

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



## **2022 Annual Report**

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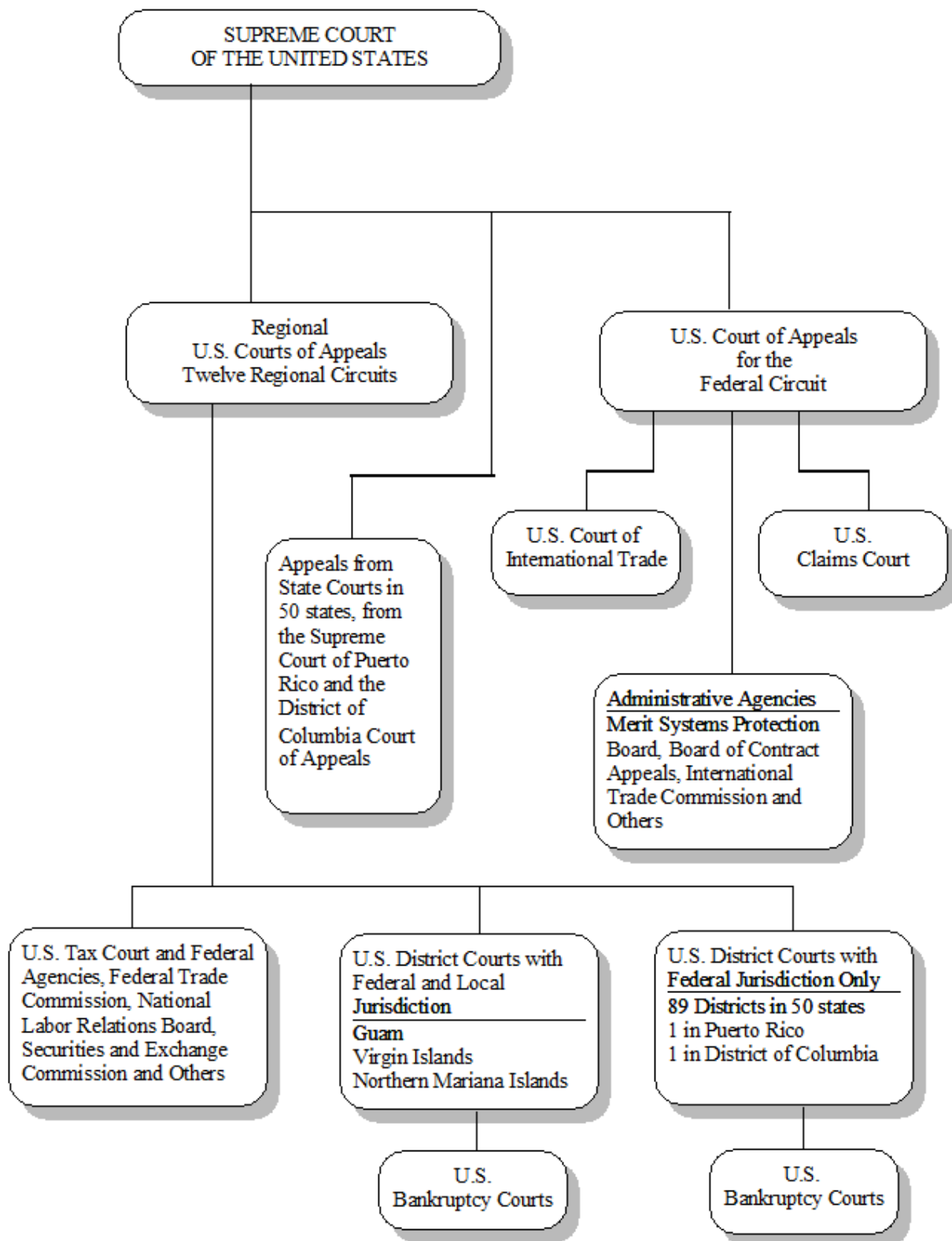
**Foreword**

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

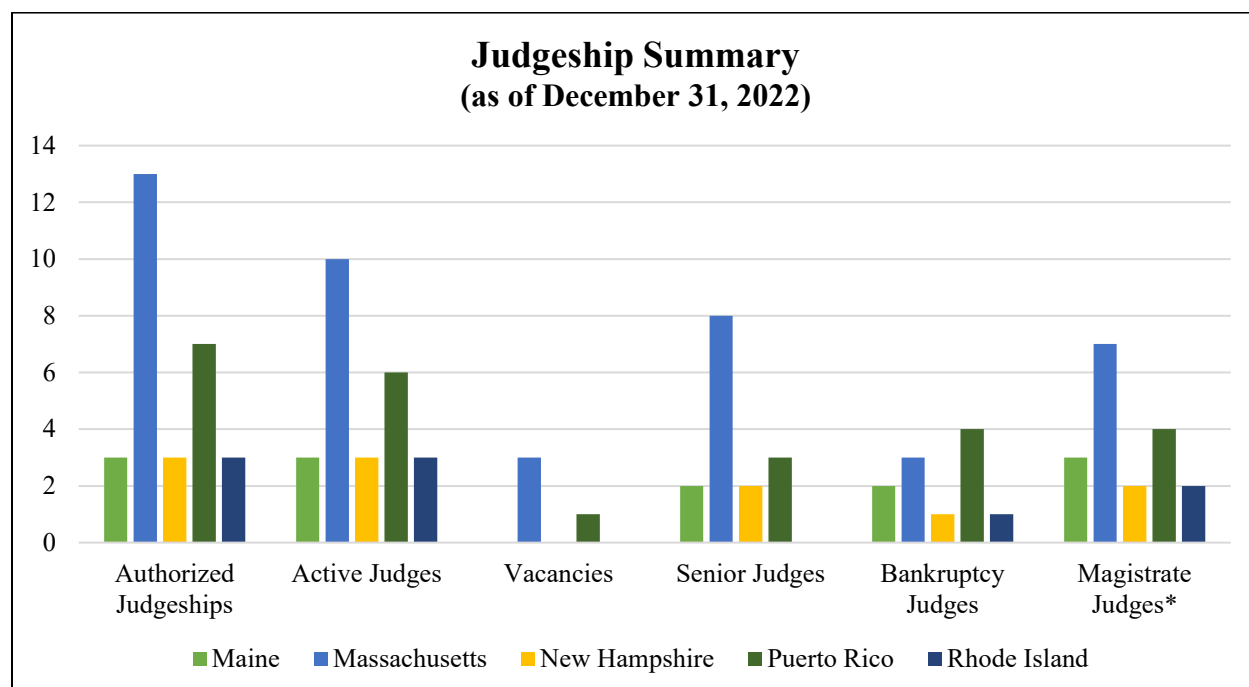
I am pleased to present the 2022 Annual Report of the Courts of the First Circuit. Each year, the Courts' Report provides an opportunity to highlight the many accomplishments of the judges and court staff in the circuit. The statistics and court initiatives described in this Report illustrate the fair and efficient administration of justice throughout the circuit and reflect the standard of excellence for which the federal judiciary is known. Thanks to all for the continued dedication to the First Circuit.

Special thanks to the unit executives circuit-wide who provided the information in this Report and to those who assembled the material including: Amy Campbell, Sierra Dennison, Jessica Pace, Florence Pagano, Gina Riccio, and Kristen Vogl.

Thank you for your interest in the First Circuit.

**Structure of the Federal Judiciary**

### Judges and Judicial Milestones



Judgeship Summary (as of December 31, 2022)						
Districts	Authorized Judgeships	Active Judges	Vacancies	Senior Judges	Bankruptcy Judges	Magistrate Judges*
Maine	3	3	0	3	2	2
Massachusetts	13	10	3	8	3	7
New Hampshire	3	3	0	2	1	2**
Puerto Rico	7	6	1	3	4	4
Rhode Island	3	3	0	1	1	2
Total Dist. Ct.	29	25	4	17	11	18
Total Court of Appeals	6	4	2	5	-	-
Total 1st Cir.	35	29	6	22	11	18

\* Does not include recalled judges.

\*\* Includes one part-time magistrate judge.

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

Honorable David J. Barron, Chief

Honorable Bruce M. Selya  
Honorable Sandra L. Lynch  
Honorable Kermit V. Lipez  
Honorable Jeffrey R. Howard

Honorable O. Rogeriee Thompson  
Honorable William J. Kayatta, Jr.  
Honorable Gustavo A. Gelpí  
Honorable Lara E. Montecalvo

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

Honorable Jon D. Levy, Chief

Honorable Nancy Torresen  
Honorable Lance E. Walker  
Honorable D. Brock Hornby

Honorable George Z. Singal  
Honorable John A. Woodcock, Jr.

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

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

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

Honorable John C. Nivison  
Honorable Karen Frink Wolf  
Honorable David M. Cohen (recalled)

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

Honorable F. Dennis Saylor IV, Chief

Honorable Nathaniel M. Gorton  
Honorable Patti B. Saris  
Honorable Richard G. Stearns  
Honorable Denise J. Casper  
Honorable Indira Talwani  
Honorable Mark G. Mastroianni  
Honorable Leo T. Sorokin  
Honorable Allison D. Burroughs  
Honorable Angel Kelley

Honorable Rya W. Zobel  
Honorable Mark L. Wolf  
Honorable William G. Young  
Honorable Douglas P. Woodlock  
Honorable Edward F. Harrington  
Honorable Michael A. Ponsor  
Honorable George A. O'Toole, Jr.  
Honorable Timothy S. Hillman

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

Honorable Elizabeth D. Katz, Chief  
Honorable Christopher J. Panos  
Honorable Janet Bostwick

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

Honorable M. Page Kelley, Chief  
Honorable Judith G. Dein  
Honorable Jennifer C. Boal  
Honorable David H. Hennessy  
Honorable Katherine Robertson  
Honorable Donald L. Cabell

Honorable Paul G. Levenson  
Honorable Robert B. Collings (recalled)  
Honorable Marianne B. Bowler (recalled)  
Honorable Kenneth P. Neiman (recalled)  
Honorable Jerome J. Niedermeier (recalled)



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

Honorable Landya B. McCafferty, Chief

Honorable Joseph N. Laplante  
Honorable Samantha D. Elliott

Honorable Paul J. Barbadoro  
Honorable Steven J. McAuliffe

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

Honorable Bruce A. Harwood, Chief

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

Honorable Andrea K. Johnstone  
Honorable Daniel Lynch

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

Honorable Raúl Arias-Marxuach, Chief

Honorable Aida M. Delgado-Colón  
Honorable Pedro A. Delgado Hernández  
Honorable Silvia Carreño-Coll  
Honorable Maria Antongiorgi-Jordán

Honorable Camille L. Vélez-Rivé  
Honorable Daniel R. Domínguez  
Honorable Jay A. García-Gregory  
Honorable Francisco A. Besosa

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

Honorable Mildred Cabán, Chief  
Honorable Enrique S. Lamoutte

Honorable Edward A. Godoy  
Honorable María de los Ángeles González

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

Honorable Bruce J. McGiverin  
Honorable Marcos E. López

Honorable Marshal D. Morgan  
Honorable Giselle López-Soler

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**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

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

Honorable Diane Finkle

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

Honorable Lincoln D. Almond  
Honorable Patricia A. Sullivan

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### **Judicial Milestones and Other Highlights**

#### ***Court of Appeals***

On March 31, 2022, then Chief Judge Howard assumed senior status, and, on April 1, 2022, Judge Barron assumed the position of Chief Judge of the United States Court of Appeals for the First Circuit.

On September 21, 2022, Judge Thompson assumed senior status.

On September 22, 2022, Judge Montecalvo was sworn in as a circuit judge for the United States Court of Appeals for the First Circuit. On December 31, 2022, Judge Lynch assumed senior status.

#### ***Bankruptcy Appellate Panel***

In June 2022, Judge Bailey of the U.S. Bankruptcy Court for the District of Massachusetts retired after serving on the U.S. Bankruptcy Appellate Panel for the First Circuit (BAP) since March 2010.

#### ***District of Maine***

In 2022, Chief Judge Levy continued to administer and oversee the District's response to the Covid-19 pandemic and served on the Federal Judge's Association Board and Pay and Benefits Committee, the First Circuit Judicial Council Civics Education and Outreach Committee, the Maine State/Federal Judicial Council, and the Maine State Bar Association Attorney Wellness Task Force. He also delivered training to new judges appointed to the State of Maine Judiciary and engaged with the District of Maine's Local Rules Advisory Committee.

Judge Torresen chaired the District of Maine Court Security Committee and the First

Circuit Judicial Council Pattern Jury Instructions Committee.

Judge Walker chaired the District's Criminal Law Committee and was a member of the First Circuit Judicial Council, the First Circuit Judicial Council Alternative Sentencing Committee, the First Circuit Judge's 2024 Workshop Planning Committee, the Judicial Conference of the United States (JCUS) Committee on Financial Disclosure, and the Employment Dispute Resolution Appeals Panel.

Judge Singal served on the United States Foreign Intelligence Surveillance Committee and was a member of the Maine State/Federal Judicial Council.

Judge Woodcock served as an instructive judge at the National Advocacy Center's Basic Criminal Trial Advocacy seminar and was a member of the Maine State/Federal Judicial Council (Executive Committee), the JCUS Budget Committee, the First Circuit Judicial Council Post-Pandemic Operations Committee, and the John Waldo Ballou Inn of Court. He was also a visiting judge for the District of Puerto Rico.

Judge Hornby was an emeritus member of the Council of the American Law Institute and a member of the Maine State/Federal Judicial Council. He took inactive senior status at the end of February 2022.

Magistrate Judge Rich served as the Maine Justice Action Group's Vice-Chair (JAG) and Co-Chair of JAG's standing Pro Bono Committee until his retirement from the bench at the end of March 2022.

Magistrate Judge Nivison was reappointed to a second seven-year term in January 2022. He

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.

Magistrate Judge Frink Wolf was appointed to the U.S. District Court for the District of Maine in April 2022. In 2022, she was the Vice-Chair of the Maine JAG and the Chair of JAG's Pro Bono Committee and was a member of the First Circuit Judicial Council Access to Justice Committee and its Mediation Working Group. She served as the judicial liaison to the Court's Local Rules Advisory Committee, coordinated the Court's POWER Act programs and the Court's Civil Discourse programs for high school students, and chaired the 2024 District Conference planning group.

In 2022, Magistrate Judge Cohen was recalled for an additional year.

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

In 2022, Judge Gorton served on the Judicial Panel on Multi-District Litigation.

Judge Talwani served on the JCUS Committee on Criminal Law.

Judge Mastroianni served on the JCUS Committee on the Administration of the Magistrate Judges System and represented the District of Massachusetts on the First Circuit Judicial Council IT Committee.

Judge Sorokin served on the JCUS Committee on Court Administration and Case Management.

Judge Burroughs served on the JCUS Committee on Information Technology (IT) and the First Circuit Judicial Council IT Committee, and received the Boston Patent

Law Association Distinguished Public Service Award.

Judge Kelley was a member of the Nelson and Lindsay Fellows Committee.

Judge O'Toole served on the JCUS Committee on Judicial Security.

Judge Hillman assumed senior status on July 1, 2022.

Magistrate Judge Boal served on the Civil Rules Advisory Committee.

Magistrate Judge Cabell served on the JCUS Committee on Judicial Security

Magistrate Judge Levenson was appointed to the District of Massachusetts on May 27, 2022, and his formal investiture was held on September 29, 2022.

On May 6, 2022, Magistrate Judge Bowler retired and assumed recall status.

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

In 2022, Chief Judge McCafferty served as a member of the JCUS Committee on Defender Services, the First Circuit Judicial Council Workplace Conduct Committee, the Federal Judicial Center (FJC) Education Advisory Committee, the First Circuit Judicial Council Civics Education and Outreach Committee, and the New Hampshire Bar Law Related Education Committee, and as the Chair of the Federal Court Advisory Committee and the Facility Security Committee. She also continued to oversee the District's educational outreach program and visited high schools in the state remotely and in person.

Judge Laplante served on the JCUS Committee on Court Administration and Case Management, JCUS Committee on Criminal

Law, First Circuit Judicial Council, First Circuit Judicial Council IT Committee, and First Circuit Judicial Council Alternative Sentencing Committee. He also chaired the First Circuit Judicial Council Access to Justice Committee; taught statutory interpretation at Boston College Law School, Georgetown Law School, and the University of New Hampshire Franklin Pierce School of Law; and served on the board of the Federal Judges Association.

In 2022, Judge Elliott chaired the Civil and Bankruptcy Subcommittee of the First Circuit Judicial Council Post-Pandemic Operations Committee and the District of New Hampshire Court Security Committee. She also was a member of the First Circuit Judicial Council Access to Justice Committee and the Daniel Webster-Batchelder Inn of Court.

Judge DiClerico, Jr., passed away in April of 2022, after almost thirty years of federal service.

Magistrate Judge Johnstone continued to serve as a member of the New Hampshire Bar Association's Committee on Cooperation with the Courts and the Daniel Webster-Batchelder Inn of Court.

Clerk of Court/Magistrate Judge Lynch served on the Criminal Subcommittee of the First Circuit Judicial Council Post-Pandemic Operations Committee, the Operational Impact of Federal Rule Amendments Working Group, the New Hampshire Committee on the Judiciary and the Media, and the New Hampshire Bar Association's Committee on Cooperation with the Courts.

### ***District of Puerto Rico***

On December 1, 2022, Judge Antongiorgi-Jordán was sworn in as a district judge for the District of Puerto Rico.

On December 9, 2022, Judge Vélez-Rivé was sworn in as a district judge for the District of Puerto Rico.

On January 1, 2022, Judge Besosa assumed senior status.

### ***District of Rhode Island***

In 2022, Chief Judge McConnell continued to serve on the JCUS Codes of Conduct Committee and the First Circuit Workplace Conduct Committee. He also co-chaired the First Circuit Judicial Council Post-Pandemic Operations Committee.

Judge Smith continued to serve on the JCUS Judicial Resources Committee and as a faculty member and mentor for new judges and for other FJC programs. He taught at Roger Williams University School of Law and chaired its Board of Directors. Judge Smith served as Co-Chair of the First Circuit Judicial Council Alternative Sentencing Committee.

Judge McElroy continued to serve on the Judicial Council of the First Circuit.

Magistrate Judge Sullivan served on the JCUS Court Administration and Case Management Committee and the First Circuit Judicial Council Workplace Conduct Committee and Access to Justice Committee, and was an observer member of the First Circuit Judicial Council. She also was the Treasurer and a member of the Board of Trustees of the Roger Williams University School of Law.

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

In 2022, Chief Judge Cary served on the First Circuit Judicial Council Workplace Conduct Committee, the National Conference of Bankruptcy Judges' (NCBJ) Endowment Committee and Committee on the Annual

Meeting, and the State-Federal Judicial Council Executive Committee. Chief Judge Cary presented at programs sponsored by the American Bankruptcy Institute, the American Board of Certification, and the Maine State Bar Association. In addition, in 2022, Chief Judge Cary was an organizer and presenter at the FJC Onward and Upward Bankruptcy Conversations and at the District Conference, and presented on Workplace Conduct at the District of Maine Law Clerk Orientation. Chief Judge Cary compiled a BAP Information Guide and hosted a related virtual seminar for approximately 75 bankruptcy judges and staff across the country. Chief Judge Cary also taught at several FJC programs for new chief judges in Nashville, Tennessee, and Washington, D.C.

Judge Fagone served on the following committees: JCUS Committee on Federal State Jurisdiction, the First Circuit Judicial Council IT Committee, American Bankruptcy Institute's Board of Directors and Executive Committee, the NCBJ Executive Committee, District of Maine Judicial Conference Planning Committee, and John Waldo Ballou Inn of Court Planning Committee.

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

Judge Elizabeth D. Katz was appointed Chief Judge of the District of Massachusetts Bankruptcy Court effective December 1, 2022. Judge Frank J. Bailey retired effective June 1, 2022. The Court held the portrait presentation ceremony for Judge Melvin Hoffman (ret.) in June 2022 and the formal investiture for Judge Janet Bostwick in August 2022.

In 2022, Chief Judge Katz served as Chair for the Court's Diversity Initiative Task Force,

Chair of the Building Security Committee at the Springfield Courthouse, Co-Chair for the Court's Local Rules Advisory Committee, and as a member of the Court's Technology Committee. Chief Judge Katz also served as a member of the NCBJ's Public Outreach Committee and as a fellow for the Massachusetts Bar Foundation.

In 2022, Judge Christopher J. Panos served as Co-Chair of the Court's Local Rules Advisory Committee and Diversity Initiative Task Force, and as the Judicial Chair of the M. Ellen Carpenter Financial Literacy Program, a collaboration between the Boston Bar Association and the Bankruptcy Court. 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 Bankruptcy Court's Technology Committee. He also served as a member of the JCUS Committee on Administration of the Bankruptcy System and the American Bankruptcy Institute Northeast Conference Planning Committee, and as a Liaison for the Committee on Court Administration and Case Management Broadcasting Subcommittee. In 2022, Judge Panos was the Bankruptcy Court non-voting representative on the District of Massachusetts Technology and Budget Committees and was a member of the District of Massachusetts' Central Division Courthouse Security Committee.

Judge Janet E. Bostwick served as Co-Chair of the Court's Local Rules Advisory and Pro Bono 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 and the American College of Bankruptcy. Further,

Judge Bostwick served as the American Bar Association Co-Chair for the Business Bankruptcy Committee's Subcommittee on Administration and Courts and as Boston City Co-Chair for the Roadways to the Bench April 2023 Event for the JCUS Committees on the Administration of the Bankruptcy System and the Magistrate Judges System. In 2022, Judge Bostwick was also a member of the following organizations: First Circuit Post-Pandemic Operations Committee (Civil & Bankruptcy and Access to Justice Subcommittees); the Court's Technology Committee; American College of Bankruptcy's Nominating Committee; and the NCBJ's Next Gen, New Member, Member Services, Public Outreach, and Engaging Young Professionals Committees.

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

In 2022, Chief Judge Harwood continued serving on the American Bankruptcy Institute's Board of Directors and Executive Committee, and spoke on several panels at its Annual Spring Meeting in April and at the NCBJ annual meeting in October. Chief Judge Harwood served as a member of the Bankruptcy Court Subcommittee on the First Circuit's Access to Justice Committee. In 2022, Chief Judge Harwood concluded his terms as Secretary of the American Bankruptcy Institute and as the bankruptcy judge observer member of the First Circuit Judicial Council.

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

In 2022, Chief Judge Mildred Cabán continued to serve on the Board of the FJC and on its Education Committee for Bankruptcy Judges. She served on the NCBJ Board of Governors as its First Circuit

representative, as Chair for the NCBJ Security Committee, as a member of the NCBJ Public Outreach Committee, and as the NCBJ liaison for the Hispanic National Bar Association. She served as the Co-Chair for the federal judiciary's "2023 Roadways to the Bench" program. Chief Judge Cabán served as a volunteer coordinator and as a member of the Advisory Board for C.A.R.E. ("Credit Abuse Resistance Education"). Additionally, she served on the Committee on the Federal Bar Examination for the District of Puerto Rico and on the First Circuit's Civics Outreach and Education Committee. In 2022, Chief Judge Cabán helped plan and moderated the FJC National Bankruptcy Judges Workshops held in Salt Lake City, Utah. She participated virtually as faculty for newly appointed bankruptcy judges for the FJC Phases I and II trainings and for the American Bankruptcy Institute Diversity Mentorship Program. Chief Judge Cabán also attended the NCBJ in Orlando, Florida, where she participated in an outreach program at a local public school, and attended the Chief Judges Conference held in Washington, D.C.

Judge Lamoutte continued to serve on the Federal Bar Examination Committee for the U.S. District Court for the District of Puerto Rico and participated in a panel that discussed the Limitation on the Jurisdiction of the Bankruptcy Court at the Eighth Bankruptcy Symposium sponsored by the Instituto de Educación Práctica.

In 2022, Judge Godoy continued to serve as Chief Judge for the BAP. Judge Godoy served as Chair of the Planning Committee for the NCBJ Schwartz Roundtable, and as a member of the First Circuit Judicial Council's IT Committee and the Bankruptcy Subcommittee to the First Circuit Judicial Council's Access to Justice Committee. Additionally, Judge Godoy served as a moderator in the 96th Annual Conference of

the NCBJ and participated in a panel that discussed the Limitation on the Jurisdiction of the Bankruptcy Court.

On February 11, 2022, former Clerk of Court María de los Ángeles González was appointed as U.S. Bankruptcy Judge for the District of Puerto Rico in Ponce. Judge González attended the 2022 American Bankruptcy Institute Northeast Bankruptcy Conference and the 96th NCBJ. She served on a panel that discussed comparisons between chapter 13 and chapter 11 cases, including subchapter V cases at a Bankruptcy Workshop sponsored by the National Association of Consumer Bankruptcy Attorneys. In April 2022, Judge González gave two presentations to third-year law school students and was a panelist at a Federal Bar Association event in Ponce, Puerto Rico, for first-year law school students.

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

In 2022, Judge Finkle served as a member of the NCBJ and on its Ethics Advisory Committee. Judge Finkle was also a member of the Administrative Office of the U.S. Courts (AO) Bankruptcy Judges Advisory Group and the judicial chair of the American Bankruptcy Institute's Advisory Board for its 2022 Annual Northeast Bankruptcy Conference, which she attended. In 2022, Judge Finkle continued her service on the BAP and attended the FJC Annual Bankruptcy Judges Workshop in April 2022.



**Work of the Courts**

**Court of Appeals**

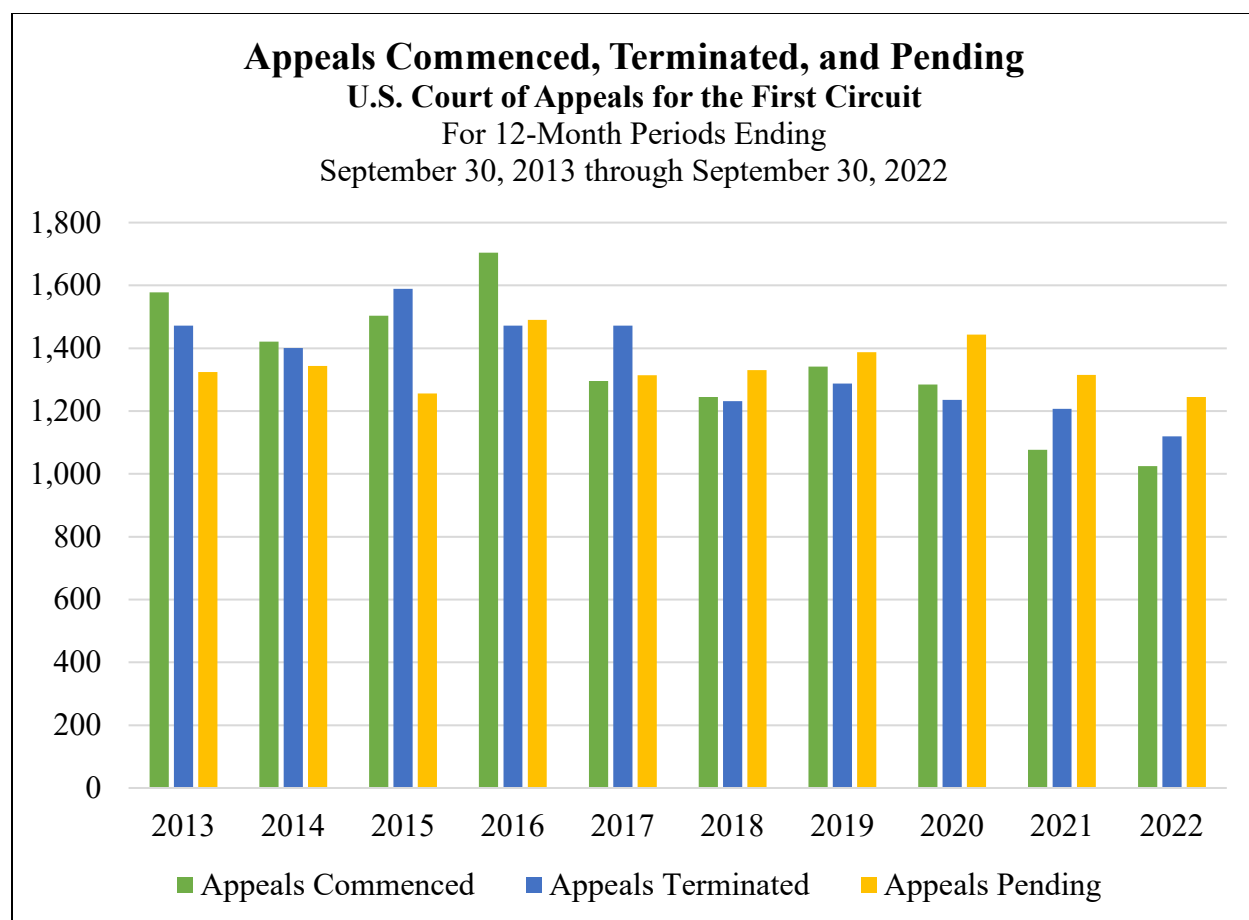
***Statistical Report***

<b>Courts of Appeals Caseload Summary</b> Appeals Commenced, Terminated, and Pending, by Circuit For 12-Month Periods Ending September 30, 2021 and September 30, 2022									
Circuit	<b><u>Commenced</u></b>			<b><u>Terminated</u></b>			<b><u>Pending*</u></b>		
	2021	2022	% Change	2021	2022	% Change	2021	2022	% Change
<b>Total</b>	44,546	41,839	-6.1	47,748	44,902	-6.0	35,552	32,512	-8.6
<b>D.C.</b>	878	995	13.3	1,022	947	-7.3	1,102	1,150	4.4
<b>First</b>	1,077	1,042	-3.2	1,207	1,119	-7.3	1,315	1,245	-5.3
<b>Second</b>	4,079	3,816	-6.4	4,585	4,031	-12.1	3,809	3,598	-5.5
<b>Third</b>	2,630	2,487	-5.4	2,701	2,576	-4.6	2,036	1,946	-4.4
<b>Fourth</b>	4,226	3,930	-7.0	4,259	4,064	-4.6	3,176	3,042	-4.2
<b>Fifth</b>	6,427	5,905	-8.1	6,754	6,732	-0.3	4,553	3,724	-18.2
<b>Sixth</b>	3,866	3,602	-6.8	4,028	3,695	-8.3	2,552	2,459	-3.6
<b>Seventh</b>	2,524	2,426	-3.9	2,622	2,386	-9.0	1,698	1,738	2.4
<b>Eighth</b>	2,942	2,822	-4.1	3,129	2,572	-17.8	1,349	1,608	19.2
<b>Ninth</b>	9,487	8,559	-9.8	10,872	10,492	-3.5	9,780	7,847	-19.8
<b>Tenth</b>	1,599	1,593	-0.4	1,697	1,601	-5.7	1,096	1,088	-0.7
<b>Eleventh</b>	4,811	4,662	-3.1	4,872	4,687	-3.8	3,086	3,067	-0.6

\* Pending caseloads for 2021 as revised by the AO.

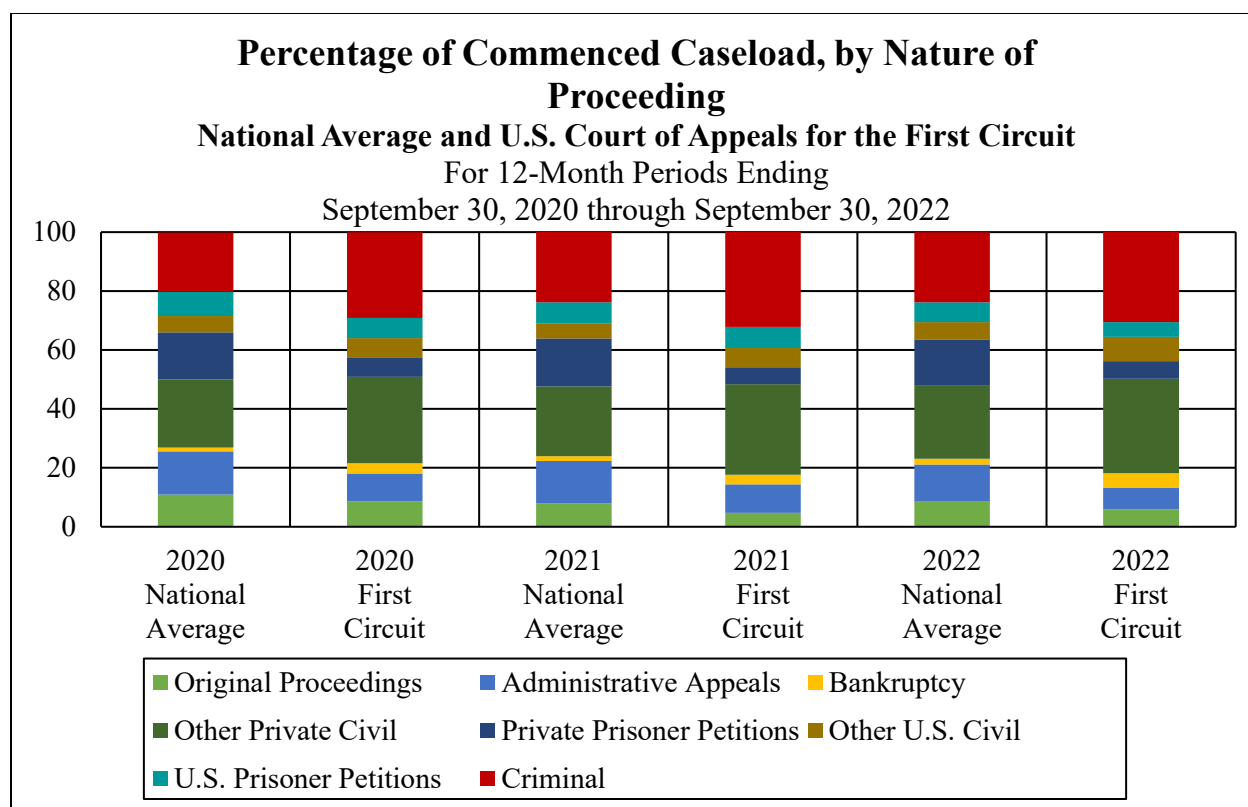
<b>Source of Appeals and Original Proceedings</b> <b>U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2015 through September 30, 2022								
Source	2015	2016	2017	2018	2019	2020	2021	2022
<b>First Circuit Totals*</b>	1,504	1,704	1,296	1,245	1,342	1,284	1,077	1,042
<b>Maine</b>	206	117	116	102	103	97	113	78
<b>Massachusetts</b>	506	499	377	464	486	448	341	359
<b>New Hampshire</b>	74	86	90	82	78	67	61	71
<b>Puerto Rico</b>	399	461	372	284	376	329	295	269
<b>Rhode Island</b>	61	45	87	71	66	65	78	76
<b>Bankruptcy</b>	34	28	33	39	40	45	34	51
<b>U.S. Tax Court</b>	3	4	2	3	0	1	0	3
<b>National Labor Relations Board</b>	11	8	6	3	3	8	5	2
<b>Board of Immigration Appeals</b>	113	83	68	84	76	106	93	65
<b>Administrative Agencies (Total)</b>	139	105	88	100	88	122	104	77
<b>Original Proceedings</b>	85	363	133	103	105	111	51	61

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

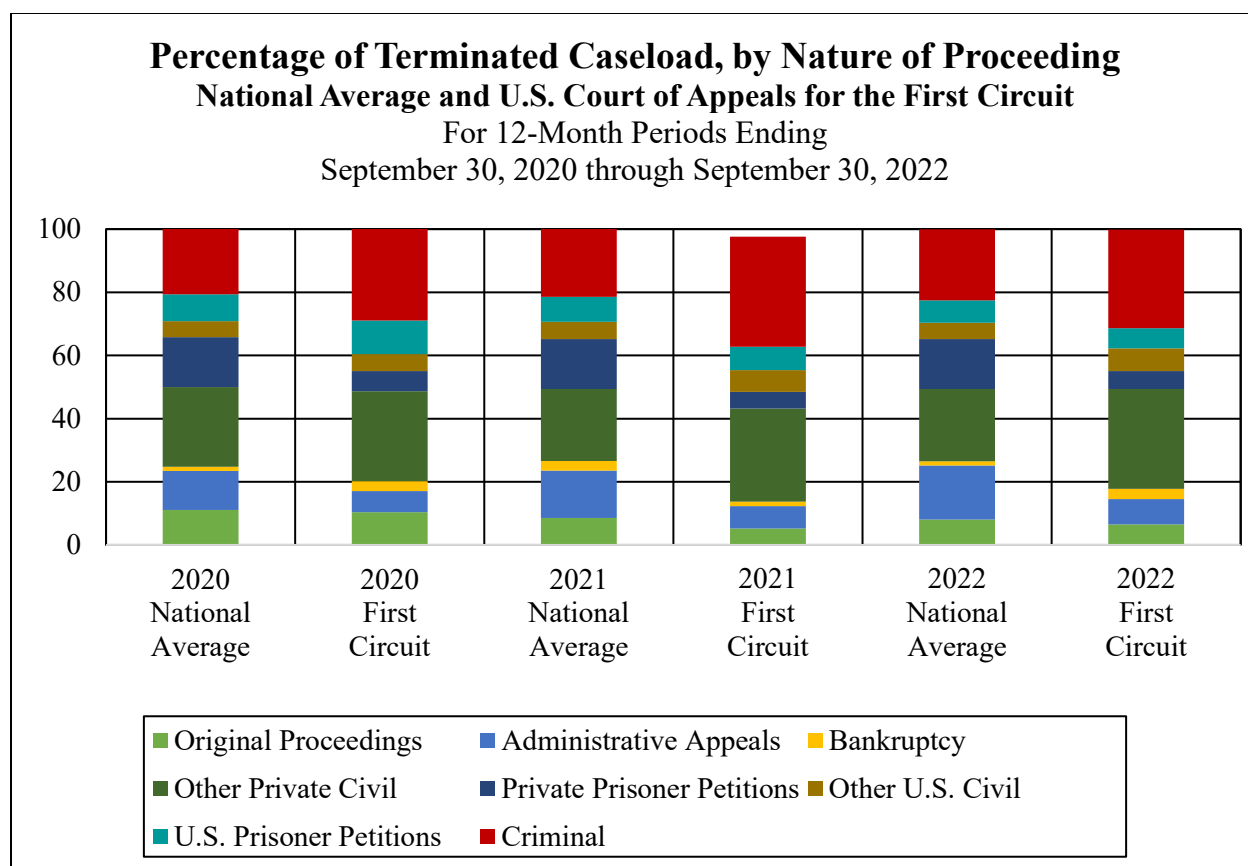


<b>Appeals Commenced, Terminated, and Pending</b> <b>U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2013 through September 30, 2022										
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Appeals Commenced	1,578	1,421	1,504	1,704	1,296	1,245	1,342	1,284	1,077	1,025
Appeals Terminated	1,472	1,401	1,589	1,472	1,472	1,232	1,288	1,236	1,207	1,119
Appeals Pending*	1,324	1,343	1,256	1,490	1,317	1,330	1,387	1,443	1,315	1,245

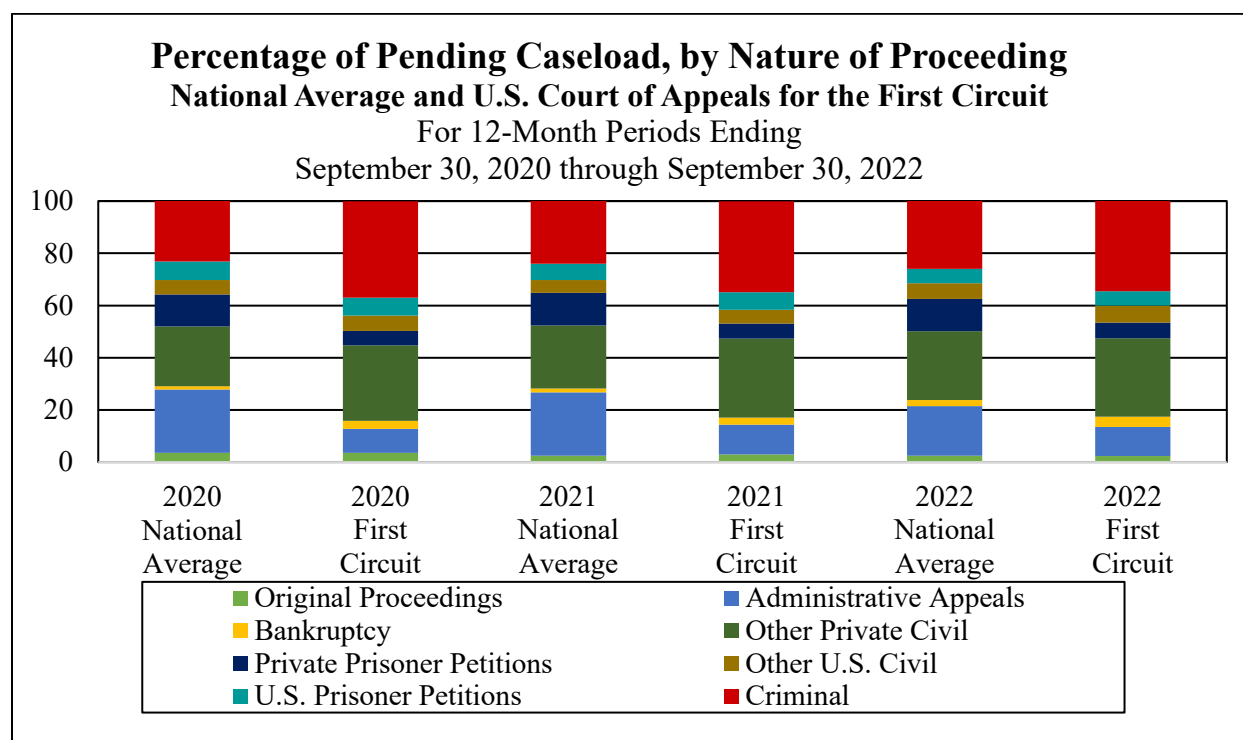
\*Pending caseloads for 2013 - 2021 as revised by the AO.



<b>Percentage of Commenced Caseload, by Nature of Proceeding</b> <b>National Average and U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2020 through September 30, 2022						
	2020		2021		2022	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
<b>Criminal</b>	20.1	29.1	23.9	32.3	23.8	30.7
<b>U.S. Prisoner Petitions</b>	8.3	6.9	7.3	7.1	6.7	5.0
<b>Other U.S. Civil</b>	5.5	6.7	5.0	6.6	5.9	8.3
<b>Private Prisoner Petitions</b>	16.0	6.4	16.3	5.7	15.8	6.0
<b>Other Private Civil</b>	23.1	29.3	23.7	30.8	24.7	32.0
<b>Bankruptcy</b>	1.3	3.5	1.6	3.2	2.0	4.9
<b>Administrative Appeals</b>	14.7	9.5	14.3	9.7	12.6	7.4
<b>Original Proceedings and Miscellaneous Applications</b>	10.9	8.6	8.0	4.7	8.5	5.9



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, 2020 through September 30, 2022						
	2020		2021		2022	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
Criminal	20.6	28.9	23.2	34.8	22.5	31.2
U.S. Prisoner Petitions	8.5	10.7	7.9	7.4	7.1	6.4
Other U.S. Civil	5.1	5.3	5.5	6.9	5.1	7.1
Private Prisoner Petitions	15.8	6.4	15.8	5.3	15.8	5.7
Other Private Civil	25.2	28.5	22.8	29.5	22.9	31.6
Bankruptcy	1.4	3.1	1.4	3.8	1.3	3.3
Administrative Appeals	12.3	6.7	15.0	7.1	17.2	8.0
Original Proceedings and Miscellaneous Applications	11.1	10.4	8.5	5.2	8.0	6.5



<b>Percentage of Pending Caseload,* by Nature of Proceeding</b> <b>National Average and U.S. Court of Appeals for the First Circuit</b> For 12-Month Periods Ending September 30, 2020 through September 30, 2022						
	2020		2021		2022	
	National Average	First Circuit	National Average	First Circuit	National Average	First Circuit
<b>Criminal</b>	23.2	36.9	24.0	34.8	25.9	34.5
<b>U.S. Prisoner Petitions</b>	7.1	6.8	6.2	6.7	5.6	5.6
<b>Other U.S. Civil</b>	5.6	5.9	5.0	5.3	6.0	6.4
<b>Private Prisoner Petitions</b>	12.2	5.5	12.5	5.8	12.3	6.0
<b>Other Private Civil</b>	22.9	29.0	24.1	30.3	26.4	30.1
<b>Bankruptcy</b>	1.3	3.1	1.5	2.6	2.4	3.9
<b>Administrative Appeals</b>	24.3	9.1	24.3	11.4	19.0	11.2
<b>Original Proceedings and Miscellaneous Applications</b>	3.5	3.6	2.4	3.0	2.4	2.3

\*Pending caseloads for 2020 and 2021 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, 2022 (From Filing of Notice of Appeal to Final Disposition)		
<b>Circuit</b>	<b>No. of Cases</b>	<b>Interval</b>
<b>National Average</b>	26,550	9.8
<b>D.C.</b>	467	11.6
<b>First</b>	778	14.0
<b>Second</b>	1,895	12.2
<b>Third</b>	1,583	9.0
<b>Fourth</b>	2,766	7.9
<b>Fifth</b>	4,097	9.2
<b>Sixth</b>	2,399	8.5
<b>Seventh</b>	1,294	9.5
<b>Eighth</b>	1,902	4.6
<b>Ninth</b>	5,845	13.2
<b>Tenth</b>	1,033	9.5
<b>Eleventh</b>	2,491	9.2

<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, 2018 through September 30, 2022						
		<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>After Oral Hearing</b>	<b>1st Cir.</b>	24.5	20.3	22.4	30.0	29.2
	<b>Nat'l</b>	18.7	18.9	17.7	20.1	19.6
<b>After Submission</b>	<b>1st Cir.</b>	69.1	74.0	72.2	61.2	63.5
	<b>Nat'l</b>	74.6	73.8	74.0	73.0	73.5
<b>By Consolidation</b>	<b>1st Cir.</b>	6.4	5.7	5.4	8.8	7.3
	<b>Nat'l</b>	6.7	7.3	8.3	6.9	6.9

## Clerk's Office

### *Federal and Local Rules Amendments*

In March 2022, amendments to the Local Rules went into effect, which added a mandate that required appendices be filed electronically and in paper, and removed the requirement that self-represented litigants file appendices. Further, in December 2022, the Local Rules were amended in accordance with the updated Federal Rules of Appellate Procedure.

### *Federal Criminal Appellate Practice Seminar*

In 2022, with the assistance of the Criminal Appellate Practice Bar Education Committee, the U.S. Court of Appeals for the First Circuit hosted a series of court-sponsored seminars for members of the bar in Boston, Massachusetts; Carolina, Puerto Rico; and Portland, Maine. Each program featured a presentation by Judge Thompson of the U.S. Court of Appeals for the First Circuit on best practices for federal appellate brief writing and oral argument, and a panel discussion on criminal appeals in a digital world, summaries of recent First Circuit and Supreme Court cases, and additional procedural and substantive topics.

### *Statistics*

In Fiscal Year (FY) 2022, the Court of Appeals reported 1,042 filings, compared with 1,077 filings in FY 2021, a 3.2% decrease in filings. Case terminations decreased by 7.3%, from 1,207 in FY 2021 to 1,119 in FY 2022. During the same period, pending cases decreased by 5.3%, from 1,315 in FY 2021 to 1,245 in FY 2022. See supra p. 19.

For this time period, the largest sources of appeals were the Districts of Massachusetts (359) and Puerto Rico (269). The number of appeals from the Districts of Maine, Rhode

Island, and New Hampshire were 78, 76, and 71, respectively. There were 77 appeals from administrative agencies, most of which were from the Board of Immigration Appeals (65). The remaining cases were original proceedings and miscellaneous applications (61) and bankruptcy appeals (51). See supra p. 17.

In FY 2022, civil cases (including prisoner petitions) represented 51.2% of the appeals commenced in the First Circuit, and criminal appeals represented 30.7% of appeals commenced. The remaining 18.1% 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 2022, the office consisted of one senior staff attorney, one supervisory staff attorney, approximately 16 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 2022 (90 fewer matters than in 2021):

January	152
February	123
March	173
April	152
May	165
June	189
July	167
August	214
September	175
October	182
November	196
December	182
<b>Total</b>	<b>2,070</b>



In addition, there were 123 pro se or Social Security submitted cases (23 fewer than in 2021) and 79 sua sponte summary dispositions assigned in counseled, briefed cases (29 more than in 2021).

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 electronically copies of the orders, memoranda, or opinions from which the

appeal has been taken. If the parties choose, they may also file a confidential memorandum containing, inter alia, the history of any settlement negotiations, the major points of error on appeal, factors which may affect a party's chances of prevailing upon appeal, and the terms and conditions upon which the case may reasonably be settled. The attorneys are also informed that their clients are required to attend the conference unless excused.

Conferences can last from a few hours to a full day or more. 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 2022, of the 321 cases that were opened, one or more conferences were held in 114 cases, which produced 39 settlements (approximately 34% of mediated cases).

### **Library**

#### ***Overview***

The First Circuit U.S. Court 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 2022 was distributed among the libraries as follows: five full-time in Boston (including the Circuit Librarian), two full-time staff in Hato Rey, one full-time staff in Concord, and one full-time staff working between Providence and Boston. 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.

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

The Library's FY 2022 legal research resources allotment increased by 4.2% from FY 2021, while prices for both print and electronic resources continued to rise. The percentage increase varied among the legal resource vendors, ranging from 5% to 11%. Spending in electronic resources was approximately 11.7% of the legal resources budget, an increase from the previous year. The Library continued to work with chambers in reducing print subscriptions.

### ***Strategic Plan***

In December 2022, Library staff completed a five-year strategic plan document, which focused on improving services to judges and court staff and engaging more in the Court's civil engagement initiatives.

## **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. In 2022, after forming a committee to consider the future of holding virtual hearings, the BAP decided to continue to conduct oral arguments virtually by using Microsoft Teams, a practice established in July 2020.

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

In 2022, BAP staff organized and hosted virtually the annual judges' meeting, featuring speakers who addressed administrative and relevant legal developments. Further, BAP staff attended the Boston Bar Association's 32nd Annual Bankruptcy Bench Meets Bar Conference, the Second Bankruptcy Appellate Panel Symposium, and the 24th Annual New England Bankruptcy Law Conference.

Clerk of Court Leslie Storm presented at webinars, entitled "Bankruptcy Basics for Law Clerks," organized by Judge Katz of the U.S. Bankruptcy Court for the District of Massachusetts, a webinar, entitled "Best Practices for Effective Appellate Brief Writing," for the Boston Bar Association, and the annual meeting of the Western Massachusetts Bankruptcy Bar Association. Further, she served as a coach for Suffolk University Law School students participating in the Duberstein Moot Court Competition. Clerk Storm joined the District Courts' and Bankruptcy Courts' Subcommittees of the First Circuit Judicial Council Access to Justice Committee and continued to attend BAP Clerks Advisory Group meetings.

In 2022, the BAP mentored Eunice Pais, an international law student summer intern from Boston College Law School.

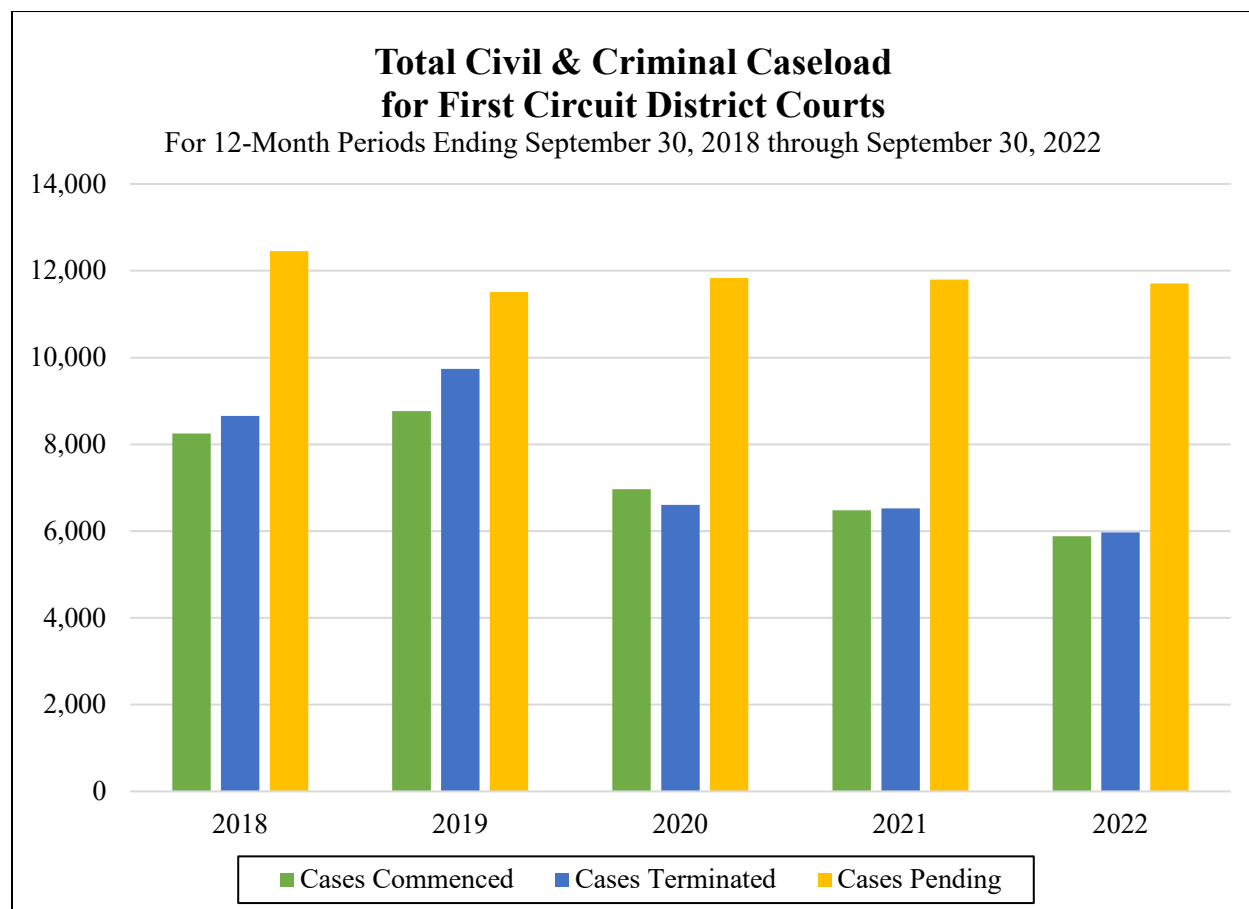
### *Statistics*

The BAP's caseload increased slightly during 2022. The majority of cases received by the BAP in 2022 came from the District of Massachusetts' bankruptcy courts (57%), followed by the bankruptcy courts of the Districts of Maine (16%), New Hampshire (14%), Puerto Rico (11%), and Rhode Island (2%). Pro se litigants continued to file appeals in the BAP regularly, accounting for 55% 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, 2021 and September 30, 2022									
<b><u>Circuit</u></b>	<b><u>Filed</u></b>			<b><u>Terminated</u></b>			<b><u>Pending*</u></b>		
	<b>2021</b>	<b>2022</b>	<b>% Change</b>	<b>2021</b>	<b>2022</b>	<b>% Change</b>	<b>2021</b>	<b>2022</b>	<b>% Change</b>
<b>First</b>	33	43	30.3	48	40	-16.7	15	18	20.0
<b>Sixth</b>	34	25	-26.5	29	35	20.7	32	22	-31.3
<b>Eighth</b>	17	14	-17.6	18	15	-16.7	5	4	-20.0
<b>Ninth</b>	270	273	1.1	297	265	-10.8	102	110	7.8
<b>Tenth</b>	54	22	-59.3	50	23	-54.0	14	13	-7.1
<b>Total</b>	408	377	-7.6	442	378	-14.5	168	167	-0.6

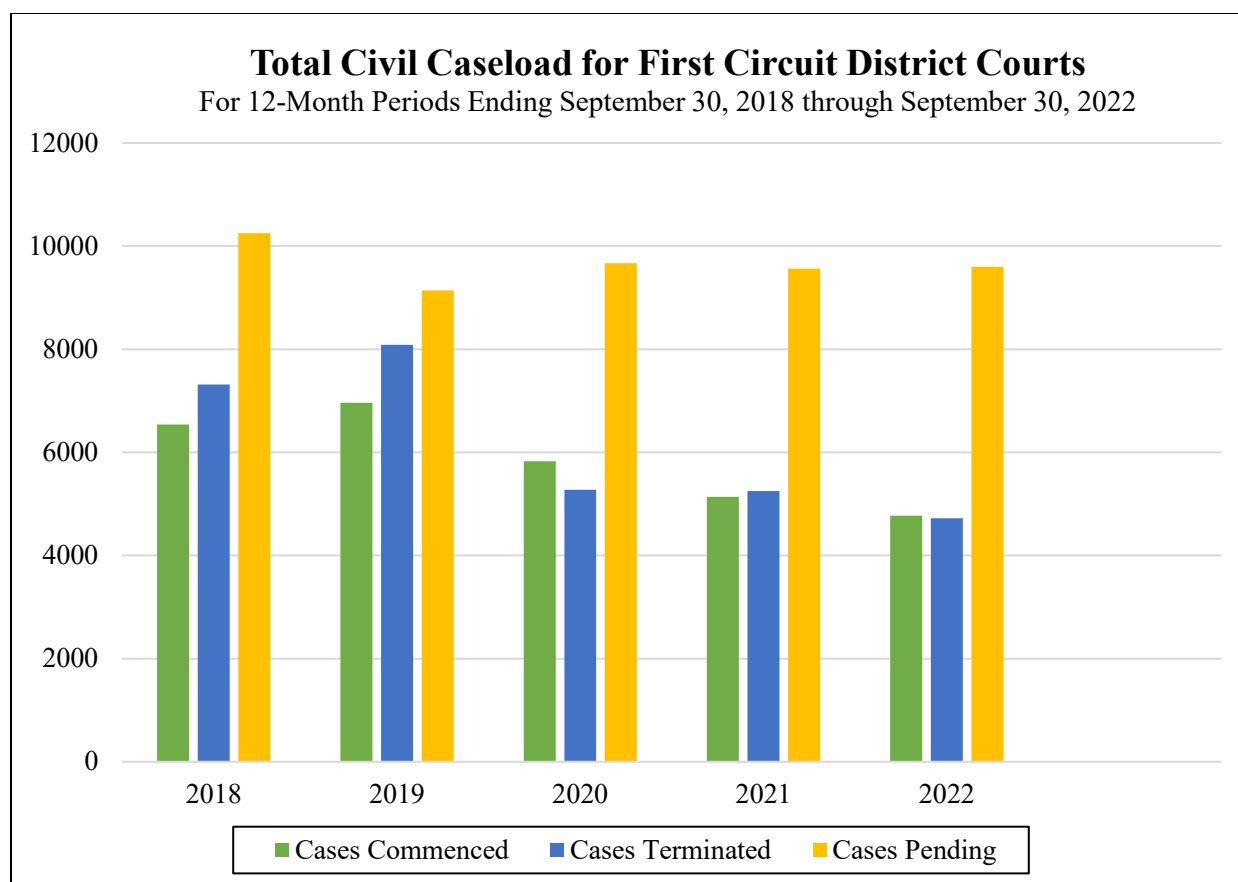
\* Pending caseloads for 2021 as revised by the AO.

## Statistical Report for District Courts in the First Circuit



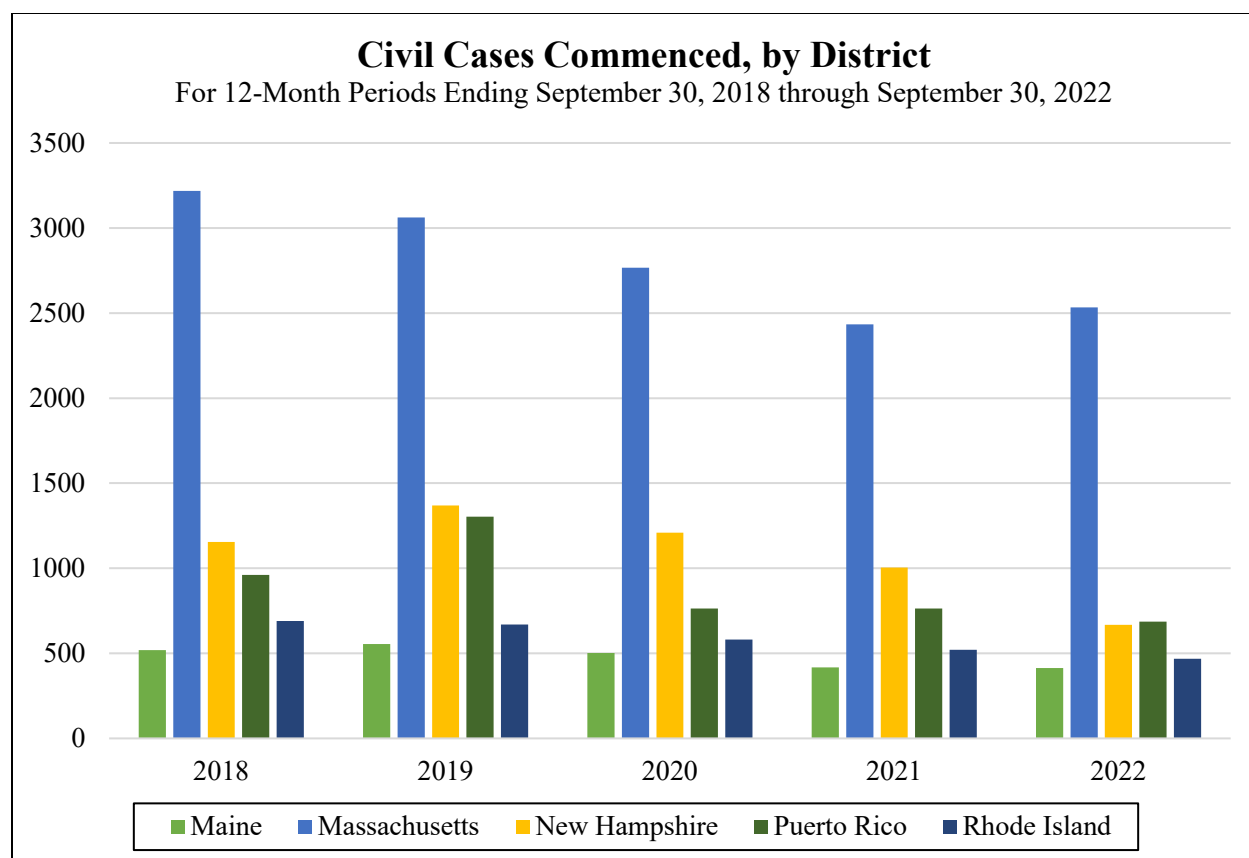
<b>Total Civil &amp; Criminal Caseload for First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	8,246	8,766	6,968	6,476	5,884
<b>Cases Terminated</b>	8,652	9,737	6,601	6,525	5,967
<b>Cases Pending*</b>	12,451	11,509	11,832	11,794	11,705

\* Pending caseloads for 2018 - 2021 as revised by the AO.

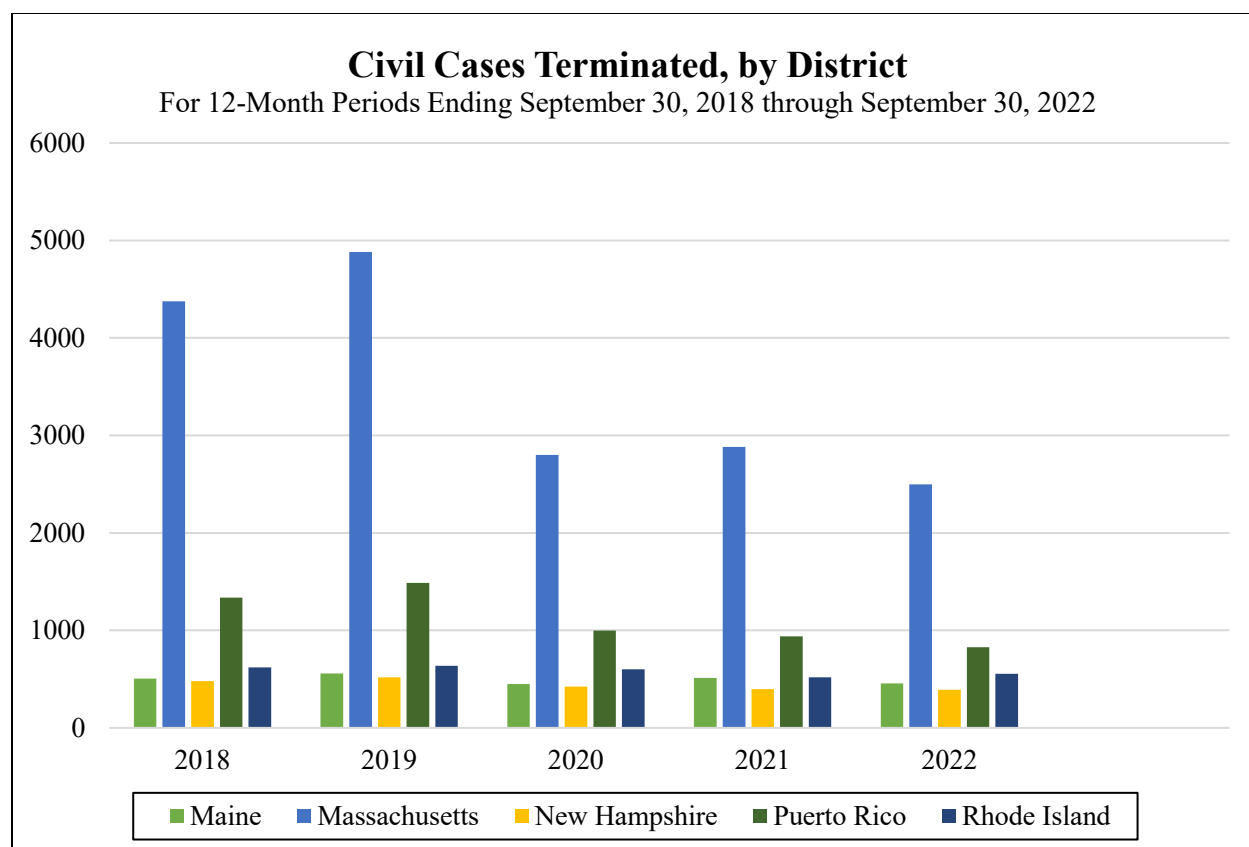


<b>Total Civil Caseload for First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	6,543	6,960	5,824	5,139	4,769
<b>Cases Terminated</b>	7,316	8,083	5,274	5,247	4,724
<b>Cases Pending*</b>	10,250	9,113	9,669	9,561	9,599

\* Pending caseloads for 2018 - 2021 as revised by the AO.

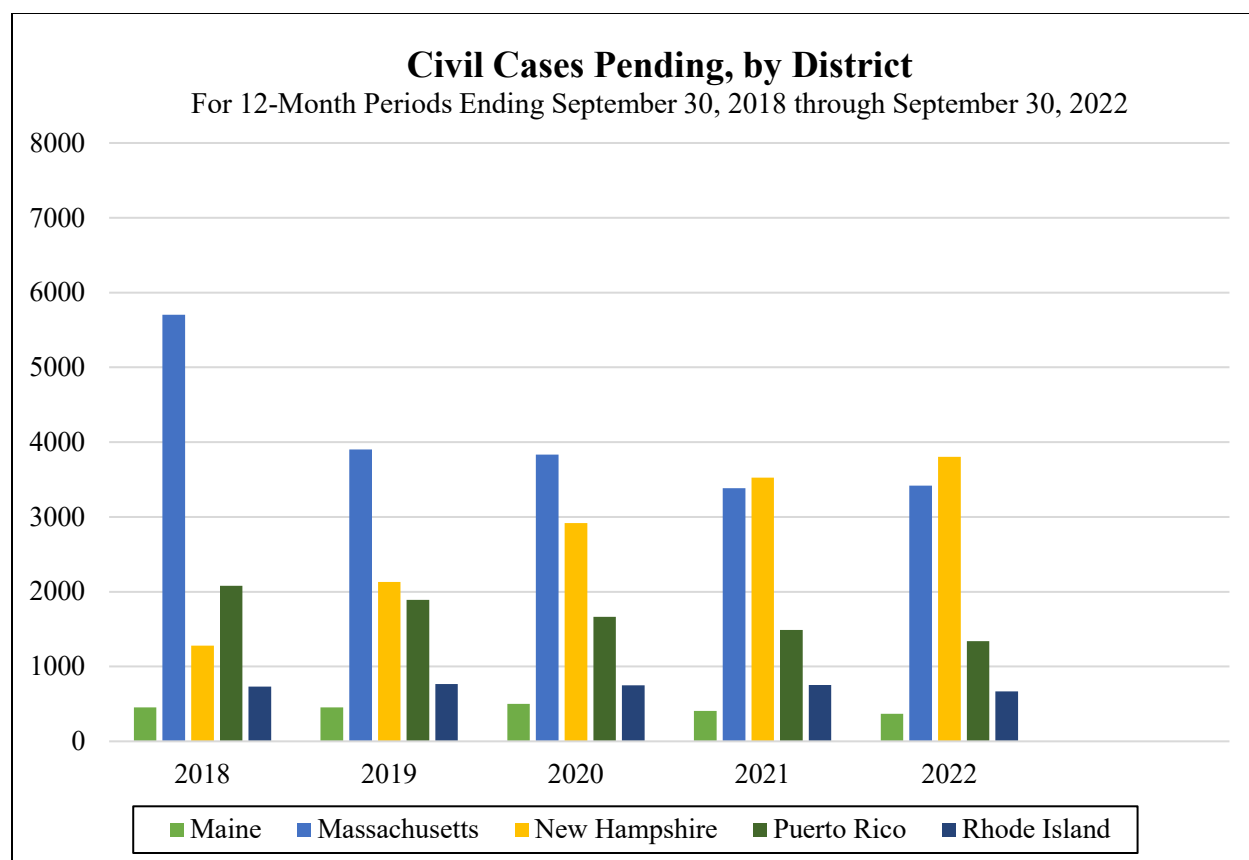


<b>Civil Cases Commenced, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	519	554	502	417	414
Massachusetts	3,219	3,063	2,767	2,434	2,534
New Hampshire	1,154	1,370	1,209	1,004	667
Puerto Rico	961	1,303	764	763	686
Rhode Island	690	670	582	521	468



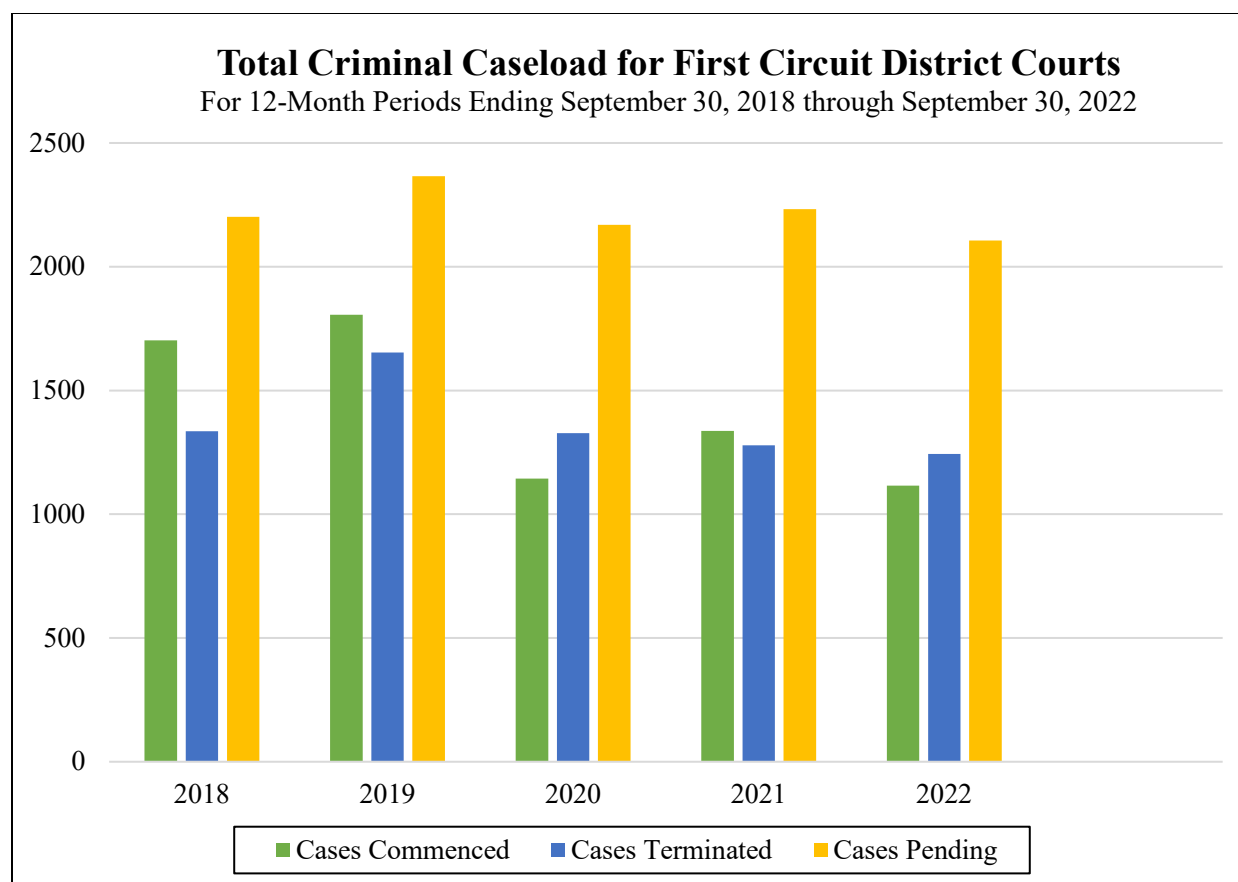
<b>Civil Cases Terminated, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	505	558	450	511	456
Massachusetts	4,375	4,882	2,800	2,882	2,498
New Hampshire	478	519	424	398	389
Puerto Rico	1,337	1,487	998	938	826
Rhode Island	621	637	602	518	555



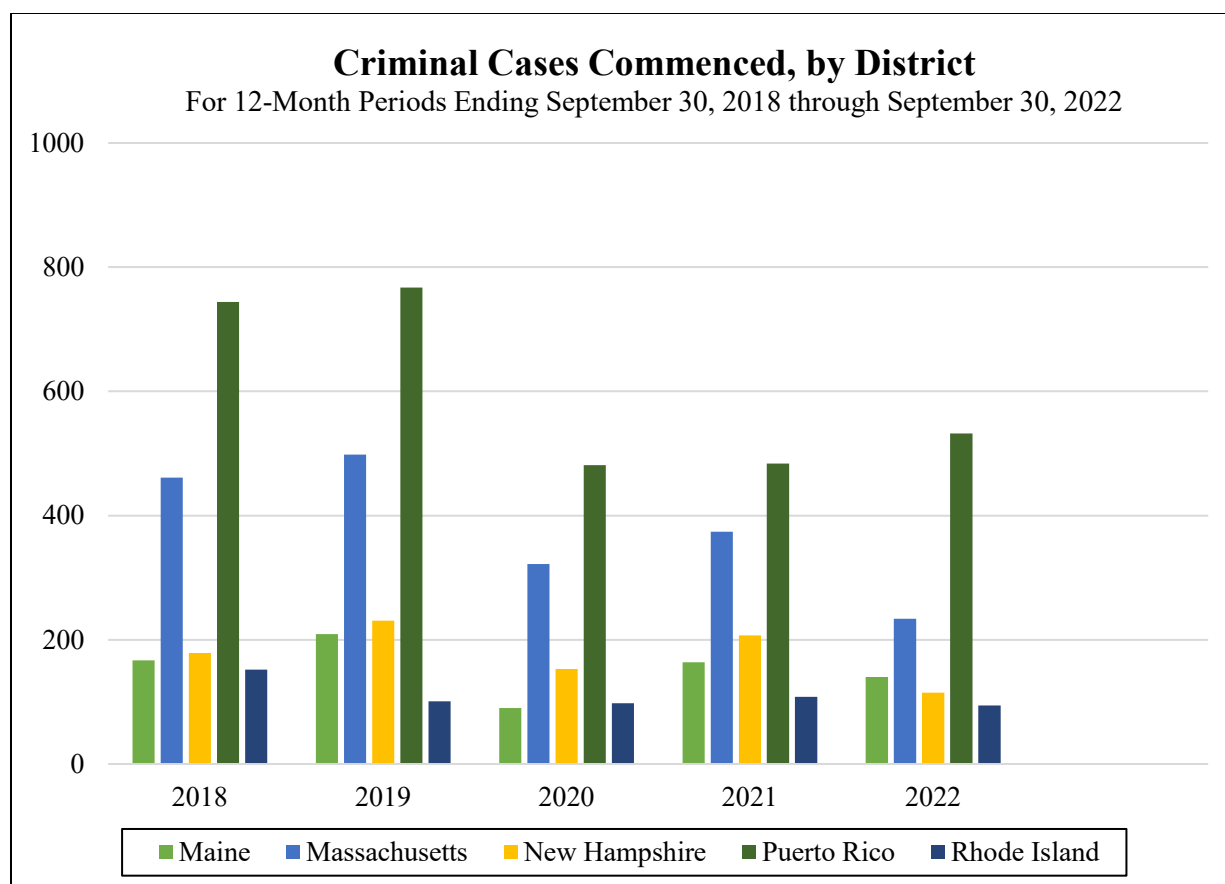


<b>Civil Cases Pending,* by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	455	450	501	407	367
Massachusetts	5,703	3,870	3,834	3,386	3,419
New Hampshire	1,281	2,133	2,919	3,525	3,804
Puerto Rico	2,080	1,892	1,664	1,489	1,341
Rhode Island	731	768	751	754	668

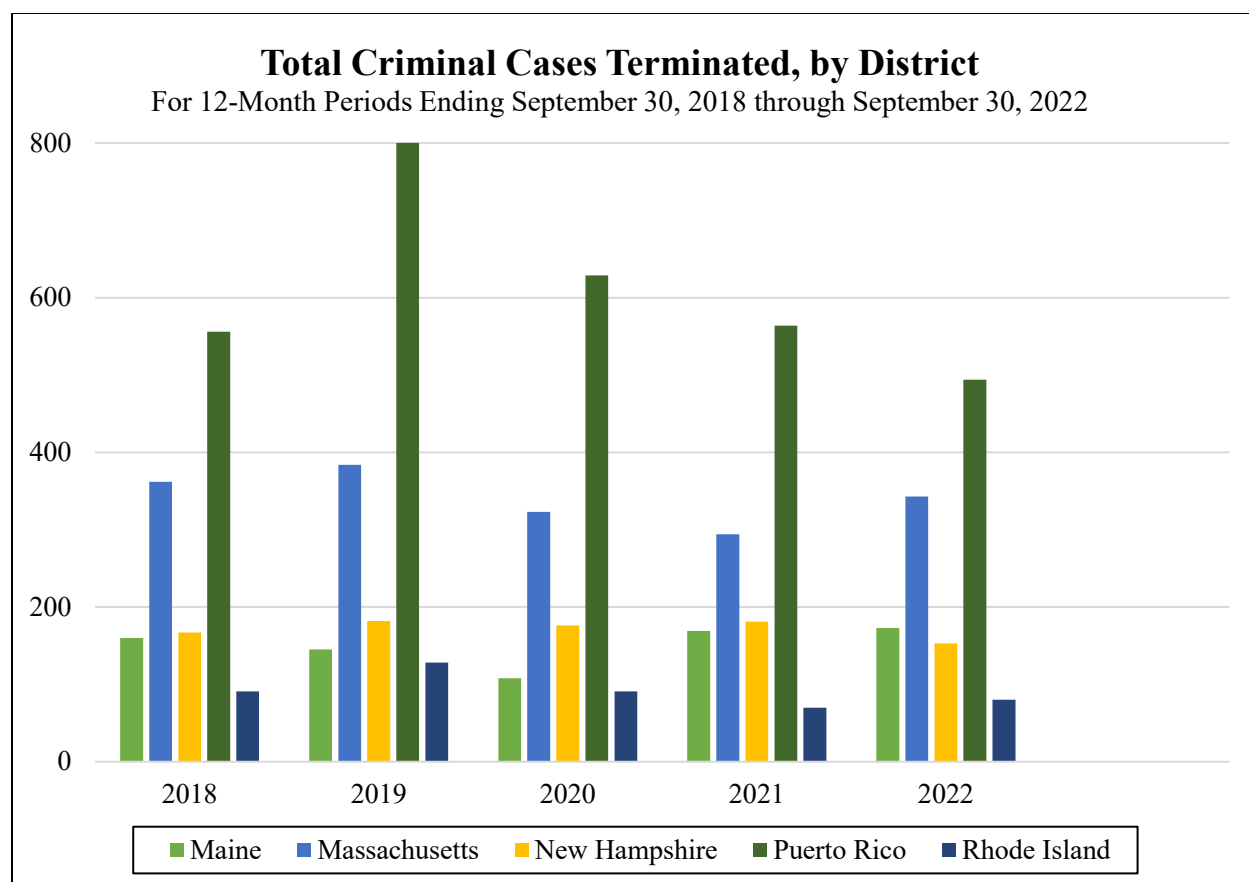
\* Pending caseloads for 2018 - 2021 as revised by the AO.



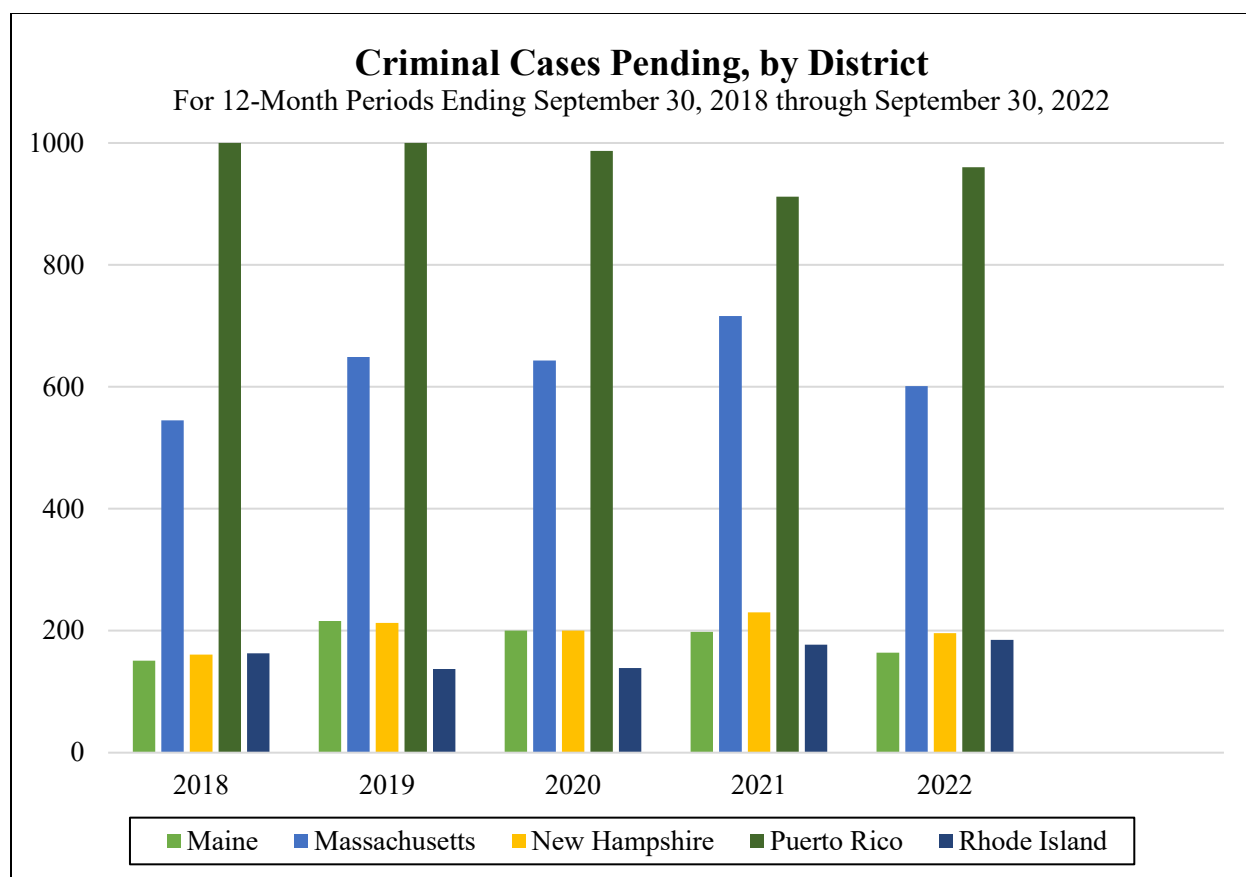
<b>Total Criminal Caseload for First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	1,703	1,806	1,144	1,337	1,115
Cases Terminated	1,336	1,654	1,327	1,278	1,243
Cases Pending	2,201	2,366	2,169	2,233	2,106



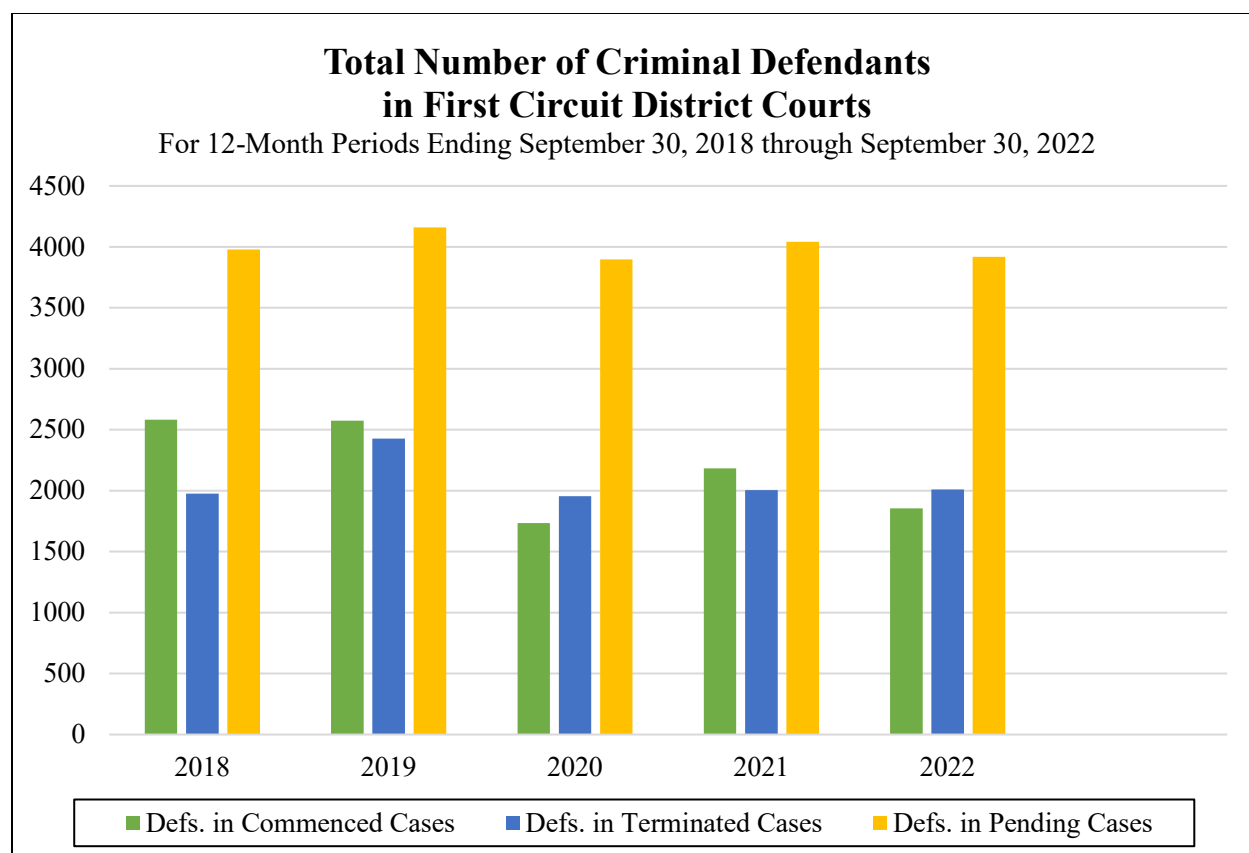
<b>Criminal Cases Commenced, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	167	209	90	164	140
Massachusetts	461	498	322	374	234
New Hampshire	179	231	153	207	115
Puerto Rico	744	767	481	484	532
Rhode Island	152	101	98	108	94



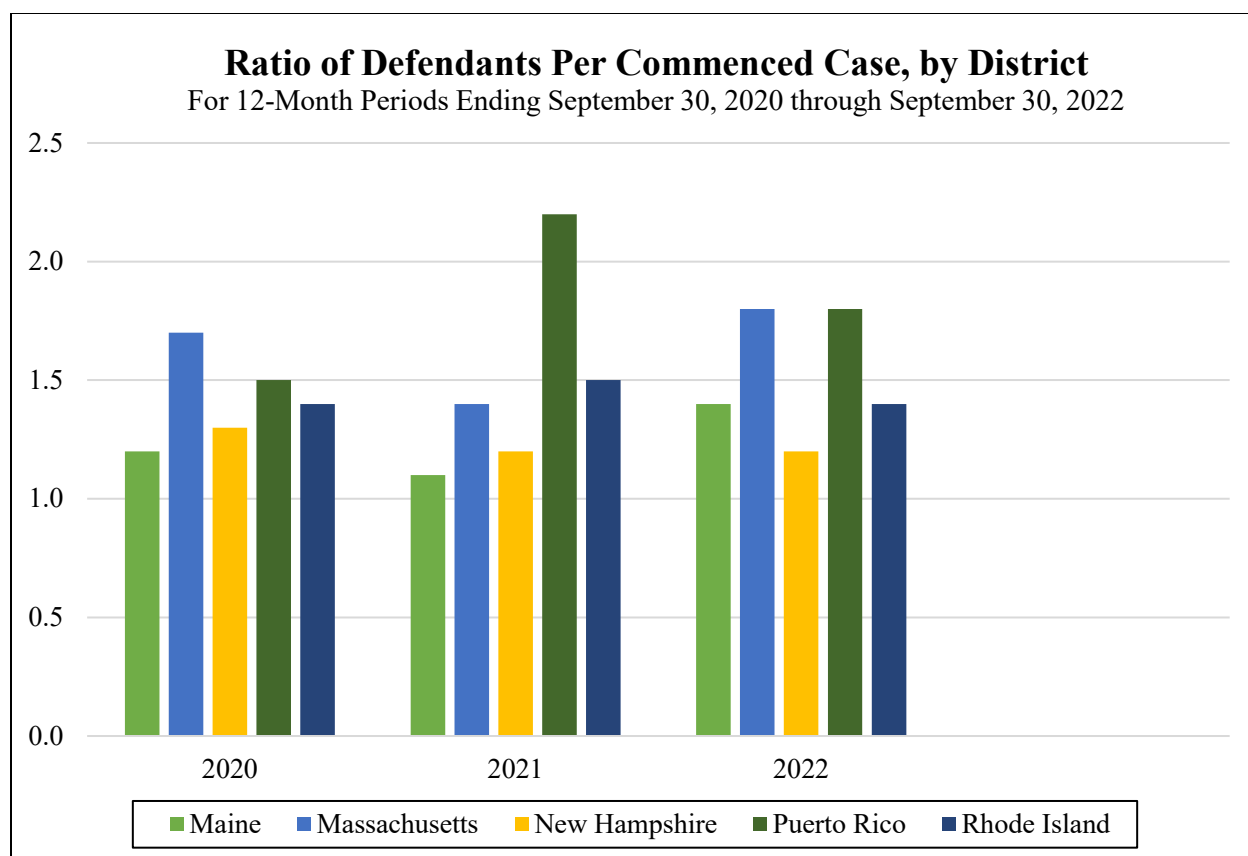
<b>Criminal Cases Terminated, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	160	145	108	169	173
Massachusetts	362	384	323	294	343
New Hampshire	167	182	176	181	153
Puerto Rico	556	815	629	564	494
Rhode Island	91	128	91	70	80



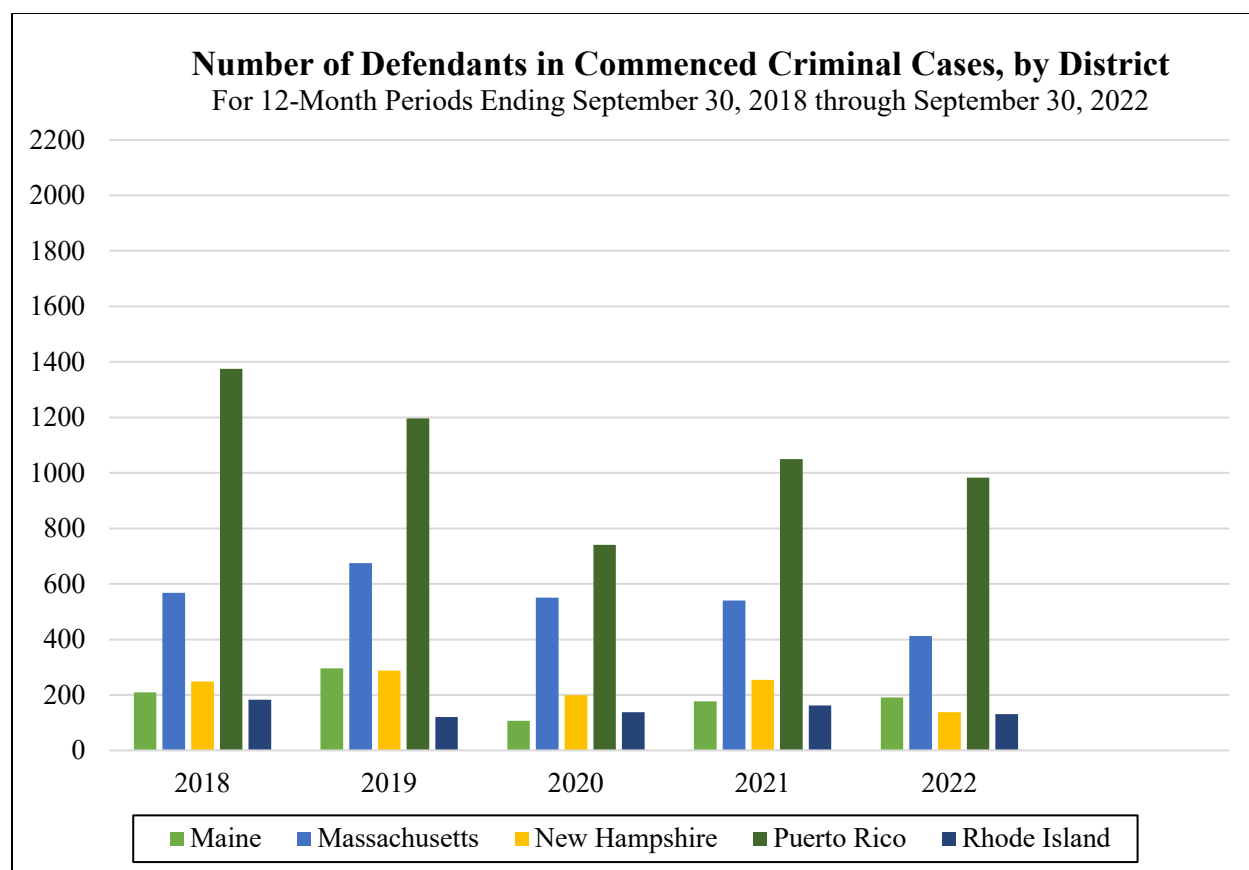
<b>Criminal Cases Pending, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	151	216	200	198	164
Massachusetts	545	649	643	716	601
New Hampshire	161	213	200	230	196
Puerto Rico	1,181	1,151	987	912	960
Rhode Island	163	137	139	177	185



<b>Total Number of Criminal Defendants in First Circuit District Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>No. of Defendants Commenced Criminal Cases</b>	2,583	2,575	1,735	2,183	1,855
<b>No. of Defendants Terminated Criminal Cases</b>	1,975	2,427	1,956	2,005	2,010
<b>No. of Defendants Pending Criminal Cases</b>	3,979	4,160	3,896	4,042	3,917

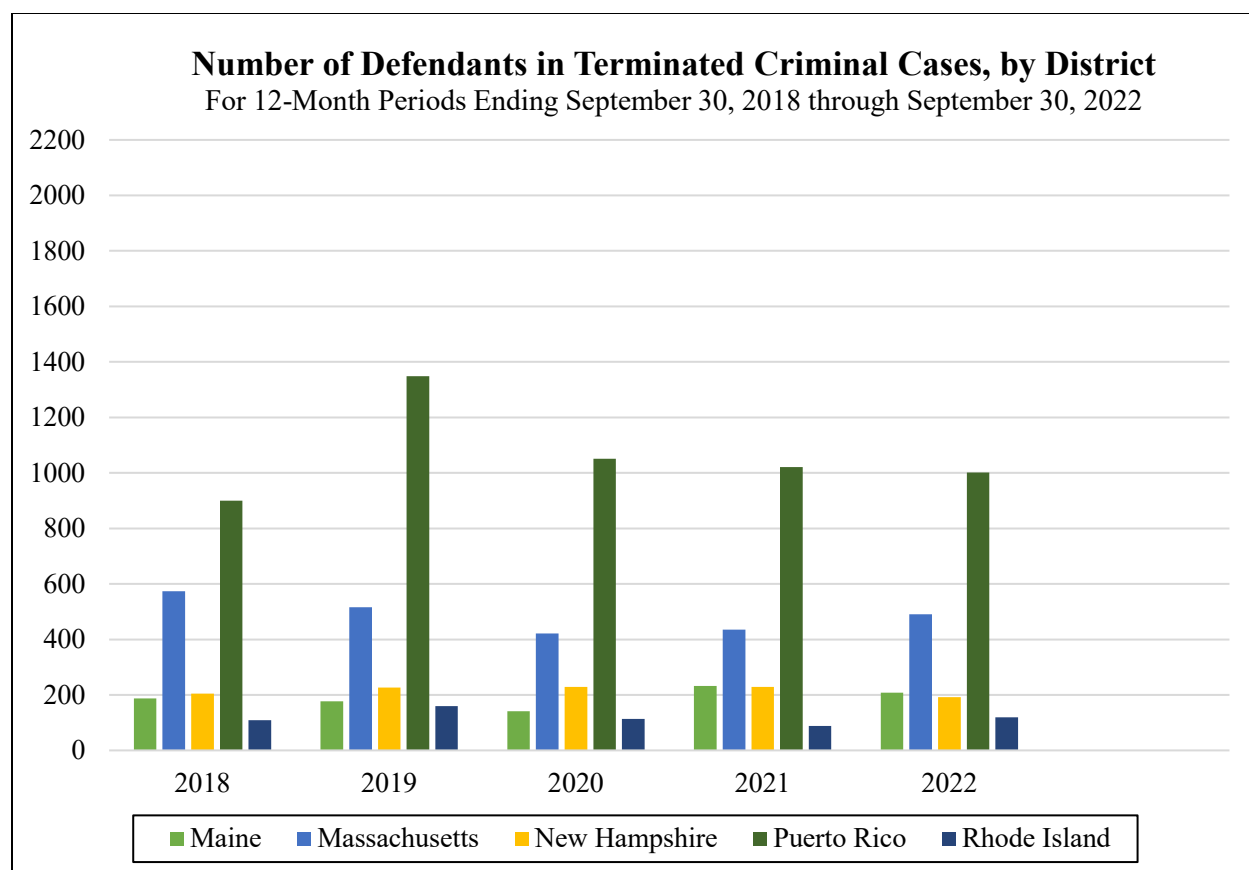


<b>Number of Commenced Criminal Cases and Defendants and Ratio of Defendants Per Commenced Case, by District</b> For 12-Month Periods Ending September 30, 2020 through September 30, 2022									
District	<u>2020</u>		Avg. No. of Defs./ Case	<u>2021</u>		Avg. No. of Defs./ Case	<u>2022</u>		Avg. No. of Defs./ Case
	Cases	Defs.		Cases	Defs.		Cases	Defs.	
Maine	90	107	1.2	164	177	1.1	140	191	1.4
Massachusetts	322	550	1.7	374	540	1.4	234	412	1.8
New Hampshire	153	199	1.3	207	254	1.2	115	138	1.2
Puerto Rico	481	741	1.5	484	1,050	2.2	532	983	1.8
Rhode Island	98	138	1.4	108	162	1.5	94	131	1.4

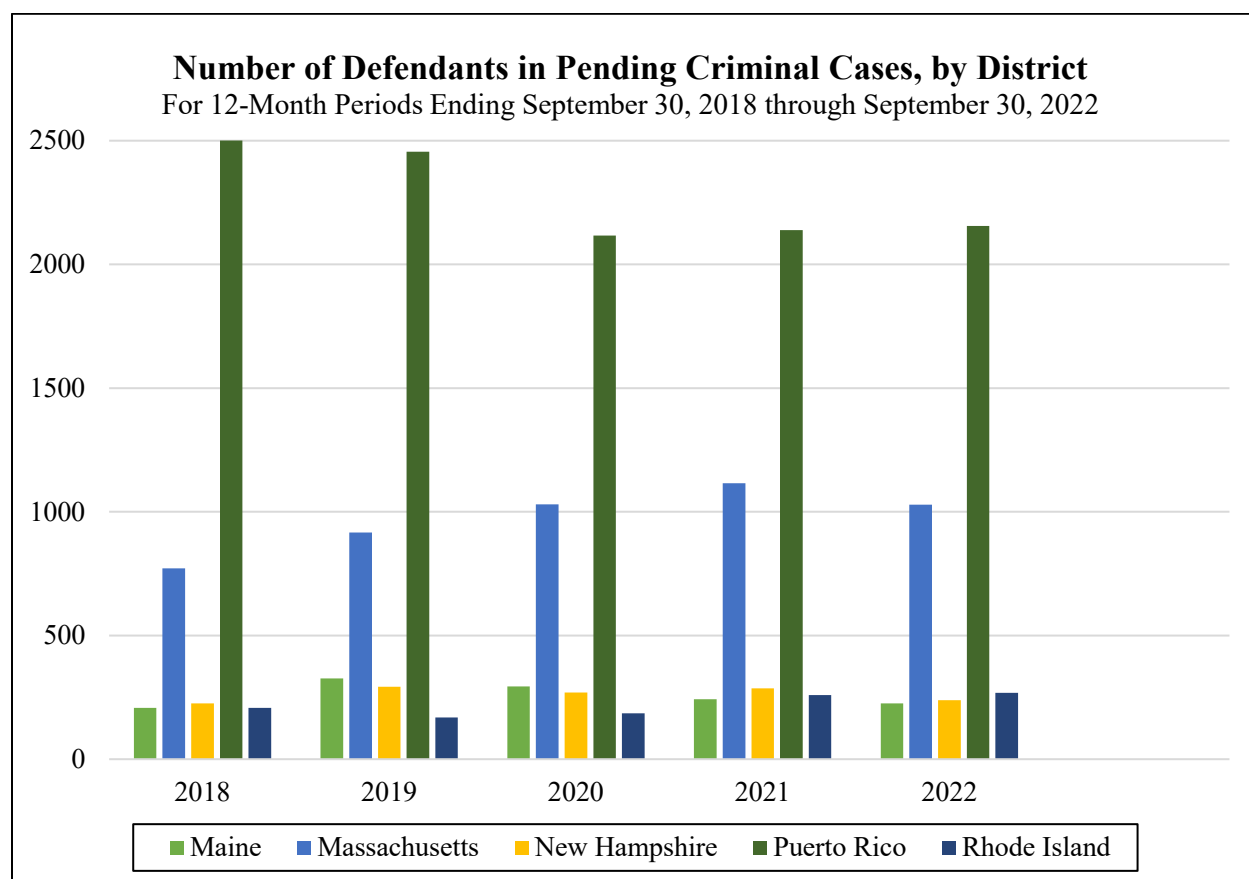


<b>Number of Defendants in Commenced Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	209	296	107	177	191
Massachusetts	568	675	550	540	412
New Hampshire	248	288	199	254	138
Puerto Rico	1,375	1,196	741	1,050	983
Rhode Island	183	120	138	162	131

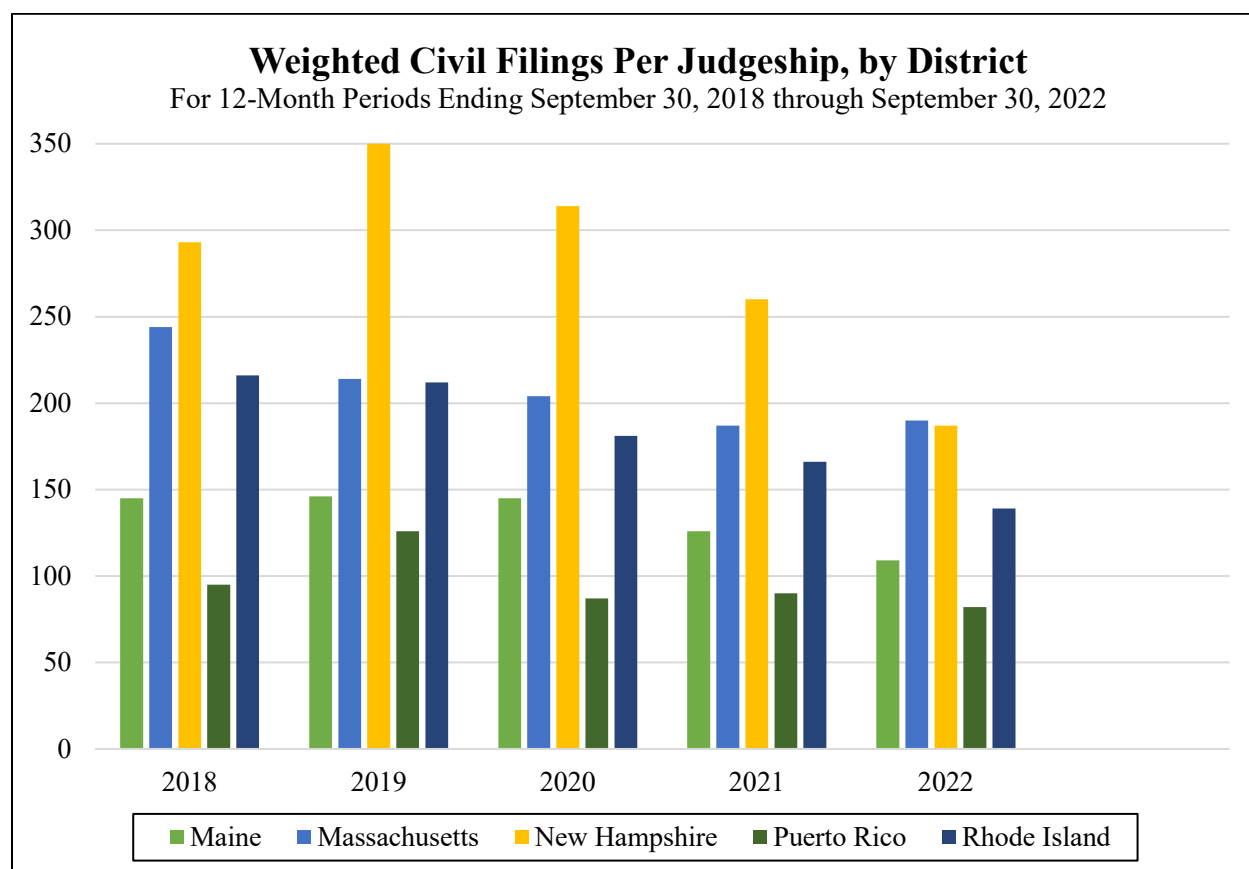




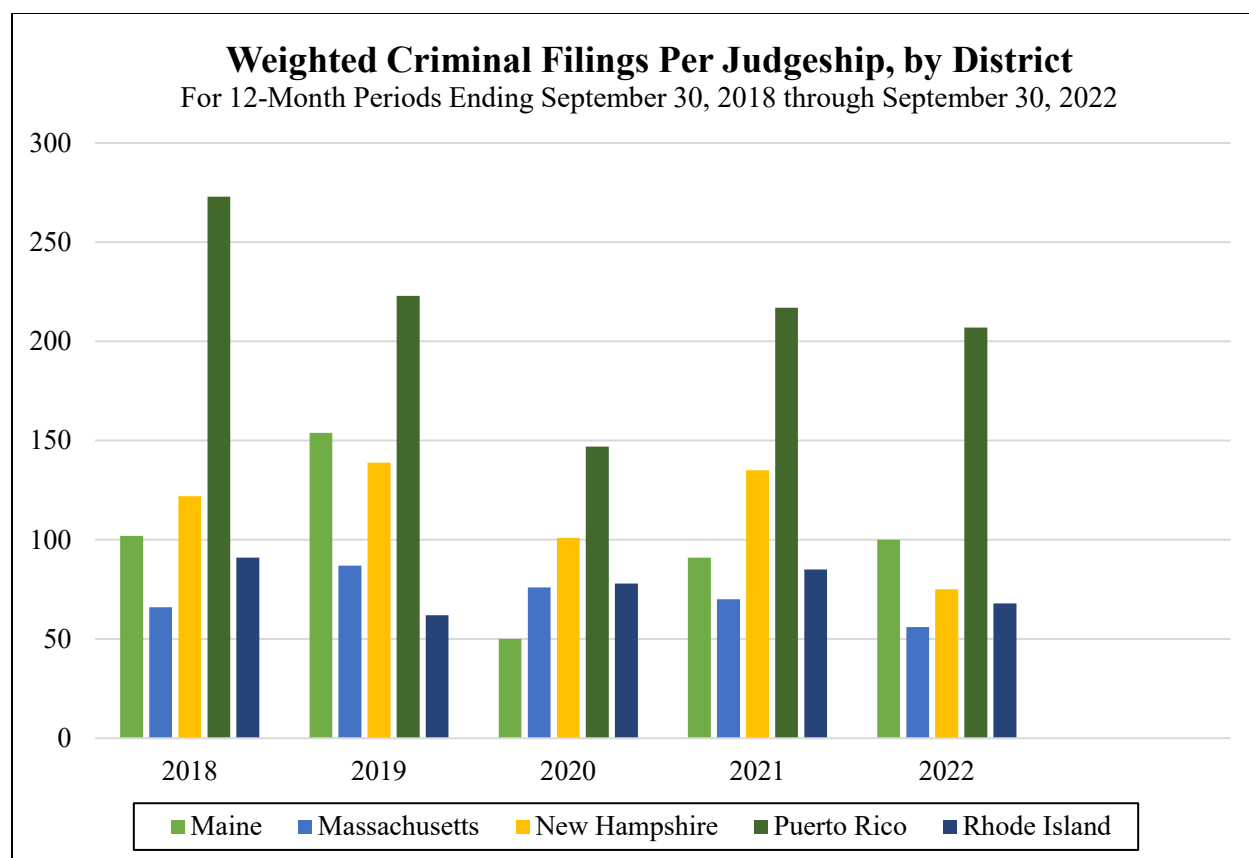
<b>Number of Defendants in Terminated Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	187	177	141	232	208
Massachusetts	574	516	421	435	490
New Hampshire	205	226	229	229	192
Puerto Rico	900	1,348	1,051	1,021	1,001
Rhode Island	109	160	114	88	119



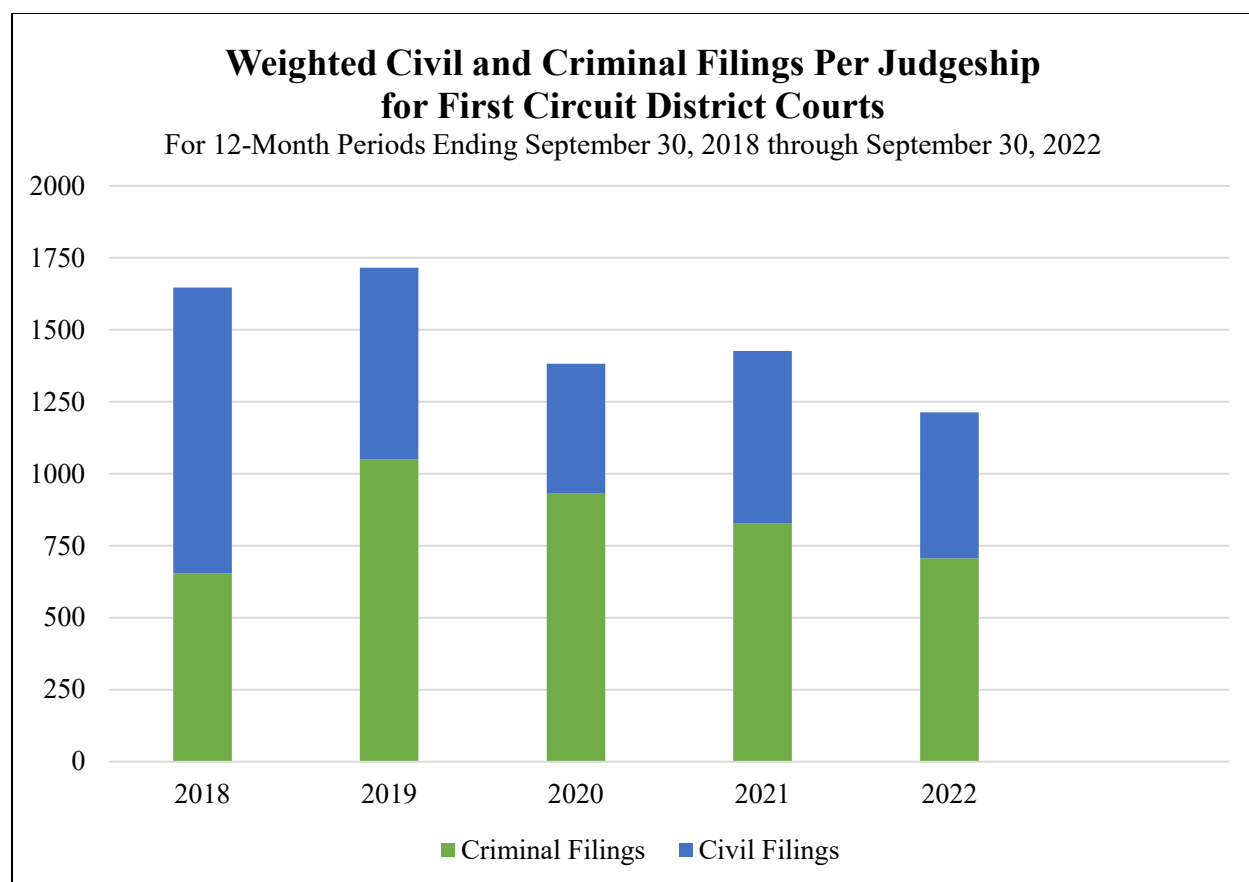
<b>Number of Defendants in Pending Criminal Cases, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	208	327	294	242	226
Massachusetts	771	916	1,030	1,115	1,029
New Hampshire	226	293	269	287	239
Puerto Rico	2,567	2,455	2,117	2,139	2,155
Rhode Island	207	169	186	259	268



<b>Weighted Civil Filings Per Judgeship, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022						
District	Judgeships	2018	2019	2020	2021	2022
Maine	3	145	146	145	126	109
Massachusetts	13	244	214	204	187	190
New Hampshire	3	293	353	314	260	187
Puerto Rico	7	95	126	87	90	82
Rhode Island	3	216	212	181	166	139

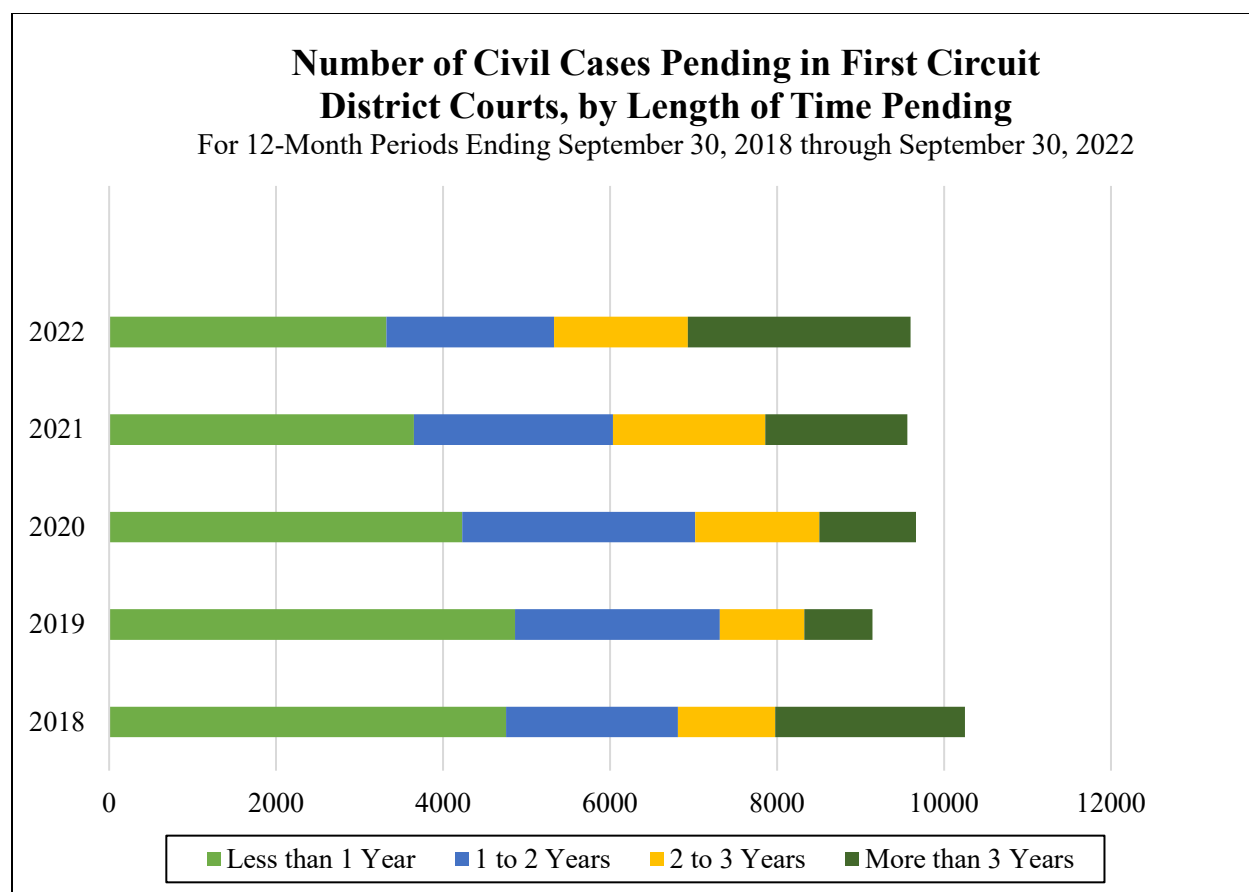


<b>Weighted Criminal Filings Per Judgeship, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022						
District	Judgeships	2018	2019	2020	2021	2022
Maine	3	102	154	50	91	100
Massachusetts	13	66	87	76	70	56
New Hampshire	3	122	139	101	135	75
Puerto Rico	7	273	223	147	217	207
Rhode Island	3	91	62	78	85	68



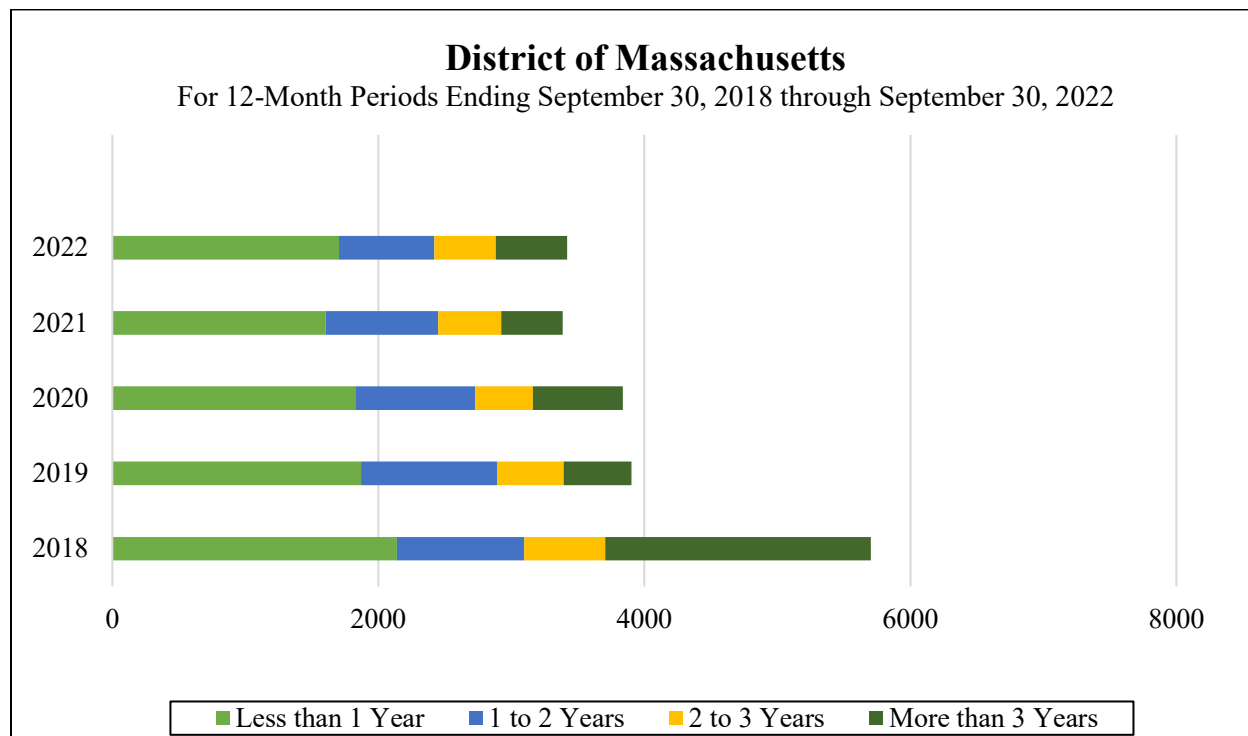
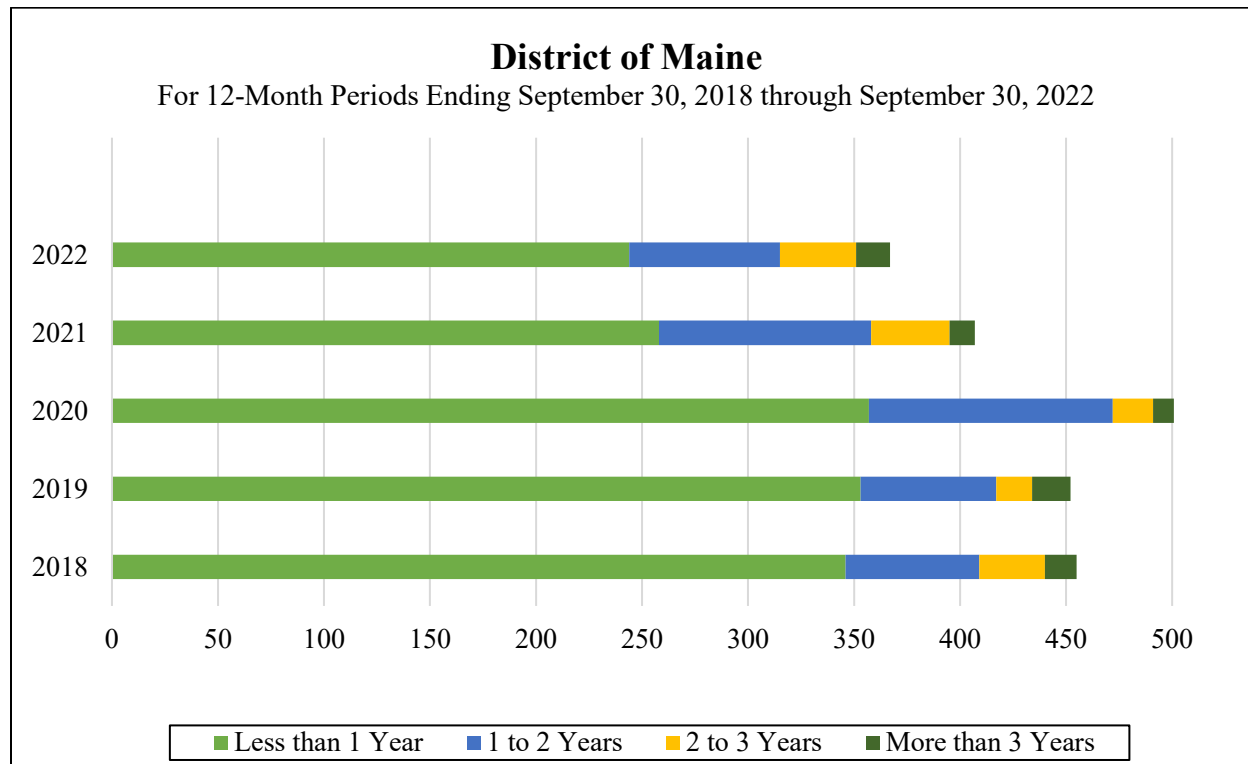
<b>Weighted Civil and Criminal Filings Per Judgeship</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Civil Filings	993	1,051	931	829	707
Criminal Filings	654	665	452	598	506
Total Combined Filings	1,647	1,716	1,383	1,427	1,213

<b>Number of Civil Cases Pending and Length of Time Pending, by District</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>MAINE</b>					
<b>Less than 1 Year</b>	346	353	357	258	244
<b>1 to 2 Years</b>	63	64	115	100	71
<b>2 to 3 Years</b>	31	17	19	37	36
<b>More than 3 Years</b>	15	18	11	12	16
<b>MASSACHUSETTS</b>					
<b>Less than 1 Year</b>	2,140	1,871	1,828	1,604	1,704
<b>1 to 2 Years</b>	956	1,022	900	845	717
<b>2 to 3 Years</b>	610	500	435	476	461
<b>More than 3 Years</b>	1,997	509	674	461	537
<b>NEW HAMPSHIRE</b>					
<b>Less than 1 Year</b>	1,005	1,191	1,053	885	539
<b>1 to 2 Years</b>	200	772	991	890	753
<b>2 to 3 Years</b>	43	127	725	911	806
<b>More than 3 Years</b>	33	43	149	839	1,706
<b>PUERTO RICO</b>					
<b>Less than 1 Year</b>	811	999	611	542	527
<b>1 to 2 Years</b>	689	414	570	363	317
<b>2 to 3 Years</b>	422	308	233	296	204
<b>More than 3 Years</b>	158	170	244	288	293
<b>RHODE ISLAND</b>					
<b>Less than 1 Year</b>	452	447	381	361	306
<b>1 to 2 Years</b>	150	183	212	186	152
<b>2 to 3 Years</b>	59	59	76	107	95
<b>More than 3 Years</b>	70	76	79	100	115

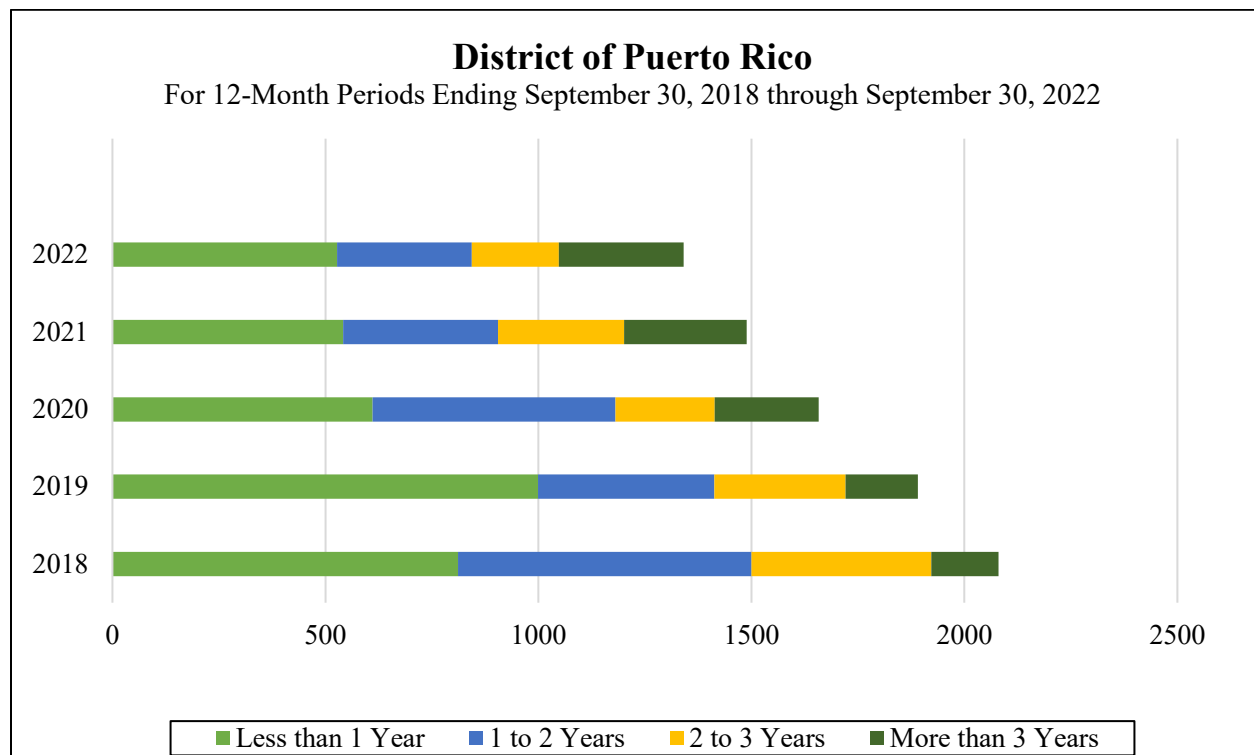
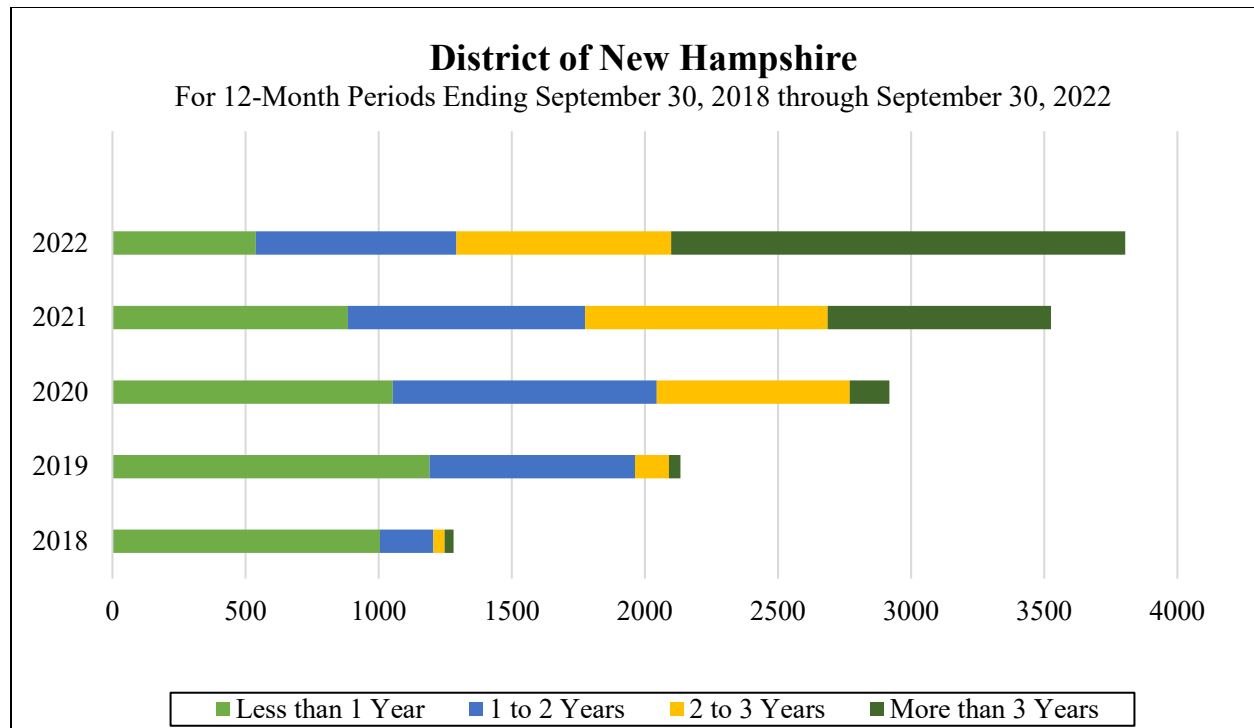


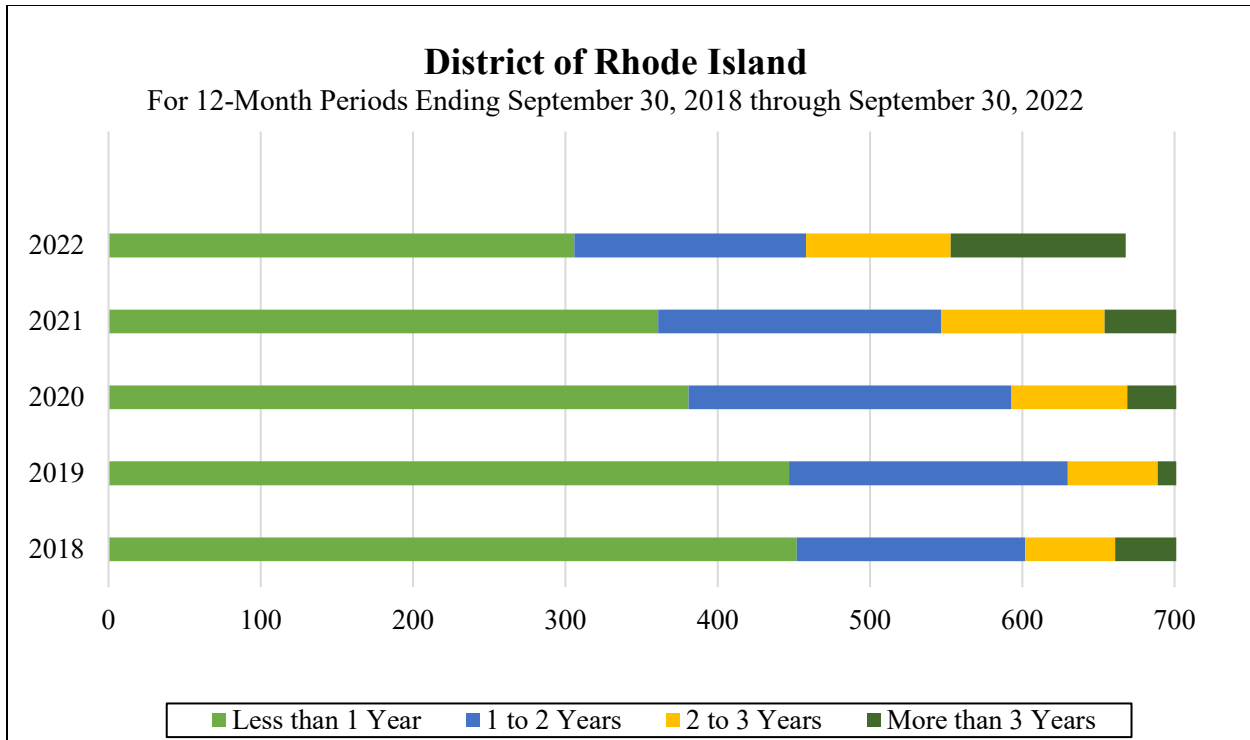
<b>Number of Civil Cases Pending for First Circuit District Courts, by Length of Time Pending (and % Total)</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Less than 1 Year</b>	4,754 (46.4%)	4,861 (53.2%)	4,230 (43.8%)	3,650 (38.2%)	3,320 (34.6%)
<b>1 to 2 Years</b>	2,058 (20.1%)	2,455 (26.9%)	2,788 (28.9%)	2,384 (25.0%)	2,010 (20.9%)
<b>2 to 3 Years</b>	1,165 (11.4%)	1,011 (11.1%)	1,488 (15.4%)	1,827 (19.1%)	1,602 (16.7%)
<b>More than 3 Years</b>	2,273 (22.2%)	816 (8.9%)	1,157 (12.0%)	1,700 (17.8%)	2,667 (27.8%)

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









## **Report for the District of Maine**

### ***Court Profile***

In 2022, the District had three district judges, three senior district judges, and two magistrate judges. The Clerk's Office had 28 employees.

The District's caseload declined by 0.8% in 2022, which was far less significant than the national decline of 16.3%. The District's civil caseload increased by 12.9%, in comparison to the national decline of 18.9%, while the court's criminal caseload declined by 25.5%, in comparison to the national decline of 4.2%. The top three types of civil filings were civil rights (20.7%), foreclosure (14%), and Social Security appeals (13.2%). The prevailing offenses charged in 2022 (totaling 61.4% of criminal cases filed) included other drugs, firearms, and sex offenses.

### ***Community Outreach***

The Court held three citizenship ceremonies in person and hosted several groups of high school students who visited the courthouse.

In April 2022, the Gignoux Courthouse hosted the national finals of the Judge John R. Brown Admiralty Moot Court Competition involving approximately 50 law students.

In October 2022, the Court held a POWER Act event, including a panel discussion with the bar and members of Maine's domestic violence support community to encourage members of the bar to provide pro bono assistance to victims of domestic violence.

### ***Local Rules***

In 2022, the District adopted amendments to Local Rules 7.1 (Corporate Disclosure), 16.3 (Management Track Procedures), 132

(Guideline Sentencing), and 157.6 (Sealed Documents and Pleadings).

### ***Information Technology***

In 2022, the IT Department focused on three main initiatives: increasing access to video conferencing in the courthouses; improving audio/visual systems in aging courtrooms; and shifting to standardized, nationally-hosted applications. During this time, IT installed a new audio system in the Portland Hearing room, designed a new audio-video system for the Portland historical courtroom, installed new video teleconferencing solutions, and migrated fully into the Judiciary's SharePoint Online platform.

### ***Human Resources/Staff Training***

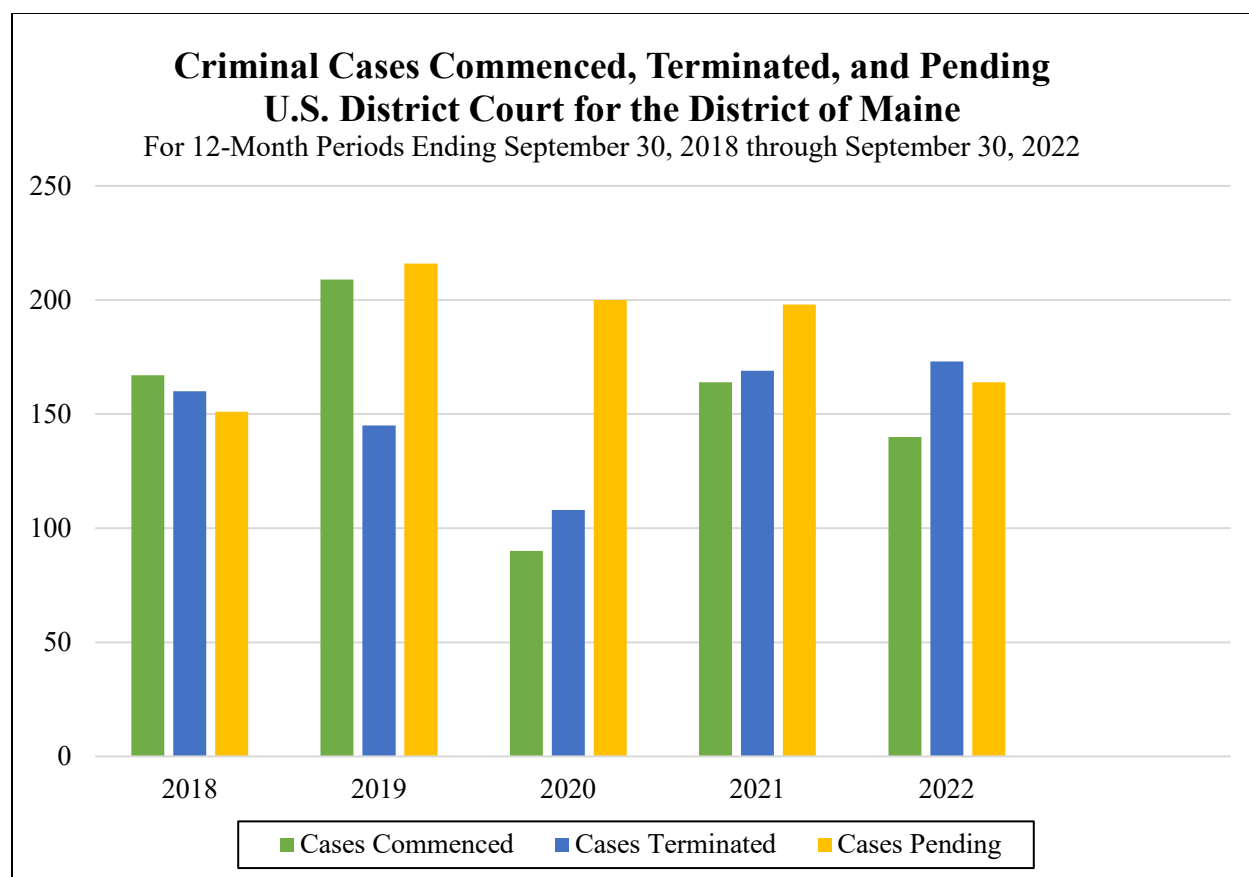
The District Court, Bankruptcy Court, and U.S. Probation and Pretrial Services Office shared administrative services, including a financial administrator, budget administrator, and human resources specialist. Brian Tremblay was hired to fill an IT Systems Support Specialist position in the Court's Bangor division.

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

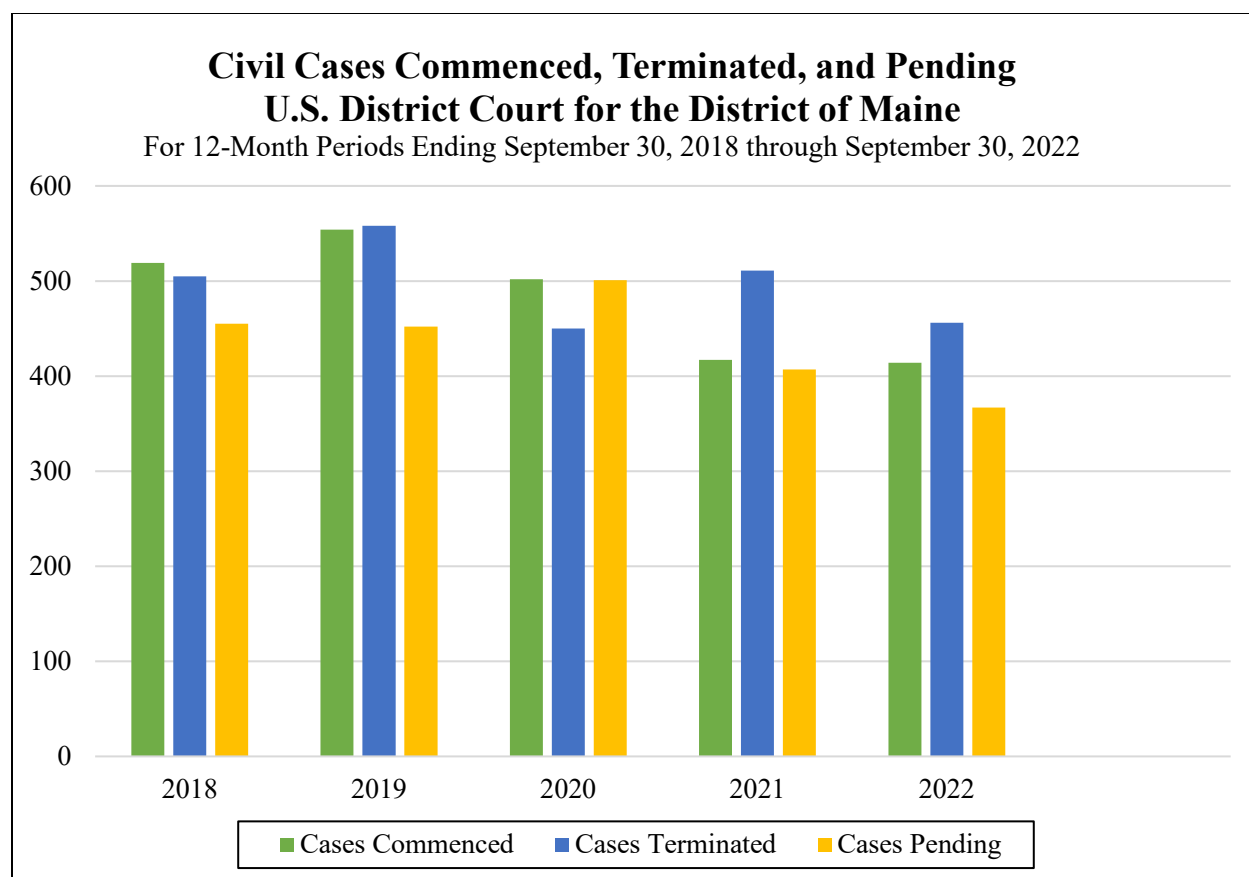
The U.S. Marshals Service (USMS) and General Services Administration (GSA) revised the Gignoux Courthouse's security entry point with a new secured check-in area, new card readers, a controlled entry turnstile, and two new x-ray scanning machines. Vehicle bollards and a new automated vehicle gate arm were installed at the Gignoux Courthouse.

The Court Security Committee met regularly to address security issues in the Gignoux Courthouse and the M.C. Smith Building and

Courthouse and have moved into the design development phase of the Gignoux HVAC and fire alarm replacement project, which is expected to begin construction in 2024 and be completed in 2027. Other facilities projects included interior painting and carpet replacement, and managing the renovation of the magistrate judge's chambers and the training room.



<b>Criminal Cases Commenced, Terminated, and Pending</b> <b>U.S. District Court for the District of Maine</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	167	209	90	164	140
Cases Terminated	160	145	108	169	173
Cases Pending	151	216	200	198	164



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	519	554	502	417	414
Cases Terminated	505	558	450	511	456
Cases Pending*	455	450	501	407	367

\* Pending cases for 2018 - 2021 as revised by the AO.

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

### ***Overview***

Probation and Pretrial Services staff continued service at the national level. Specifically, Chief U.S. Probation Officer Kimberly Rieger served as a member of the AO Chiefs Advisory Group; Deputy Chief Michael Penders served as a member of the Probation and Pretrial Services Office National Information Standards Working Group; Deputy Chief Penders and Supervisor Scott Hastings were chosen to serve as faculty members with the FJC; U.S. Probation Officer Megan Entwistle graduated from the FJC Leadership Development Program; and IT Director Andrew Maxfield was chosen as a subject matter expert for the AO security workload study. Spearheaded by U.S. Probation Officer Specialist Heather Belanger, the District hosted trainers from the U.S. Sentencing Commission and officers from across New England and the First Circuit for a sentencing guidelines training.

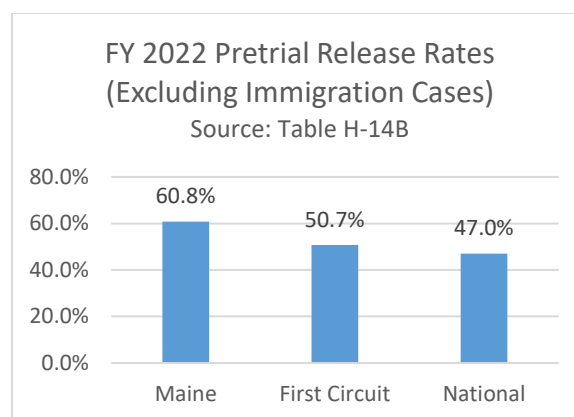
In 2022, the Probation and Pretrial Services Office maintained a wellness committee, and used the PoWER (Promoting Wellness, Empowerment and Resilience) program, which sponsors a variety of employee engagement and community outreach activities, such as fitness challenges. The office also prepared meals for the Ronald McDonald Houses in Bangor and Portland. The Probation and Pretrial Services Office also completed a six-month leadership test, with monthly activities focused on approaching work and colleagues with compassion, forgiveness, empowerment, gratitude, and acknowledgment.

### ***Personnel***

The Probation and Pretrial Services Office welcomed five new staff: U.S. Probation Officer Specialist Autumn Murtagh; U.S. Probation Officers Stephanie Bulcamino, Michael Cook, and Thomas Kilroy; and Probation Support Technician Alexa Mills. U.S. Probation Officer Specialist Laura Tait was named the Northeast Region Line Officer of the Year by the Federal Pretrial and Probation Officer's Association. U.S. Probation Officer Specialist Sharon Reinheimer continued to serve a temporary duty assignment with the AO, where she developed a national outreach initiative, "Fireside Chats" that provides monthly training and discussion focused on pretrial services.

### ***Pretrial Services***

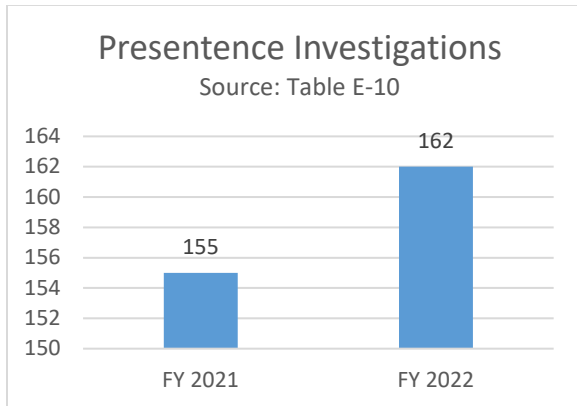
For the fourth consecutive year, the District had release rates exceeding the national average. The District maintained a 0% failure to appear rate and a revocation rate that never exceeded 2.2% during FY 2022. The District supervised approximately 150 pretrial services cases during this reporting period.



### ***Presentence Investigations***

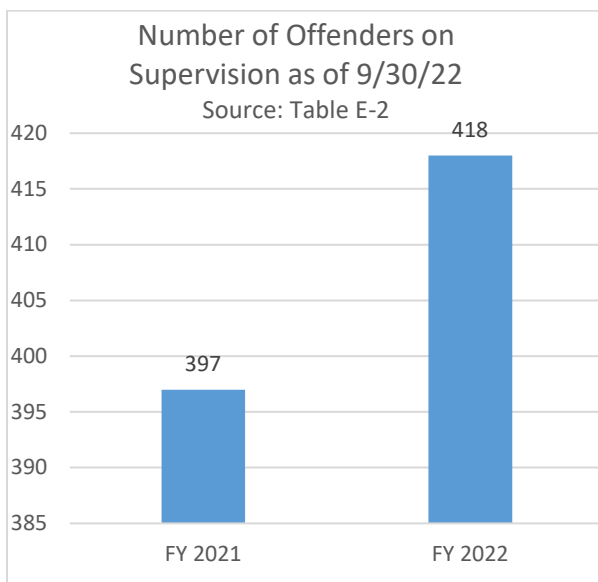
The Probation and Pretrial Services Office experienced an increase in presentence

investigation assignments during the fiscal year.



### ***Post-Conviction Supervision***

For the second consecutive year, the office experienced an increase in the number of post-conviction supervision cases. The District continues to see an increase in expenditures for resources allowed under the Second Chance Act, as well as for services related to substance abuse, mental health, sex offender treatment, and monitoring and location monitoring services.





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**Report for the District of Massachusetts**

***Court Profile***

At the end of 2022, the District had ten district judges, eight senior district judges, seven magistrate judges, and four recalled magistrate judges.

decreased by 5.8% to 452 from 480 in 2021.

In 2022, the District closed two multi-district litigation (MDL) matters. There were five pending MDLs, with 441 pending member cases.

***Community Outreach***

The District continued to support Discovering Justice's work with youth civics education.

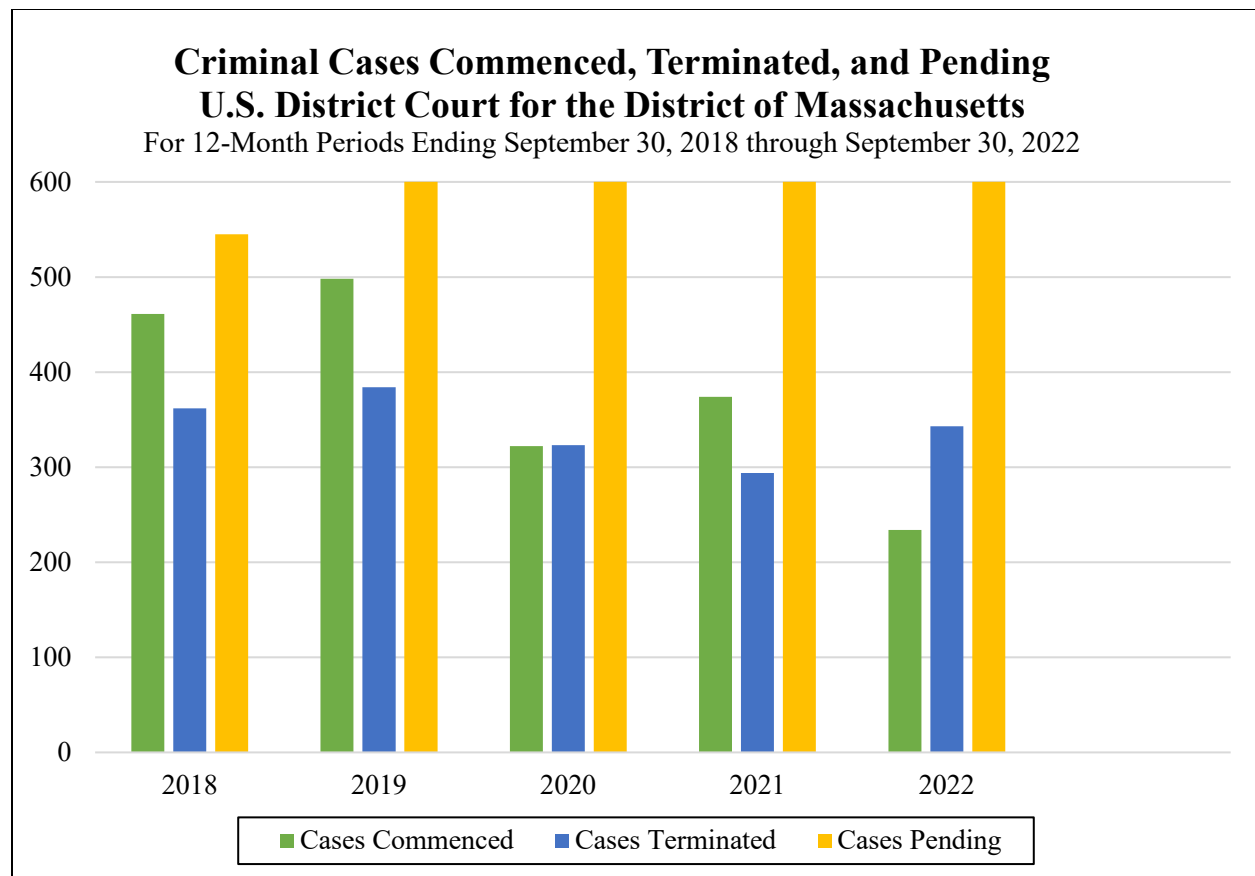
In 2022, the District conducted 102 trials (49 civil and 53 criminal). Judges spent 2,024 hours conducting trials and 2,076 hours conducting other proceedings.

The Nelson Fellowship: Eleven public school students participated in the 26th year of the Nelson 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 Fellows met with area legal and civil leaders, took courses on civil rights and public speaking, visited local colleges, and participated in a mock trial before a federal judge.

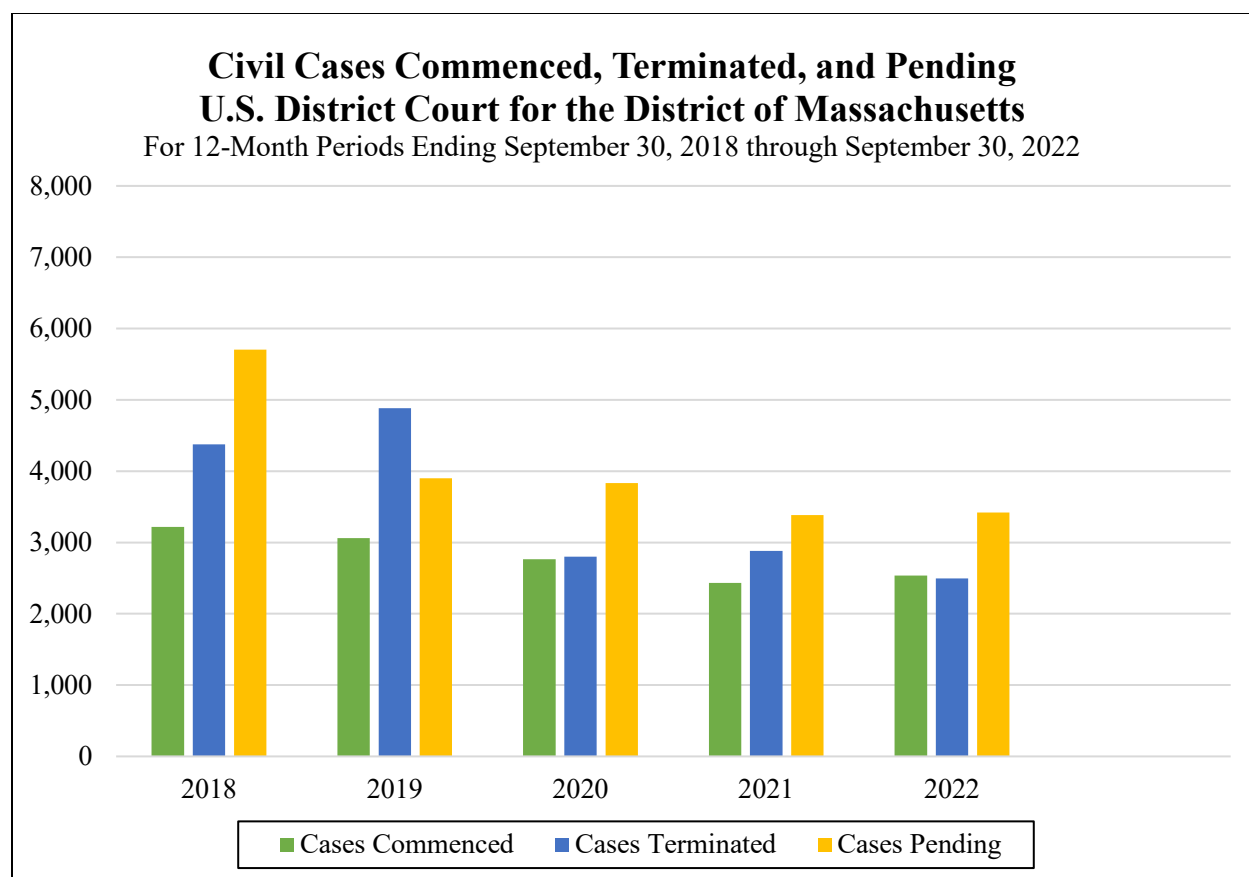
The Lindsay Fellowship: Six college students participated in the 12th year of the Lindsay Fellowship, named for the late Judge Reginald C. Lindsay. Fellows were assigned to a judge and either the U.S. Attorney's Office, the Federal Defender Program, or U.S. Probation and Pretrial Services. The Fellows attended an intensive research and writing program and competed in a moot court program. Each Fellow received a Ginny Hurley Scholarship, an educational scholarship provided by the Federal Bar Association.

***Operations***

Civil filings increased by 6.7%, from 2,438 cases in calendar year 2021 to 2,601 cases in calendar year 2022. The number of criminal defendants charged in calendar year 2022



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	461	498	322	374	234
Cases Terminated	362	384	323	294	343
Cases Pending	545	649	643	716	601



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	3,219	3,063	2,767	2,434	2,534
Cases Terminated	4,375	4,882	2,800	2,882	2,496
Cases Pending*	5,703	3,870	3,834	3,386	3,419

\* Pending cases for 2018 - 2021 as revised by the AO.

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

***Personnel***

In 2022, there were five retirements and eight resignations. Six new officers were hired (two of which transferred in from other districts), as well as one support staff member.

***Investigations and Supervision:***

Pretrial Investigations: In FY 2022, the office activated 443 cases.

Year	Cases Activated	Release/ Detention Rate	Interview Rate
2020	648	48%/52%	79%
2021	562	54%/46%	67%
<b>2022</b>	<b>443</b>	<b>55%/45%</b>	<b>58%</b>

During this reporting period, the office recommended release in 58% of cases, which mirrored the district's release rate of 58%. The District's release rate is 16% higher than the national average release rate (41.6%).

Pretrial Supervision: In FY 2022, 557 defendants were under supervision. Of the total number of pretrial defendants who were supervised during 2022, nine failed to appear as scheduled, 15 were rearrested, nine had misdemeanor arrest violations, and 91 committed technical violations.

Presentence Investigations:

Year	Cases Assigned	Cases Sentenced w/o PSR
2020	382	13
2021	500	7
<b>2022</b>	<b>407</b>	<b>6</b>

Offense types covered by presentence investigations and reports included drugs, financial, immigration, robbery, sex, obstruction, tax, and under the influence offenses. Officers continued to prescreen defendants for placement in the Bureau of Prisons Residential Drug and Alcohol Program, handle resentencings, and recommend individuals for participation in the Court Assisted Recovery Effort (CARE), Reentry: Empowering Successful Todays and Responsible Tomorrows (RESTART), and Repair, Invest, Succeed, Emerge (RISE) programs. Investigations officers handled First Step cases and other resentencings.

Post-Conviction Supervision: In FY 2022, 1,954 post-conviction clients were under supervision, 49% 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. In FY 2022, 73% of cases successfully completed supervision. The District's revocation rate was 26.6%.

The Probation Office facilitated treatment services for approximately 817 individuals during FY 2022.

***Space Initiatives***

In 2022, the Boston office was updated with new carpeting and paint.

***District Resources and Initiatives***

In FY 2022, the office continued its efforts to provide full service to the court and community through its initiatives, including the RENEW (Release-Engage-Network-Employ-Win), RISE, CARE, Restorative Justice, Re-Start West (in Springfield), and

Nurturing Fathers programs. Nurturing Fathers had more than 18 graduates in 2022. The RENEW program assisted nine formerly incarcerated people with job training and employment.

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

Staff returned to in-person training, including, but not limited to, initial probation officer training at the Federal Probation and Pretrial Academy in Charleston, South Carolina; safety and firearms programming; investigations and supervision of defendants and offenders training; and evidence-based practices training. The District was selected by the FJC to be the next site for implementation of their Supervising Officers in an Evidence Based Environment program. Additionally, supervisors and managers received professional coaching on broad topics such as organizational alignment, coaching employees, and delivering feedback effectively. Several staff members participated in national events, and the District hosted various local events.

## **Report for the District of New Hampshire**

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

The Federal Court Advisory Committee met in the fall of 2022 to discuss upcoming Continuing Legal Education (CLE) programs, ongoing Covid-19 pandemic protocols, and local rule amendments, as well as other issues of importance to federal practitioners.

The Federal Practice Institute CLE was further postponed due to the pandemic. The Court held its annual CJA Panel meeting and training in March 2022, including a session on due process and Brady issues, and two attorney forums. The Court, with 603 Legal Aid, hosted its annual POWER Act CLE, which featured a discussion on supporting domestic abuse survivors with unbundled legal services.

### ***Information Technology***

In 2022, the Court's IT staff deployed numerous automation solutions, replaced all laptops for court staff, implemented a remote network troubleshooting service and court recording software voice recognition, completed various courtroom technology upgrades, and continued to improve the Court's security posture.

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

The Court continued to consult with a virologist to develop protocols in response to the Covid-19 pandemic and to adjust those protocols as local cases and transmission rates fluctuated.

In December 2022, the District amended its Local Rule governing Social Security cases and disclosure statements and introduced a new Diversity Disclosure Statement form.

The Court contracted with a company to conduct an annual audit for FY 2022.

### ***Case Management***

Civil filings decreased significantly from 1,089 in 2021 to 558 cases in 2022, demonstrating case totals more consistent with annual filings prior to In Re: Atrium Medical Corp. C-Qur Mesh Products Liability Litigation, an MDL case assigned to Chief Judge McCafferty, which was winding down in 2022. Criminal filings also decreased from 218 defendants charged in 2021 to 124 in 2022.

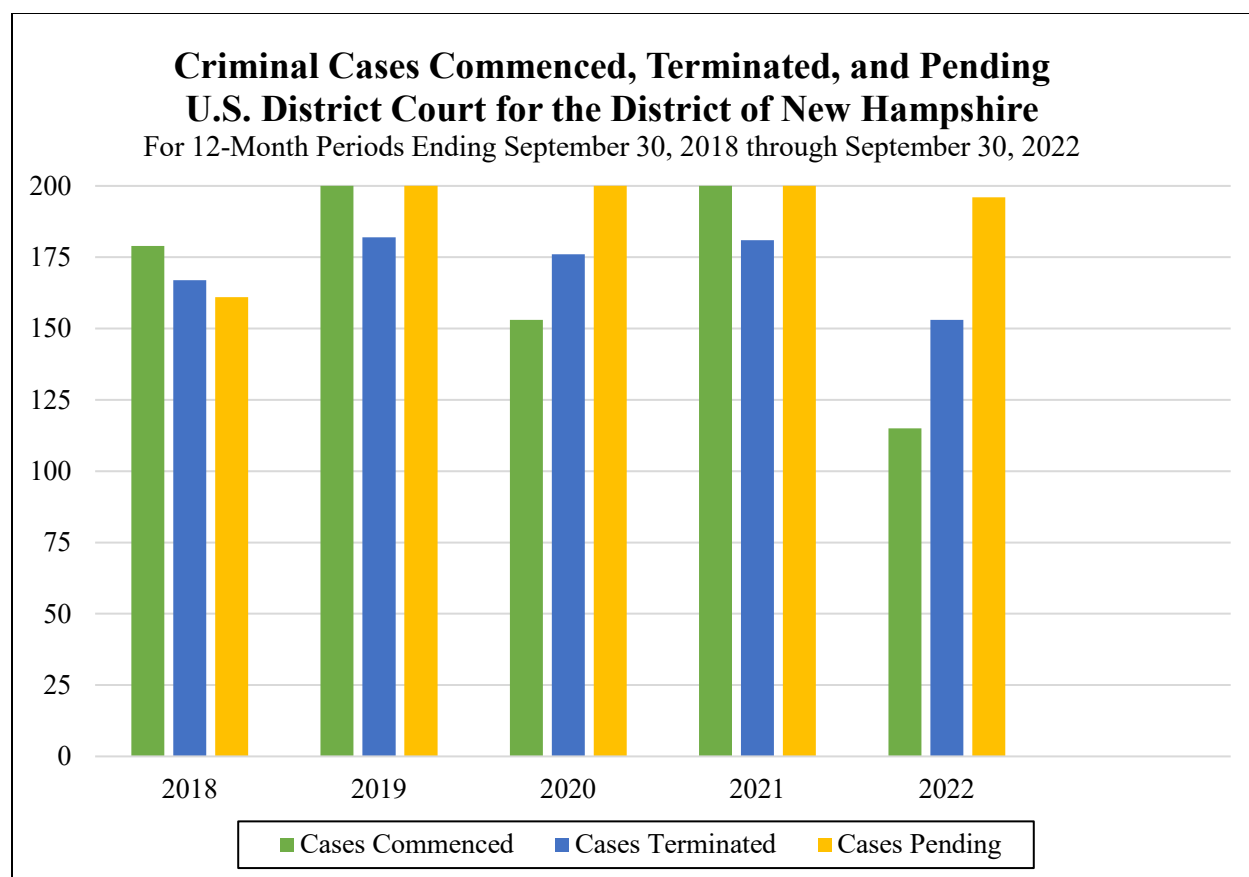
### ***Human Resources/Staff Training***

Court staff received monthly trainings on IT security recommendations and received training on the Automatic Collections Register and the judiciary's Employment Dispute Resolution Plan.

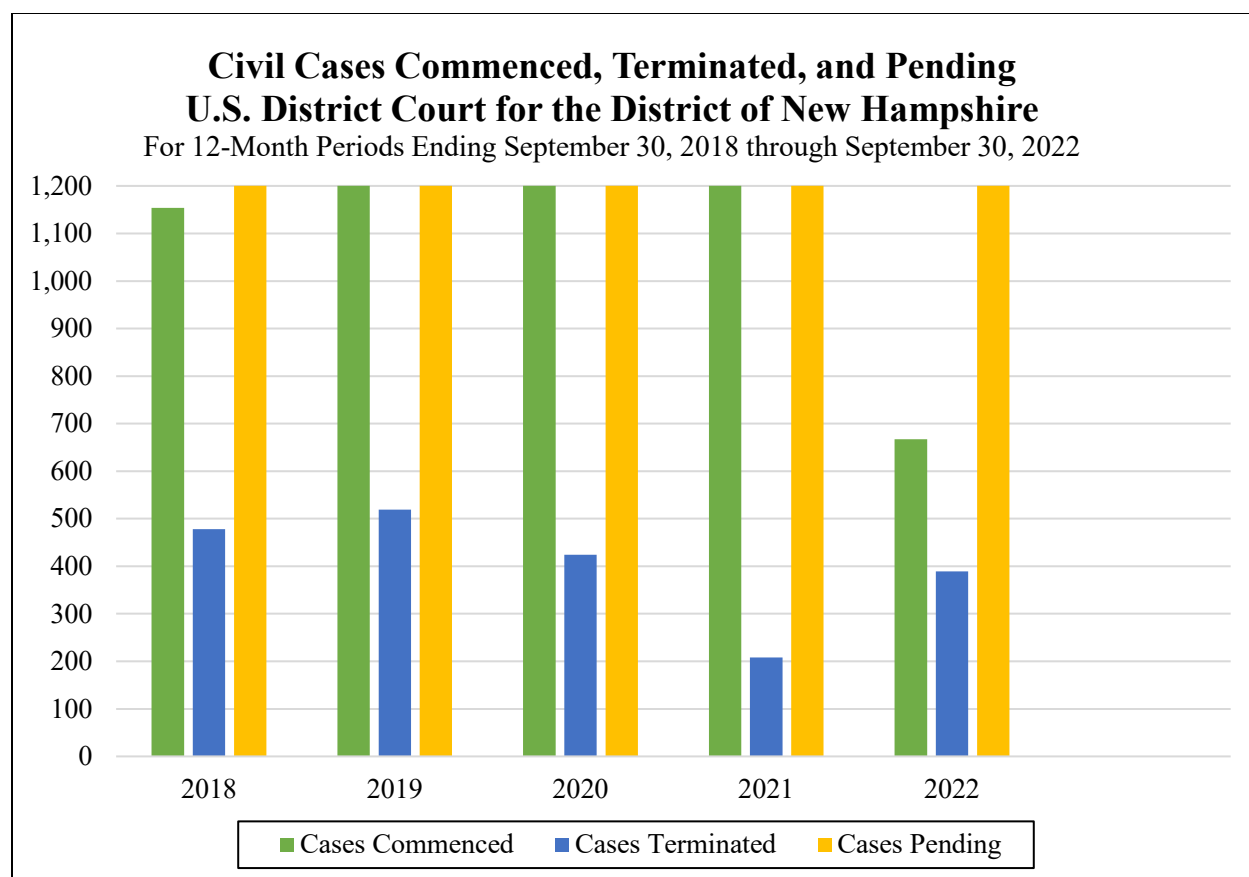
The Court held a "town hall" style meeting with a virologist that allowed staff and the public to ask the doctor questions about the Covid-19 bivalent vaccine.

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

In 2022, the Court continued to work on several projects from the previous year, including upgrading the courthouse security system, repairing the HVAC infrastructure, converting the library annex into a new judges chambers, and upgrading the fire alarm systems.



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	179	231	153	207	115
Cases Terminated	167	182	176	181	153
Cases Pending	161	213	200	230	196



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	1,154	1,370	1,209	1,994	667
<b>Cases Terminated</b>	478	519	424	208	389
<b>Cases Pending*</b>	1,281	2,133	2,919	3,525	3,804

\* Pending cases for 2018 - 2021 as revised by the AO.



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

***Personnel***

U.S. Probation Officer Steven Killelea transferred from the District of Massachusetts on December 6, 2021. Catherine Bolduc was hired as a part-time Probation Services Assistant on March 28, 2022. Meghan Montgomery and Francesca Williams were hired as U.S. Probation Interns on June 6, 2022 and July 4, 2022, respectively. Maggie Gildea was promoted to U.S. Probation Officer Assistant on August 15, 2022.

***Pretrial Services***

In FY 2022, the office activated 168 new cases, a 33% decrease from FY 2021 (248 activations). Drugs were the largest proportion of charged offenses (54.8%). Officers conducted 102 pretrial interviews in FY 2022, compared to 171 in FY 2021 (41% decrease). Officers recommended release 68.6% of the time (excluding immigration cases). The District received 83 new cases for pretrial supervision in FY 2022 and, as of September 30, 2022, was supervising 98 defendants, a decrease from 111 defendants under supervision as of September 30, 2021.

In FY 2022, there were 66 pretrial service violations across 52 defendants.

***Presentence Investigations***

The office completed 215 presentence investigations in FY 2022, a 13% increase from FY 2021. The office completed nine compassionate release investigations in FY 2022. The rate of on-time submission of presentence investigation reports to the Court

and the parties increased substantially, from 80% in FY 2021 to 90% in FY 2022.

***Post-Conviction Supervision***

In FY 2022, the Supervision Unit continued to experience a rising workload, with a total of 423 cases on active post-conviction supervision, a slight increase from FY 2021 (3%). Of these cases, 89% were on supervised release, and 49% were for drug offense convictions. Cases deemed intense or elevated risk accounted for 47% of post-conviction supervision, compared to 35% nationally.

In FY 2022, the office closed 183 cases from active supervision, 50 (27%) of which were closed due to revocation. Of those revoked, 34 (68%) were considered technical violations, 12 (24%) were major violations, and three (6%) were minor violations. Total cases revoked increased from 43 cases in FY 2021 to 50 cases in FY 2022.

In FY 2022, the office terminated 14 cases early from supervision, virtually unchanged from the 15 cases terminated early in FY 2021, resulting in a total savings of \$73,704.00.

***Treatment Services***

In FY 2022, the costs associated with treatment services increased by 7% from FY 2021. This rise in costs was driven specifically by the increase in substance use treatment costs, which rose by 25% in FY 2022, from \$161,007.07 in FY 2021 to \$201,935.75 in FY 2022. Costs in other areas decreased: location monitoring costs decreased in FY 2022, as services fell by 10%; mental health services costs decreased by 12% in FY 2022; and sex offender treatment services decreased by 2%.

### ***LASER Docket Program***

Since 2010, the District has operated the Law-Abiding, Sober, Employed, and Responsible (LASER) Docket, a cooperative effort among the Court, the U.S. Attorney's Office, the Probation and Pretrial Services Office, the Federal Defender Office, and the USMS. The LASER Docket offers treatment and sanction alternatives to address defendant/offender behavior, promote rehabilitation, reduce recidivism, and ensure community safety. During FY 2022, ten pretrial defendants entered the program, bringing the total number of participants who participated at some point during the fiscal year to 26. Notably, 11 participants graduated from LASER in FY 2022.

### ***Information Technology***

The office continued to share IT services with the District and Bankruptcy Courts. In 2022, the District achieved the following goals: rolling out numerous automation solutions using SharePoint and Power Automate; replacing all laptops district-wide; replacing software; onboarding IT staff; furthering the implementation of CyberArk and Zero Trust architecture; completing office space redesign; and improving the office's IT Security Scorecard score.

### ***Officer Safety***

In FY 2022, with Covid restrictions lifted, in-person Officer Response Tactics (ORT) training resumed. In April 2022, Officer Safety Instructors (OSIs) Scott Davidson and Eric Gray attended the District of Rhode Island's ORT session focused on edged-weapon defense. In October 2022, OSI Gray attended the District of Rhode Island's

instructor-only training for OSIs from around New England.

From April through October 2022, the firearms team held mandatory, monthly live fire sessions.

In 2022, select staff attended Firearms Instructor Recertification at the Federal Probation & Pretrial Academy in Charleston, South Carolina, and an instructor development day at the Concord Police Department.

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

In FY 2022, staff participated in several national, regional, and local trainings, including, but not limited to: New Hampshire Treatment Court Conference; PACTS 360; Annual Location Monitoring Training; Trauma-Informed District Wellness; Post Conviction Risk Assessment 2.0 Refresher; and Quarterly IT Trainings.

### ***Recognition***

During FY 2022, on the recommendation of the Employee Recognition Committee, the following staff were cited for outstanding work:

- Sean Buckley – District Award for Sustained Superior Performance
- Steve Killelea – District Award for Special Service
- Wendy Fosher – District Award for Exceeding Expectations
- Karin Hess – Dan Gildea Award
- Riaka McCormick – Character Award

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

### ***Court Profile***

The District had six district judges, two senior district judges, four magistrate judges, and one Article III vacancy at the conclusion of 2022. Chambers staff totaled 31, including one full-time pro se law clerk. Clerk's Office staff totaled 72, including five court reporters and seven court interpreters.

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

The District and the USMS sponsored an Active Shooter Awareness Training for all court staff, featuring a theoretical presentation and practical application exercise.

The District and the Probation Office, in partnership with the Commonwealth of Puerto Rico's Women Advocate Office, held a POWER Act event discussing the importance of case management and attorneys' responsiveness to the needs of domestic violence and sexual assault victims during the Covid-19 pandemic.

The Court and the U.S. Sentencing Commission 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 Office, and the Probation and Pretrial Services Office.

The District sponsored a virtual CLE Program for more than 500 members of the bar.

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

The Court adopted amendments to Local Civil Rule 9 after public notice and comment.

### ***Interpreters***

In 2022, staff interpreters completed 5,023 Spanish language interpreting events, and contract interpreters completed 997 Spanish language events.

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

In April and November 2022, 160 individuals took the district bar exam with 39 obtaining a passing grade. A total of 65 attorneys were admitted to practice in the District during 2022, including those who passed the test in previous years.

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

In 2022, 400 attorneys were selected to serve on the Civil Pro Bono Panel, and 146 pro bono appointments were made.

### ***Naturalization Ceremonies***

The Court held two naturalization ceremonies, during which 36 persons were sworn in as citizens.

### ***Information Technology***

The IT Department continued to provide active IT support to all court and U.S. Probation Office staff to ease the transition to in-person operations. IT staff dedicated significant time toward complying with the AO IT projects and security directives.

### ***Community Outreach***

Student and Youth Visits: In April 2022, the AO held a Civil Discourse and Difficult Decisions seminar, where a group of 20 students and two high school professors from Academia del Perpetuo Socorro discussed

their own civil discourse attitudes, behaviors, language, and standards of behavior. Chief Judge Arias-Marxuach and Magistrate Judge López-Soler moderated a fictional scenario with the students acting as both lawyers and jurors. A second seminar was held in October with 30 students from public Montessori Project schools.

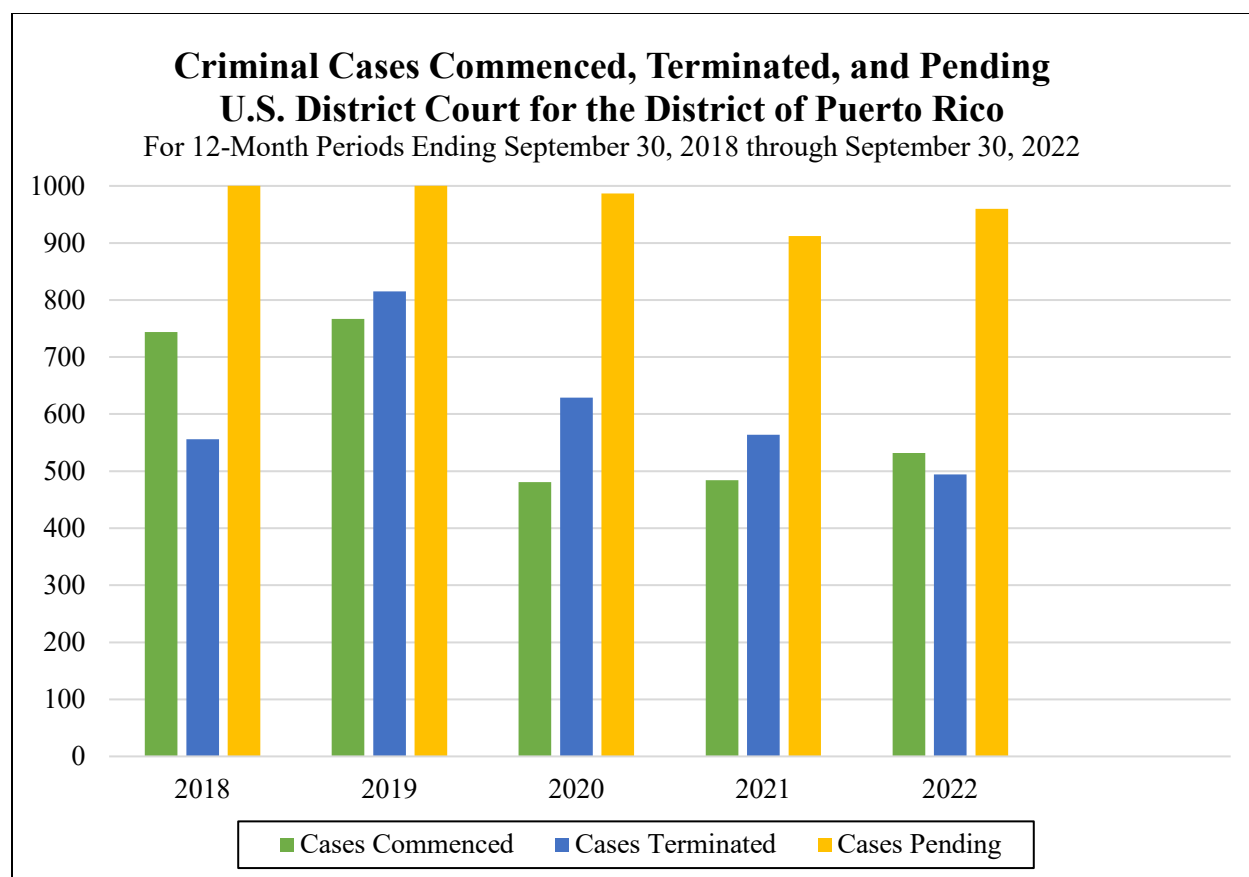
In May 2022, a group of five students from the Hispanic National Bar Association, Interamerican University Chapter, visited the José V. Toledo Courthouse for a sentencing hearing in a high-profile case. Additionally, Judge Carreño-Coll presided over the Project LEAD mock trial presentation, which included a student graduation from the Villa Granada Public School in San Juan.

RESCATE (Reentry Supervised Released Court Alternative): On June 6, 2022, the Court graduated five participants in the RESCATE program, which is a joint initiative among the U.S. Attorney's Office, the Federal Public Defender Office, and the U.S. Probation Office, with goals of reducing re-arrest rates, promoting community safety by means of intensive supervision, and providing work and other opportunities to participants.

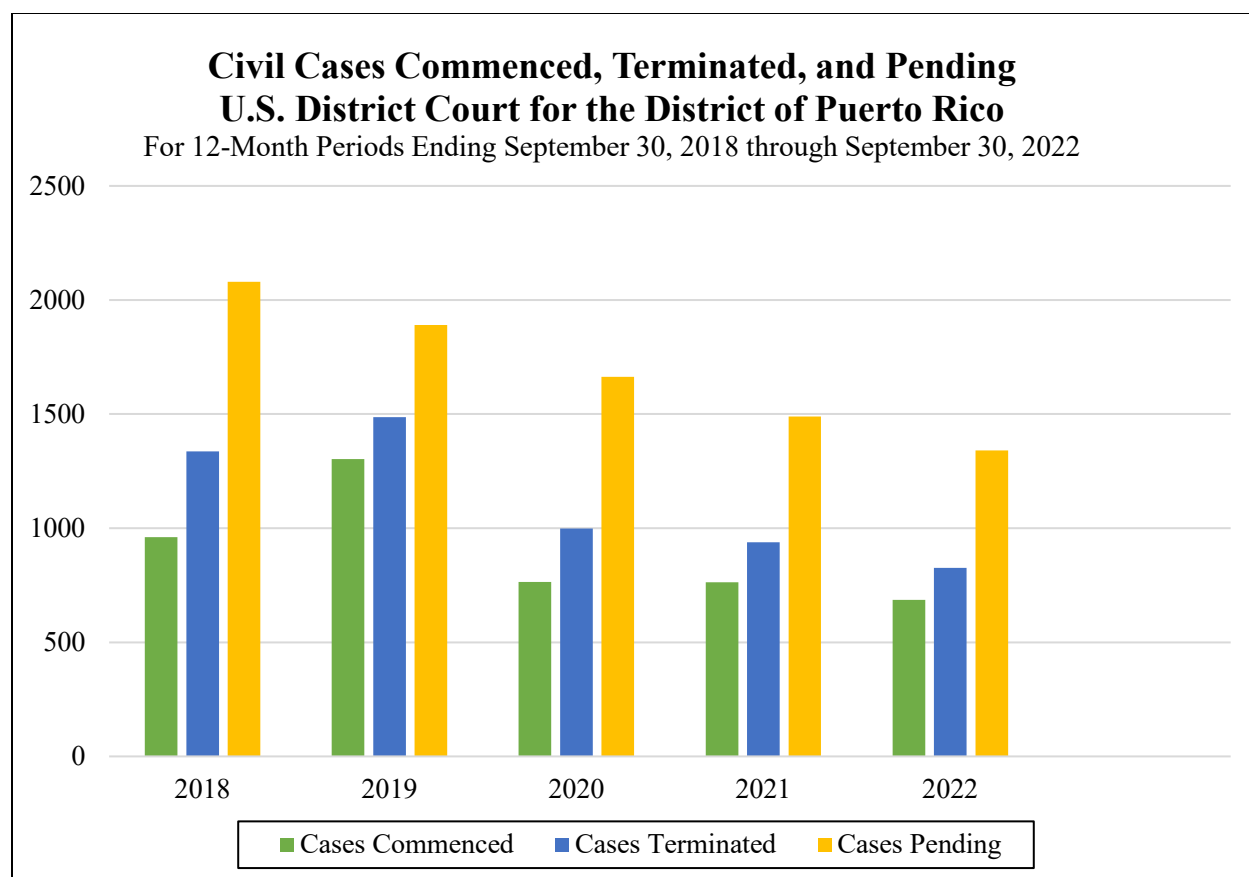
Combined Federal Campaign: The Court continued its outstanding contribution to the Combined Federal Campaign for Puerto Rico and the U.S. Virgin Islands.

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

The request submitted to the JCUS for construction of a Courthouse Annex in Hato Rey was approved, and the Design Phase started near the end of 2022.



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	744	767	481	484	532
Cases Terminated	556	815	629	564	494
Cases Pending	1,181	1,151	987	912	960



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	961	1,303	764	763	686
Cases Terminated	1,337	1,487	998	938	826
Cases Pending*	2,080	1,892	1,664	1,489	1,341

\* Pending cases for 2018 - 2021 as revised by the AO.

## Probation & Pretrial Services Office District of Puerto Rico

### Overview

Due to the Covid-19 pandemic, the office continued operating with flexible remote work options and began to increase gradually personnel's physical presence in the office and in the community.

### Personnel

The office hired three probation officers, four probation officer assistants, two probation services technicians, one procurement technician, and one budget analyst. Three staff members separated due to retirement.

### Investigations and Supervision

Court Services: The Court Services Division had seven full-time supervisors, 34 full-time officers, one part-time officer, and nine support staff. During FY 2022, the division opened 1,056 new bail investigations and completed 981 presentence reports. Division managers continued to meet regularly to address issues identified during a previous audit, developed strategies to correct the findings and improve effectiveness, and focused on providing training sessions for officers. The Division conducted quarterly training sessions for officers focusing on Guideline application, case law, and intervention skills.

Pretrial Services Investigations: During FY 2022, the office opened 1,056 cases. Controlled substances remained the most common offense type, followed by firearms and violent crimes.

Pretrial Supervision Division: The division focused on effective management of the electronic monitoring caseloads as well as

supervision based on risk levels, and continued to invest significant resources managing the location monitoring caseload. In FY 2022, the district had a total of 774 active bail supervision cases, 230 cases were closed due to conviction or dismissal, and 32 cases were closed by revocation.

Post-Conviction Supervision: The division operated with seven full-time supervisors, 35 full-time officers, six support staff, and two laboratory technicians. In FY 2022, 2,568 post-conviction cases were activated, and 321 were closed by revocation. The FY 2022 revocation rate (31.4%) was an increase over FY 2021 (24%).

The division continued to provide reentry services, including collaborative agreements with other community resources for Graduate Equivalency Diplomas, workforce development workshops, and driver's licenses. The reentry team provided several virtual and in-person activities for individuals under supervision. The office continued to have one of the highest investments nationwide in Second Chance Funds for Offender-Defendant Reentry Services.

<i><b>Cases Revoked and Closed</b></i>	<i><b>FY 2021</b></i>	<i><b>FY 2022</b></i>
Total Cases Closed	1,173	1,048
Cases Closed by Early Termination	166	119
Revocations	280	321
Revocation Rate	24%	31%

<i><b>Persons under Supervision (Pretrial Services and Diversion)</b></i>	<i><b>FY 2021</b></i>	<i><b>FY 2022</b></i>
	837	796

### ***District Initiatives***

During FY 2022, the office continued its community outreach program. The office conducted events on topics such as cyberbullying, dangers of social media and cybercrimes, and drugs, and presented an overview of the U.S. Probation Office to a number of schools and community programs.

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

Office personnel participated in 64 training events held locally and nationally.

### ***Space Initiatives***

In FY 2022, the office procured and coordinated its biannual carpet cleaning throughout the office space. Pursuant to its Wellness Program, and in coordination with other agencies located at the Federico Degetau Federal Building, the office helped establish a gym space for federal employees.



## **Report for the District of Rhode Island**

### ***Committee Membership***

Clerk of Court Hanorah Tyer-Witek continued to serve on the First Circuit Judicial Council IT Committee and Access to Justice Committee, and the District Clerk's Advisory Group.

Chief Deputy Clerk Frank Perry continued to serve as faculty for the FJC's New Deputy Court Unit Executive program and Experienced Deputy Court Unit Executive program, and the AO's Criminal Operations Advisory Council. He was also a unified search alpha user representative for PACER.

IT Director Heather Restifo served on the AO's Court IT Operations Working Group and was the IT representative to the AO's IT Security Task Force, where she was appointed Chair of the Subgroup on Resources.

Programmer/Systems Administrator Patrick McGourty served on the AO's Jury Working Group.

Court Operations Manager Michael Simoncelli served on the Restitution Expert Panel Working Group and the Workforce Measurement Steering Group.

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

### ***Alternative Criminal Case Programs***

Deferred Sentencing Program: There were three participants in the program at the end of 2022.

HOPE Court: In 2022, nine individuals joined, and two individuals graduated from the

Helping Offenders Prepare for reEntry (HOPE) program.

### ***Human Resources/Staffing***

IT Security Specialist Richard Realejo retired after 24 years of dedicated service to the Court. Court Reporter Karen Wischnosky retired after 22 years of dedicated service.

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

Attorney Admissions Program: In 2022, 52 new attorneys were admitted to the District's bar.

Educational Programs: The Court held a Brown Bag Lunch and Learn series for the summer interns, wherein members of the Federal Public Defender Office, the USMS, the U.S. Attorney's Office, and the Probation and Pretrial Services Office spoke about their role in the judicial system. The Court also held CLEs virtually and in person. In June and December 2022, Litigation Academy Programs were held at the courthouse with 23 and 25 attorneys participating, respectively.

### ***Local Rules/Procedures***

In February 2022, the District's local rules committee resumed and established a Court Advisory Council, comprised of federal bar members that assist the Court with recommendations regarding court governance.

### ***Information Technology***

The IT Department developed a training and application access tracker program, which includes the ability for staff to self-track their training goals and accomplishments, remind supervisors of required training, and track access to court accounts. The IT Department

also developed a laptop maintenance appointment program that allows staff to make appointments and receive notifications concerning their devices.

The IT Department facilitated new methods for chambers to handle Rule 16 Conferences, as well as Office365 solutions for case tracking.

### ***Staff Training***

All court staff and chambers attended an FJC facilitated retreat in August 2022. The First Circuit Director of Workplace Relations held a training regarding civility in the workplace, and the USMS held active shooter and first aid training.

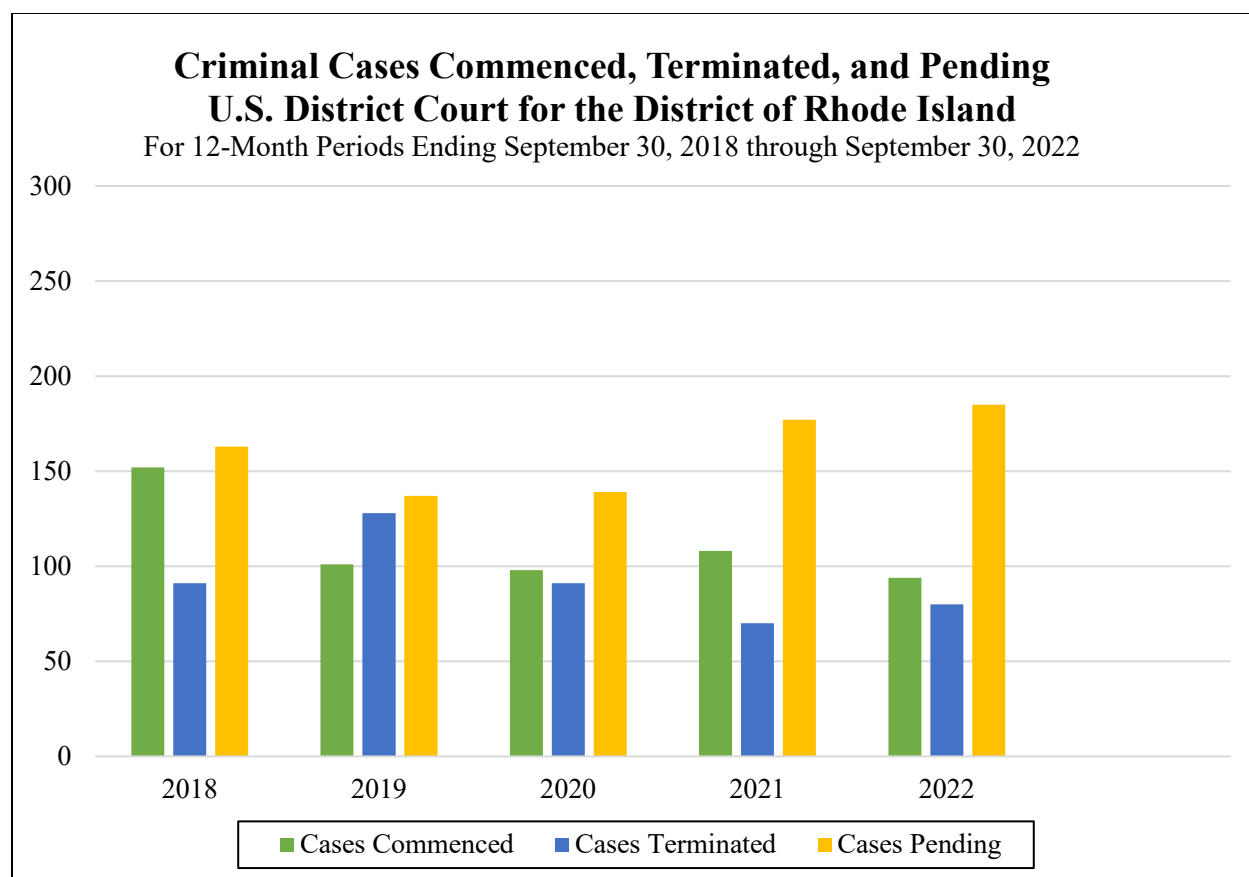
### ***Community Outreach***

Civic Education Programs: Several school groups from Lincoln and Providence visited the courts within the District. The Clerk's Office partnered with the MET School to host an intern for the fall 2022 semester.

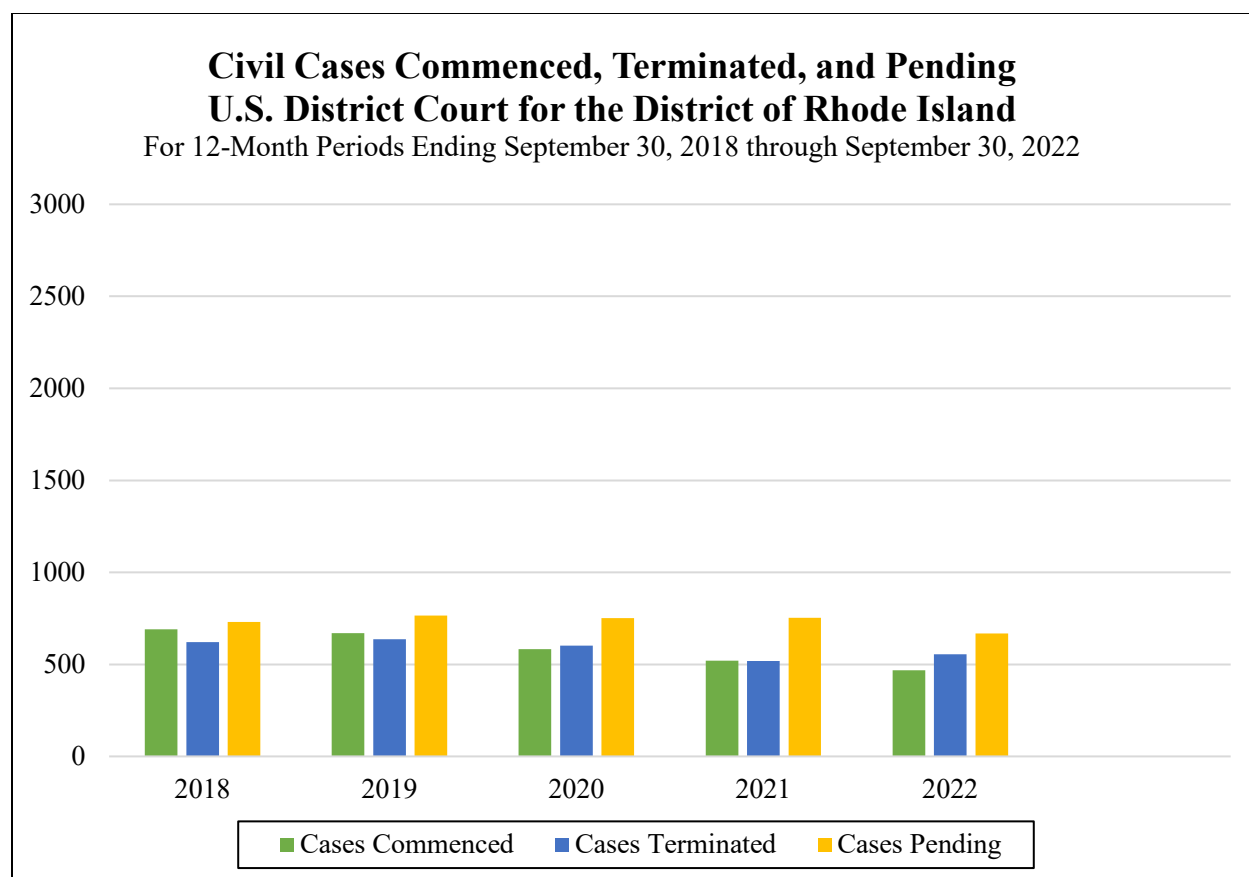
In June 2022, a student from Blackstone Academy shadowed Judge McElroy for one day and watched a jury trial. In October 2022, Norwell Academy participated in a moot court with Chief Judge McConnell and Judge McElroy.

The Court hosted University of Rhode Island students in January 2022; a high school aged group, known as Princes to Kings, for mock arguments in February and August 2022; and sixth graders from Nathan Bishop for the Discovering Justice Mock Trial Program in December 2022.

Naturalization Ceremonies: The Court naturalized 325 new citizens and conducted seven off-site ceremonies in 2022.



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	152	101	98	108	94
Cases Terminated	91	128	91	70	80
Cases Pending	163	137	139	177	185



<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, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	690	670	582	521	468
<b>Cases Terminated</b>	621	637	602	518	555
<b>Cases Pending*</b>	731	768	751	754	668

\* Pending cases for 2018 - 2021 as revised by the AO.

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

***Personnel***

The Probation Department did not hire any new staff in 2022. One U.S. Probation Officer transferred from the District of Rhode Island to the Southern District of New York.

***Pretrial Services***

In 2022, the office activated 118 new cases, a 27% decrease from 2021. The District's FY 2022 pretrial release rate, excluding immigration cases, was 63%, compared to the national average of 42%. Pretrial release supervision cases decreased by 5% from 2021. On average, the office supervised 145 pretrial defendants each month. The office also completed five pretrial diversion investigations.

***Presentence Investigations***

The office completed 112 presentence investigations, a 24% increase over 2021. The office completed 69 collateral responses, through which it obtained criminal history information for other districts.

***Post-Conviction Supervision***

In 2022, the office supervised an average of 335 offenders per month, a 4% decrease from 2021. At the end of 2022, 325 individuals were on supervision, with a majority on supervised release (297 defendants). The District's revocation rate for FY 2022 was 15.3% and was below the national average of 32.7%. The District utilized a total of \$4,200 in Second Chance funds.

***Treatment Services***

In FY 2022, treatment expenditures (substance use, mental health, and sex offender) for the District of Rhode Island decreased by 31% from FY 2021 spending.

***District Initiatives***

In 2022, the Deferred Sentencing Program (DSP) continued to provide qualifying participants with the opportunity to engage in this alternative to incarceration program. The program had been revised in 2021, and in January 2022, the updated DSP enrolled its first participant. As it continued to revert to normal operations post-Covid, DSP had three participants during 2022. Under the new framework of the program, DSP hosted a healing by art exercise in October, where the DSP team members and participants engaged in a painting activity.

The HOPE Court, which supports high risk offenders with intensive supervision strategies and targeted services, operated with an average of eight participants, with nine new admittees, 15 participants during the year, and two participants that graduated in 2022. In addition to biweekly meetings, the HOPE Court continued to work with the Recovery Capital pilot program through the University of Derby and Mass General Hospital, which provides a strength-based approach to help individuals identify support and resources within their communities to identify and address their needs. The HOPE Court team participated in the National Drug Court Institute of Incentives, Sanctions, and Therapeutic Adjustment in May 2022.

***Professional Development and Training***

Chief U.S. Probation Officer John Marshall continued to serve on the FJC's Executive

Education Advisory Committee, while also serving as a faculty member of the FJC's New Court Unit Executive Leadership Seminar. Mr. Marshall also 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 Amie Blanchette was chosen by the FJC to serve as a Supervising Officers in an Evidence Based Environment faculty member.

Supervising U.S. Probation Officer Heather Maloney continued her role as a member of the First Step Act Working Group, which assists the Probation and Pretrial Services Office with identifying the aspects of the First Step Act that may impact probation officers' workloads.

Supervising U.S. Probation Officer Heather McLoughlin volunteered to be part of the national Location Monitoring Emergency Response Team and assisted the Probation Office for the Middle District of Florida, which was affected by Hurricane Ian in September 2022.

U.S. Probation Officer Specialists Andrea Edgar and Brandon Miles continued as User Acceptance Testers for PACTS 360, while the District of Rhode Island remained engaged in PACTS 360 training in preparation for implementation in 2023.

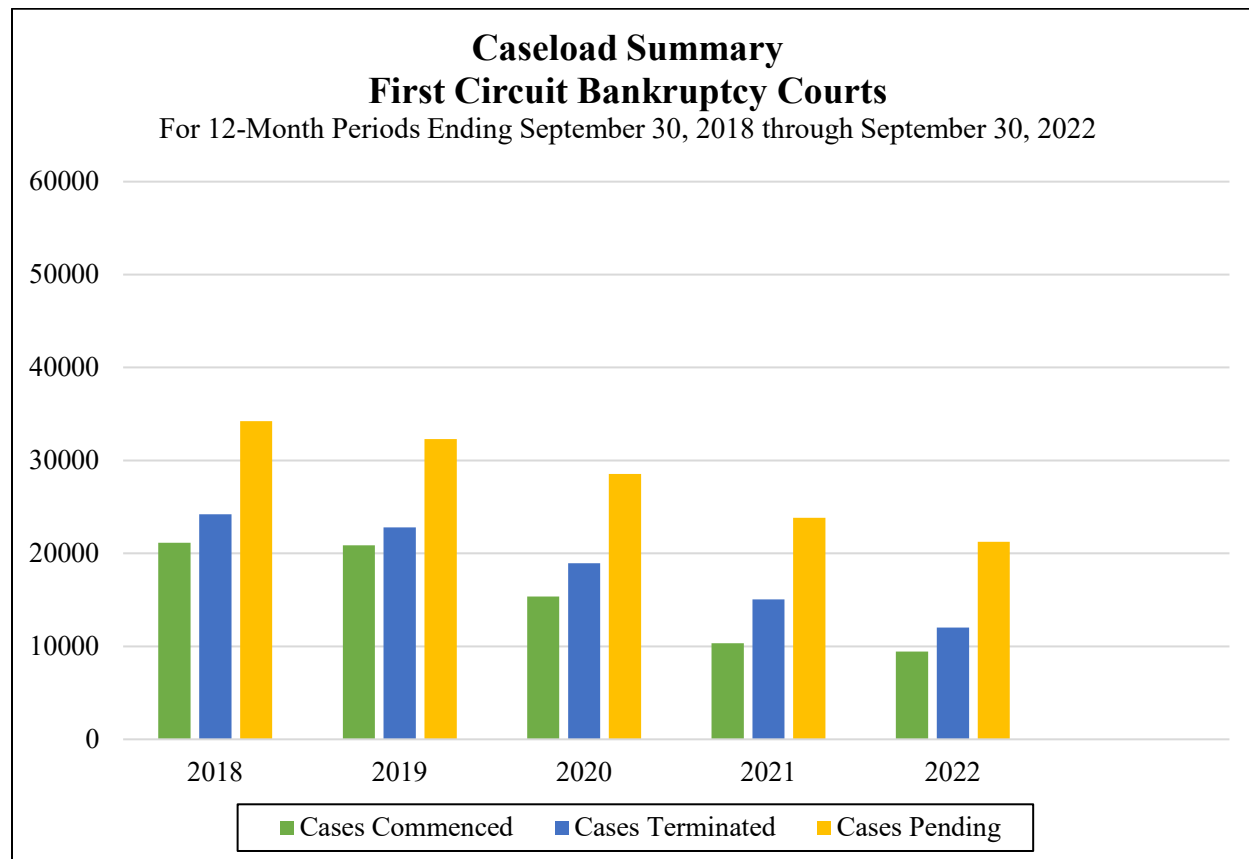
U.S. Probation Officer Elvis Guillen continued to serve on the First Circuit Probation and Pretrial Services Subcommittee on Workplace Conduct.

In September 2022, the District of Rhode Island engaged in a court-wide retreat, which included U.S. Probation, Clerk's Office, and chambers staff. During this retreat, the FJC presented Leading with Values, Vision & Mission Planning to assist the District in strategic planning. The retreat also had a wellness component, involving various wellness events such as morning runs, circuit training, yoga, and meditation.

The Probation Office also hosted Chief and Deputy Chief U.S. Probation Officers from the First, Second, and Third Circuits for a Chief/Deputy Administrative Meeting in Newport, Rhode Island in September 2022.

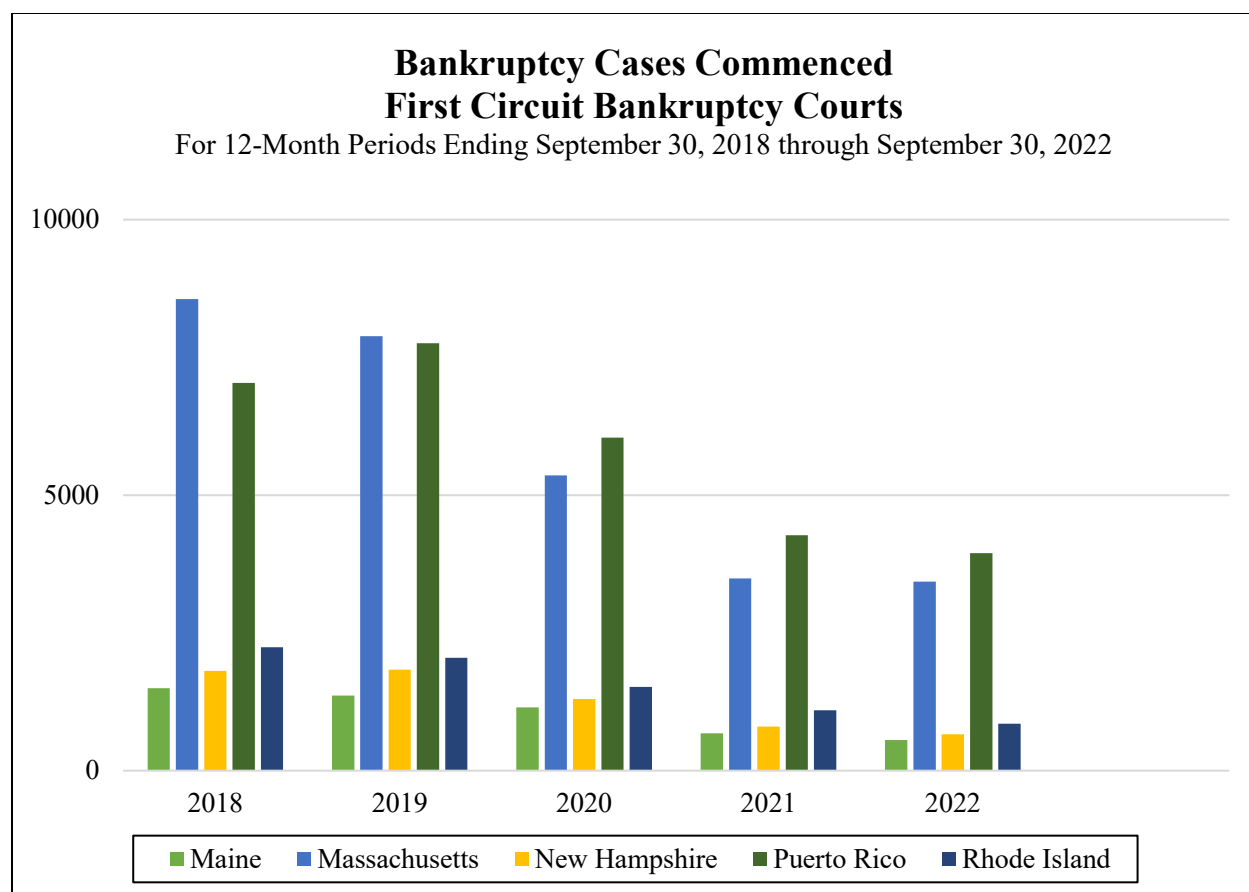
Staff participated virtually and in person as attendees in several national, regional, and local training seminars on topics such as PACTS 360, Cybercrime training, Employee Dispute Resolution, and firearms officer safety. Staff also attended the following conferences: National Association of Drug Court Professionals Conference; Trauma Informed Wellness, Crimes Against Children Conference; National Association of Pretrial Services Agencies Conference; and the Federal Probation and Pretrial Officers Association Conference.

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



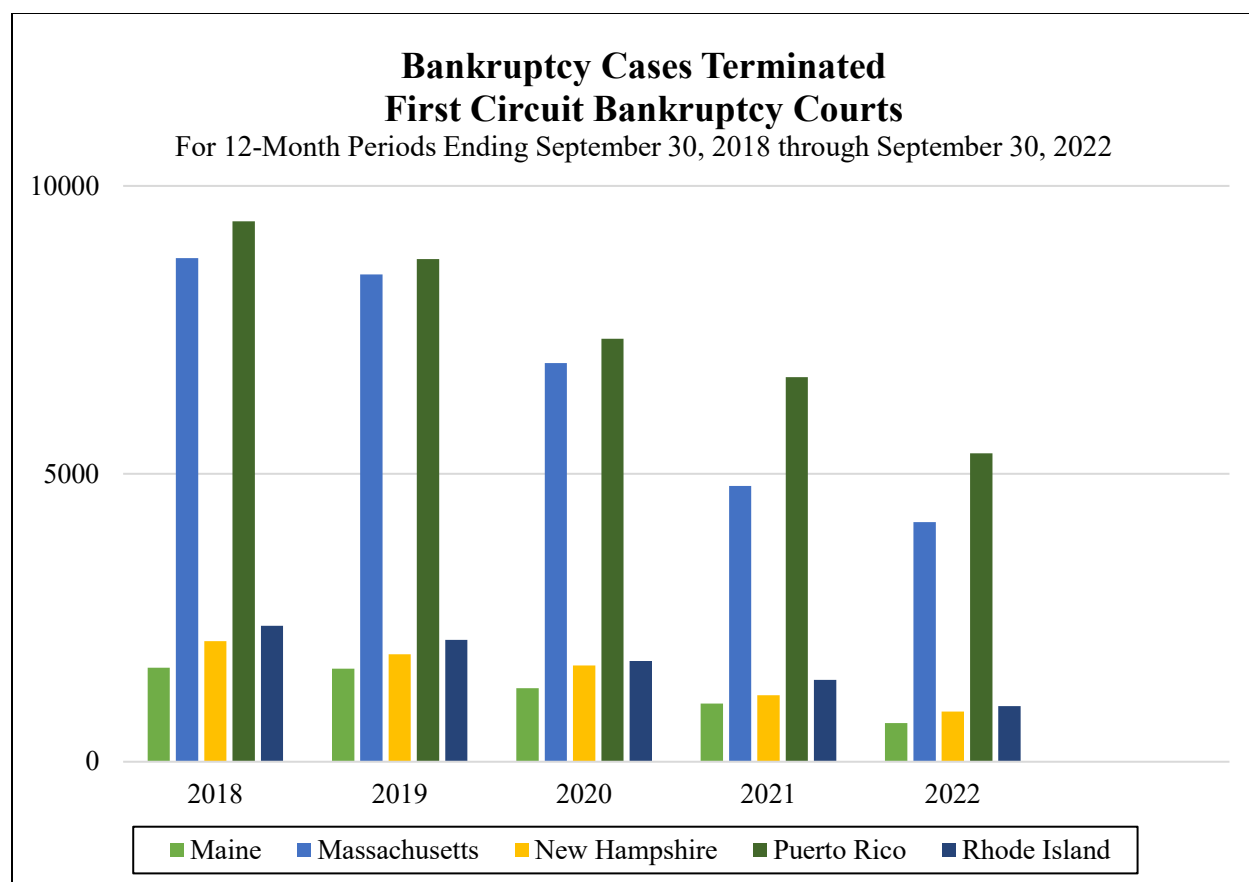
<b>Caseload Summary</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
Cases Commenced	21,145	20,884	15,367	10,334	9,439
Cases Terminated	24,221	22,793	18,962	15,059	12,030
Cases Pending*	34,248	32,310	28,565	23,841	21,249

\* Pending caseloads for 2018 - 2021 as revised by the AO.

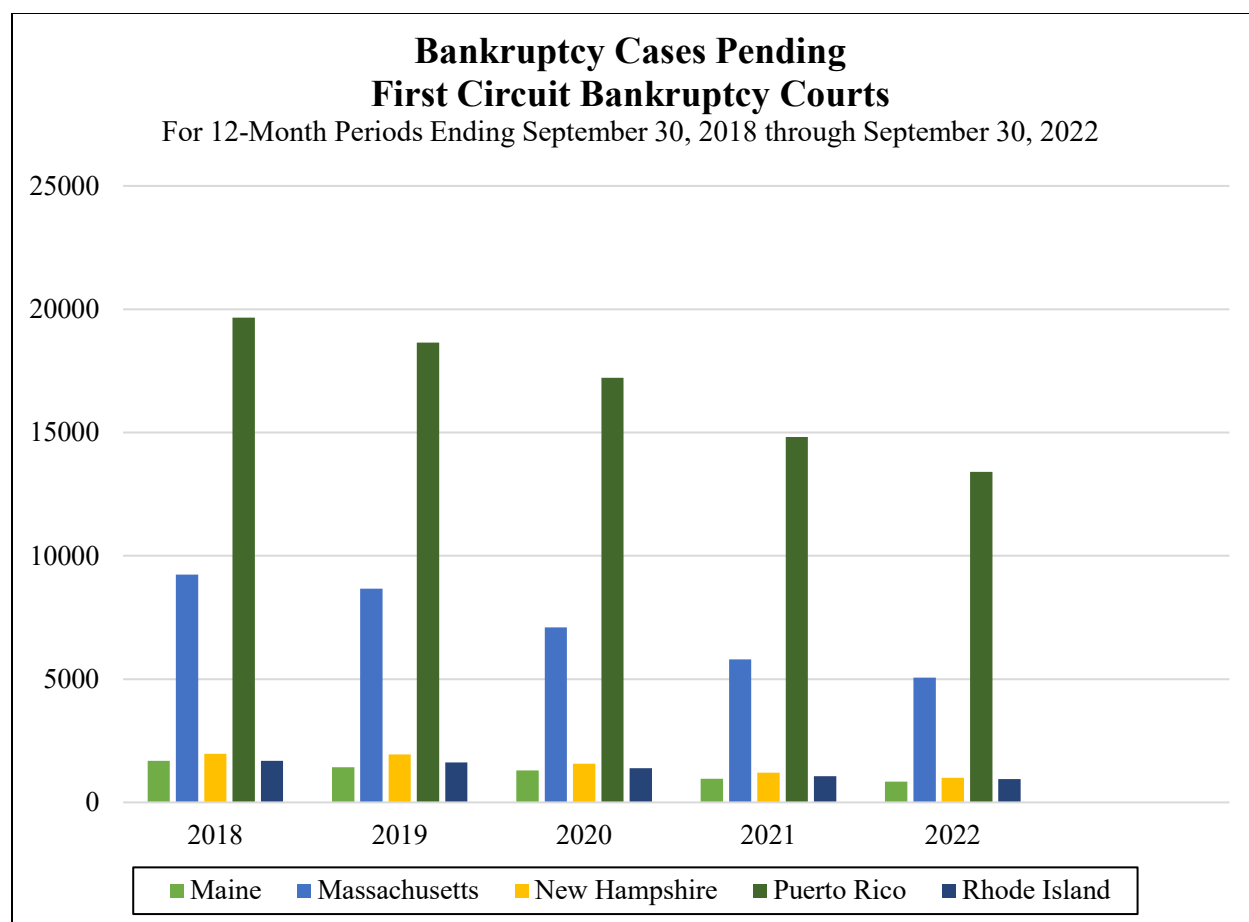


<b>Bankruptcy Cases Commenced First Circuit Bankruptcy Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	1,497	1,362	1,148	677	554
Massachusetts	8,556	7,883	5,357	3,489	3,429
New Hampshire	1,812	1,836	1,297	798	658
Puerto Rico	7,038	7,756	6,046	4,273	3,948
Rhode Island	2,242	2,047	1,519	1,097	850





<b>Bankruptcy Cases Terminated First Circuit Bankruptcy Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	1,633	1,618	1,275	1,010	674
Massachusetts	8,748	8,465	6,923	4,790	4,161
New Hampshire	2,093	1,868	1,671	1,155	874
Puerto Rico	9,386	8,728	7,343	6,680	5,354
Rhode Island	2,361	2,114	1,750	1,424	967



<b>Bankruptcy Cases Pending*</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
District	2018	2019	2020	2021	2022
Maine	1,680	1,423	1,294	961	841
Massachusetts	9,244	8,665	7,094	5,793	5,059
New Hampshire	1,971	1,939	1,565	1,208	992
Puerto Rico	19,664	18,659	17,219	14,813	13,408
Rhode Island	1,689	1,624	1,393	1,066	949

\* Pending caseloads for 2018 - 2021 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, 2022				
District	chapter 7	chapter 11	chapter 12	chapter 13
Maine	20	15	1	4
Massachusetts	147	48	1	11
New Hampshire	22	4	0	6
Puerto Rico	34	43	10	14
Rhode Island	21	2	0	3

<b>Nonbusiness Bankruptcy Filings, by chapter</b> <b>First Circuit Bankruptcy Courts</b> For 12-Month Period Ending September 30, 2022			
District	chapter 7	chapter 11	chapter 13
Maine	411	1	102
Massachusetts	2,092	15	1,115
New Hampshire	426	0	200
Puerto Rico	1,385	17	2,445
Rhode Island	626	1	197

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

***Committee Membership***

Team Leader Kristen Ford served on the Advisory Committee to the First Circuit Workplace Conduct Committee and the National Conference of Bankruptcy Clerks Education Committee and Mentorship Committee. ECF Case Administrator Rachel Parker served on an Expert Panel on Pro Se Electronic Filing facilitated by the AO.

expectations, reduce the need for amended or corrected filings, and improve communication between the Clerk's Office and practitioners.

***Local Rules***

In 2022, the Bankruptcy Court's Local Rules Committee worked on a comprehensive revision of the Local Rules.

***Staff Training***

ECF Case Administrator Tracy LeClair attended the CM/ECF Dictionary Training, and Courtroom Deputy Mary-Ellen Paione attended procurement and contracting officer training.

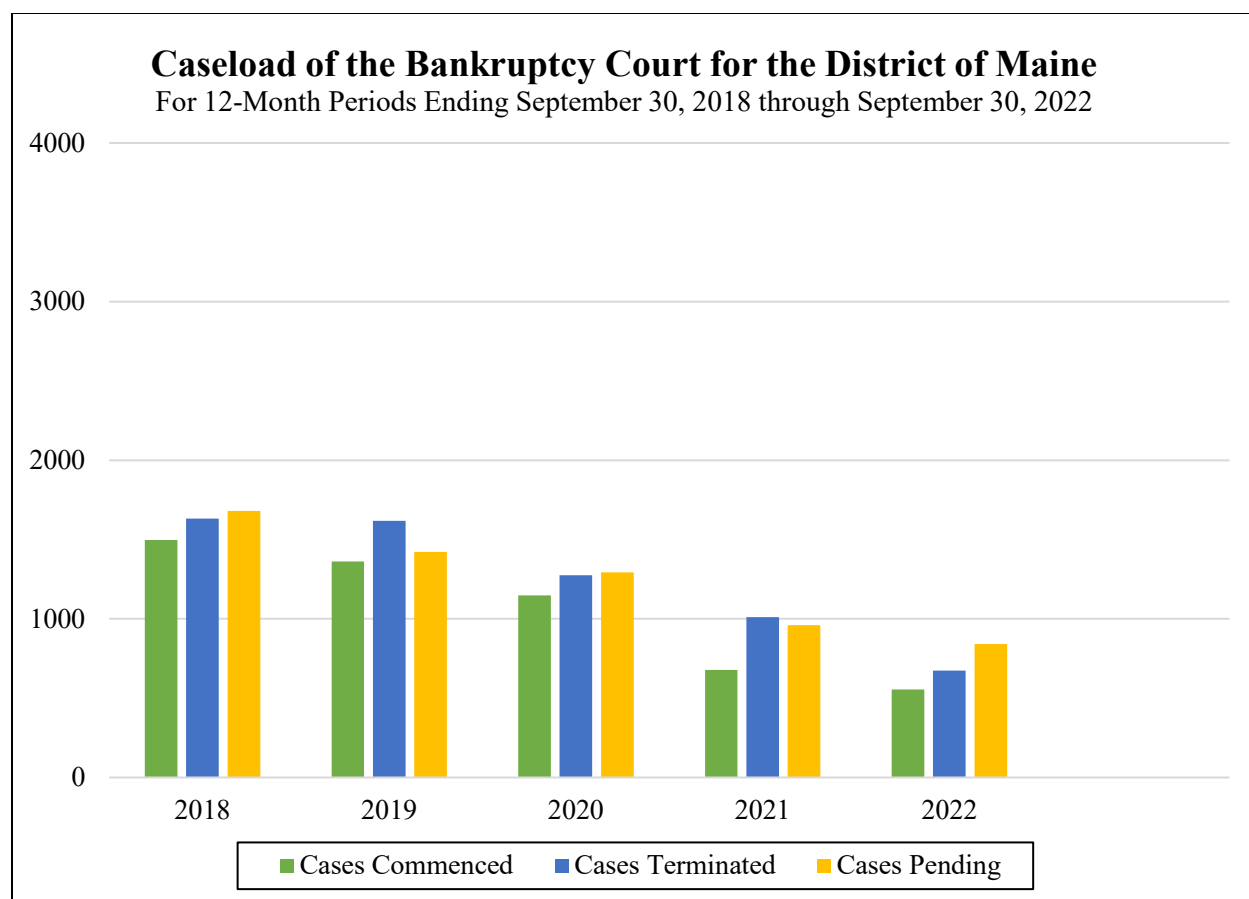
***Information Technology***

The Court deployed, implemented, and trained on Microsoft Teams and Zoom, the latter of which was used extensively for courtroom proceedings and judicial settlement conferences.

***Conferences/Educational Programs***

In April 2022, the Bankruptcy Court hosted a virtual Brown Bag Luncheon, which members of the bar attended. The meeting featured a presentation by Maine State Economist Amanda Rector, who serves as a member of the State of Maine's Revenue Forecasting Committee.

In June 2022, the Court hosted two virtual Bankruptcy Power Hour trainings for attorneys and support staff. The objective for the Power Hour trainings was to increase understanding of filing procedures, review rule requirements and clerk's office



<b>Caseload for the Bankruptcy Court for the District of Maine</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	1,497	1,362	1,148	677	554
<b>Cases Terminated</b>	1,633	1,618	1,275	1,010	674
<b>Cases Pending*</b>	1,680	1,423	1,294	961	841

\* Pending caseloads for 2018 - 2021 as revised by the AO.

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

***Human Resources/Staffing***

In July 2022, the Court welcomed a new Assistant Director of IT, Mark Tyan, who later stepped into the role of Director of IT.

***Statistics***

Between calendar years 2021 and 2022, the total number of petitions filed declined by 3.1%. Of the 3,384 petitions filed in 2022, 6.9% were from pro se filers. During 2022, the Court had a total of 4,868 pending cases. In calendar year 2022, 119 adversary proceedings were filed, which reflected a 30% decline in such cases from the preceding year.

***Community Outreach***

The bankruptcy judges served as panelists on local, regional, and national programs presented by Massachusetts CLE, the Boston Bar Association, the Practising Law Institute, the NCBJ, the National Association of Consumer Bankruptcy Attorneys, the American Bankruptcy Institute, the Hamden County Bar Association, area law schools, and the American Bar Association. The Court's Pro Bono Committee, chaired by Chief Judge Katz and Judge Bostwick, continued its efforts to increase the number of attorneys available to accept pro bono cases from people in financial distress. In October 2022, the Committee held its Ninth Annual Pro Bono and Public Service Awards Ceremony. In September 2022, the Court announced new features on its website, including translation and assistive listening capabilities.

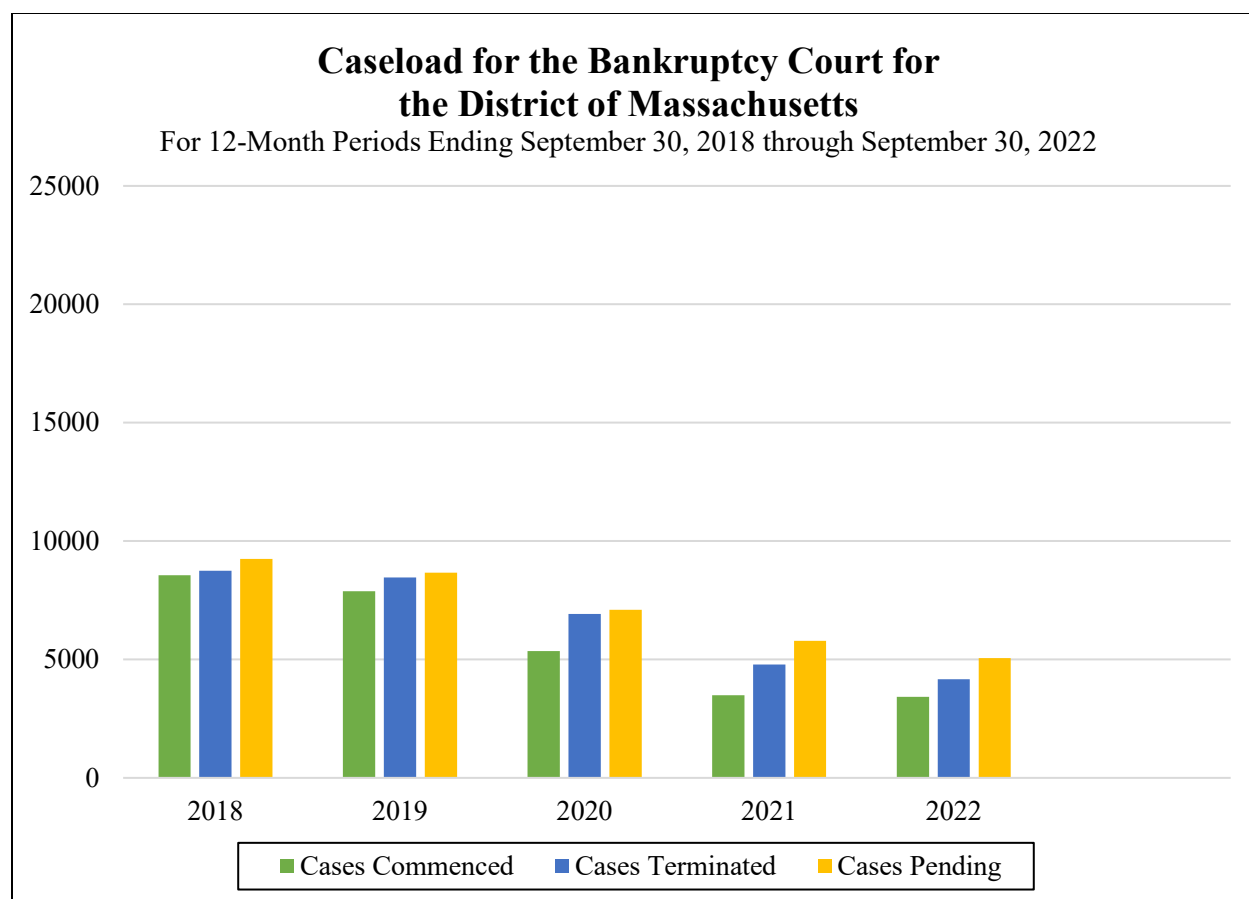
***Local Rules***

The Local Rules Advisory Committee met quarterly to review and discuss proposed

modifications and improvements to the Local Rules.

***Space and Facilities***

In Worcester, the Court began the process of turning over Courtroom 4 and planned updates to Courtroom 3, and continued its audiovisual work on the Boston courtrooms.



<b>Caseload for the Bankruptcy Court for the District of Massachusetts</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	8,556	7,883	5,357	3,489	3,429
<b>Cases Terminated</b>	8,748	8,465	6,923	4,790	4,161
<b>Cases Pending*</b>	9,244	8,665	7,094	5,793	5,059

\* Pending caseloads for 2018 - 2021 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. Clerk of Court Bonnie L. McAlary retired on December 31, 2022, after more than 32 years of dedicated service to the U.S. Bankruptcy Court for the District of New Hampshire. Chief Deputy Clerk Kristie Trimarco was selected to succeed Clerk McAlary as Clerk of Court, and Mr. Kevin Davis was selected to assume the role of Chief Deputy Clerk beginning in January 2023.

***Local Rules/Procedures***

The Court began the process of a comprehensive review of its Local Rules in 2022.

***Case Management***

The Court focused on the continued training of operations staff on complex topics related to case management, and training staff on new duties in order to provide continuity of service to the public when staff is on leave.

***Information Technology***

Throughout the year, IT staff played an integral role in maintaining the Court's ability to hold hearings remotely. In 2022, the Court implemented multiple upgrades to its NextGen CM/ECF database.

***Staff Training***

Staff attended in-person and online training on many topics, including property management, IT Security, the CM/ECF Application, the

Court's Employment Dispute Resolution Plan, and Occupant Emergency Plan Floor Warden and Stairwell Monitor duties. Clerk-Designee Kristie Trimarco attended the FJC National Leadership Conference.

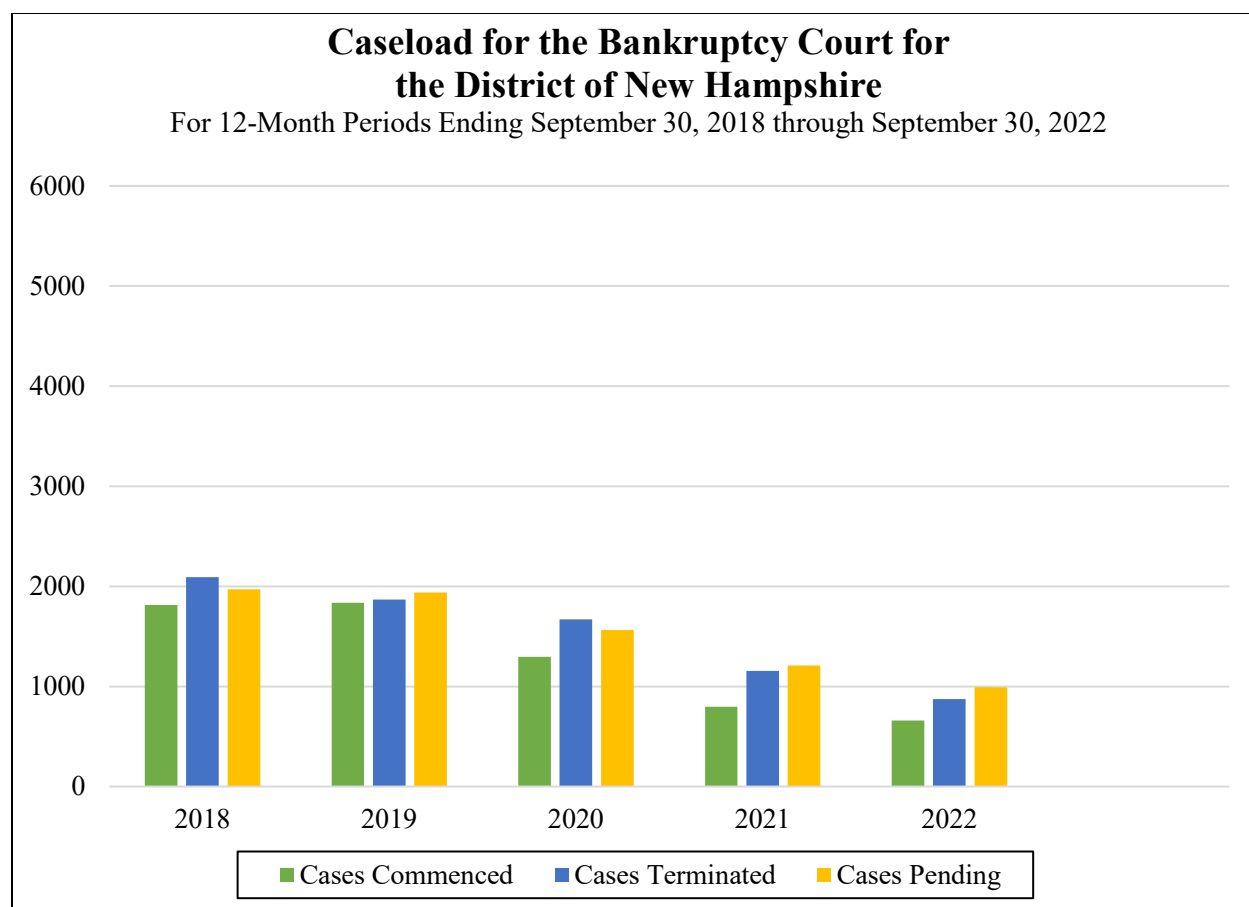
***Community Outreach***

Due to the Covid-19 pandemic, community outreach initiatives remained suspended in 2022.

***Space and Facilities***

The Rudman/Cleveland complex's fire alarm project continued. GSA continued its work on replacing the Rudman Courthouse's cooling towers and chillers, and on an upgrade to a dependable, more efficient lighting system.





<b>Caseload for the Bankruptcy Court for the District of New Hampshire</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	1,812	1,836	1,297	798	658
<b>Cases Terminated</b>	2,093	1,868	1,671	1,155	874
<b>Cases Pending*</b>	1,971	1,939	1,565	1,208	992

\* Pending caseloads for 2018 - 2021 as revised by the AO.

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

***Staffing***

Wilma Jaime, then Chief Deputy Clerk, was appointed Acting Clerk on February 11, 2022, and as Clerk of Court on August 15, 2022. Félix Martínez, then Systems Manager, was appointed as Chief Deputy Clerk on August 29, 2022. In September 2022, Alvin Centeno was selected to participate in a one-year temporary duty assignment at the AO working with the NextGen National Support Desk Team.

***Local Rules/Procedures***

In 2022, the Court began reviewing its local rules. The Court adopted amendments to Interim Local Bankruptcy Rule 1020 and to Procedures for Remote Appearances.

***Information Technology***

In February 2022, the Court upgraded to NextGen CM/ECF. The Court started preparing to upgrade to the next version of NextGen and worked on identifying and addressing vulnerabilities in the local IT environment. IT staff also continued to provide technical support and assistance to the District Court to help manage the PROMESA cases in CM/ECF.

***Case Management***

In April 2022, staff began returning to the office. Hearings continued to take place via Teams, and the first in-person hearing was held in July. Due to the appointment of Judge González, the Court redistributed staffing to form a new team for case management operations.

***Staff Training***

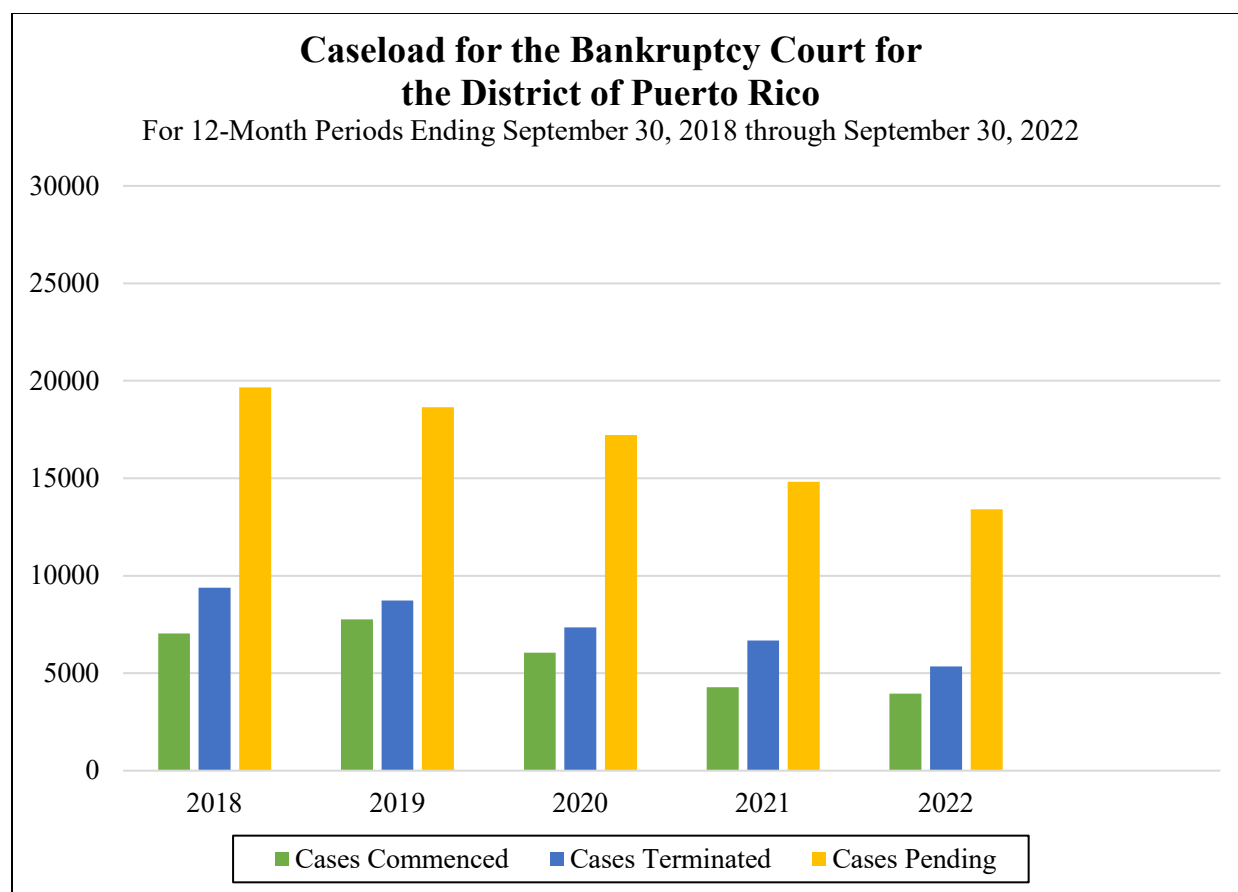
All staff were required to complete IT security awareness, ethics, Office 365, and employee dispute resolution trainings. The Court offered several Benefit for Life and Worklife4You webinars. At the Court's annual training, a doctor in psychology presented a program called "Back on Track: Reconnecting with Purpose," which was designed to prepare employees to return to the office following the Covid-19 pandemic. Resources from the Employee Assistance Program and specialists from various health insurance providers also assisted in trainings and several wellness virtual programs were provided, including virtual mindfulness sessions.

***Statistics***

In 2022, there were 3,810 new bankruptcy filings: 1,326 chapter 7 cases; 50 chapter 11 cases; 12 chapter 12 cases; and 2,422 chapter 13 cases.

***Community Outreach***

The Court held brown bag lunches for the bar on various bankruptcy and/or legal topics. These presentations were offered three times throughout year and were conducted virtually.



<b>Caseload for the Bankruptcy Court for the District of Puerto Rico</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	7,038	7,756	6,046	4,273	3,948
<b>Cases Terminated</b>	9,386	8,728	7,343	6,680	5,354
<b>Cases Pending*</b>	19,664	18,659	17,219	14,813	13,408

\* Pending caseloads for 2018 - 2021 as revised by the AO.

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

### ***Human Resources***

The Bankruptcy Court continued to share administrative services in procurement and contracting with the District Court, in addition to sharing a district-wide IT Security Officer, and continued to partner with the District of 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, the First Circuit, and other organizations, on topics including, but not limited to: Building an Inclusive Workplace; Employment Dispute Resolution; Workplace Conduct; Building a Culture of Civility; and IT Security. In May 2022, two Clerk's Office staff attended the Automation Training Community of Practice Conference in San Antonio, Texas, and, in June 2022, five Clerk's Office staff attended the National Conference of Bankruptcy Clerks in Las Vegas, Nevada.

### ***Committee Membership***

Operations Supervisor Amy Geraghty served on the AO's Bankruptcy Noticing Working Group and on the First Circuit's Access to Justice Committee, and PC Systems Administrator Stephen Stricklett served as a member of the First Circuit Director of Workplace Relations Clerk's Office Advisory Committee.

### ***Information Technology***

The Court migrated to a new password management solution and implemented automatic blocks for data miners.

### ***Case Management***

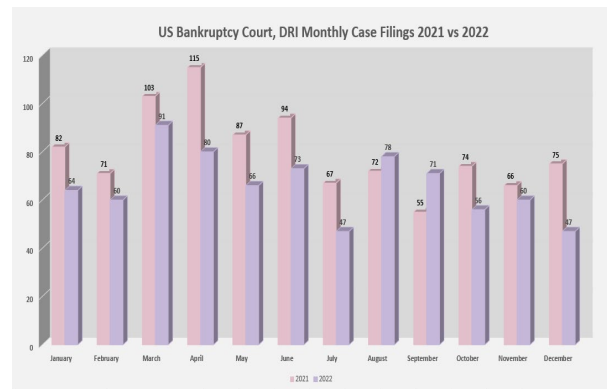
The Court converted and re-recorded more than 30 ECF training videos from Adobe Captivate to Camtasia.

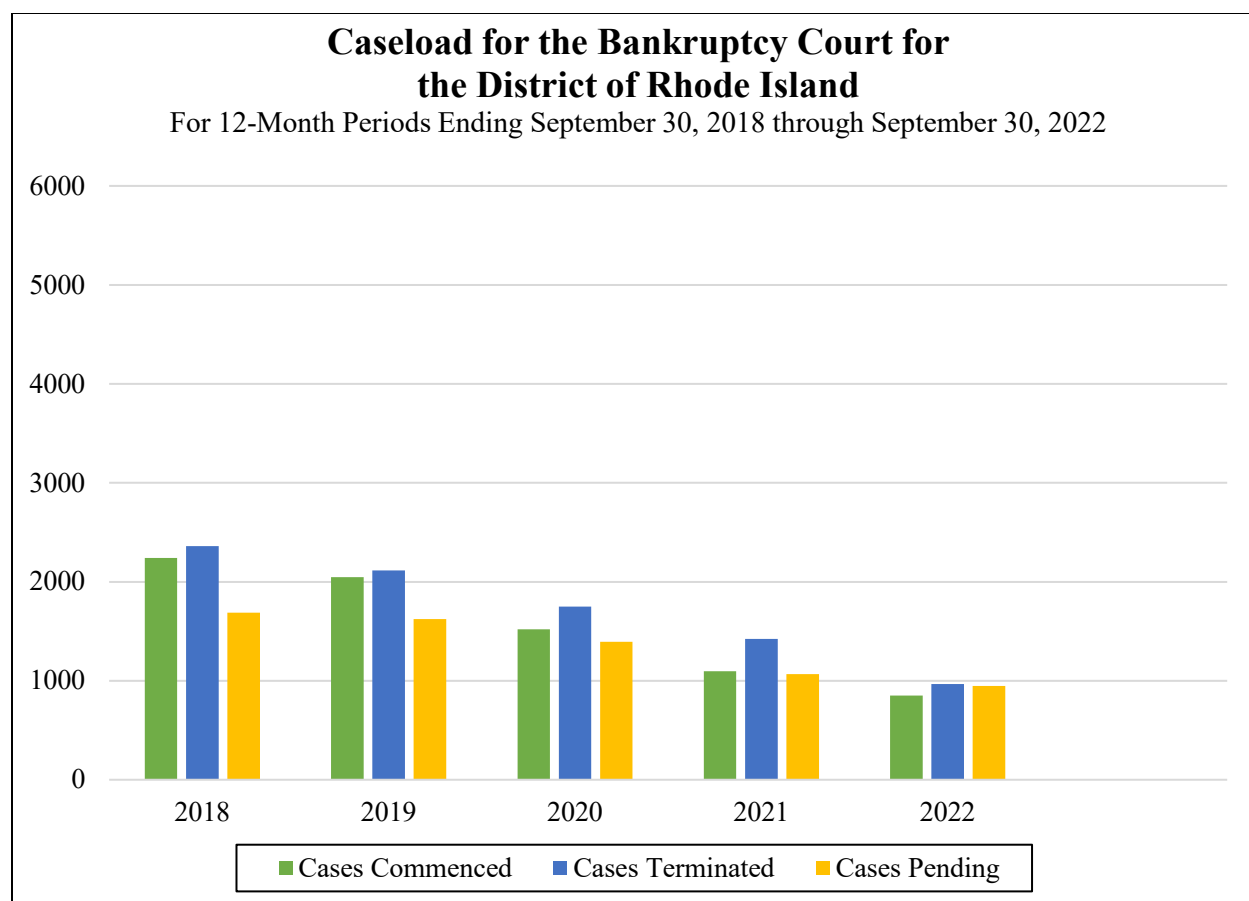
### ***Community Outreach***

The Court continued the operation of its free Bankruptcy Legal Clinic, through which volunteer attorneys meet with debtors and potential debtors about the bankruptcy process. The Court continued to permit pro se filers to file documents electronically.

### ***Statistics***

In calendar year 2022, there were 793 new bankruptcy filings: 590 chapter 7 cases; three chapter 11 cases; and 200 chapter 13 cases.





<b>Caseload for the Bankruptcy Court for the District of Rhode Island</b> For 12-Month Periods Ending September 30, 2018 through September 30, 2022					
	2018	2019	2020	2021	2022
<b>Cases Commenced</b>	2,242	2,047	1,519	1,097	850
<b>Cases Terminated</b>	2,361	2,114	1,750	1,424	967
<b>Cases Pending*</b>	1,689	1,624	1,393	1,066	949

\* Pending caseloads for 2018 - 2021 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 2022 and September 2022 Judicial Conferences, AO Director Roslynn R. Mauskopf reported on judicial business and AO matters; FJC Director John S. Cooke spoke about FJC programs; and Judge Charles R. Breyer reported on U.S. Sentencing Commission activities in his role as Commissioner. Additionally, at the March 2022 Judicial Conference, Judge Amy St. Eve presented a special report on budget matters as Chair of the Budget Committee, and, at the September 2022 session, Judge Richard J. Sullivan presented a special judicial security report as Chair of the Committee on Judicial Security.

**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>
David J. Barron	CJ	First Circuit	2022	2029

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
Christopher J. Panos	BJ	Massachusetts	2022	2025

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 T. Sorokin	DJ	Massachusetts	2018	2024

COMMITTEE ON CRIMINAL LAW

			<u>Start Date</u>	<u>End Date</u>
Joseph N. Laplante	DJ	New Hampshire	2022	2025

COMMITTEE ON DEFENDER SERVICES

			<u>Start Date</u>	<u>End Date</u>
Denise J. Casper	DJ	Massachusetts	2022	2025

COMMITTEE ON FEDERAL-STATE JURISDICTION

			<u>Start Date</u>	<u>End Date</u>
Michael A. Fagone	BJ	Maine	2021	2024

COMMITTEE ON FINANCIAL DISCLOSURE

			<u>Start Date</u>	<u>End Date</u>
Lance E. Walker	DJ	Maine	2021	2023

COMMITTEE ON INFORMATION TECHNOLOGY

			<u>Start Date</u>	<u>End Date</u>
Alison Dale Burroughs	DJ	Massachusetts	2021	2023

COMMITTEE ON JUDICIAL RESOURCES

			<u>Start Date</u>	<u>End Date</u>
William E. Smith	DJ	Rhode Island	2018	2024

First Circuit Judges Serving on the Judicial Conference, Judicial Conference Committees,  
Special Courts, and BoardsCOMMITTEE ON JUDICIAL SECURITY

			<u>Start Date</u>	<u>End Date</u>
George A. O'Toole, Jr.	DJ	Massachusetts	2021	2023
Donald L. Cabell	MJ	Massachusetts	2021	2024

COMMITTEE ON THE ADMINISTRATION OF THE MAGISTRATE JUDGES SYSTEM

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

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 SPACE AND FACILITIES

			<u>Start Date</u>	<u>End Date</u>
John A. Woodcock, Jr.	DJ	Maine	2022	2024



### **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. No conference was held in 2022 due to the pandemic.

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**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 2022, there were two Judicial Council meetings. The spring Council meeting, held on May 3, and the fall meeting, held on October 6, were in Boston. Many matters were decided by email vote between meetings.

One task of the Judicial Council involves the consideration of complaints of judicial disability or misconduct. An explanation of the Council's role in these matters and a summary of final actions taken by the Council during 2022 are provided at pages 102-103.

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 2022 included: review of the federal judiciary's budget; review of courthouse construction projects and expenditures; review of juror utilization and other court activity statistics; review of judicial vacancies; review of court security measures; and review of privacy rules.

**Members of the Judicial Council of the First Circuit**  
as of December 31, 2022

Honorable David J. Barron, Chief Judge	Court of Appeals
Honorable Sandra L. Lynch	Court of Appeals
Honorable William J. Kayatta, Jr.	Court of Appeals
Honorable Gustavo A. Gelpí	Court of Appeals
Honorable Lara E. Montecalvo	Court of Appeals
Honorable Lance Walker	District of Maine
Honorable Mark G. Mastroianni	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 Patricia A. Sullivan	District of Rhode Island Magistrate Judge
Honorable Peter G. Cary	District of Maine Bankruptcy Judge

**Court Unit Executives**  
as of December 31, 2022

**- 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*

Agnes Ferrer-Auffant (Acting)  
*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*

Kristie Trimarco  
*District of New Hampshire*

Wilma Jaime  
*District of Puerto Rico*

Susan M. Thurston  
*District of Rhode Island*

**- FIRST CIRCUIT CHIEFS OF PROBATION AND PRETRIAL SERVICES -**  
as of December 31, 2022

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 G. Marshall  
*District of Rhode Island*

**- FIRST CIRCUIT FEDERAL PUBLIC DEFENDERS -**

David Beneman  
*District of Maine*

Kyana Givens (Interim)  
*Districts of Massachusetts, New Hampshire, and Rhode Island*

Eric Vos  
*District of Puerto Rico*

## **Space and Facilities**

### ***Court of Appeals***

In 2022, a project to increase the number and location of data drops in the Panel and En Banc Courtrooms, which allows additional flexibility in preparing for courtroom overflow requirements, as well as for events, was completed. Also in 2022, construction began on a project (funded in FY 2021) to divide one Boston resident-sized chambers into two non-resident chambers to accommodate new judges. Additionally, Boston chambers 8730 was recarpeted and painted, and funding was provided to replace the carpet in and paint chambers 7730.

In 2022, the First Circuit received \$2,100,456.68 in national No Net New funding to modify the San Juan visiting judges' space. This project, which is anticipated to be completed in 2024, will renovate the existing chambers to accommodate additional judges and staff during court sitting weeks. Also, \$261,902.50 was allocated to renovate existing space on the fifth floor of the Providence Courthouse to create a judge's chamber for a new Court of Appeals judge.

In Puerto Rico, the Civil Appeals Management Program relocated to first floor chambers space of the Toledo Courthouse in August 2022, releasing 1,330 square feet of leased space from the adjacent Ochoa Federal Building.

### ***District of Maine***

In 2022, the District of Maine continued the process for new courthouse construction. In April of 2019, the District of Maine approved its updated Long-Range Facilities Plan, which

recommended new construction for the courts located in Portland. At Chief Judge Levy's request, the First Circuit Judicial Council endorsed a 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 the new courthouse construction prioritization process. The Council's request was approved by the JCUS in the fall of 2021. It is anticipated that Portland's study will be funded in FY 2024.

GSA received \$23 million to replace the aging HVAC systems and to upgrade the fire alarm system at the Gignoux Courthouse in Portland. In 2022, work began on the design to relocate at-grade air intakes to the roof, incorporate climate adaptation concepts making the new system less vulnerable to extreme weather risks, improve overall energy efficiency, and install system controls. The estimates exceeded the budgeted amount, and GSA worked on addressing the financial shortfall as the scope items are all critical. Also, in 2022, The USMS funded the design and construction of an enhanced screening area at the main entry of the Gignoux Courthouse.

The Bankruptcy Court's lease in Portland expired on July 30, 2022. The renewal process was difficult due to lack of appropriate mitigation of existing space deficiencies and timely response to the new lease requirements. GSA began negotiating a temporary lease extension (for a period of up to three years), with plans to solicit a permanent lease location in the Portland area.

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

GSA developed a prospectus level project for the Moakley Courthouse to address the

building's aging infrastructure and other critical system needs. In the summer of 2022, judges and GSA leadership met with members of the Massachusetts Congressional delegation to discuss the urgent need for this prospectus, which includes elevator replacements, fire/life safety system upgrades, climate change mitigation efforts, and HVAC upgrades. The overall value of the project is estimated at \$115.3 million, and is being considered, with support of the AO, for funding from the Inflation Recovery Act of 2022.

GSA was provided with \$2.6 million to modernize the four public elevators at the Moakley Courthouse. This funding was issued under the national elevator program, and GSA will issue rent credits to the judiciary until the \$2.6 million is fully refunded. The remaining elevators that need modernization were included in the prospectus.

In 2022, the Circuit received \$495,562 in national No Net New funding to construct three additional offices on behalf of the District Court. This work was designed, and construction began in the fall. It is anticipated that additional work in this area may be required in the future to support further staff growth.

The AO funded a project to create design development plans to reconfigure the existing Probation Office space at the Moakley Courthouse. The District began the design concept and cost estimate for the fall 2023 No Net New project funding submission.

The Defender Services Office approved the addition of a small divisional office in Springfield, Massachusetts. GSA awarded the lease to Springfield Technology Park, and occupancy is expected early in FY 2023.

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

Design of new chambers at the Rudman Courthouse was completed in the spring of 2022. This project converts the library annex into judges' chambers space to ensure that anticipated new Court of Appeals, district, and magistrate judges will be able to be housed in the Rudman Courthouse. Construction began and is expected to conclude in the winter of 2023/2024.

A project to construct secure interview rooms, urinalysis toilets, and additional staff office space was completed in the Probation Office in Concord, New Hampshire.

GSA funded an emergency project to replace the existing chilled cooling towers at the Rudman Courthouse. The project was awarded in 2022; however, due to supply chain delays, installation is estimated to begin in February 2023.

GSA also funded a comprehensive fire alarm upgrade at the Rudman Courthouse and the Cleveland Federal Building, which will include a building-wide annunciator system. Construction began, and substantial completion is expected in FY 2024. In addition to the cooling tower, GSA issued and awarded an emergency project to replace the two chillers at the Rudman Courthouse in order to ensure a fully operational cooling system for the summer of 2023. In August 2022, both chillers were off-line for a period of days, causing the courthouse to operate with limited space using a series of fans and independent cooling units.

***District of Puerto Rico***

In September 2020, the JCUS designated the Courthouse annex project in Hato Rey as a judicial space emergency and agreed to remove it from the Courthouse Project Priorities list, prioritizing it as the branch's top project beginning in FY 2022 until full funding is received. In 2022, the budget included \$22.4 million for the design of the annex. Davis Brody Bond + STV were selected through the GSA Design Excellence program as the lead designers for the project. The design process began in November 2022 and is anticipated to last two years. Further, the long-range facilities planning process for the District of Puerto Rico was completed in 2022. The final report reinforced the need for the annex and was accepted officially by the Chief Judge in September 2022.

In the spring of 2018, approximately \$20 million was identified to design and construct the enhancements outlined in the Hato Rey Capital Security Study. The scope of work includes the construction of a prisoner sally port, an associated elevator, and holding cells in the courthouse, and will create a secure prisoner corridor in the courthouse basement. The design was also amended to incorporate the plans for the future annex. Construction is anticipated to be completed near the end of the 2023 calendar year.

The Degetau Federal Building is one of nine judiciary-occupied facilities nationwide identified as at extremely high risk for seismic activity. GSA studied the potential impact of a seismic event and made recommendations to address the concerns. A revised approach incorporating the use of the planned annex as a swing space for this project is included in GSA's 2024 prospectus submission. In the

interim, GSA agreed to contract for more strategic seismic monitoring until the needed upgrades may be achieved. The monitoring was extended to ensure that building movement assessment and better, more inclusive concrete sampling were conducted.

A project is underway to replace all elevators at the Toledo Courthouse. The judges' elevator is complete as is one of the two public elevators. Work on the second public elevator was scheduled to begin in October 2022.

***District of Rhode Island***

GSA designed a project to replace the windows of the Courthouse and Pastore Building. Construction funds will be sought in FY 2023.



### **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).

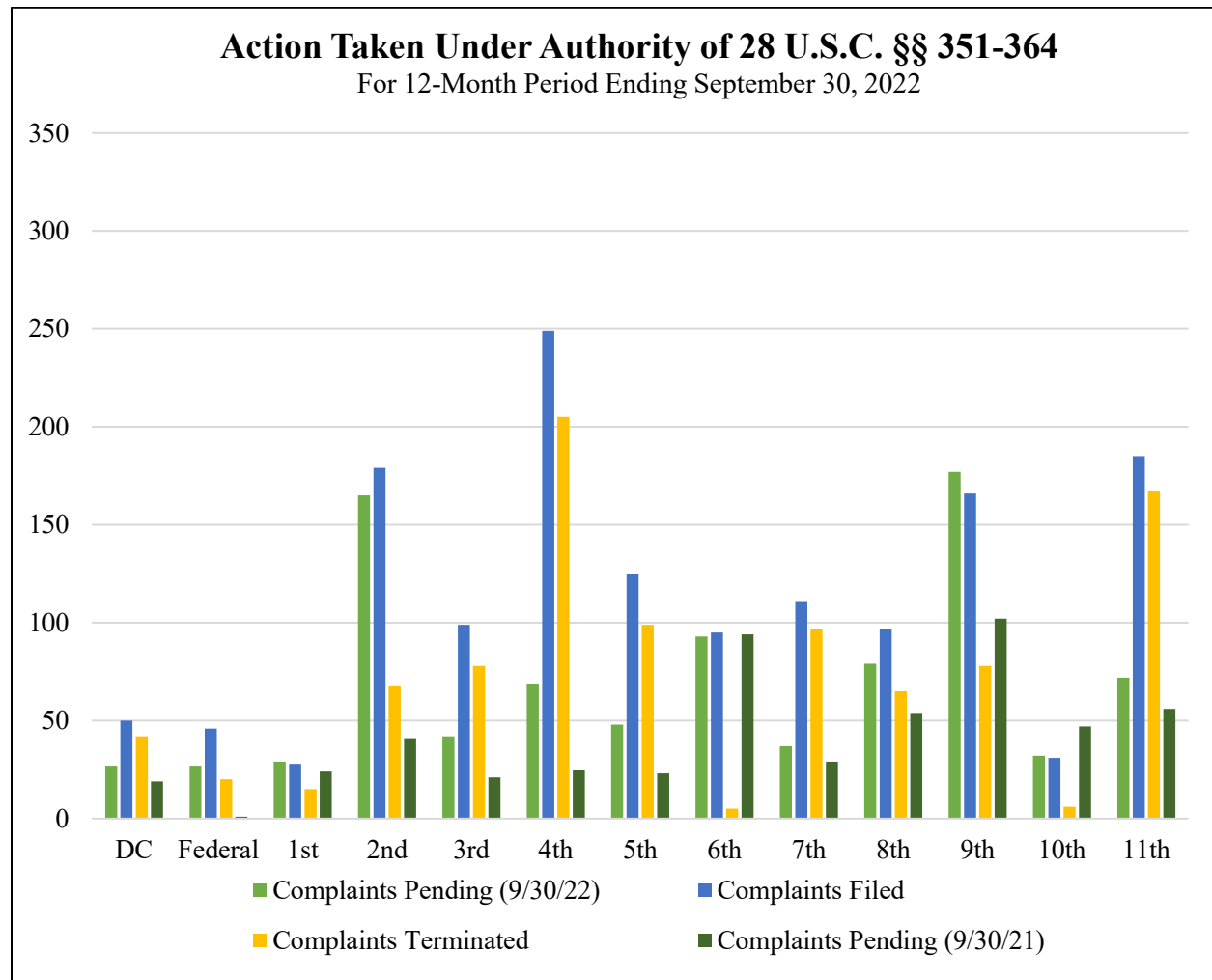
The adoption of uniform mandatory rules was intended to provide national standards and procedures for handling judicial misconduct and disability proceedings. The Rules of Judicial-Conduct were also intended to effectuate many of the recommendations included in the "Breyer Committee Report," 239 F.R.D. 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 and March 2019.

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, 2022*</b>	
Complaints Filed in 2022 (Calendar Year)	38
Orders of Dismissal Issued by Chief Judge	10
Petitions for Review Filed with Judicial Council	2
Orders of Dismissal Affirmed by Judicial Council	7
Show Cause Orders Issued	1
Preclusion Orders Issued	1
Total Number of Complainants in 2022 (Calendar Year)	22**

\* *This table includes actions taken on matters filed in 2021.*

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



Action Taken Under Authority of 28 U.S.C. §§ 351-364 For 12-Month Period Ending September 30, 2022													
Summary of Activity	Circuit												
	DC	Fed.	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th
Complaints Pending (09/30/21)	19	1	25	43	21	25	23	95	23	54	102	47	56
Complaints Filed	50	46	28	179	99	249	125	95	111	97	166	31	185
Complaints Terminated	42	20	15	68	78	205	99	5	97	65	78	6	167
Complaints Pending (9/30/22)	27	27	29	165	42	69	48	93	37	79	177	32	72

\* Pending caseloads for 2021 as revised by the AO.

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**Attorney Discipline**

During 2022, the Court of Appeals for the First Circuit opened 11 attorney disciplinary cases under the Rules of Attorney Disciplinary Enforcement for the Court of Appeals for the First Circuit (Rules of Disciplinary Enforcement), including ten matters that arose out of the reciprocity provisions of Rule II of the Rules of Disciplinary Enforcement and one matter that was initiated by the Court of Appeals.

Also, during 2022, 18 reciprocal attorney disciplinary cases were terminated under the Rules of Disciplinary Enforcement, including four attorney disciplinary cases that resulted in disbarment, and 14 that resulted in suspensions.

## **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 five support professionals divided between the Portland and Bangor offices. The FDO continued to operate at or below budget in all areas of its operation.

#### ***Statistics***

In 2022, the FDO opened 110 new cases, a slight decrease from 2021 due to lack of prosecutions, and closed 118 cases, a decrease from the prior year due to a backlog developed from the Covid-19 pandemic and an extended leave of one attorney.

#### ***Work Measurement Study***

In September 2022, a work measurement study was conducted, wherein FDO staff were tasked with tracking their time over a four-week period.

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

The FDO hired its first full-time Computer Systems Administrator, Jack Duffy, due to the increased IT needs of the office.

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

Federal Public Defender (FPD) David Beneman continued his service on the District's CJA, Criminal Law, Local Rules, Conference Planning, and Court Securities Committees, and on the First Circuit CJA Screening Committee and CJA Education Committee, and attended the District Administrative Meetings. Further, he

presented at the 2022 District of Maine Judicial Conference and presented his prepared materials to the First Circuit Continuing Legal Education training sessions in San Juan, Puerto Rico; Boston, Massachusetts; and Portland, Maine.

#### ***Training/Educational Programs***

The FDO provided training to CJA panel attorneys through national in-person and virtual programs coupled with individual consultation and e-mail newsletters.

In 2022, staff trainings and annual conferences were held in person. As fewer virtual trainings were offered, FDO employees were encouraged to participate in as many training offerings as their schedules would allow.

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

The District's CJA Committee continued to diversify the CJA panel by increasing 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 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>FY 2021</b>	440	223	19	198	512	482
<b>FY 2022</b>	425	194	19	212	485	422

<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 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>FY 2021</b>	214	130	10	74	248	126
<b>FY 2022</b>	188	102	1	85	187	127

<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 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
<b>FY 2021</b>	124	70	0	54	121	117
<b>FY 2022</b>	94	53	0	41	100	111

**Statistics**

The number of opened cases declined in all three districts between 2021 and 2022, as the Covid-19 pandemic continued.

**District Trainings/Outreach**

In 2022, the Boston office hosted an in-house training, wherein the Office of Bar Counsel discussed the Rules of Professional Conduct and frequently occurring ethical issues for a

public defender office, and a virtual training for CJA panel attorneys, addressing challenging drug predicates. The office's summer internship program organized programming and events for the interns and provided interns with mentors in the office.

The New Hampshire office held an in-person CJA training in the spring, addressing due process and exculpatory evidence issues, comments on judging, and the year in review.

The Rhode Island office presented a CLE program on sentencing guidelines issues for the CJA panel in the spring.

Attorneys from all three offices attended trainings and conferences presented by Defender Services and the courts.

### ***Diversity Committee***

In 2022, the Federal Public Defender Office's (FPDO) Diversity Committee was comprised of nine members representing the district's three offices and included trial, appellate, and research and writing attorneys, an investigator, a paralegal, and an administrative officer. The Committee met regularly throughout the year. At least one representative from the Committee participated in each hiring panel. These representatives worked to implement the Committee's recommendations with supervisory staff by educating them about recruiting for diversity and following fair hiring practices intended to lessen the influence of unconscious bias on hiring. In addition, the Committee welcomed a Defender Services Diversity Fellow and worked with the FPDO's Internship Committee to ensure that interns received meaningful mentorship and supervision. The Committee also drafted a workplace survey.

### ***Notable Matters***

The Boston office had three jury trials — a racketeering/wire fraud/tax case, a kidnapping resulting in death case, and a case relating to the events on January 6, 2021. The Boston office continued its work on compassionate release cases, resulting in several resentencings.

The New Hampshire office litigated successfully a motion to suppress, derailing a drug prosecution. The office also worked on resentencing in a drug case pursuant to a

compassionate release motion, which reduced a life sentence to a term of 25 years. The drug court (LASER Docket) remained strong, with the office representing several participants.

### ***Human Resources***

FPD Miriam Conrad retired after 13 years as an Assistant Federal Public Defender in the Boston office and 17 years as the FPD for the Districts of Massachusetts, New Hampshire, and Rhode Island. The office welcomed FPD Kyana Givens, temporary AFPD Alyssa Hackett, and Diversity Fellow Aziza Hawthorne in Boston, Legal Assistant Nicole Barton in New Hampshire, and Public Service Venture Fund Fellow Diana Haigney in Rhode Island.

### ***Information Technology***

The FPDO completed several projects in 2022, including: organizing server files, creating shared drives, upgrading firewalls, and implementing new and upgraded programs in all three offices; installing and configuring backup servers in the Concord and Providence offices and upgrading bandwidth in the Boston and Concord offices; installing new videoconferencing systems in all three offices; completing large-scale equipment replacement in all three offices; developing and implementing a process for disposing of equipment for all three offices; and preparing and setting up the Springfield office. IT also addressed 900 employee requests for assistance.

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

### ***Statistics***

In 2022, the District of Puerto Rico FPDO opened 1,298 new cases and closed 1,253 cases, both of which were increases over 2021 (1,162 and 1,121 cases, respectively).

### ***Human Resources***

During 2022, the FPDO had two staff members on Temporary Duty Assignments: one attorney with the Sentencing Commission located in Washington, D.C., and a non-attorney on full-time telework with the AO. The FPDO was selected to host a participant of the Defender Services Diversity Fellowship Program, Maria Carolina Gomez. Also in 2022, the First Assistant was appointed to the First Circuit's Advisory Committee on Rules.

### ***Community Outreach***

The FPDO participated in a variety of ad hoc community outreach programs, including: RESCATE, the district's re-entry program; Innocence Project's 19<sup>th</sup> World Day against the Death Penalty at a local law school; and two Focus Forward sessions that help clients pending sentencing in federal court plan for a productive and lawful future. The FPDO also collaborated with the U.S. Probation Office, Bureau of Prisons, and Volunteers of America halfway house in an orientation for bail clients on navigating self-surrender and life at a Bureau of Prisons facility. The FPDO also participated in Project LEAD for elementary school students, held by the U.S. Attorney's Office and other stakeholders, where students participated in mock trials.

### ***Educational Programs***

FPDO staff participated in and several personnel served as faculty for Defender Services Office trainings. The First Assistant was invited by the Department of Justice Office of Overseas Prosecutorial Development to participate as faculty in a Plea-Bargaining Seminar in Medellin, Colombia, and the Fifth Advanced Trial Advocacy Training for Colombian prosecutors in Bucaramanga, Colombia. Additionally, staff participated in over 60 webinar trainings offered by various national and local organizations, including, but not limited to, the National Association of Criminal Defense Lawyers and the Puerto Rico Association of Criminal Defense Lawyers (PRACDL).

The office hosted ten live/virtual trainings for CJA Panel attorneys, FPDO attorneys, and PRACDL members.

### ***Informational Technology***

The IT department provided training to attorneys in using Cellebrite forensic. The IT department continued to provide IT assistance to the U.S. District Court of the Virgin Islands.

### ***Committee Membership and Community Involvement***

During 2022, FPDO staff sat on the Local Rules and CJA Committees and a designated office staff member sat on the board of the PRACDL.