800
<b>Cases Pending*</b>	7,821	6,859	5,703	3,870	3,837

\* Pending cases for 2016 - 2019 as revised by the AO.

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

***Personnel***

In 2020, there were five retirements, one resignation, and five transfers (one out and four in), and ten new staff members joined the office.

***Investigations and Supervision:***

Pretrial Investigations: In FY 2020, the Probation and Pretrial Services Office (PPSO) activated 648 cases.

Offense types covered by presentence investigations and reports included drugs, financial, immigration, robbery, sex, obstruction, tax, and under the influence offenses. Officers continued to pre-screen defendants for placement in the Bureau of Prisons Residential Drug and Alcohol Program (RDAP), handle re-sentencings, and recommend individuals for participation in the Court Assisted Recovery Effort (CARE) and Repair, Invest, Succeed, Emerge (RISE) programs. Investigations officers also handled First Step Act cases and compassionate release motions.

Post-Conviction Supervision: In FY 2020, 1,458 post-conviction clients were under supervision, 44% of whom were considered moderate or high risk. Officers continued to prioritize resources based on risk assessments and target criminogenic needs through a variety of intervention and monitoring strategies. The District's revocation rate of 34.1% closely mirrored the national average, and 6.9% of cases were terminated early.

***Space Initiatives***

In 2020, the PPSO completed Springfield and Taunton office renovations and began planning renovations to the Worcester, Lawrence, and Boston offices.

***District Resources and Initiatives***

Despite the pandemic, investigation activities continued uninterrupted as stakeholders adapted to a new virtual environment. Continued initiatives also included, but were not limited to, Operation RENEW (Release-Engage-Network-Employ-Win) and the RISE, CARE, Restorative Justice, and Nurturing Fathers programs. In 2020, Operation RENEW graduated seven men, six of whom obtained full-time employment, and four Nurturing Fathers participants collaborated with Emerson College graduate students on an augmented reality program.

Year	Cases Activated	Release/ Detention Rate	Interview Rate
2018	665	45% / 54%	56%
2019	766	46% / 54%	55%
<b>2020</b>	<b>648</b>	<b>48% / 52%</b>	<b>79%</b>

Pretrial Supervision: In FY 2020, 758 defendants were under supervision, 528 of which remained under supervision at the end of the reporting period. The office's supervision strategies continued to align with risk and needs, including the results of the Pretrial Risk Assessment Instrument. Of the total number of pretrial defendants who were supervised during 2020, six failed to appear as scheduled, 16 were rearrested, and 28 had their supervised release revoked.

Presentence Investigations:

Year	Cases Assigned	Cases Sentenced w/o PSR
2018	455	23
2019	600	6
<b>2020</b>	<b>382</b>	<b>13</b>

***Training, Professional Development, & National Workgroups***

Staff participated in numerous national, regional, and local training and professional development opportunities, including, but not limited to, the National Association of Pretrial Services Agencies National Conference, various workshops hosted by the United States Sentencing Commission, and other events focused on reduction of unnecessary detention, evidence-based sentencing practices, core supervision practices, and trauma informed supervision.

---

**Report for the District of New Hampshire**

***Conferences/Educational Programs***

The Federal Court Advisory Committee (FCAC) met regularly in 2020 to discuss the incremental reconstitution of operations during the Covid-19 pandemic and local rule amendments and reviewed expenditures from the Court's library fund. The 2020 Federal Practice Institute Continuing Legal Education (CLE) was postponed due to the pandemic. The Court established a recruitment and mentoring initiative for its Criminal Justice Act (CJA) Panel.

**Information Technology**

The IT Department replaced the Court's Virtual Desktop Infrastructure (VDI) with individual laptops and docking stations and worked closely with administrative and operations staff to develop procedures for conducting court proceedings via videoconference and teleconference and to keep the court operating with most staff teleworking from home. IT staff upgraded the DCN routers, created a new COOP website, migrated to KACE Service Desk, and deployed Microsoft Teams.

***Local Rules/Procedure***

During the pandemic, the Court developed new procedural orders to sustain operations and instill safety protocols. Most court proceedings were moved to a videoconferencing platform, and after consulting with a virologist to develop additional pandemic procedures, the Court resumed grand jury proceedings in June, held a jury trial in August, and held two more jury trials before the end of 2020.

The Court began gathering recommendations for the 2021 Local Rule amendments and

discussed possible amendments to the rules governing summary judgment practice with the FCAC.

***Operations***

The District completed an annual financial self-audit.

***Case Management***

Civil filings decreased from 1,296 cases in 2019 to 1,180 in 2020. Filings related to In Re: Atrium Medical Corp. C-Our Mesh Products Liability Litigation, an MDL case assigned to Chief Judge McCafferty, increased. Criminal filings decreased, from 309 defendants charged in 2019 to 177 in 2020.

***Staff Training***

The Court conducted an active shooter training and debriefing in February 2020, and thereafter provided several remote trainings.

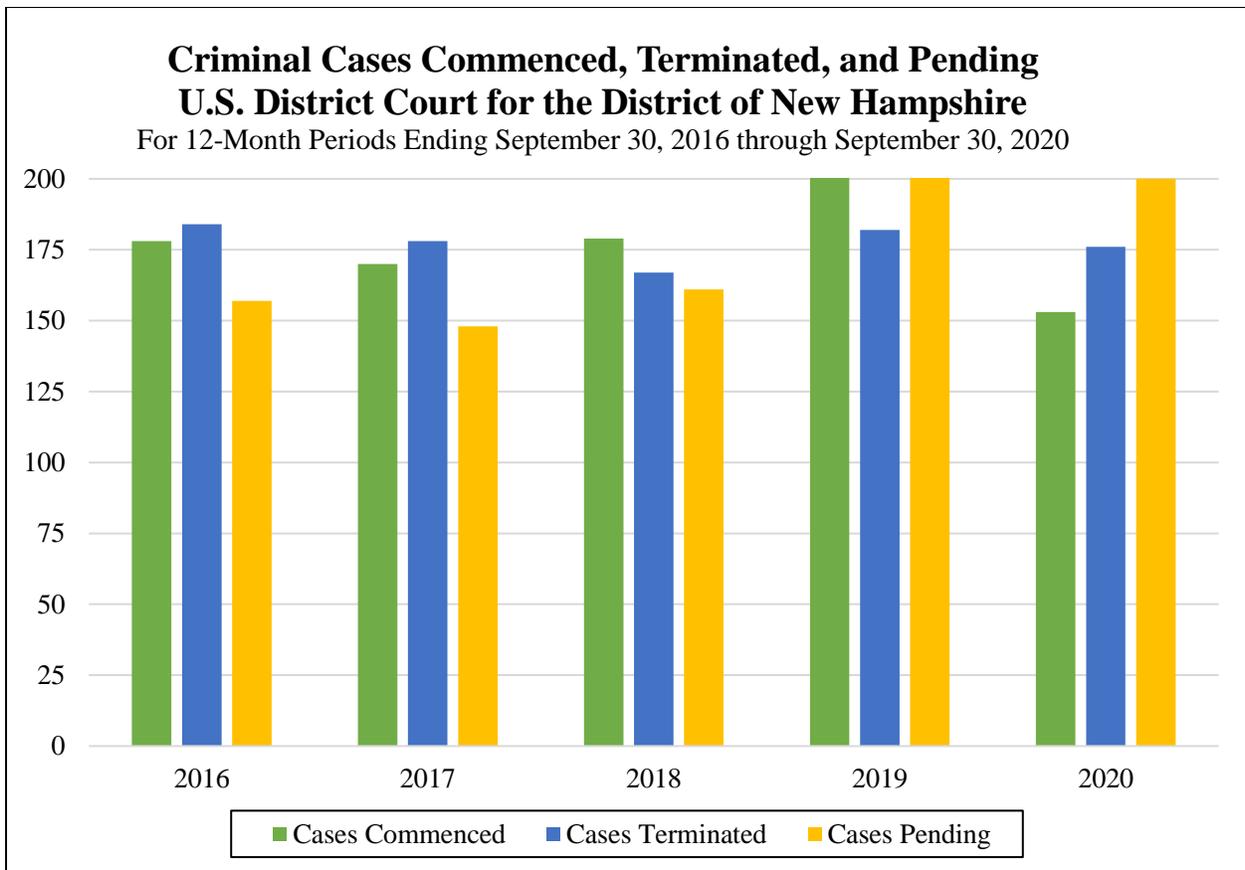
IT staff provided District-wide technology training to staff throughout the year, including, but not limited to, programs regarding IT security measures and transitioning to Microsoft Teams.

***Community Outreach***

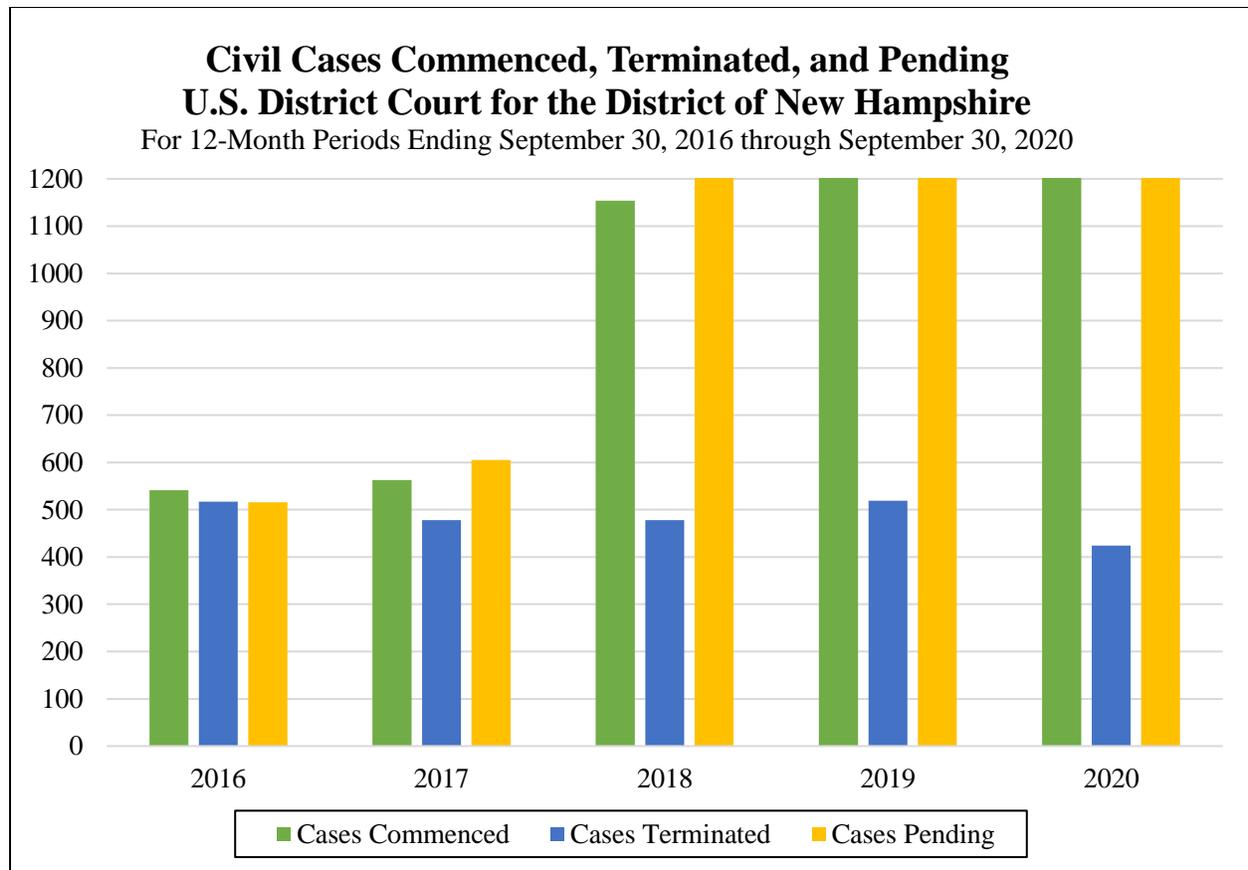
The Court provided educational programming for local students.

***Space & Facilities  
Construction/Consolidation***

In 2020, the Court completed renovations to the intake area, extended the Courtroom 4 jury box to allow for social distancing, and installed plexiglass dividers throughout the courthouse.



<b>Criminal Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of New Hampshire</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	178	170	179	231	153
<b>Cases Terminated</b>	184	178	167	182	176
<b>Cases Pending</b>	157	148	161	213	200



<b>Civil Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of New Hampshire</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	541	563	1,154	1,370	1,209
<b>Cases Terminated</b>	517	478	478	519	424
<b>Cases Pending*</b>	516	605	1,281	2,133	2,918

\* Pending cases for 2016 - 2019 as revised by the AO.

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

***Personnel***

U.S. Probation Officers Scott Davidson and Matthew Senesi were promoted to Senior U.S. Probation Officers in March 2020.

U.S. Probation Officer Jacquelyne Santullo was hired in February 2020.

Probation Support Technician JoAnna Peters was hired in April 2020.

Stephen Bradley transferred from the U.S. District Court to the U.S. Probation Office in September 2020.

U.S. Probation Intern Kayla Krueger was hired in January 2020.

***Pretrial Services***

In FY 2020, the office activated 198 new cases, a 29% decrease from FY 2019. Drugs were the largest proportion of charged offenses (119; 59%). Officers conducted 135 pretrial interviews in FY 2020, compared to 195 in FY 2019 (30% decrease). Officers recommended release 67.2% of the time (excluding immigration cases). The District received 103 new cases for pretrial supervision in FY 2020 and, as of September 30, 2020, was supervising 134 defendants, a 33% increase over the 101 defendants under supervision as of September 30, 2019.

In FY 2020, there were 65 pretrial service violations across 40 defendants.

***Presentence Investigations***

The office completed 223 presentence investigations in FY 2020, including eight retroactive amended guideline reports and 24

expedited/modified reports, a 3% increase from FY 2019. The office completed 22 compassionate release investigations in FY 2020.

***Post-Conviction Supervision***

In FY 2020, the Supervision Unit underwent several personnel changes, including the promotion of two officers to Location Monitoring Specialists. The number and length of term of location monitoring cases, including Federal Location Monitoring program cases, increased due to the pandemic.

In FY 2020, the Post-Conviction Unit continued to employ evidence-based practices to help change the behavior of persons under supervision, most notably through Staff Training Aimed at Reducing Re-arrest (STARR) techniques, which were used in 21.7% of all personal contacts. The District ranked third nationally in using STARR techniques in FY 2020, and ranked first with respect to intense-risk and elevated-risk cases.

At the end of FY 2020, 353 cases were on active post-conviction supervision, 89% of which were on supervised release, and 43% of which were for drug offense convictions. Cases deemed intense or elevated risk accounted for 42.5% of post-conviction supervision, compared to 37.4% nationally. In FY 2020, the office closed 161 cases from active supervision, 38 (23.6%) of which were closed due to revocation. Of those revoked, 29 (18%) were considered technical violations, four (2.5%) were major violations, and two (1.2%) were minor violations. Total cases revoked decreased by 22.9% from 49 cases in FY 2019 to 38 cases in FY 2020.

In FY 2020, the office terminated 14 cases early from supervision, a slight increase from

the 13 cases terminated early in FY 2019, resulting in a total savings of \$62,510.00.

### ***Treatment Services***

Treatment services costs decreased 5% from FY 2019. Participation in post-conviction substance use testing decreased by 22%, largely due to Covid-19. Location monitoring and sex offender costs increased in FY 2020 by 24% and 31%, respectively.

### ***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 U.S. Marshals Service. The LASER Docket offers treatment and sanction alternatives to address defendant/offender behavior, promote rehabilitation, reduce recidivism, and ensure community safety. During FY 2020, 17 pretrial defendants were approved for the program, bringing the total number of participants for FY 2020 to 28, and seven participants graduated from the program.

### ***Information Technology***

The office continued to share IT services with the District and Bankruptcy Courts. In 2020, the District achieved the following goals: improving disaster recovery and planning; creating COOP websites; and upgrading and adopting many hardware and software platforms.

### ***Officer Safety***

The Officer Response Tactics team conducted and participated in a variety of trainings during FY 2020, including, but not limited to,

virtual safety training and use of force training in collaboration with staff from the Federal Probation and Pretrial Academy.

### ***Training and Professional Development***

In FY 2020, staff participated in several national, regional, and local trainings, including, but not limited to: stress first aid training; New Hampshire Drug Court Conference; Drug Court – Incentives, Sanctions, and Therapeutic Adjustments; FJC Advanced Leadership Institute; Criminogenic Needs and Violence Curriculum Training; Supervision in a Covid-19 Environment; and Building Resilience: Strategies to Thrive in the New Normal.

### ***Recognition***

During FY 2020, on recommendation from the Employee Recognition Committee, the following staff were cited for outstanding work:

- Scott Davidson – Chief's Award for Quality Improvement;
- Laura Roffo – District Award for Sustained Superior Performance;
- Dan Whitmoyer – District Award for Special Service/Exceeding Expectations;
- Stephen Bradley – Chief's Outstanding Character Award; and
- Tammy Greenwood – Dan Gildea Award.

## **Report for the District of Puerto Rico**

### ***Court Profile***

At the end of 2020, the District had seven district judges, two senior district judges, and four magistrate judges. Chambers staff totaled 37, including one full-time pro se law clerk.

### ***Conferences/Educational Programs***

On March 3, 2020, the District sponsored a seminar on Federal Appellate Practice and Procedure and Certifications to the Puerto Rico Supreme Court, featuring Judge Barron of the First Circuit Court of Appeals and Associate Justice Martinez-Torres of the Puerto Rico Supreme Court.

On September 23, 2020, the Court and the United States Probation Office, in partnership with the Commonwealth of Puerto Rico's Women's Advocate Office, held a POWER Act event on domestic violence and sexual assault during the Covid-19 pandemic and the attorney's role in supporting victims.

From September 29 through October 2, 2020, the District and the United States Sentencing Commission (USSC) sponsored a sentencing guidelines training for judges, law clerks, members of the bar, and staff from the U.S. Attorney's Office, the Federal Public Defender's Office, and the PPSO.

On December 2 and 3, 2020, the District sponsored a virtual CLE for more than 500 attorneys on the U.S. Supreme Court 2019-2020 term in review, federal environmental law, subject matter jurisdiction, and the First Amendment, which featured professors John M. Greabe, Patrick A. Parenteau, James M. Wagstaffe, and David L. Hudson, Jr.

### ***Local Rules/Procedure***

The Court unanimously adopted amendments to the Local Rules after public notice and

comment, which became effective on December 21, 2020.

### ***Interpreters***

In FY 2020, staff interpreters completed 4,262 Spanish language interpreting events, and contract interpreters completed 834 Spanish language events. During FY 2020, staff and contract interpreters offered or received 70 individual or group training sessions on interpretation techniques and the use of digital platforms.

### ***District Bar Examination***

In November 2020, 177 individuals took the district bar exam and 81 passed, resulting in a 46% aggregate passing rate. A total of 90 attorneys were admitted to practice in the District during 2020, including those who passed the test in previous years.

### ***Civil Pro Bono Program***

In 2020, 300 attorneys were selected to serve on the Civil Pro Bono Panel, and 77 pro bono appointments were made.

### ***Naturalization Ceremonies***

The Court held six naturalization ceremonies, two of which were virtual, in 2020, during which 213 persons were sworn in as citizens.

### ***Information Technology***

IT staff deployed equipment, conducted training, and provided support to enable the Court and the Probation Office to transition to remote work, including configuring District Court remote proceedings, integrating connections to detention centers and correctional facilities, deploying more than 100 laptops, installing docking stations with dual-monitors and wireless keyboards, testing different technologies, and providing training to judges and court staff and support to attorneys and external participants. IT staff

also supported the CLE Committee's virtual CLE event.

### ***Community Outreach***

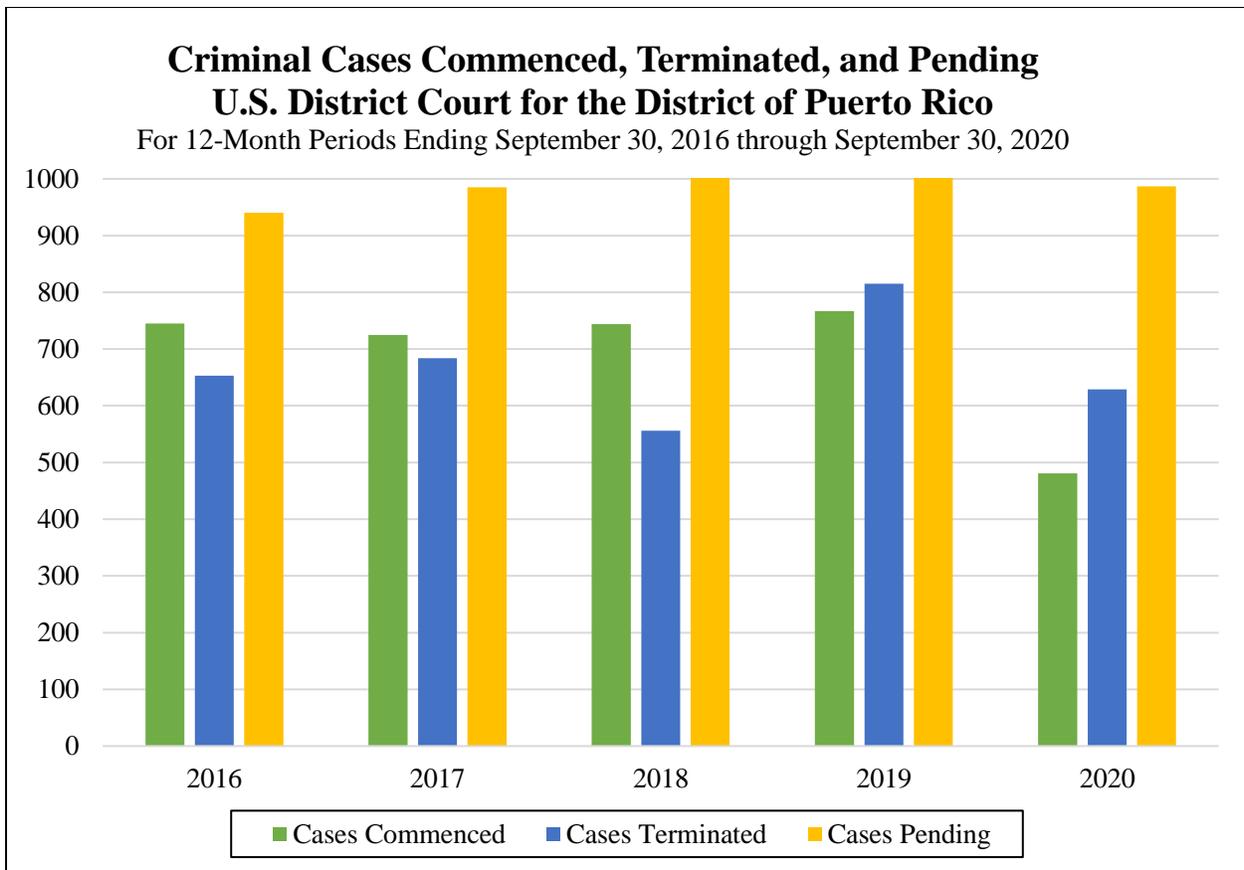
The Court continued its outstanding contribution to the Combined Federal Campaign for Puerto Rico and the U.S. Virgin Islands.

### ***Space and Facilities***

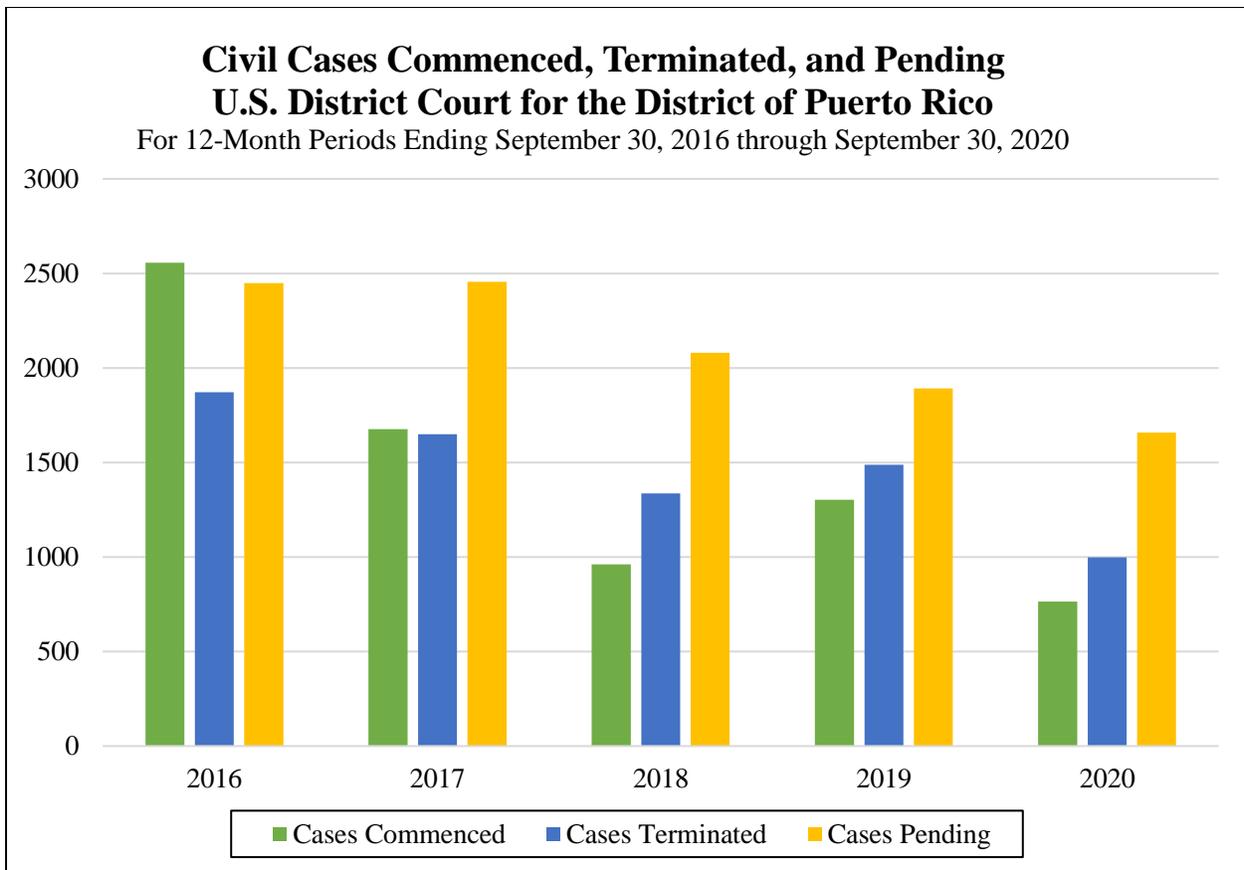
In September 2020, the JCUS designated the construction of a Courthouse Annex in Hato Rey, which will adjoin the Federal Office Building and the Clemente Ruíz Nazario Courthouse.

Projects completed included Phase II of the Hurricane Recovery project, the Link Extension, renovation of the Clerk's Office Conference Room, and renovations to chambers, administrative offices, and infrastructure.

Projects commenced included the design for the modernization of the José V. Toledo Courthouse elevators, the design completion of the Capital Security Project, the remodeling of various bathrooms, and a new air conditioning system for the audio/visual closet of Courtroom 6 at the Toledo Courthouse.



<b>Criminal Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Puerto Rico</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	745	725	744	767	481
<b>Cases Terminated</b>	653	684	556	815	629
<b>Cases Pending</b>	940	985	1,181	1,151	987



<b>Civil Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Puerto Rico</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	2,556	1,676	961	1,303	764
<b>Cases Terminated</b>	1,871	1,649	1,337	1,487	998
<b>Cases Pending*</b>	2,448	2,456	2,080	1,892	1,658

\* Pending cases for 2016 - 2019 as revised by the AO.

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

***Overview***

On March 15, 2020, an Executive Order in Puerto Rico imposed a Covid-19 preventative quarantine, and the office transitioned to telework, virtual hearings and contacts, and remote activities.

***Personnel***

The office hired four probation officers, a procurement specialist, and a lab technician. Seven staff members separated due to retirement, and one staff member transferred to another district.

***Investigations and Supervision***

Court Services: The Court Services Division had seven full-time supervisors, 29 full-time officers, one part-time officer, and two task force officers conducting presentence and pretrial investigations and supervision, and eight support staff. During FY 2020, the division completed 666 bail reports and 1,000 presentence reports. Division managers met regularly to address issues identified during a previous audit and developed strategies to correct the findings and improve effectiveness.

Pretrial Services Investigations: During FY 2020, the office opened 712 cases. Controlled substances remained the most common offense type, followed by firearms and violent crimes.

Supervision Division: The division focused on addressing issues related to the Location Monitoring program, improving Low Intensity Supervision, and increasing the filing of early termination motions.

<i>Cases Revoked and Closed</i>	<i>FY 2019</i>	<i>FY 2020</i>
Total Cases Closed	1,119	1,580
Cases Closed by Early Termination	98	536
Revocations	299	277
Revocation Rate	27%	18%

<i>Persons under Supervision (Pretrial Services and Diversion)</i>	<i>FY 2019</i>	<i>FY 2020</i>
	830	782

***District Initiatives***

During FY 2020, 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 assist non-profit organizations within the District. During FY 2020, the office held a total of ten outreach activities to schools, colleges, and a foster care home.

***Training and Professional Development***

The office provided 28 in-house training sessions to employees, and staff also participated in three online training events outside of the jurisdiction.

***Space Initiatives***

In FY 2020, the office adapted its recently completed Integrated Workplace Initiative construction to accommodate Covid-19 protocols.

---

**Report for the District of Rhode Island**

***Committee Membership***

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

Chief Deputy Clerk Frank Perry continued to serve as faculty for the FJC's New Deputy Court Unit Executive (CUE) program, Experienced Deputy CUE program, and Workplace Relations program entitled *Civility in the Workplace*.

IT Director Heather Restifo served on the Court IT Operations Working Group and took part in the Judiciary Data and Analysis Office Data Security Categorization Project Working Group.

Court Services Manager Michael Simoncelli continued to serve on the AO's Restitution Expert Panel Working Group.

Case Manager Nisshy Urizandi was appointed to serve on the First Circuit Clerk's Office Advisory Committee.

***Alternative Criminal Case Programs***

Deferred Sentencing Program: There were seven participants in the program at the end of 2020, one of whom graduated and received a non-prison sentence.

HOPE Court: In 2020, ten individuals joined and seven individuals graduated from the Helping Offenders Prepare for reEntry (HOPE) program.

***Human Resources/Staffing***

CM/ECF Administrator Paula Farrell Pletcher retired in June 2020 after 30 years of dedicated service to the Court.

***Conferences/Educational Programs***

Attorney Admissions Program: In 2020, 45 new attorneys were admitted to the District's bar. On January 16, 2020, the Board of Bar Admissions and Attorney Education held an event introducing the bar to the new Chief Judge.

Litigation Academy: The District, in partnership with the Roger Williams University (RWU) School of Law and the Rhode Island chapter of the Federal Bar Association (FBA), produced a Litigation Academy video on conducting a virtual bench trial.

2020 POWER Act Event: In June 2020, the Court, in collaboration with the RWU Pro Bono Collaborative and the American Indian Student's Association, presented a video on legal issues affecting indigenous populations.

***Local Rules/Procedures***

The District suspended its local rules committee process for the year 2020 due to the pandemic.

***Information Technology***

The IT Department undertook many projects to transition the Court to telework and remote hearings, including adapting electronics, installing new courtroom technology, and replacing and upgrading staff computers and monitors. Additionally, the Court funded a full-time position dedicated to proactively combatting cyber-attacks.

***Case Management***

In 2020, the Court held over 630 hearings by Zoom, including bench trials, and held three in-person civil trials in October. Many court processes were made electronic.

### ***Staff Training***

In January 2020, the Chief Judge, Clerk of Court, and Chief U.S. Probation Officer attended the new Chief Judge Orientation program at the Administrative Office. Court staff screened and discussed the film “Just Mercy.” Staff also conducted online IT Security Awareness training and participated in various FJC programs.

### ***Community Outreach***

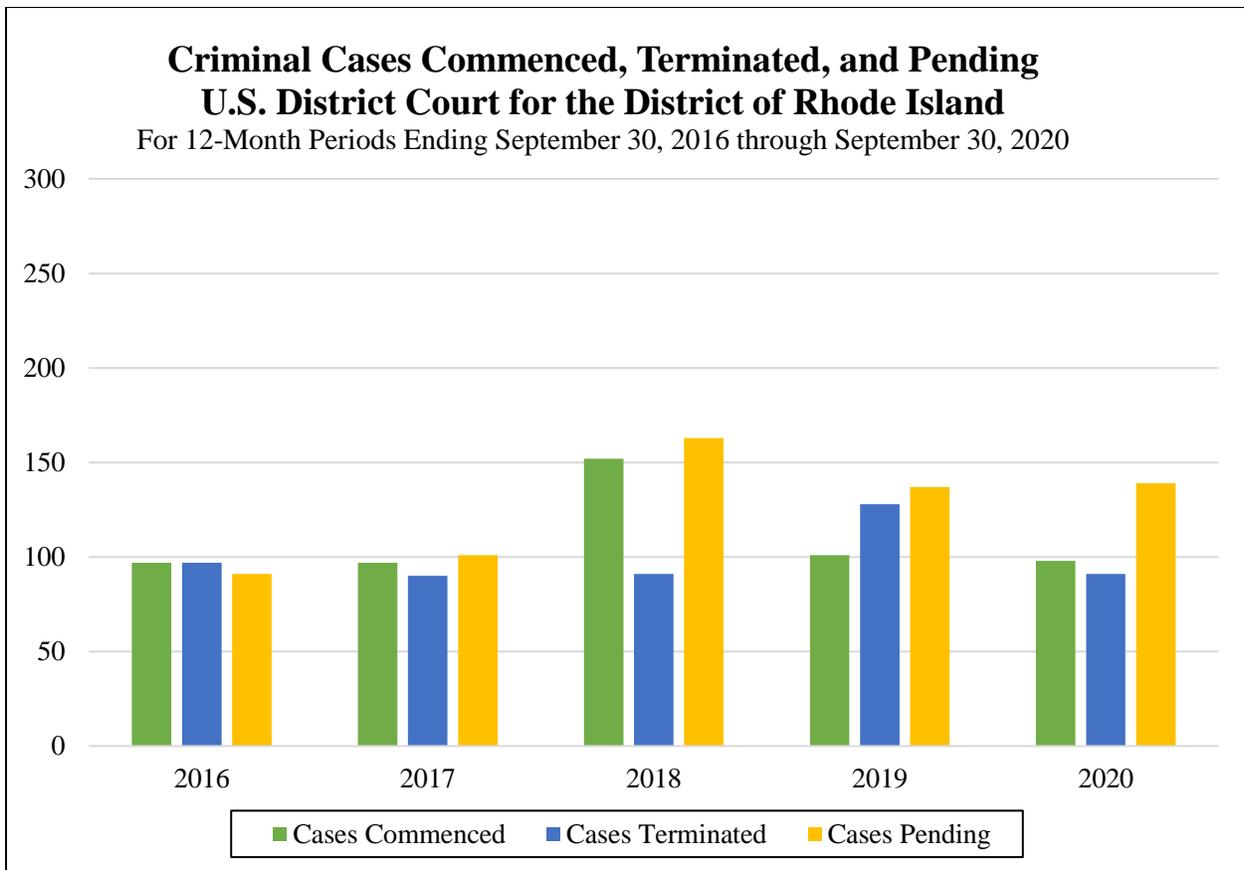
Civic Education Programs: The Court hosted an in-person civics education program for students from Bain Middle School on January 6, 2020.

Naturalization Ceremonies: The Court naturalized 128 new citizens and conducted five off-site ceremonies in 2020.

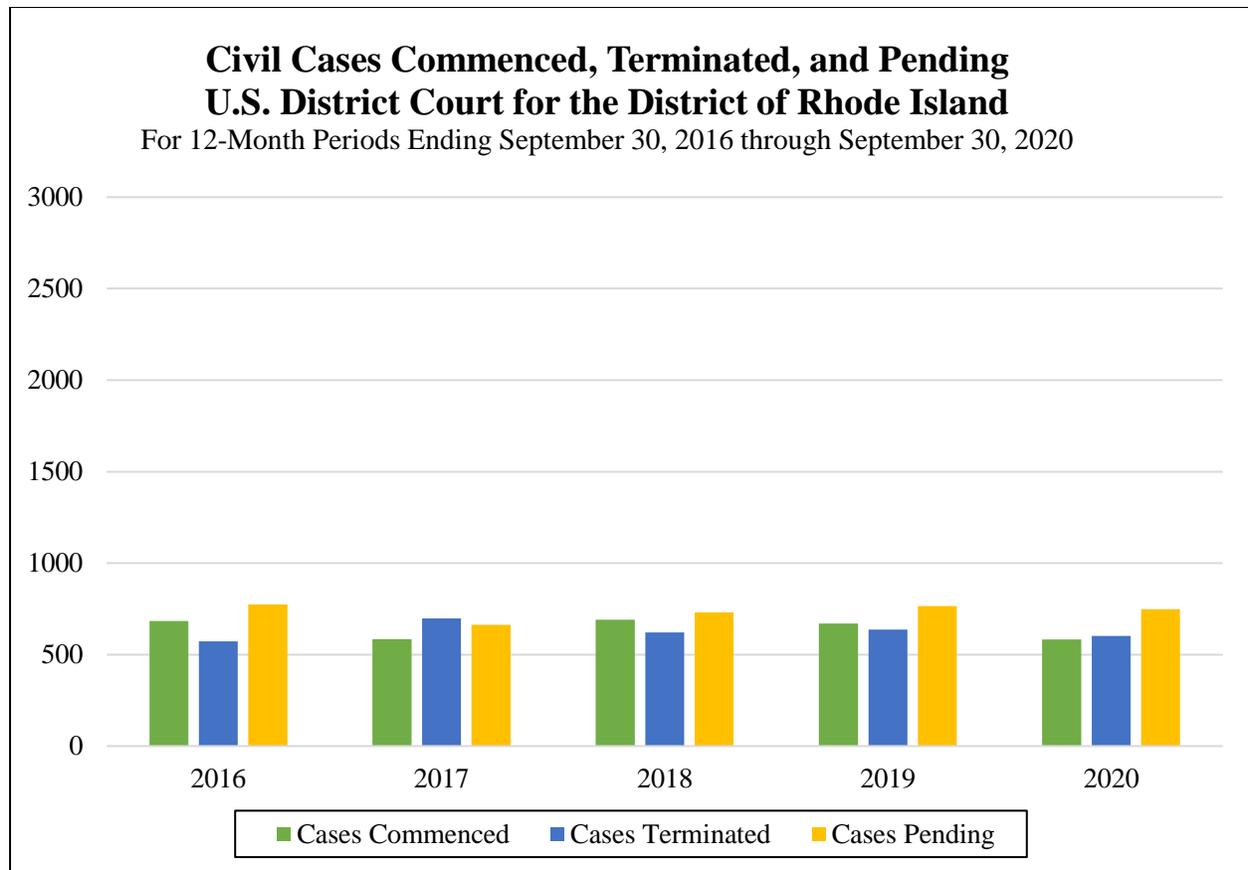
Motion Hearing at Roger Williams Law School: In February 2020, Chief Judge McConnell heard motions in the law school auditorium and then took questions from the students in attendance.

### ***Space and Facilities***

In 2020, the Court continued its courtroom technology upgrades to Courtroom 1 and the new Judicial Conference Room.



<b>Criminal Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Rhode Island</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	97	97	152	101	98
<b>Cases Terminated</b>	97	90	91	128	91
<b>Cases Pending</b>	91	101	163	137	139



<b>Civil Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Rhode Island</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	684	585	690	670	582
<b>Cases Terminated</b>	573	698	621	637	602
<b>Cases Pending*</b>	774	662	731	768	748

\* Pending cases for 2016 - 2019 as revised by the AO.

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

***Personnel***

From May to December 2020, the office hosted an intern as part of the AO's Office of Fair Employment Practice's Model Intern Diversity Pilot Program.

***Pretrial Services***

In 2020, the office activated 148 new cases, a 5% decrease from 2019. The District's pretrial release rate, excluding immigration cases, for FY 2020 was 62.2%, compared to the national average of 42.1%. On average, the PPSO supervised 117 pretrial defendants each month, a 30% increase from 2019. Many of these cases were released due to the Covid-19 pandemic. The office also completed four pretrial diversion investigations. There were 65 pretrial supervision location monitoring cases, a 30% increase from 2019.

***Presentence Investigations***

The PPSO completed 87 presentence investigations, a decrease from 2019, and prepared two modified presentence reports and two pre-plea guideline reports.

***Post-Conviction Supervision***

In 2020, the office supervised an average of 392 offenders per month, a decrease from 409 in 2019. At the end of 2020, 395 individuals were on supervision. The District's revocation rate decreased from 28% in FY 2019 to 15.8% in FY 2020, and was below the national average of 26.6%.

The District utilized a total of \$28,292.00 in Second Chance funds, a 15% increase from FY 2019. Due to the Covid-19 pandemic, 25 cases were granted compassionate release under the First Step Act and placed on supervised release in the District. The District supervised 53 post-conviction location

monitoring cases in 2020, a 15% increase from 2019.

***Treatment Services***

Treatment services costs decreased 8% in 2020, and costs for post-conviction services decreased 12%. Due to the pandemic, in 2020, telemedicine was utilized to conduct substance use, mental health, and sex offender treatment.

***District Initiatives***

In June 2020, the AO conducted a remote Office Review. The results in all areas of the review exceeded 80% compliance with policy and procedures (with six of the eight areas of review scoring 90% or above) and were above the national averages from the prior fiscal year.

In 2020, there were seven active participants in the Court's Deferred Sentencing Program, which provides eligible defendants with a framework of supervision and services in lieu of incarceration, and one participant completed the program.

The HOPE Court, which supports high risk offenders with intensive supervision strategies and targeted services, operated with an average of ten participants, with seven participants graduating in 2020. In addition to biweekly Court meetings, the HOPE Court held a domestic violence awareness meeting in October 2020.

In 2020, the District continued to participate in the FJC's Supervising Officers in an Evidence-Based Environment program, which provides supervisors with education and training to support more effectively supervision of defendants and offenders and to ensure that supervision corresponds with evidence-based practices.

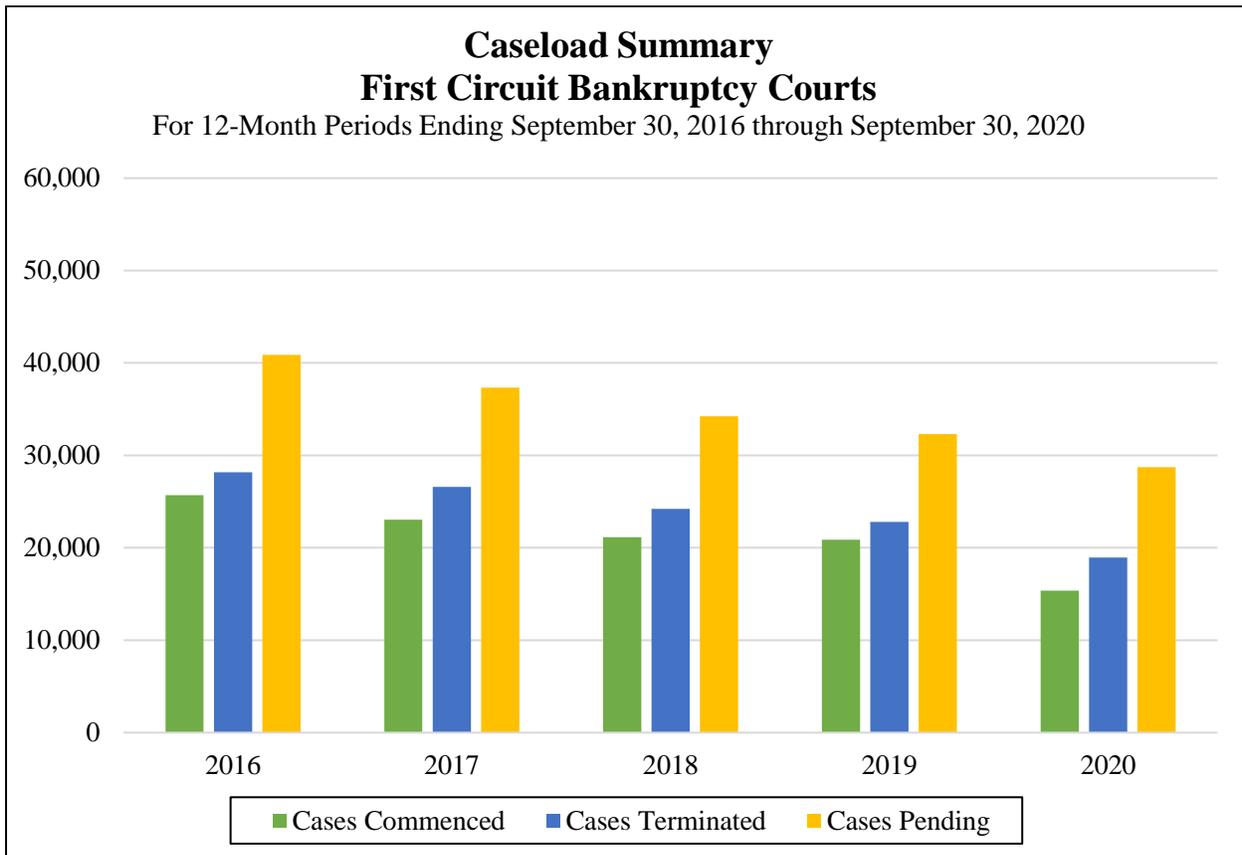
***Professional Development and Training***

Chief U.S. Probation Officer John Marshall continued to serve as the co-chair of the Probation and Pretrial Services Office's Post-Conviction Procedures Working Group, which is working to create efficient procedures and practices for post-conviction supervision. Supervising U.S. Probation Officer Heather Maloney continued her role as a member of the First Step Act Working Group, which assists the PPSO with identifying the aspects of the First Step Act that may impact probation officers' workload.

The District of Rhode Island was chosen by the AO to be one of six pilot districts to implement the national transition from the Probation and Pretrial Services Automated Case Tracking System (PACTS) to PACTS 360.

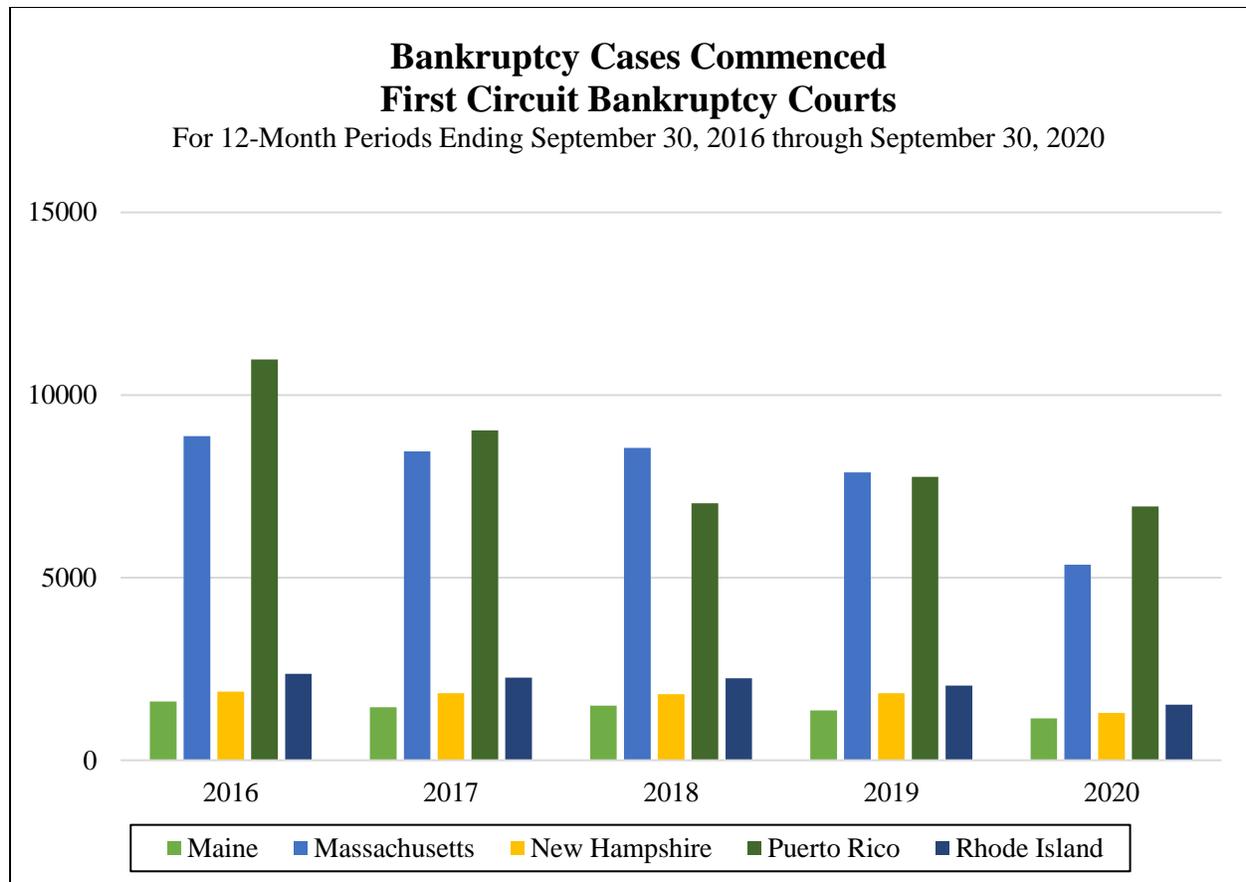
Staff participated virtually as attendees and/or presenters, in several national, regional, and local training seminars on topics such as Use of Force, Search and Seizure Training, Trauma Management, Suicide Awareness and Prevention, National Association of Pretrial Service Agencies virtual conference, USSC Guideline training, PACTS 360 training, as well as various leadership, sex offender management, and wellness trainings. Additionally, staff members participated in program reviews for other districts.

**Statistical Report for the Bankruptcy Courts in the First Circuit**

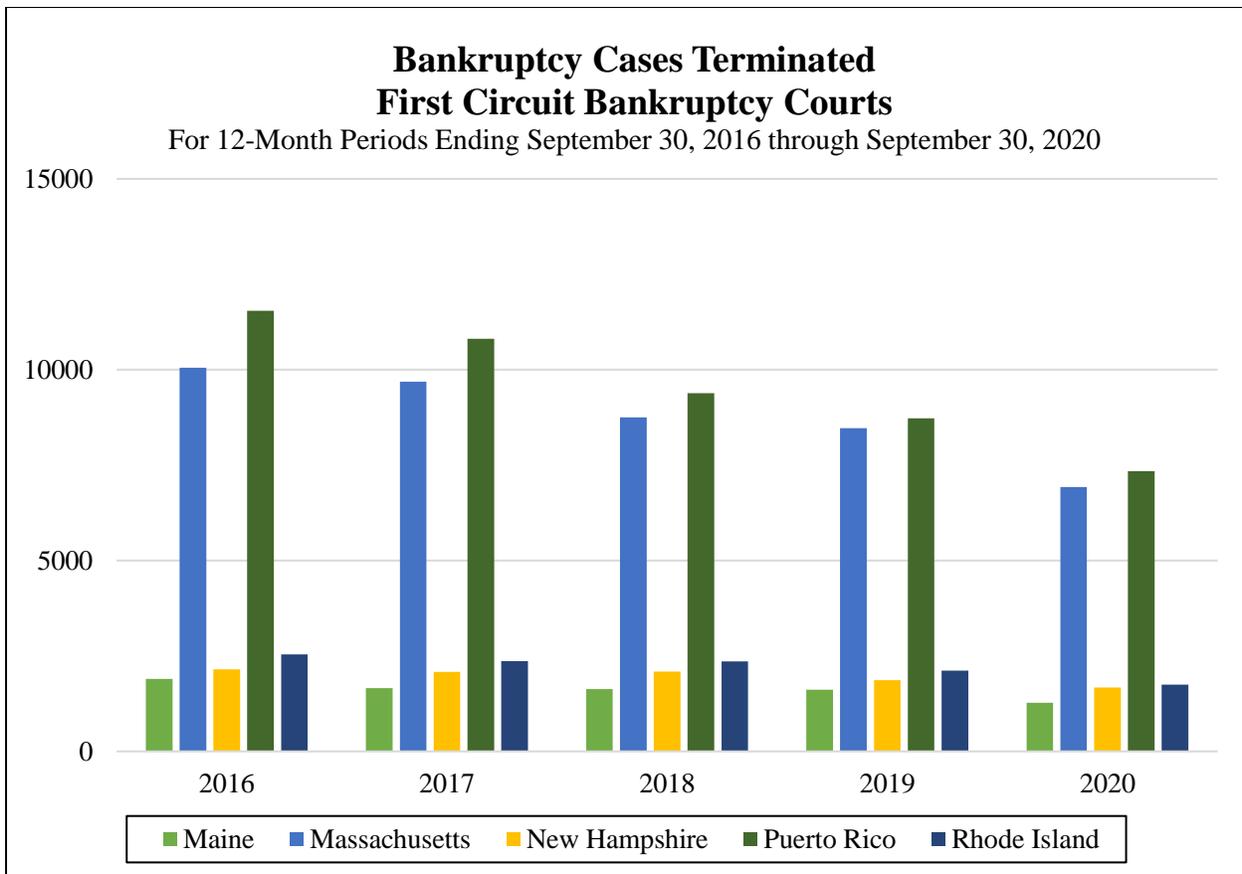


<b>Caseload Summary</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Cases Commenced</b>	25,701	23,038	21,145	20,884	15,367
<b>Cases Terminated</b>	28,180	26,600	24,221	22,793	18,962
<b>Cases Pending*</b>	40,868	37,321	34,248	32,310	28,715

\* Pending caseloads for 2016 - 2019 as revised by the AO.

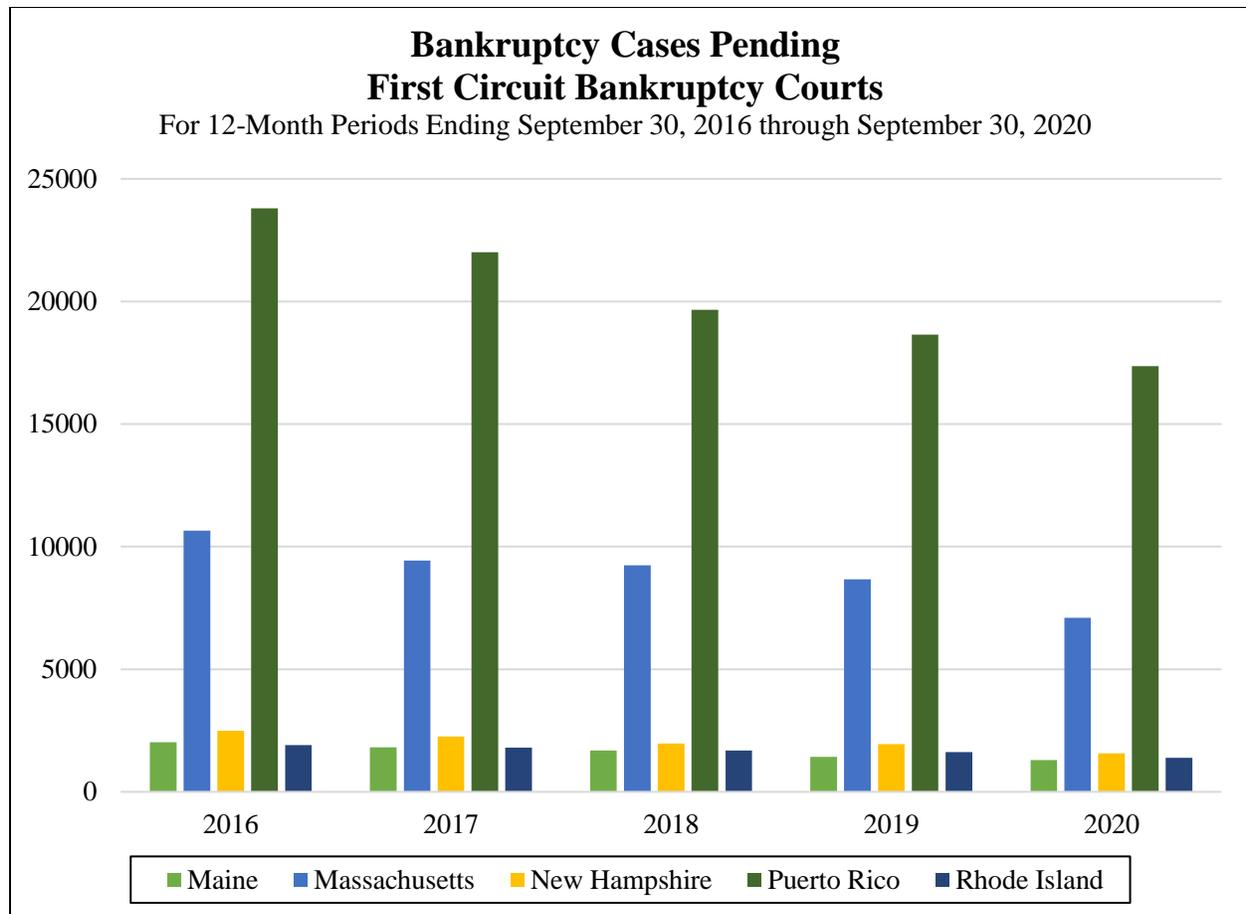


<b>Bankruptcy Cases Commenced First Circuit Bankruptcy Courts</b>					
For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
District	2016	2017	2018	2019	2020
<b>Maine</b>	1,613	1,450	1,497	1,362	1,148
<b>Massachusetts</b>	8,873	8,458	8,556	7,883	5,357
<b>New Hampshire</b>	1,878	1,840	1,812	1,836	1,297
<b>Puerto Rico</b>	10,973	9,028	7,038	7,756	6,046
<b>Rhode Island</b>	2,364	2,262	2,242	2,047	1,519



**Bankruptcy Cases Terminated  
First Circuit Bankruptcy Courts**  
For 12-Month Periods Ending September 30, 2016 through September 30, 2020

District	2016	2017	2018	2019	2020
Maine	1,896	1,657	1,633	1,618	1,275
Massachusetts	10,054	9,681	8,748	8,465	6,923
New Hampshire	2,146	2,082	2,093	1,868	1,671
Puerto Rico	11,543	10,813	9,386	8,728	7,343
Rhode Island	2,541	2,367	2,361	2,114	1,750



**Bankruptcy Cases Pending\***  
**First Circuit Bankruptcy Courts**  
For 12-Month Periods Ending September 30, 2016 through September 30, 2020

District	2016	2017	2018	2019	2020
Maine	2,020	1,816	1,680	1,423	1,296
Massachusetts	10,650	9,433	9,244	8,665	7,099
New Hampshire	2,494	2,252	1,971	1,939	1,565
Puerto Rico	23,794	22,012	19,664	18,659	17,362
Rhode Island	1,910	1,808	1,689	1,624	1,393

\* Pending caseloads for 2016 - 2019 as revised by the AO.

<b>Business Bankruptcy Filings, by chapter</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Period Ending September 30, 2020				
District	chapter 7	chapter 11	chapter 12	chapter 13
Maine	43	17	3	7
Massachusetts	243	48	6	16
New Hampshire	44	5	2	4
Puerto Rico	55	54	9	18
Rhode Island	37	3	0	1

<b>Nonbusiness Bankruptcy Filings, by chapter</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Period Ending September 30, 2020			
District	chapter 7	chapter 11	chapter 13
Maine	889	2	187
Massachusetts	3,517	13	1,514
New Hampshire	947	1	294
Puerto Rico	2,465	15	3,430
Rhode Island	1,211	0	267

---

**Report for the Bankruptcy Court for the District of Maine**

***Human Resources/Staffing***

Monica Bigley began serving as Clerk of Court on November 23, 2020. Prior to joining the Bankruptcy Court, Monica served as a Career Law Clerk in the District of Maine for Judge Gene Carter, Judge George Z. Singal, Judge D. Brock Hornby, and Judge Nancy Torresen.

***Committee Membership***

Team Leader, Kristen Ford served on the Advisory Committee to the First Circuit Workplace Conduct Committee and on the AO's Expert Panel on Operations and Maintenance. ECF Case Administrator, Rachel Parker served on an Expert Panel on Pro Se Electronic Filing facilitated by the AO.

***Information Technology***

The Court deployed, implemented, and trained on Microsoft Teams and Zoom, which have been used extensively for courtroom proceedings and judicial settlement conferences.

***Case Management***

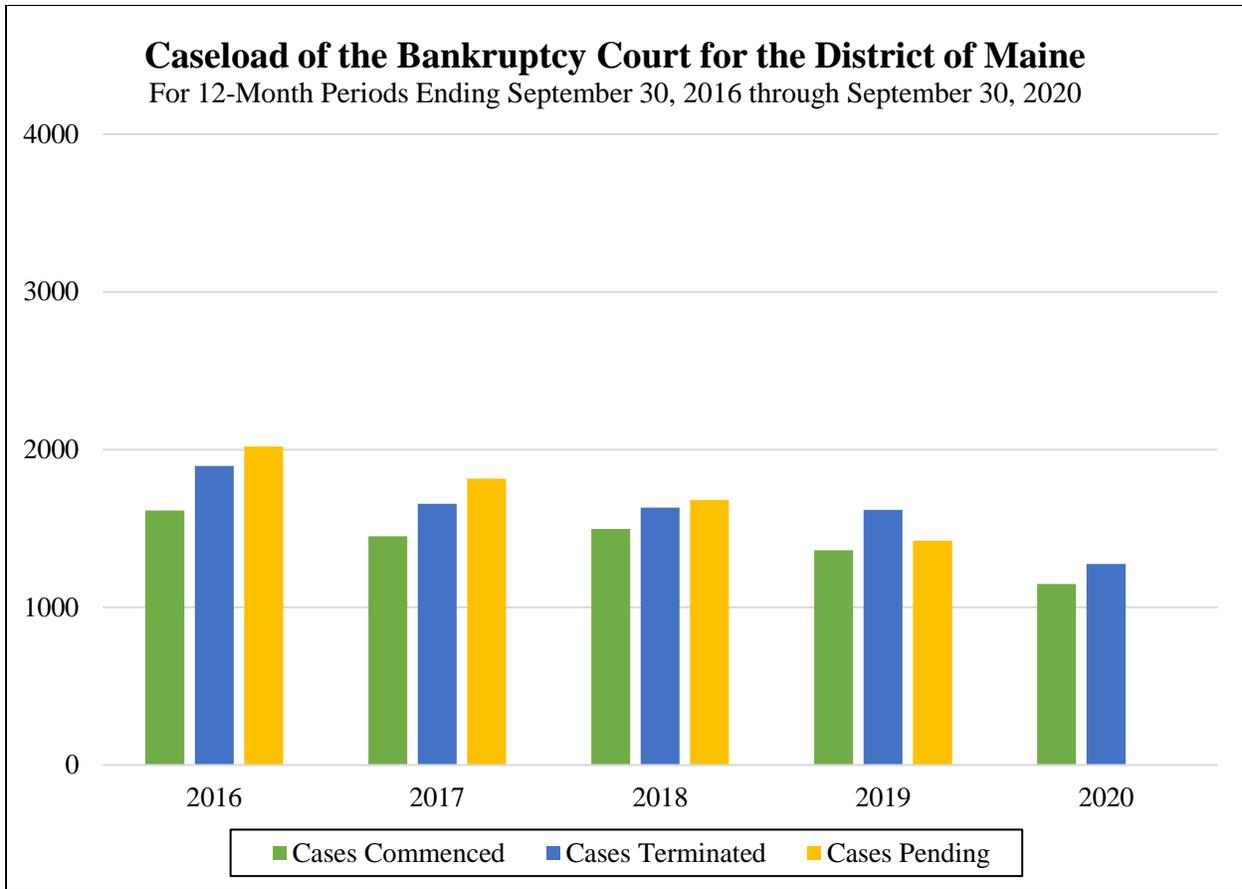
In preparation for implementation of NextGen CM/ECF, the Court hosted representatives from the AO and from the Southern District of California (the District of Maine's mentor court). Ultimately, implementation of NextGen was postponed until 2021.

***Space and Facilities***

The Court installed a new audiovisual video conferencing system in the Bangor courtroom.

***Conferences/Educational Programs***

The Court hosted a Zoom Brown Bag Luncheon in June, which was attended by over 60 members of the bar. The Court conducted an audiovisual system training for members of the bar in Bangor.



<b>Caseload for the Bankruptcy Court for the District of Maine</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	1,613	1,450	1,497	1,362	1,148
<b>Cases Terminated</b>	1,896	1,657	1,633	1,618	1,275
<b>Cases Pending*</b>	2,020	1,816	1,680	1,423	1,296

\* Pending caseloads for 2016 - 2019 as revised by the AO.

**Report for the Bankruptcy Court for the District of Massachusetts**

***Human Resources/Staffing***

The Court continued to share two IT staff members with U.S. District Court for the District of Massachusetts. Due to the pandemic, most employees teleworked full-time from late March through the end of the calendar year, and the Court implemented several strategies to connect with staff, including regularly scheduled meetings, staff recognition events, and other remote activities.

***Staff Training***

Staff participated in several trainings locally and nationally including with the FJC and the AO, and topics included workplace conduct, information technology, leadership, security (IT and personal), ethics, and inventory. In September, the Court held an all-staff training on communication skills.

***Statistics***

Between calendar years 2019 and 2020, filings decreased by 42.1%, pending cases decreased by 23.2%, adversary proceeding filings decreased by 21.1%, and pending adversary proceedings decreased by 3.2%.

***Community Outreach***

The bankruptcy judges and the Clerk of Court served as panelists on local, regional, and national programs presented by organizations such as Massachusetts Continuing Legal Education, the Boston Bar Association, the Practicing Law Institute, the NCBJ, the Hamden County Bar Association, and area law schools. The Court's Pro Bono Committee, chaired by Judge Katz and Clerk Molly Sharon, continued its efforts to increase the number of attorneys available to accept pro bono cases from people in financial distress and was able to hold its annual pro bono volunteer event remotely. The Court's Diversity Initiative Task Force, co-chaired by

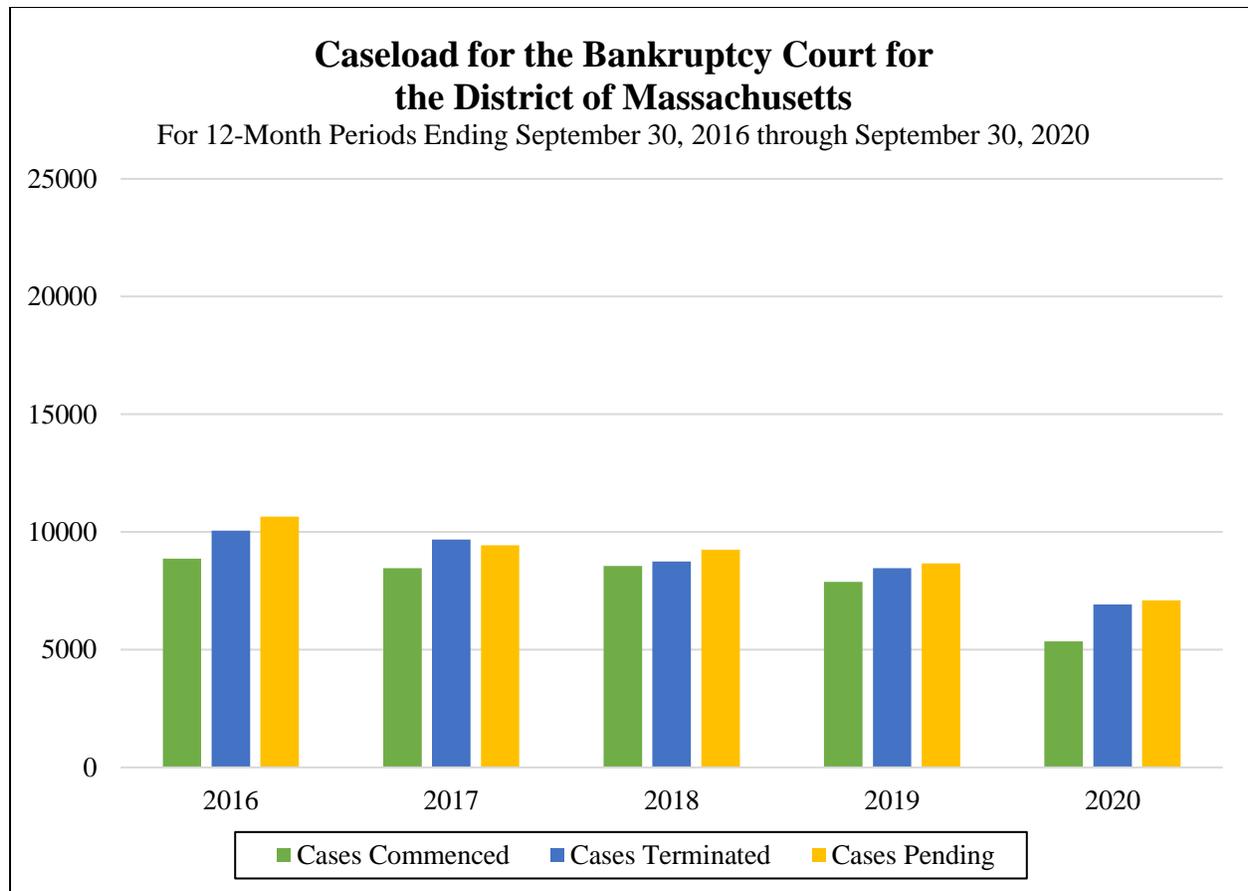
Chief Judge Panos and Judge Bailey, continued to work and meet with local bar associations, law schools, and affinity groups to increase the diversity of attorneys who practice bankruptcy law. The Court continued to offer a Reaffirmation Clinic for unrepresented debtors and is grateful for those volunteer attorneys who assist in this effort. The Court was selected as the host court for the National Conference of Bankruptcy Clerks' annual conference to be held in Boston in August 2021. During 2020, the staff worked on several host court duties, such as developing a theme, poster, and video.

***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. The Modernization Subcommittee reported to the full Committee.

***Space and Facilities***

The Court engaged in routine maintenance and addressed courtroom technology needs. At the Donahue Building in Worcester, the Court engaged in a cooling project and finished the multi-use room renovation.



<b>Caseload for the Bankruptcy Court for the District of Massachusetts</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	8,873	8,458	8,556	7,883	5,357
<b>Cases Terminated</b>	10,054	9,681	8,748	8,465	6,923
<b>Cases Pending*</b>	10,650	9,433	9,244	8,665	7,099

\* Pending caseloads for 2016 - 2019 as revised by the AO.

**Report for the Bankruptcy Court for the District of New Hampshire**

***Human Resources/Staffing***

The Bankruptcy and District Courts continued to share human resources, IT, and procurement services. The Clerk's Office hired and trained two new operations staff members and one administrative staff member.

***Local Rules/Procedures***

The Court adopted the Interim Bankruptcy Rules related to the implementation of the Small Business Reorganization Act of 2019 and Administrative Order 5073-2 (Use of Electronic Devices in Courtrooms) in February and July, respectively. On March 16, 2020, the Court issued its first General Order Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 pandemic and issued eleven subsequent orders in 2020.

***Information Technology***

Throughout the year, IT staff played an integral role in maintaining the Court's ability to hold hearings remotely during the Covid-19 pandemic. In July, the Court transitioned from Skype for Business to Microsoft Teams. In December, the Court launched its new Sharepoint intranet website.

***Staff Training***

In January, staff attended a Civilian Response to Active Shooter Events (C.R.A.S.E) training. The U.S. Marshal Service hosted an active shooter drill in February and a Medical Trauma training course for courthouse staff in March. Employees attended numerous remote training programs, such as CM/ECF Application, Editor, and Dictionary classes, trainings hosted by the AO's Procurement Management Division, and financial management and property management training sessions.

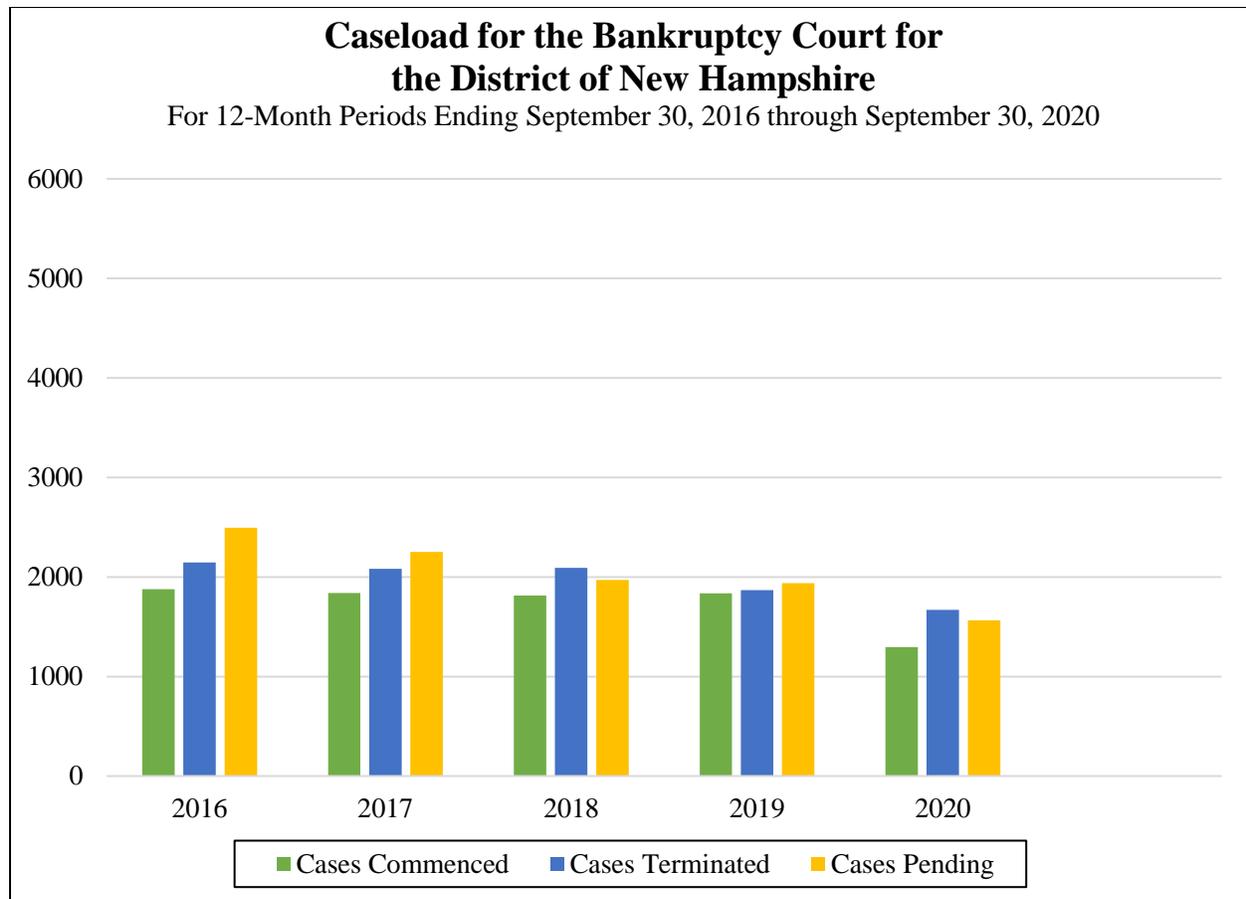
Due to the Covid-19 pandemic, operations and courtroom staff quickly modified several processes and procedures so that the Clerk's Office could continue to serve the public while working remotely. The Court's dedicated operations staff came into the office on a rotating basis to process mail and perform other duties that could not be accomplished remotely.

***Community Outreach***

Due to the Covid-19 pandemic, community outreach initiatives were suspended in 2020.

***Space and Facilities***

The project to reconstruct and repair the walls, wood trim, and bookcases, and replace the carpet in Chief Judge Harwood's chambers, after flood damage, was completed in May, despite delays related to the pandemic. In August, the Clerk's Office began moving its supply room to the basement of the adjacent Cleveland Federal Building and installing two new cubicles on the first floor of its private space.



<b>Caseload for the Bankruptcy Court for the District of New Hampshire</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Cases Commenced</b>	1,878	1,840	1,812	1,836	1,297
<b>Cases Terminated</b>	2,146	2,082	2,093	1,868	1,671
<b>Cases Pending*</b>	2,494	2,252	1,971	1,939	1,565

\* Pending caseloads for 2016 - 2019 as revised by the AO.

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

***Local Rules/Procedures***

In 2020, the Bankruptcy Court adopted a number of general orders in order to enact temporary procedural changes to address the needs of the Court and the public in light of the Covid-19 pandemic.

***Information Technology***

Beginning in March 2020, in response to the pandemic, all staff worked remotely. The District's IT staff provided increased support to users, the public, and members of the bar in order to continue providing needed services. All meetings and scheduled hearings were conducted virtually, initially using Skype for Business and later with Microsoft Teams.

The IT Department developed a program for individuals to request document searches and pay any associated fees, and for the Court to deliver these documents, via the Court's website.

In December 2020, the Court held a kick-off meeting with the AO implementation team for the NextGen Application, which is scheduled to go live in February 2022.

The Court completed the Judiciary IT Security Self-Assessment Program Scorecard in 2020.

The Bankruptcy Court also provided technical CM/ECF support to the District Court to assist with management of the PROMESA case.

***Case Management***

In response to the Covid-19 pandemic, the Court continued all operations and provided services to the public remotely. In July 2020, the Court programmed a Website Teams Calendar for all hearings, which gave attorneys and members of the public

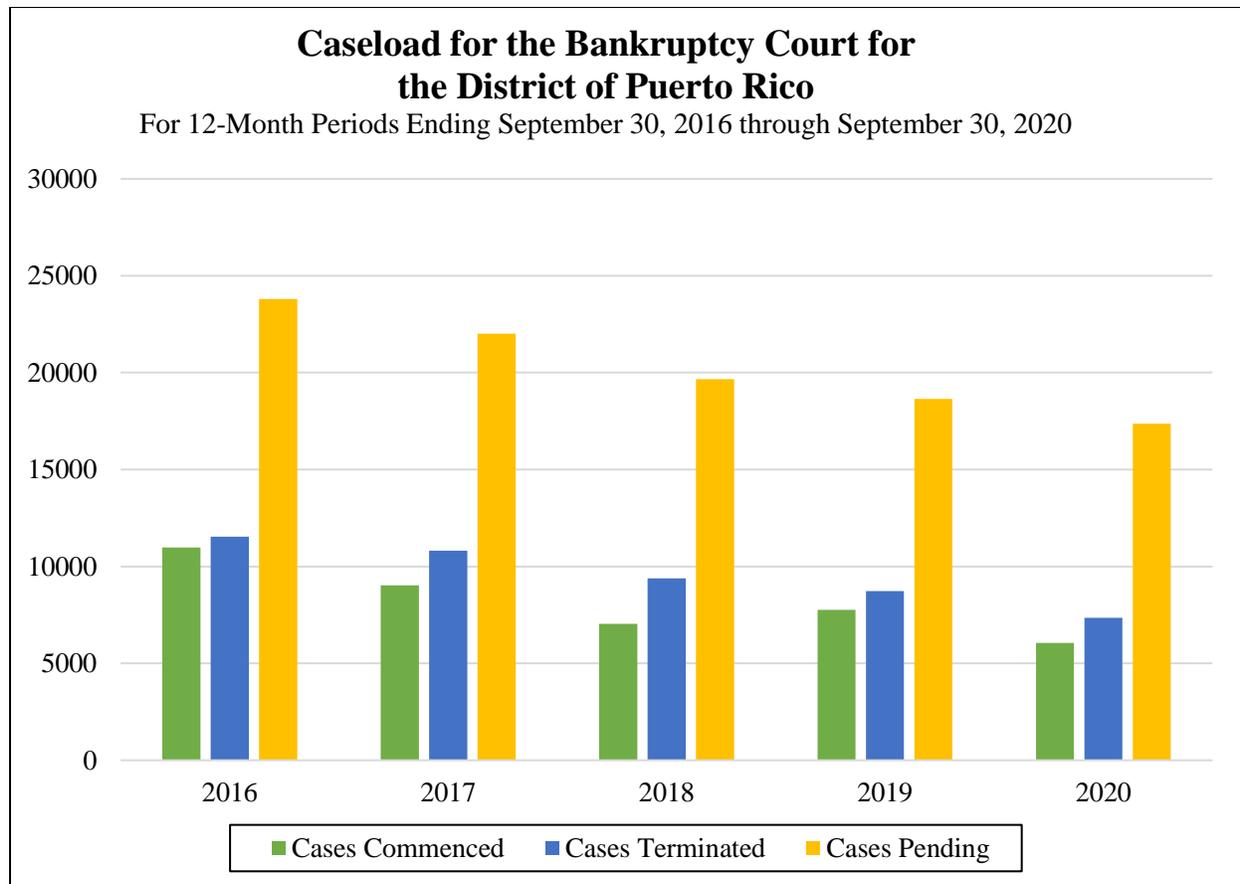
direct access to the hearings. The District's Court Services Department attended to matters that needed to be handled in the office.

***Staff Training***

All staff were required to complete IT security awareness and ethics trainings and a program entitled *The Art of Staying Focused*. The Court offered External Customer Service and Workplace Conduct and Civility training, and quarterly Employee Assistance Program (EAP) presentations. Financial staff also attended a training on JFINSYS Registry Modules. The Court held its first virtual annual training, titled *The 10 Skills You Need to Thrive in the 4<sup>th</sup> Industrial Revolution*.

***Statistics***

Between calendar years 2019 and 2020, filings decreased by 33%. In 2020, there were 5,247 new bankruptcy filings: 2,324 chapter 7 cases, 50 chapter 11 cases, six chapter 12 cases, and 2,867 chapter 13 cases.



<b>Caseload for the Bankruptcy Court for the District of Puerto Rico</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Cases Commenced</b>	10,973	9,028	7,038	7,756	6,046
<b>Cases Terminated</b>	11,543	10,813	9,386	8,728	7,343
<b>Cases Pending*</b>	23,794	22,012	19,664	18,659	17,362

\* Pending caseloads for 2016 - 2019 as revised by the AO.

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

***Human Resources***

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

***Staff Training***

Court staff attended various conferences and remote trainings offered by the FJC, AO, and other organizations, including, but not limited to: Judiciary Electronic Travel System; New CUE Education; SharePoint Online; How are Courts Coping with the Crisis; Building Resiliency and Wellness Habits for Court Leaders, and Strategies to Thrive in the New Normal.

***Committee Membership***

Clerk of Court Susan Thurston served as a member of the AO's Judiciary Data Working Group, the Bankruptcy Clerks Advisory Group's Rules Subcommittee, faculty for the FJC's annual New Court Unit Executive Leadership Seminar, and as a board member for the Federal Bar Association Bankruptcy Law Section.

***Information Technology***

The Court completed an extensive upgrade of its courtroom technology systems, implemented an upgrade of the Court's public website to PacerNet, and adopted new virus protection software. The Court's IT department quickly reacted to the national SolarWinds hack. The IT department also performed the annual self-assessment of the Court's IT security environment and submitted results to the First Circuit.

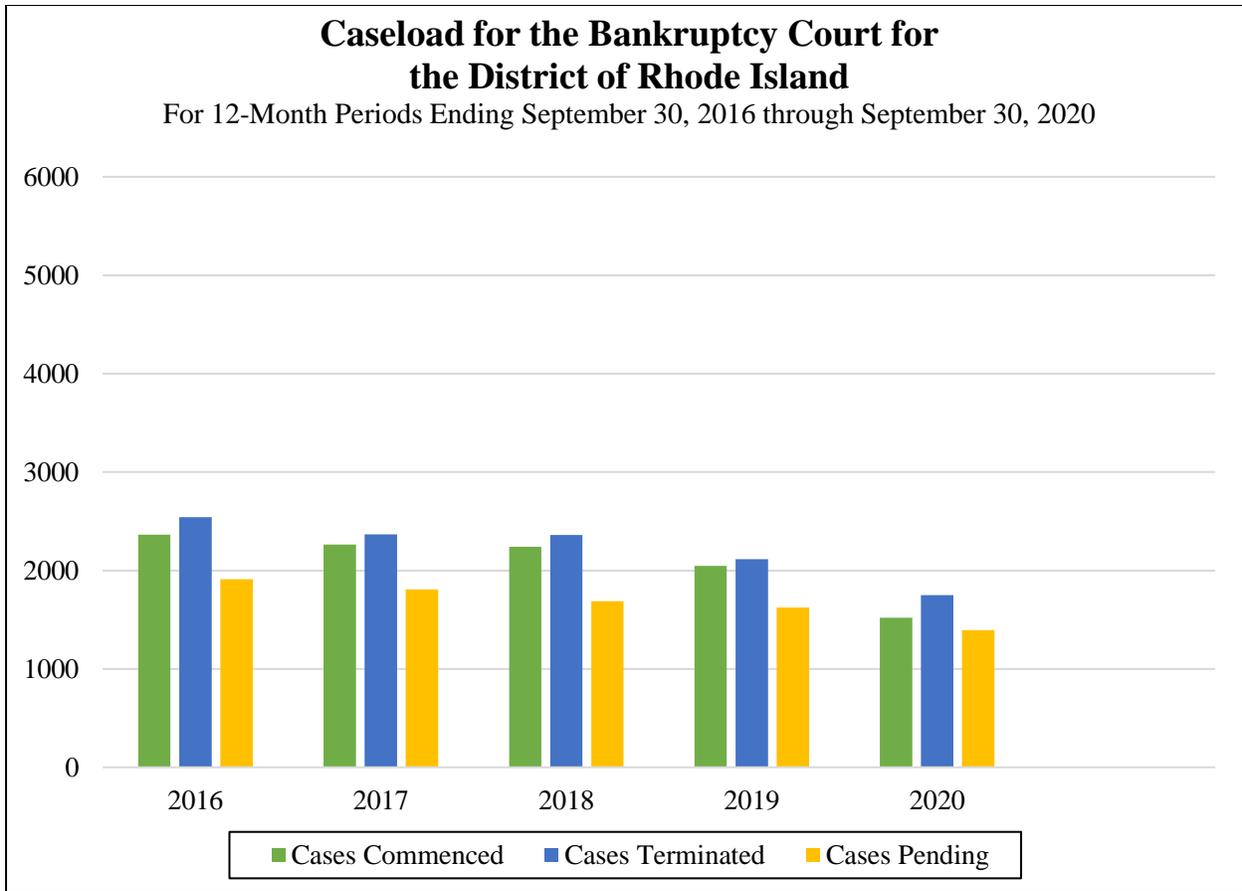
***Case Management***

In response to the Covid-19 pandemic, the Court issued thirteen emergency orders addressing court rules, procedures, and operations, as well as robust public website communications and email notifications throughout the course of 2020. In July 2020, the Court transitioned its remote courtroom proceedings from telephonic hearings to video proceedings of motion calendars, evidentiary hearings, and trials using the Zoom.gov platform. To serve the pro se population while the Clerk's Office was not open to the public, the Court implemented an electronic drop box program to receive electronically filings from non-attorneys in a secure environment. These continuous adjustments and technological improvements enabled the Court to provide the public and the bankruptcy bar with both virtual and limited physical access to the Bankruptcy Court, without any loss of service. The Clerk's Office reviewed its court resources data organizational system and migrated all content from Excel to the on-premises SharePoint environment, making it much easier to search and update in the future.

***Community Outreach***

In February 2020, the Court prepared legal materials and delivered in-person training, entitled *Legal Training to Implement the Small Business Reorganization Act of 2019 (SBRA)*, for the bankruptcy bar. Due to the pandemic, all remaining community outreach activities were handled virtually, which included the Court's creating legal training resources related to the bankruptcy provisions contained in the Coronavirus Aid, Relief and Economic Security (CARES) Act and the Consolidated Appropriations Act and

providing extensive training materials regarding: (1) remote court operations; (2) remote court proceedings on Zoom.gov; (3) use of the new Electronic Drop Box program; (4) changes to local rules and forms; and (5) changes in court operations due to Covid-19 impact.



<b>Caseload for the Bankruptcy Court for the District of Rhode Island</b> For 12-Month Periods Ending September 30, 2016 through September 30, 2020					
	2016	2017	2018	2019	2020
<b>Cases Commenced</b>	2,364	2,262	2,242	2,047	1,519
<b>Cases Terminated</b>	2,541	2,367	2,361	2,114	1,750
<b>Cases Pending*</b>	1,910	1,808	1,689	1,624	1,393

\* Pending caseloads for 2016 - 2019 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 2020 and September 2020 Judicial Conferences, AO Director James C. Duff reported on judicial business and AO matters; FJC Director John S. Cooke spoke about FJC programs; and Judge Charles R. Breyer, of the Northern District of California, reported on USSC activities in his role as Commissioner.

**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	First Circuit	2015	Open

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

			<u>Start Date</u>	<u>End Date</u>
Pedro A. Delgado Hernández	DJ	Puerto Rico	2017	2023

COMMITTEE ON CODES OF CONDUCT

			<u>Start Date</u>	<u>End Date</u>
John J. McConnell, Jr.	DJ	Rhode Island	2017	2023

COMMITTEE ON COURT ADMINISTRATION AND CASE MANAGEMENT

			<u>Start Date</u>	<u>End Date</u>
Leo Sorokin	DJ	Massachusetts	2018	2024
Patricia A. Sullivan	MJ	Rhode Island	2016	2022

COMMITTEE ON CRIMINAL LAW

			<u>Start Date</u>	<u>End Date</u>
Indira Talwani	DJ	Massachusetts	2016	2022

COMMITTEE ON DEFENDER SERVICES

			<u>Start Date</u>	<u>End Date</u>
Landya B. McCafferty	DJ	New Hampshire	2015	2022

COMMITTEE ON FEDERAL-STATE JURISDICTION

			<u>Start Date</u>	<u>End Date</u>
Timothy S. Hillman	DJ	Massachusetts	2013	2020

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>
William E. Smith	DJ	Rhode Island	2018	2024

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	2023
John H. Rich III	MJ	Maine	2018	2021

ADVISORY COMMITTEE ON BANKRUPTCY RULES

			<u>Start Date</u>	<u>End Date</u>
Melvin S. Hoffman	BJ	Massachusetts	2016	2022

ADVISORY COMMITTEE ON CIVIL RULES

			<u>Start Date</u>	<u>End Date</u>
Jennifer C. Boal	MJ	Massachusetts	2018	2024

ADVISORY COMMITTEE ON CRIMINAL RULES

			<u>Start Date</u>	<u>End Date</u>
Bruce J. McGiverin	MJ	Puerto Rico	2017	2023

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

			<u>Start Date</u>	<u>End Date</u>
William J. Kayatta, Jr.	CJ	First Circuit	2018	2024

COMMITTEE ON SPACE AND FACILITIES

			<u>Start Date</u>	<u>End Date</u>
David J. Barron	CJ	First Circuit	2019	2022

### **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. A full-scale conference was scheduled for 2020, but was cancelled due to the pandemic.

---

**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 2020, because of the Covid-19 pandemic, there was one Judicial Council meeting. On October 6, a meeting took place remotely via Microsoft Teams. Many matters were decided by email vote.

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 2020 are provided at pages 101-103.

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 2020 included: review of the federal judiciary's budget; 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, 2020

Honorable Jeffrey R. Howard, Chief Judge	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 Lance Walker	District of Maine
Honorable Indira Talwani	District of Massachusetts
Honorable Joseph N. Laplante	District of New Hampshire
Honorable Raúl Arias-Marxuach	District of Puerto Rico
Honorable Mary McElroy	District of Rhode Island

**Observing Members**

Honorable Judith G. Dein	District of Massachusetts Magistrate Judge
Honorable Bruce Harwood	District of New Hampshire Bankruptcy Judge

**Court Unit Executives**  
as of December 31, 2020

**- 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*

Maria Antongiorgi  
*District of Puerto Rico*

Hanorah E. Tyer-Witek  
*District of Rhode Island*

**- FIRST CIRCUIT BANKRUPTCY CLERKS OF COURT -**

Monica Bigley  
*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, 2020

Kimberly Rieger  
*District of Maine*

Ricardo R. Carter  
*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

### *Introduction*

This report covers the activities of the space and facilities group within the Circuit Executive's Office during the period between January and December 2020.

### *Covid-19*

A majority of 2020 was spent addressing Covid-19 related facility concerns throughout the Circuit. Such efforts included, but were not limited to, HVAC and ventilation assessments, space modifications for social distancing, work with the General Services Administration (GSA) to implement cleaning protocols, and procurement and installation of needed barriers.

### *Court of Appeals*

In the Moakley Courthouse, the Clerk's Office conference room was expanded in February 2020 to accommodate meetings of the full staff. A project was funded to replace the carpets in the En Banc and Panel Courtrooms, which will be completed in spring 2021. Further, the common areas in Judge Lynch's chambers were repainted this year.

The floors in Judge Selya's Providence chambers were renovated. In addition, a project was funded to replace the carpet and repaint Judge Lipez's Portland chambers, following a leak impacting this space. The CAMP location in San Juan will be relocating to the Toledo Courthouse in 2022, after structural deficiencies were identified during the lease renewal process. A project to convert the library annex in Concord to a judge's chambers was designed and will be submitted to the JCUS Space and Facilities Committee for funding consideration in FY 2021.

### *District of Maine*

The District of Maine's Long-Range Facilities Plan recommends new construction in Portland. The First Circuit Judicial Council endorsed Chief Judge Levy's request that the JCUS Space and Facilities Committee add Portland to the list of locations requiring a GSA feasibility study, which is the first step in a new courthouse construction prioritization process. The Council's request was submitted to and will be reviewed by the JCUS Space and Facilities Committee.

On September 30, 2020, the House Committee on Transportation and Infrastructure approved GSA's spend plan, including approximately \$23 million to upgrade HVAC and fire alarm systems at the Gignoux Courthouse. The target completion date is in 2025, once contracts are awarded and the design and construction are completed. GSA used CARES Act funding to procure an independent ventilation system for the MC Smith Building in Bangor and a standalone air system for the Gignoux Courthouse in order to improve the volume of fresh air filtered through the judiciary spaces. The District Court funded a project to convert its existing training room at the Gignoux Courthouse into new office space for additional staff. Construction is expected to be completed in early 2021. The United States Marshals Service funded reinforcement of the Gignoux Courthouse entry lobby screening area and installation of a gate arm at the entry to the judges' courtyard, but the project award was delayed until FY 2021.

As the Bankruptcy Court's lease in Portland is set to expire in 2022, the process to renew the lease was initiated. Modifications to design and to enhance the functions of the urinalysis laboratory in the Probation Office in Portland began, and construction is anticipated to conclude in the spring of 2021.

***District of Massachusetts***

GSA developed for the Moakley Courthouse a prospectus request, valued at approximately \$78 million, that would address critical building infrastructure upgrades, including modernization and climate resiliency needs. The Moakley bollard wall and exterior lighting enhancement project was underway in 2020 and is expected to conclude in January 2021, but this project does not include the needed additional lighting fixtures. GSA funded an upgrade of the Moakley Courthouse fire alarm system to a non-proprietary system. Options to replace as many source points throughout the building are included and will be awarded based on fund availability.

A refresh of the Moakley Courthouse landscaping plan, developed by Reedhilderbrand, was initiated and will assess existing conditions, recommend modifications to the long-term health of the park, and aid in addressing resiliency needs. A design to improve the acoustics of the jury administration area was developed for the Moakley Courthouse and will be funded in FY 2021. Funding for modifications to the District Court intake area of the Moakley Courthouse were designed to accommodate future staffing levels and will be requested in the fall of 2021.

The Probation Office in Springfield was modified to include secure interview rooms and urinalysis. Similar projects have been funded in Boston, Worcester, Taunton, and Lawrence.

***District of New Hampshire***

GSA funded an upgrade to the fire alarm systems at the Rudman Courthouse and Cleveland Federal Building, and the project is expected to be awarded next year. Additionally, a project to provide secure interview rooms, a urinalysis toilet, and additional staff office space in the Probation

Office in Concord was funded under the No Net New Program and is set to begin next year.

***District of Puerto Rico***

GSA received approximately \$25 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. The project was underway in 2020 and will be completed in 2021. Construction of the Hato Rey link extension, enhancing security for the complex, was also underway in 2020 and is expected to conclude in 2021. In September of 2020, the JCUS declared a judicial space emergency for the Hato Rey complex, prioritizing the annex, beginning in FY 2022.

GSA funded a project to replace the Toledo Courthouse elevators. The project was designed in 2020 and construction will begin in 2021. GSA funded a lead-based paint stabilization project at the Toledo Courthouse, which is scheduled to conclude in January 2021.

In the spring of 2018, approximately \$20 million was identified to design and construct security enhancements at the Degetau Federal Building as part of the Capital Security Program. 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. Design of the project was underway in 2020, with construction expected to be awarded in late 2021.

***District of Rhode Island***

Renovations to the District Court IT space are scheduled to be completed by early 2021. The District Court finished upgrading the fiber to

the Courthouse and Pastore building and the cooling in its computer room and data closets.

### **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).

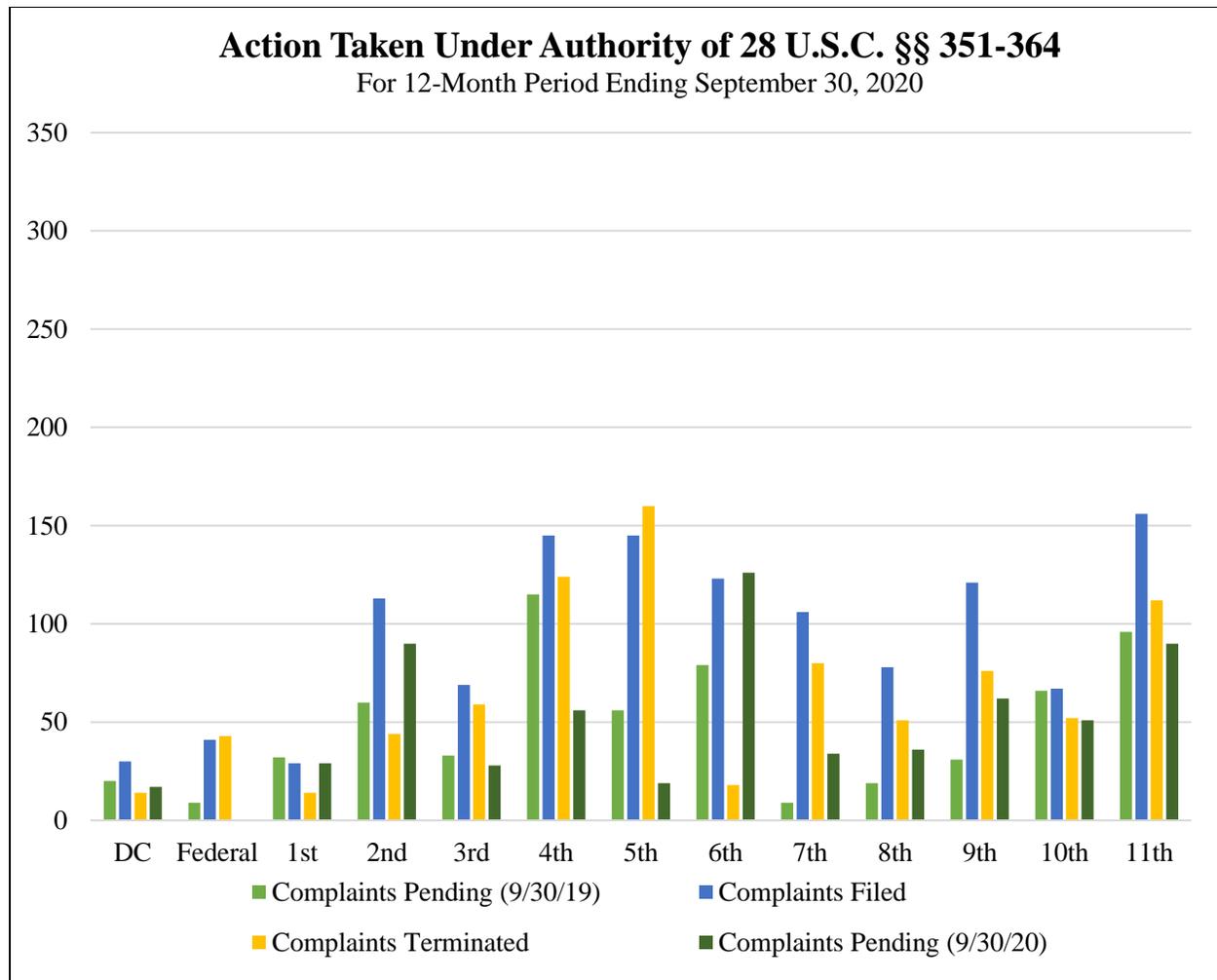
The adoption of uniform mandatory rules was intended to provide national standards and procedures for handling judicial misconduct and disability proceedings. The Rules of Judicial-Conduct were also intended to effectuate many of the recommendations included in the “Breyer Committee Report,” 239 F.R.D.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

<b>Summary of First Circuit Complaints of Judicial Misconduct or Disability, 2020*</b>	
Complaints Filed in 2020 (Calendar Year)	23
Orders of Dismissal Issued by Chief Judge	19
Petitions for Review Filed with Judicial Council	6
Orders of Dismissal Affirmed by Judicial Council	5
Show Cause Orders Issued	1
Preclusion Orders Issued	2
Total Number of Complainants in 2020 (Calendar Year)	18**

\* *This table includes actions taken on matters filed in 2019.*

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



<b>Action Taken Under Authority of 28 U.S.C. §§ 351-364</b> For 12-Month Period Ending September 30, 2020													
Summary of Activity	Circuit												
	DC	Fed.	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th
<b>Complaints Pending* (9/30/19)</b>	20	9	32	60	33	115	56	79	9	19	31	66	96
<b>Complaints Filed</b>	30	41	29	113	69	145	145	123	106	78	121	67	156
<b>Complaints Terminated</b>	14	43	14	44	59	124	160	18	80	51	76	52	112
<b>Complaints Pending (9/30/20)</b>	17	0	29	90	28	56	19	126	34	36	62	51	90

\* Pending caseloads for 2019 as revised by the AO.

### **Attorney Discipline**

During 2020, the Court of Appeals for the First Circuit handled nine 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 seven resulted in suspensions. Eight matters arose out of the reciprocity provisions of Rule II of the Rules of Disciplinary Enforcement, and the Court of Appeals initiated one proceeding.

## **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) remained one of the smallest federal defender offices in the country, with four lawyers and three and a half support professionals divided between the Portland and Bangor offices. The office remained open throughout 2020, and most staff transitioned to working from home for part of the year. Due to the Covid-19 pandemic, court proceedings and client meetings were conducted virtually. The FDO continued to operate at or below budget in all areas of its operation. It also continued 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 2020, the FDO opened 116 new cases, a decrease of 39 cases from 2019. The FDO closed 94 cases, a decrease of 50 cases from 2019.

There were four successful graduations from the SWiTCH drug court's year-long program for the highest risk and highest need clients on supervised release. Graduation ceremonies were conducted outside to allow for proper social distancing. Toward the end of 2020, the SWiTCH program was paused due to issues related to Covid-19 and dwindling participant members.

#### ***Information Technology***

The FDO completed the installation of a new IP phone system.

#### ***Committee Membership***

David Beneman continued his service on the District's CJA, Criminal Law, Local Rules, Conference Planning, and Court Securities Committees, and on the SWiTCH drug court team, and attended the District Administrative Meetings.

#### ***Conferences/Educational Programs***

The FDO provided training to CJA panel attorneys through individual virtual consultation and e-mail newsletters.

FDO employees were encouraged to participate in as many virtual training offerings as their schedules would allow, as travel for in-person training was put on hold in 2020.

#### ***CJA Panel***

The CJA Committee continued to diversify the CJA panel by adding increased representation by women and younger attorneys as panel openings became available. The size of the CJA panel remained consistent with approximately 40 members in Portland and 20 members in Bangor.

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

<b>Massachusetts</b>						
	<b>Cases Opened</b>				<b>Cases Closed</b>	<b>Cases Pending</b>
	<b>Total</b>	<b>Prosecutions</b>	<b>Appeals</b>	<b>Other</b>		
<b>FY 2015</b>	579	248	26	305	552a	409
<b>FY 2016</b>	1,102	227	138	737	1,063	448
<b>FY 2017</b>	507	222	39	246	527	423
<b>FY 2018</b>	552	279	9	264	651	324
<b>FY 2019</b>	608	325	58	225	442	475
<b>FY 2020</b>	487	238	19	230	401	554

<b>New Hampshire</b>						
	<b>Cases Opened</b>				<b>Cases Closed</b>	<b>Cases Pending</b>
	<b>Total</b>	<b>Prosecutions</b>	<b>Appeals</b>	<b>Other</b>		
<b>FY 2015</b>	225	131	6	88	195	119
<b>FY 2016</b>	363	140	52	171	311	171
<b>FY 2017</b>	232	137	19	76	283	118
<b>FY 2018</b>	198	127	7	64	199	117
<b>FY 2019</b>	247	164	11	72	198	172
<b>FY 2020</b>	207	103	8	48	227	158

<b>Rhode Island</b>						
	<b>Cases Opened</b>				<b>Cases Closed</b>	<b>Cases Pending</b>
	<b>Total</b>	<b>Prosecutions</b>	<b>Appeals</b>	<b>Other</b>		
<b>FY 2015</b>	198	66	2	130	196	93
<b>FY 2016</b>	290	67	101	122	199	184
<b>FY 2017</b>	167	61	17	89	252	101
<b>FY 2018</b>	121	61	1	59	127	95
<b>FY 2019</b>	147	71	0	76	148	94
<b>FY 2020</b>	126	78	0	48	107	114

### *Statistics*

The number of opened cases declined in all three districts between 2019 and 2020, largely due to the Covid-19 pandemic. During the spring and early summer, the office received few new assignments, but was extraordinarily busy filing motions for the release of pretrial detainees and sentenced prisoners. Newly appointed First Assistant Martin Richey coordinated litigation that sought sentence reductions for clients serving sentences for

crack cocaine, based on the enactment of the First Step Act. Toward the end of the year, the office began to see more new cases, the number of pending cases in Rhode Island and Massachusetts had increased from 2019 levels, and the number of closed cases in New Hampshire had increased from 2019 levels.

### *Operations*

Covid-19 presented numerous challenges for the office, especially regarding client

communications. At the beginning of the Covid-19 pandemic, none of the detention facilities where the clients were held provided video conferencing with detainees. Toward the end of the year, the facilities started to provide this option. As in-person visits were not safe at that time, the office relied almost entirely on video and telephone communications.

During the first few months of the pandemic, the office conducted weekly Zoom meetings with the CJA panel lawyers, during which the office addressed concerns about court appearances, client access, and compassionate release motions, among other issues. The office held seminars on various topics via Zoom and facilitated meetings with judges to allow them to answer questions from the panel.

### ***Notable Matters***

The office conducted several jury trials since the pandemic began. AFPDs Tim Watkins and Forest Greenberg O'Neill completed a trial in Springfield, Massachusetts that ended with the jury hung on all but one, minor false statement charge.

### ***Human Resources***

First Assistant Federal Public Defender, Charles McGinty, who served 34 years with the office, and longtime investigator, Jayne Lawton, both retired in 2020. Newly promoted Computer System Administrator, Latiquia Braxton-Duce, admirably rose to the challenge of arranging for staff to telework, and she single-handedly provided support to more than 50 employees. The office hired one paralegal each in Rhode Island and New Hampshire.

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

### ***Space and Facilities***

The new office space for the Federal Public Defender Office was completed. The process for creating the new space took four years. The space is approximately 25,000 square feet on two floors, includes all new construction and furniture, and has a conference room that can accommodate the entire staff, CJA panel attorneys, and the federal defense bar for onsite training events. The space was designed to accommodate the office's growing staff and new technology advances.

Due to the Covid-19 pandemic lockdown, the FDO delivered several computers to local prisons, which allowed attorneys and investigators to meet with clients for discovery review, sentencing preparation, and mitigation development. The computers assisted the Court in conducting numerous matters via videoconferencing.

### ***Statistics***

In 2020, the District of Puerto Rico FDO opened 968 new cases and closed 1,019 cases, which were decreases from last year (1,684 and 1,847 cases, respectively), resulting from the Covid-19 pandemic. In the District of Puerto Rico, 47.2% of federal criminal matters involved drugs, and 18.8% of the District's caseload involved firearms, with 8.9% of the sentences in the District including upward variances. The mean and median sentences for defendants in Puerto Rico were 40 and 14 months of incarceration, respectively.

### ***Human Resources***

During 2020, the office consisted of the Federal Public Defender; 22 Assistant Federal Defenders; 17 specialists, investigators, and/or writing attorneys; eight legal assistants; seven administrative support staff; and two computer system administrators. One Assistant Federal Defender from Puerto Rico spent the year in

Washington, D.C., providing district court criminal practice expertise to the United States Sentencing Commission.

Federal Defender staff were able to relocate quickly to home offices, where staff met daily with fellow employees, court personnel, clients, United States Attorney personnel, and attended scheduled Court appearances, all remotely. The Federal Public Defender, First Assistant, Administrative Officer, Receptionist, and Computer System Administrator were on-site to ensure continuing operations.

### ***Educational Programs***

During 2020, Federal Defender staff sat on the Local Rules and CJA Committees. All in-person trainings were postponed, and, instead, the office conducted frequent live video trainings for both staff and panel members. The office also conducted daily guided meditation classes for staff, panel members, and other federal employees who wished to participate.