

UNITED STATES COURTS
EIGHTH CIRCUIT REPORT

1982

107859

D P. LAY
udge

LESTER C. GOODCHILD
Circuit Executive

107859

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U.S. Department of Justice
National Institute of Justice

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UNITED STATES COURTS

EIGHTH CIRCUIT REPORT

1982

NCJRS

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ACQUISITIONS

DONALD P. LAY,
Chief Judge

LESTER C. GOODCHILD,
Circuit Executive

FORWARD

This report is issued pursuant to 28 U.S.C. § 332 (e) (10). The format follows the report issued last year for the calendar years 1980 and 1981. Sections I and II provide information relating to the members of the Judicial family, the support staff and the administration of the Federal Courts. Section III presents operational data relating to the Judicial process within the Court of Appeals and the District Courts in the Eighth Circuit. Wherever possible data appearing in last years report is updated. This can only be accomplished with the cooperation of the Statistical and Bankruptcy Divisions of the Administrative Office of the United States Courts.

It would be appreciated if those who receive the report would send to the Circuit Executive's Office comments and suggestions concerning the report and its usefulness to the reader. Such information will be used to evaluate the content and format so that future issues may better serve the needs of the readers.

Again this year, Robert D. St. Vrain, Clerk of the Court of Appeals, Tim Gammon, Senior Staff Attorney, Patricia Monk, former Chief Librarian and all the Clerks of the District Courts provided data and supporting information for the report. Their cooperation, along with that of Millie Adams, my assistant, Ethel Currie and Sandy Lexa, my secretaries, is greatly appreciated.

Lester C. Goodchild

Circuit Executive

June 22, 1983

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I

INSTITUTIONS AND OFFICES

TABLE 1

**Judges and Judgeships
as of December 31, 1982**

Judgeships Summary

	Authorized Judgeships	Active Judges	Vacancies	Senior Judges
Total Court of Appeals	9	8	1	2
Total District Courts	35	35	0	16
Total Bankruptcy Courts	<u>18</u>	<u>18</u>	<u>0</u>	<u>-</u>
Total, Eighth Circuit	62	61	1	18

Districts:

Eastern District of Arkansas				
District Courts	4	4	0	0
Bankruptcy Courts	2	2	0	-
Western District of Arkansas				
District Courts	2	2	0	2
Bankruptcy Courts *				
Northern District of Iowa				
District Courts	1.5	1.5	0	0.5
Bankruptcy Courts	1	1	0	-
Southern District of Iowa				
District Courts	2.5	2.5	0	0.5
Bankruptcy Courts	1	1	0	-
Minnesota				
District Courts	6	6	0	2
Bankruptcy Courts	5**	5	0	-
Eastern District of Missouri				
District Courts	5	5	0	3
Bankruptcy Courts	3	3	0	-
Western District of Missouri				
District Courts	6	6	0	4
Bankruptcy Courts	3	3	0	-
Nebraska				
District Courts	3	3	0	2
Bankruptcy Courts	1	1	0	-
North Dakota				
District Courts	2	2	0	1
Bankruptcy Courts	1	1	0	-
South Dakota				
District Courts	3	3	0	1
Bankruptcy Courts	1	1	0	-

* Bankruptcy Judges from EDA also serve in WDA.

** One position is a combined partime Bankruptcy Judge/Magistrate position.

TABLE 2

**NON JUDICIAL PERSONNEL
AS OF JUNE 30, 1982**

	<u>Total Personnel</u>	<u>*Legal Professional Personnel</u>	<u>*Professional, Administrative, and Technical Personnel</u>	<u>*Legal Secretarial Personnel</u>	<u>*Office/ Clerical Personnel</u>
Total, All Eighth Circuit Courts	824	162	235	124	303
Court of Appeals**	102	45	12	26	19
Total District Courts	556	103	203	78	172
Eastern District of Arkansas	63	13	23	9	18
Western District of Arkansas	31	4	11	6	10
Northern District of Iowa	25	4	8	3	10
Southern District of Iowa	33	6	11	6	10
Minnesota	87	17	31	13	26
Eastern District of Missouri	95	16	39	11	29
Western District of Missouri	113	20	44	15	34
Nebraska	43	10	10	8	15
North Dakota	28	5	13	4	6
South Dakota	38	8	13	3	14
Total Bankruptcy Courts	166	14	20	20	112
Eastern District of Arkansas	22	2	4	2	14
Western District of Arkansas***	-	-	-	-	-
Northern District of Iowa	16	1	1	2	12
Southern District of Iowa	13	1	1	2	9
Minnesota	35	3	5	4	23
Eastern District of Missouri	22	2	2	3	15
Western District of Missouri	28	3	3	4	18
Nebraska	15	1	1	1	12
North Dakota	7	0	1	1	5
South Dakota	8	1	2	1	4

* See Table A in the appendix for positions and occupations included in these categories.

** Includes Federal Public Defender's offices.

*** No separate Bankruptcy Court.

UNITED STATES COURT OF APPEALS

IN MEMORIAM

The Circuit mourned the death of Senior Circuit Judge Roy L. Stephenson who died on November 4, 1982.

United States Court of Appeals

Circuit

Mailing Address

Eighth Circuit-Arkansas, Iowa, Minnesota, Missouri, Nebraska, N. Dakota, S. Dakota

Judges

Donald P. Lay, Chief Judge
(FTS-725-5838)

Federal Building
316 N. Robert Street
St. Paul, Minnesota 55101

Gerald W. Heaney
(FTS-783-9342)
(218-727-6692 X-342)

Federal Building
Duluth, Minnesota 55802

Myron H. Bright
(FTS-783-5127)
(701-237-0500)

P.O. Box 2707
Fargo, North Dakota 58102

Donald R. Ross
(FTS-864-4647)
(402-221-4647)

P.O. Box 307
Omaha, Nebraska 68101

Theodore McMillian
(FTS-279-5601)
(314-425-5601)

U.S. Court & Custom House
1114 Market Street
St. Louis, Missouri 63101

Richard S. Arnold
(FTS-740-5521)
(501-378-5521)

P.O. Box 429
Little Rock, Arkansas 72203

John R. Gibson
(FTS-758-7391)
(816-221-2474)

654 U.S. Courthouse
811 Grand Avenue
Kansas City, Missouri 64106

George G. Fagg
(FTS-862-6129)
(515-284-6129)

309 U.S. Courthouse
Des Moines, Iowa 50309

Senior Judges

Floyd R. Gibson
(FTS-758-3169)
(816-842-9450)

837 U.S. Courthouse
Kansas City, Missouri 64106

J. Smith Henley*
(FTS Operator-740-5011)
(501-741-2353)

200 Federal Building
Harrison, Arkansas 72601

Roy L. Stephenson **

Circuit Executive

Lester C. Goodchild
(FTS-279-6219)
(314-425-6219)

542 U.S. Court & Custom House
St. Louis, Missouri 63101

Assistant Circuit Executive

Millie Adams

* Took senior status May 31, 1982

**Took senior status April 1, 1982

Deceased November 4, 1982

United States Court of Appeals

Mailing Address

Clerk's Office

Robert D. St. Vrain, Chief Clerk
(FTS-279-5609)
(314-425-5609)

511 U.S. Court & Custom House
St. Louis, Missouri 63101

Linda Penberthy, Chief Deputy Clerk
(FTS-279-5666)
(314-425-5666)

511 U.S. Court & Custom House
St. Louis, Missouri 63101

Dave Maland, Deputy Clerk in-Charge
(FTS-725-5971)
(612-725-5971)

525 Federal Courts Building
St. Paul, Minnesota 55101

Michael E. Gans, Appeals Expediter
(FTS-279-5888)
(314-425-5888)

511 U.S. Court & Custom House
St. Louis, Missouri 63101

John H. Martin, Director
Pre-Argument Conference Program
(FTS-279-4983)
(314-425-4983)

547 U.S. Court & Custom House
St. Louis, Missouri 63101

Staff Attorneys' Office

Tim Gammon, Senior Staff Attorney
(FTS-279-5620)
(314-435-5620)

535 U.S. Court & Custom House
St. Louis, Missouri 63101

U.S. Courts Libraries

Patricia Rodi Monk, Circuit Librarian
(FTS-279-4930)
(314-425-4930)

503 U.S. Court & Custom House
St. Louis, Missouri 63101

Kathryn Kratz, Branch Librarian
(FTS-725-7177)
(612-725-7177)

543 Federal Courts Building
St. Paul, Minnesota 55101

Kathryn Fitzhugh, Branch Librarian
(FTS-740-5039)
(501-378-5039)

220 U.S. Post Office & Courthouse
Little Rock, Arkansas 72201

Melinda Hess, Branch Librarian
(FTS-864-4768)
(402-221-4768)

9401 U.S. Courthouse
Omaha, Nebraska 68101

Glenda McKnight, Branch Librarian
(FTS-862-4515)
(515-284-4515)

301 U.S. Courthouse
Des Moines, Iowa 50309

UNITED STATES DISTRICT COURTS

UNITED STATES DISTRICT COURT

District

Mailing Addresses

ARKANSAS, EASTERN

Judges

Garnett Thomas Eisele, Chief Judge

(FTS-740-5960)

(501-378-5960)

Elsijane Trimble Roy

(FTS-740-5866)

(501-378-5866)

William Ray Overton

(FTS-740-5682)

(501-378-5682)

Henry Woods

(FTS-740-5593)

(501-378-5593)

George Howard, Jr.

(FTS-740-6122)

(501-378-6122)

Senior Judge

Oren Harris

(501-862-1303)

Magistrates

Robert W. Faulkner

(FTS-740-6107)

(501-378-6107)

Henry L. Jones, Jr.

(FTS-740-5853)

(501-378-5853)

Lindsey J. Fairley*

(501-735-7220)

Marian F. Penix*

(501-932-7449)

P. O. Box 3684

Little Rock 72203

U. S. Post Office

& Courthouse

P. O. Box 3255

600 West Capital

Little Rock 72203

P. O. Box 1540

Little Rock 72203

P. O. Box 3683

Little Rock 72203

P. O. Box 349

Little Rock 72203

P. O. Box 1733

El Dorado 71730

P. O. Box 1958

Little Rock 72203

P. O. Box 3393

Little Rock 72203

P. O. Box 1400

West Memphis 72301

P. O. Box 1306

Jonesboro 72401

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

District

ARKANSAS, EASTERN (Cont'd)

Mailing Addresses

*Div'l Offices with
Resident Dp'y in Charge*

Clerk

Carl R. Brents
(FTS-740-5353)
(501-378-5353)

P. O. Box 869
Little Rock 72203

Rm. 203, Federal Bldg.
& Courthouse
Jonesboro 72401
(501-932-3361)

P. O. Box 8307
Pine Bluff 71611
(FTS-542-6136)

Chief Probation Officer

Beal Kidd
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(501-378-5745)

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543 U. S. Post Office
& Courthouse
Little Rock 72203

UNITED STATES DISTRICT COURT

District

Mailing Addresses

ARKANSAS, WESTERN

Judges

H. Franklin Waters, Chief Judge

(FTS-740-3453)

(501-783-2898)

Elsijane Trimble Roy

(FTS-740-5866)

(501-378-5866)

George Howard, Jr.

(FTS-740-6122)

(501-378-6122)

Senior Judges

Oren Harris

(501-862-1303)

Paul X. Williams

(FTS-740-3408)

(501-783-2345)

Magistrates

Ned A. Stewart, Jr.

(FTS-740-3428)

(501-783-7045)

Sigun Rasmussen*

(501-321-2667)

William S. Walker*

(501-741-3448)

John S. Brooks*

(501-863-6720)

George William Lavender*

(501-773-3187)

P. O. Box 1606

Fort Smith 72902

U. S. Post Office

& Courthouse

P. O. Box 3225

600 West Capital

Little Rock 72203

P. O. Box 349

Little Rock 72203

P. O. Box 1733

El Dorado 71730

P.O. Box 1623

Fort Smith 72902

P. O. Box 1525

Fort Smith 72902

800 Whittington Avenue

Hot Springs 71901

P. O. Box 729

Harrison 72601

403 First Nat'l Bank Bldg.

El Dorado 71730

P. O. Box 1938

Texarkana 75501

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
ARKANSAS, WESTERN (Cont'd)		

Clerk

Pat L. Graham, Jr.
(FTS-740-3419)
(501-783-6833)

P. O. Box 1523
Fort Smith 72902

P. O. Box 2746
Texarkana 75501
(FTS-749-8218)
(501-773-3381)

P. O. Drawer I
Hot Springs 71901
(501-623-6411)

P. O. Box 1566
Eldorado 71730
(501-862-1202)

Rm. 523, Federal Bldg.
& U. S.
Courthouse
Fayetteville 72701
(FTS-740-0608)
(501-521-6980)

Chief Probation Officer

Thomas F. Miears
(FTS-740-3466)
(501-783-8050)

P. O. Box 1564
Rm. 252, P. O. Bldg.
Sixth & Rogers
Fort Smith 72902

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
IOWA, NORTHERN		
<i>Judges</i>		
Edward J. McManus, Chief Judge (FTS-863-2464) (319-399-2464)	Federal Building P. O. Box 4815 Cedar Rapids 52407	
Donald E. O'Brien (FTS-862-3317) (712-233-3317)	P. O. Box 267 Sioux City 51102	
<i>Senior Judge</i>		
William C. Hanson (FTS-862-4638) (515-284-4638)	U. S. Courthouse Des Moines 50309	
<i>Magistrates</i>		
James D. Hodges, Jr. (FTS-863-2467) (319-399-2467)	P. O. Box 4411 Cedar Rapids 52407	
Paul Wayne Deck, Jr.* (712-255-3573)	635 Frances Building Sioux City 51101	
Peter W. Klauer* (319-557-8511)	1053 Main St. Dubuque 52001	
<i>Clerk</i>		
William J. Kanak (FTS-863-2566) (319-399-2566)	Federal Building P. O. Box 4411 Cedar Rapids 52407	Federal P. O. Building P. O. Box 1348 Sioux City 51102 (FTS-862-3203) (712-233-3203)
<i>Chief Probation Officer</i>		
Michael Ebinger (FTS-863-2468) (319-399-2468)	P.O. Box 4558 200 Federal Bldg. Cedar Rapids 52407	

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
IOWA, SOUTHERN		
<i>Judges</i>		
William C. Stuart, Chief Judge (FTS-862-4356) (515-284-4356)	U. S. Courthouse E. 1st & Walnut Streets Des Moines 50309	
Donald E. O'Brien (FTS-862-3317)	P. O. Box 3141 Sioux City 51102	
Harold D. Vietor (FTS-862-4420) (515-284-4420)	221 U. S. Courthouse Des Moines 50309	
<i>Senior Judge</i>		
William C. Hanson (FTS-862-4638) (515-284-4638)	U. S. Courthouse Des Moines 50309	
<i>Magistrates</i>		
R. E. Longstaff (FTS-862-4735) (515-284-4735)	110 U. S. Courthouse E. 1st and Walnut Streets Des Moines 50309	
W. Scott Power* (319-754-6587)	321 N. 3rd Street Burlington 52601	
Richard W. Peterson* (712-323-5880)	P. O. Box 1661 Council Bluffs 51502	
<i>Clerk</i>		
James R. Rosenbaum (FTS-862-4381) (515-284-4381)	Rm. 200, U. S. Courthouse E. 1st & Walnut Streets Des Moines 50309	P. O. Box 307 Council Bluffs 51502 (FTS-864-5517) (712-325-5517)
		P. O. Box 256 Davenport 52805 (FTS-863-1436) (319-322-3223)
<i>Chief Probation Officer</i>		
Edwin G. Ailts (FTS-862-4368) (515-284-4368)	311 U. S. Courthouse Des Moines 50309	

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

District

Mailing Addresses

MINNESOTA

Judges

Miles W. Lord, Chief Judge
(FTS-787-5190)
(612-349-5190)

684 U. S. Courthouse
110 S. 4th Street
Minneapolis 55401

Donald D. Alsop
(FTS-725-7169)
(612-725-7169)

760 Federal Building
316 N. Robert Street
St. Paul 55101

Harry H. MacLaughlin
(FTS-787-5350)
(612-349-5350)

669 U. S. Courthouse
Minneapolis 55401

Robert G. Renner
(FTS-725-7071)
(612-725-7071)

738 U. S. Courthouse
316 N. Robert Street
St. Paul 55101

Diana E. Murphy
(FTS-725-2274)
(612-725-2274)

609 U. S. Courthouse
110 S. 4th Street
Minneapolis 55401

Paul A. Magnuson
(FTS-725-5967)
(612-725-5967)

754 Federal Court Bldg.
316 N. Robert Street
St. Paul 55101

Senior Judges

Earl R. Larson
(FTS-725-2577)
(612-725-2577)

670 U. S. Courthouse
110 S. 4th Street
Minneapolis 55401

Edward J. Devitt
(FTS-725-5944)
(612-725-5944)

734 Federal Building
316 N. Robert St.
St. Paul 55101

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
MINNESOTA (Cont'd)		
<i>Magistrates</i>		
J. Earl Cudd (FTS-787-3375) (612-349-3375)	568 U. S. Courthouse 110 S. Fourth Street Minneapolis 55401	
Brian P. Short (FTS-725-7181) (612-725-7181)	604 Federal Court Bldg. 316 North Robert Street St. Paul 55101	
Patrick J. McNulty (B) (FTS-783-9273) (218-727-6692 x 273)	412 U. S. Courthouse Duluth 55802	
Floyd E. Boline (FTS-787-3370) (612-349-3370)	570 U. S. Courthouse 110 S. Fourth Street Minneapolis 55401	
Margaret Seelye Treuer* (218-751-6116)	P. O. Box 851 Bemidji 56601	
<i>Clerk</i>		
Robert E. Hess (FTS-725-7179) (612-725-7179)	708 Federal Building 316 N. Robert Street St. Paul 55101	514 U. S. Courthouse 110 S. 4th Street Minneapolis 55401 (FTS-725-2383) (612-725-2383)
		417 U. S. Courthouse Duluth 55802 (FTS-783-9251) (218-727-6692)
<i>Chief Probation Officer</i>		
Melvin W. Smith (FTS-725-2872) (612-725-2872)	426 U. S. Court House 110 S. 4th Street Minneapolis 55401	
<i>Federal Public Defender</i>		
Daniel M. Scott (FTS-725-2182)	Room 174 Federal Courthouse 110 South 4th St. Minneapolis 55401	

*Indicates part-time U.S. Magistrate
(B) Bankruptcy Judge/Magistrate

UNITED STATES DISTRICT COURT

District

Mailing Addresses

MISSOURI, EASTERN

Judges

H. Kenneth Wangelin**, Chief Judge (FTS-279-5615) (314-425-5615)	*St. Louis 63101
John F. Nangle (FTS-279-5603) (314-425-5603)	*St. Louis 63101
Edward L. Filippine (FTS-279-5623) (314-425-5623)	*Room 324 St. Louis 63101
William L. Hungate (FTS-279-5550) (314-425-5550)	*Room 327 St. Louis 63101
Clyde S. Cahill (FTS-279-6225) (314-425-6225)	*St. Louis 63101

Senior Judges

Roy W. Harper** (FTS-279-4220) (314-425-4220)	*St. Louis 63101
John K. Regan (FTS-279-4219) (314-425-4219)	"
James H. Meredith (FTS-279-4217) (314-425-4217)	"
William R. Collinson (FTS-754-2727) (417-865-3853)	U. S. Courthouse 870 Boonville Springfield 65801

Magistrates

William S. Bahn (FTS-279-4226) (314-425-4226)	106 U. S. Courthouse 1114 Market Street St. Louis 63101
David D. Noce (FTS-279-6325) (314-425-6325)	U. S. Courthouse 1114 Market Street St. Louis 63101

*U. S. Court & Custom House, 1114 Market Street

**Also designated as a Judge for Missouri, Western

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
MISSOURI, EASTERN (Cont'd)		
<i>Magistrates (Cont'd)</i>		
John L. Oliver, Jr.*** (314-335-8278)	P. O. Box 559 Cape Girardeau 63701	
Robert D. Kinsland (FTS-279-4518) (314-425-4518)	U.S. Courthouse 1114 Market St. St. Louis 63101	
<i>Clerk</i>		
Mrs. Eyvon Mendenhall (FTS-279-6056) (314-425-6056)	*St. Louis 63101	Federal Building 339 Broadway Cape Girardeau 63701 (314-335-8535)
<i>Chief Probation Officer</i>		
Jerome F. Lawrenz (FTS-279-4585)	111 U. S. Courthouse 1114 Market Street St. Louis 63101	
<i>Federal Public Defender</i>		
David R. Freeman (FTS-277-9331) (618-274-2200)	P. O. Box 2379 East St. Louis 62202	

*U. S. Court & Custom House, 1114 Market Street

***Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

District

Mailing Addresses

MISSOURI, WESTERN

Judges

Russell G. Clark, Chief Judge
(FTS-754-2746)
(417-865-3741)

320 U.S. Courthouse
870 Boonville St.
Springfield 65801

Scott O. Wright
(FTS-758-5012)
(816-221-6271)

*Room 659
Kansas City 64106

Howard F. Sachs
(FTS-758-6302)
(816-221-6257)

*Room 443
Kansas City 64106

Joseph E. Stevens, Jr.**
(FTS-758-7393)
(816-374-7393)

*Room 404
Kansas City 64106

D. Brook Bartlett
(FTS-758-7395)
(816-374-7395)

*Room 654
Kansas City 64106

Ross T. Roberts
(FTS-758-6509)
(816-374-6509)

*Room 716
Kansas City 64106

Senior Judges

William H. Becker
(FTS-758-3160)
(816-842-8258)
(816-374-3160)

*Room 741
Kansas City 64106

John W. Oliver
(FTS-758-3060)
(816-842-8411)

*Room 707
Kansas City 64106

William R. Collinson
(FTS-754-2727)
(816-865-3853)

U. S. Courthouse
870 Boonville
Springfield 65801

Elmo B. Hunter
(FTS-758-3260)
(816-421-7077)

*Room 659
Kansas City 64106

Magistrates

Calvin K. Hamilton
(FTS-758-5881)
(816-374-5881)

231 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

Richard H. Ralston
(FTS-758-6151)
(816-374-6151)

221 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

*U. S. Courthouse, 811 Grand Avenue

**Also designated as a Judge for Missouri, Eastern

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
MISSOURI, WESTERN (Cont'd)		
<i>Magistrates (Cont'd)</i>		
James C. England (FTS-754-2733) (417-865-3761)	P. O. Box 590 Springfield 65801	
<i>Clerk</i>		
Robert F. Connor (FTS-758-2811) (816-374-2811)	*Room 201 Kansas City 64106	206 U. S. Courthouse 302 Joplin Street Joplin 64801 (FTS-754-4227) (417-623-6536)
		310 U. S. Courthouse 131 West High Street Jefferson City 65102 (FTS-276-5519) (314-636-4015)
		229 U. S. Courthouse 201 S. 8th Street St. Joseph 64501 (FTS-754-6431) (816-279-2428)
		305 U. S. Courthouse 870 Boonville Street Springfield 65801 (FTS-754-2725) (417-865-8361)
<i>Chief Probation Officer</i>		
Billy G. Drown (FTS-758-3921) (816-374-3921)	253 U. S. Courthouse 811 Grand Avenue Kansas City 64106	
<i>Federal Public Defender</i>		
Raymond C. Conrad, Jr. (FTS-758-5851) (816-374-5851)	P. O. Box 2635 424 Scarritt Bldg. 818 Grand Avenue Kansas City 64142	Suite 3-104 1949 East Sunshine Springfield 65804 (FTS-754-2757) (417-881-4090)

UNITED STATES DISTRICT COURT

District

Mailing Addresses

NEBRASKA

Judges

Warren K. Urbom, Chief Judge
(FTS-541-5231)
(402-471-5231)

586 Federal Building
100 Centennial Mall
North
Lincoln 68508

Albert G. Schatz
(FTS-864-3421)
(402-221-3421)

9420 U.S. Courthouse &
P. O. Building
P. O. Box 607
Downtown Station
Omaha 68101

Clarence A. Beam
(FTS-864-3615)
(402-221-3615)

P.O. Box 1297
Omaha 68101

Senior Judges

Robert Van Pelt
(FTS-541-5228)
(402-471-5228)

566 Federal Building
100 Centennial Mall North
Lincoln 68508

Richard E. Robinson
(FTS-864-4766)
(402-221-4766)

9425 U.S. Courthouse &
P. O. Building
P. O. Box 1457
Downtown Station
Omaha 68101

Magistrates

Richard C. Peck
(FTS-864-4178)
(402-221-4178)

P. O. Box 457
Omaha 68101

James L. Macken*
(308-436-5086)

Scotts Bluff County Cthse.
Gering 69341

Richard W. Satterfield*
(308-532-4466)

P. O. Box 669
North Platte 69101

David L. Piester
(FTS-541-5235)
(402-471-5235)

538 Federal Bldg.
Lincoln 68508

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
NEBRASKA (Cont'd)		
<i>Clerk</i>		
William L. Olson (FTS-864-4761) (402-221-4761)	9000 U.S. Courthouse & P. O. Building P. O. Box 129 Downtown Station Omaha 68101	593 Federal Building 100 Centennial Mall North Lincoln 68508 (FTS-541-5225) (402-471-5225)
<i>Chief Probation Officer</i>		
Burton L. Matthies (FTS-864-4785) (402-221-4785)	P. O. Box 1516 215 North 17th St. Omaha 68101	

UNITED STATES DISTRICT COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
NORTH DAKOTA		
<i>Judges</i>		
Paul Benson, Chief Judge (FTS-783-5661) (701-237-5771 X 661)	P. O. Box 3164 Fargo 58102	
Bruce M. Van Sickle (FTS-783-4293) (701-255-4011 x 293)	P. O. Box 670 411 U.S. Courthouse Bismarck 58501	
<i>Senior Judge</i>		
Ronald N. Davies (FTS-783-5122) (701-237-5771 X 122)	P. O. Box 750 Fargo 58102	
<i>Magistrates</i>		
Dwight C. H. Kautzman* (701-663-6568)	P. O. Box 100 Mandan 58554	
William A. Hill* (701-235-5515)	P. O. Box 1680 Fargo 58102	
David Kessler* (701-775-0669)	P. O. Box 756 Grand Forks 58201	
Kenneth K. Knutson* (701-838-4200)	204 Union National Annex Minot 58701	
Ronald M. Dosch* (701-662-5323 X 37)	Ramsey County Courthouse Devils Lake 58301	
Arne F. Boyun* (701-477-3169)	Post Office Box 908 Rolla 58367	
<i>Clerk</i>		
Cletus J. Schmidt (FTS-783-4295) (701-255-4011 X 295)	P. O. Box 1193 Bismarck 58501	P. O. Box 870 Fargo 58102 (FTS-783-5377) (701-237-5771 X 377)
<i>Chief Probation Officer</i>		
John M. Noah (FTS-783-5123) (701-273-5771)	P. O. Box 1817 655 1st Avenue North Fargo 58107	

*Indicates part-time U.S. Magistrate

UNITED STATES DISTRICT COURT

District

Mailing Addresses

SOUTH DAKOTA

Judges

Andrew W. Bogue, Chief Judge
(FTS-782-1472)
(605-343-7784)

Rm. 318, Fed. Building &
U.S. Courthouse
515-9th Street
Rapid City 57701

Donald J. Porter
(FTS-782-5291)
(605-224-0476)

413 Fed. Bldg. & U.S.P.O.
Pierre 57501

John Bailey Jones
(605-339-9860)
(605-339-0514)

202 U.S. Courthouse
& Federal Bldg.
400 S. Philip
Sioux Falls 57102

Senior Judge

Fred J. Nichol
(FTS-782-4321)
(605)-334-4111)

Box 844
Sioux Falls 57101

Magistrates

James H. Wilson*
(605-342-7090)

P. O. Box 1552
Rapid City 57709

Charles Poches, Jr.*
(605-223-2572)

P. O. Box 617
Ft. Pierre 57532

Carlyle E. Richards*
(FTS-225-1295)

207 Midwest Building
Aberdeen 57401

Frank P. Gibbs*
(605-336-3700)

611 Security Bldg.
9th & Main Sts.
Sioux Falls 57102

*Indicates part-time U.S. Magistrate

UNITED STATES BANKRUPTCY COURTS

IN MEMORIAM

The Circuit mourned the death of Bankruptcy Judge Arnold M. Adams who died on November 7, 1982.

The Circuit mourned the death of Bankruptcy Judge Jacob Dim who died on July 6, 1982.

UNITED STATES BANKRUPTCY COURT

District

ARKANSAS, EASTERN
ARKANSAS, WESTERN

Mailing Addresses

Judges

Charles W. Baker
(FTS-740-6357)
(501-378-6357)

Robert F. Fussell
(FTS-740-6357)
(501-378-6357)

U. S. Post Office & Cthse.
P. O. Drawer 2381
600 West Capitol
Little Rock 72203

"

Clerk

Miss Peggy A. Carroll
(FTS-740-6357)
(501-378-6357)

P. O. Drawer 2381
600 West Capitol
Little Rock 72203

IOWA, NORTHERN

Judge

William W. Thinnes
(FTS-863-2524)
(319-399-2524)

P. O. Box 4371
1st Floor Fed. Bldg.
& Courthouse
Cedar Rapids 52407

Clerk

Mrs. Barbara A. Everly
(FTS-863-2473)
(319-399-2473)

P. O. Box 4371
1st Floor Fed. Bldg.
& U. S. Courthouse
Cedar Rapids 52407

IOWA, SOUTHERN

Judge

Richard F. Stageman
(FTS-862-4947)
(515-284-4947)

312 U. S. Courthouse
E. First & Walnut Sts.
Des Moines 50309

Clerk

Mrs. Marguerite F. Lary
(FTS-862-4231)
(515-284-4231)

318 U. S. Courthouse
E. First & Walnut Streets
Des Moines 50309

UNITED STATES BANKRUPTCY COURT

<i>District</i>	<i>Mailing Addresses</i>	<i>Div'l Offices with Resident Dp'y in Charge</i>
MINNESOTA		
<i>Judges</i>		
Kenneth G. Owens (FTS-787-5160) (612-349-5160)	600 Galaxy Bldg. 330 2nd Ave., S. Minneapolis 55401	
Hartley Nordin (FTS-787-5159) (612-349-5159)	"	
John J. Connelly (FTS-725-7184) (612-725-7184)	U. S. Courthouse, Rm. 614 116 North Robert Street St. Paul 55101	
Patrick J. McNulty* (FTS-783-9253) (218-727-6692)	412 U. S. Post Office and Courthouse Duluth 55802	
Robert J. Kressel (FTS-725-7738) (612-725-7738)	636 U.S. Courthouse 316 North Robert Street St. Paul 55101	
<i>Clerk</i>		
Timothy R. Walbridge (FTS-787-5155) (612-349-5155)	600 Galaxy Bldg. 330 2nd Ave., S. Minneapolis 55401	416 U. S. Post Office and Courthouse Duluth 55802 (FTS-783-9253) (218-727-6692)
		629 Federal Bldg. 316 N. Robert St. St. Paul 55101 (FTS-725-7184) (612-725-7184)

*Part-time (Bankruptcy Judge/Magistrate)

UNITED STATES BANKRUPTCY COURT

District

Mailing Addresses

MISSOURI, EASTERN

Judges

James J. Barta
(FTS-279-4222)
(314-425-4222)

730 U. S. Courthouse
1114 Market Street
St. Louis 63101

Robert E. Brauer
(FTS-279-4222)
(314-425-4222)

"

David P. McDonald
(FTS-279-4222)
(314-425-4222)

"

Clerk

William D. Rund
(FTS-279-4222)
(314-425-4222)

730 U. S. Courthouse
1114 Market Street
St. Louis 63101

MISSOURI, WESTERN

Judges

Frank P. Barker, Jr.
(FTS-758-3054)
(816-374-3054)

905 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

Dennis J. Stewart
(FTS-758-6146)
(816-374-6146)

903 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

Joel Pelofsky
(FTS-758-2180)
(816-374-2180)

921 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

Clerk

Ms. Diane Petro
(FTS-758-3321)
(816-374-3321)

913 U. S. Courthouse
811 Grand Avenue
Kansas City 64106

UNITED STATES BANKRUPTCY COURT

District

Mailing Addresses

NEBRASKA

Judge

David L. Crawford
(FTS-864-3155)
(402-221-3155)

P. O. Box 1197
Downtown Station
8323 New Federal Building
Omaha 68101

Clerk

Mrs. Judith M. Napier
(FTS-864-4687)
(402-221-4687)

P. O. Box 428
Downtown Station
8419 New Federal Bldg.
Omaha 68101

NORTH DAKOTA

Judge

Harold O. Bullis
(FTS-783-5631)
(701-237-5771)

P. O. Box 1110
Fargo 58107

Clerk

Mrs. Ellen A. Johanson
(FTS-783-5129)
(701-783-5120)

P. O. Box 1110
Fargo 58107

SOUTH DAKOTA

Judge

Peder K. Ecker
(FTS-782-4541)
(605-336-9903)

Federal Bldg. and Courthouse
400 S. Phillips Avenue
Sioux Falls 57102

Clerk

Mrs. Ruth E. Oien
(FTS-782-4541)
(605-336-9903)

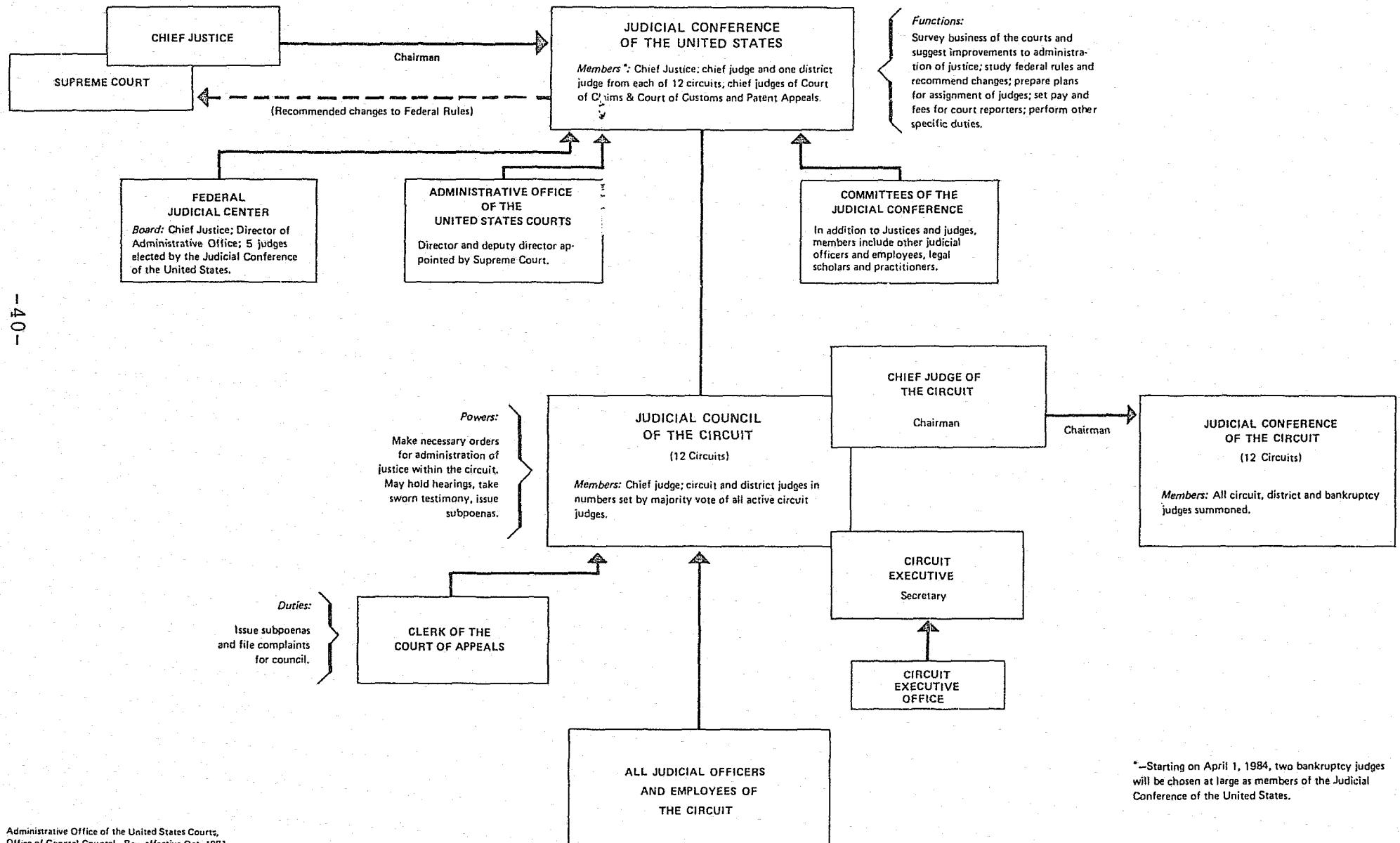
Federal Bldg. & Courthouse
400 S. Phillips Avenue
Sioux Falls 57102

II
JUDICIAL ADMINISTRATION

**JUDICIAL CONFERENCE
OF THE
UNITED STATES**

TABLE 3

FEDERAL JUDICIAL ADMINISTRATION



*—Starting on April 1, 1984, two bankruptcy judges will be chosen at large as members of the Judicial Conference of the United States.

JUDICIAL ADMINISTRATION OF THE FEDERAL COURTS

Judicial Conference of the United States

Table 3 presents the general scheme of the administration of the federal courts. During 1982 the Eighth Circuit was represented on the Judicial Conference of the United States by Chief Judge Donald P. Lay and Judge Albert G. Schatz from the District of Nebraska. Chief Judge Lay's term on the Judicial Conference runs concurrently with his term as Chief Judge. District Judge Schatz's term expires on August 28, 1983. During 1982 the following judges and lawyers from the Eighth Circuit were serving on the Committees of the Judicial Conference of the United States:

<u>Name of Judge</u>	<u>Court</u>	<u>Committee</u>
Judge Richard S. Arnold	Court of Appeals	Ad hoc Committee on Judicial Review Provision in Regulatory Reform Legislation
Judge Myron H. Bright	Court of Appeals	Committee on the Administration of the Federal Probation System
Judge J. Smith Henley	Court of Appeals	Advisory Committee on Appellate Rules
Judge Roy L. Stephenson	Court of Appeals	Subcommittee on Supporting Personnel
Judge Oren Harris	E&W Arkansas	Committee on the Budget Committee on the Judicial Branch
Chief Judge G. Thomas Eisele	E. Arkansas	Committee on the Administration of the Federal Magistrates System
Judge Theodore McMillian	Court of Appeals	Subcommittee on Federal State Relations

Judge Donald Alsop	Minnesota	Committee to Implement the Criminal Justice Act
Judge Edward J. Devitt	Minnesota	Implementation Committee on Admission of Attorneys to Federal Practice. Committee to Review Council Conduct and Disability Orders
Judge William L. Hungate	E. Missouri	Advisory Committee on Criminal Rules
Judge John F. Nangle	E. Missouri	Committee on the Operation of the Jury System
Judge James H. Meredith	E. Missouri	Committee to Review Council Conduct and Disability Orders
Judge Elmo B. Hunter	W. Missouri	Committee on Court Administration Committee on Judicial Review Provision in Regulatory Reform Legislation
Judge Albert G. Schatz	Nebraska	Executive Committee
Chief Judge Warren K. Urbom	Nebraska	Subcommittee on Federal Jurisdiction
Judge Robert Van Pelt	Nebraska	Advisory Committee on Codes of Conduct
Chief Judge Paul Benson	N. Dakota	Committee on the Administration of the Criminal Law
Chief Judge Andrew Bogue	S. Dakota	Committee on the Operation of the Jury System

<u>Name of Attorney</u>	<u>Office</u>	<u>Committee</u>
Thomas Deacy	Kansas City, MO	Implementation Committee on Admissions of Attorneys to Federal Practices

The Conference, chaired by the Chief Justice of the United States, determines administrative policy for the federal courts. It oversees the Administrative Office of the United States Courts and advises the legislative and executive branches on matters affecting the judiciary.

The Conference meets in Washington, D.C. semi-annually, usually in March and in September. Its Committees generally convene twice yearly also. During Judicial Conference week, the Chief Justice of the Supreme Court and the Chief Judges of the Circuit Courts hold a meeting which the Circuit Executives also attend.

Federal Judicial Center

Chief Judge Warren K. Urbom of the District of Nebraska was elected to the Board of the Federal Judicial Center in Washington, D.C.

The Center was established within the Judicial Branch by Congress in 1967.

The Board includes the Chief Justice, who serves as chairman by statute, the Director of Administrative Office and six judicial members who are elected by the Judicial Conference, two from the Court of Appeals three from the District Courts and one from the Bankruptcy Courts.

The Center carries out its work through four divisions:

1. Continuing Education and Training
2. Innovations and Systems Development
3. Research
4. Inter-judicial affairs and Information Services.

EIGHTH CIRCUIT JUDICIAL COUNCIL

EIGHTH CIRCUIT JUDICIAL COUNCIL

Since 1939, the Circuit Councils were comprised of all court of appeals judges in regular active service. Beginning on October 1, 1981, pursuant to 28 U.S.C. §33.2(a), district judges were given representation on the Circuit Councils. Such representation is to be determined by the active court of appeals judges subject to a statutory minimum. Thus, Circuits with fewer than six court of appeals judges must provide for representation of at least two district judges. Circuits with six or more judges must have at least three district judges on their Councils. Court of Appeals judges also determine the number of court of appeals representatives on the Council.

The Eighth Circuit Court of Appeals judges had determined that (1) all its active judges shall be members of its Council during their active service, and (2) the circuit's ten district courts would have three members on the Council, two of whom the court of appeals judges would select with the third being the district judge representative to the Judicial Conference of the United States. District judges added to the Council, pursuant to that plan, were Albert G. Schatz, Nebraska, Edward L. Filippine, Eastern District of Missouri, and Harry H. MacLaughlin, Minnesota.

By resolution of the Court of Appeals dated May 18, 1982, the Council was again reconstituted. Effective October 1, 1983, the membership of the Eighth Circuit Judicial Council would be composed of all active court of appeals judges, who shall serve as members during their tenure as active judges, and five district judges. The method of selection and term of office of the district judge members would be as follows:

- (1) One member shall be the district judge who represents the circuit on the Judicial Conference of the United States and whose term of office on the Council shall run concurrently with the membership on the Conference.
- (2) The active district judges from the Eastern District of Arkansas, Western District of Arkansas, Eastern District of Missouri, and Western District of Missouri shall select from their ranks a total of two members. Such members shall serve two years. Membership shall rotate among the four districts.

- (3) The active district judges from the Northern District of Iowa, Southern District of Iowa, Minnesota, Nebraska, North Dakota, and South Dakota shall select from their ranks a total of two members. Such members shall serve two years. Membership shall rotate among the six districts.
- (4) A district shall not be represented by more than one judge.

The Council is required to hold at least two meetings a year. As a result of a new committee plan proposed by Chief Judge Lay in 1980, the number of Council meetings have been reduced from seven in 1980 to five in 1981 and to two in 1982. That plan, which was adopted in 1980 and again in 1981 by the reconstituted Council, provides that each committee chairman be authorized to determine, on behalf of the Council, routine administrative matters requiring Council approval. Committee chairmen are to advise the Chief Judge of the proposed action prior to its effective date. During 1982 the Chairmen of the District Court, Magistrate, Bankruptcy Court, and Court of Appeals Committees all utilized this procedure to expedite the work of the Council and to reduce burdens on other Council members. Any action by the chairman is to be immediately communicated to each Council member, any of whom may make a request for full Council consideration. To date, no Council member has deemed it necessary to request reconsideration of the actions of the chairmen.

The following is a list of some of the specific duties of the Council concerning courts within the circuit:

- ° Approve Jury Plans
- ° Approve Criminal Justice Act Plans
- ° Approve Speedy Trial Act Plans
- ° Determine need for court quarters and accommodations
- ° Authorize magistrate positions, salaries and their location
- ° Designate residence of district judges

- Approve contract and emergency court reporter needs
- Approve legal assistant positions for magistrates
- Approve giving certain magistrates additional civil jurisdiction
- Approve Equal Employment Opportunity Plans
- Approve number and salary of bankruptcy judges
- Investigate and take action on complaints against judges and magistrates
- Approve assignment of counties to divisions within districts
- Approve supporting personnel and space for senior judges
- Temporarily assign judges to another district within the circuit
- Certify Judges for retirement for disability
- Approve Court Reporter Plans

Table 4 presents a summary of the actions of the Council and its committees from 1980 through 1982. The district court committee had the largest number of administrative matters to pass upon during that period. That Committee was chaired by Judge Roy Stephenson until May 1982 when Judge John R. Gibson was designated as chairman.

In addition to the matters listed in Table 4, the Council also approved the change of duty station of the Chief Judge of the Court of Appeals; issued orders continuing the operation of the courts during the absence of appropriations; approved use of regular mail for jury summons instead of registered mail; approved adoption of rules for the operation and administration of the bankruptcy courts in the absence of congressional action to reorganize the bankruptcy courts mandated by the Supreme Court; approved the revision of the rules for processing complaints against judges and magistrates to require that all complaints be in writing and verified; approved establishment of annual policy and goals to include management of dockets, jury utilization and review of management audits by the Administrative Office of the Courts.

TABLE 4
EIGHTH CIRCUIT JUDICIAL COUNCIL ACTION
ON
DISTRICT COURT MATTERS
January 1, 1980 - December 31, 1982

	ED AR	WD AR	ND IA	SD IA	MN	ED MO	WD MO	NE	ND	SD
Speedy Trial Plan	X	X	X	X	X	X	X	X	X	X
EEO Plan	X							XX	X	X
Magistrate										
Position or Salary	XX	XXXX	XX	XXXX	XXXX	XXX		XXXX	XX	XX
Additional Civil Jurisdiction	XX	X		X	XXX	XX	XXX	X		
Legal Assistant	XX	X	X	X	XXXX	XX	XXX	XX		
Space		X						XX		X
Federal Public Defender										
Appointment							XXX			
Joint Plan or Branch Office		X			X	X	XX			
Salaries					XX		XX			
Bankruptcy Judges Salaries or Positions	XX	XX	X	X	XXX	XX	X	X	X	X
Transfer of Counties in Division				X						
Criminal Justice Act Plans		XX				X	XX			
Circuit and District Court Space		X					X			X
Senior Judge Personnel							XXX			
Jury Plan	XXX	XX	X	X	X		XX	X	X	
Court Reporter Contracts and Plans		X			XX		X		XX	
Residency of District Judges							X			
Temporary Staff for Judges	X					X				

X's indicate number of matters council acted upon

Council Programs

Complaints Against Judges

On October 1, 1981, the Judicial Council's Reform and Judicial Conduct and Disability Act of 1980 became effective. The Purpose of the act was to provide an internal mechanism within the judicial branch to consider and act upon complaints against federal judges and magistrates. Each Judicial Council shall prescribe its own rules for conduct of proceedings under the act.

On July 16, 1981, the Council adopted Rules for the processing of complaints against judges and magistrates in the Eighth Circuit. These rules were amended in 1982 to require that all complaints be verified and filed on the form set out in the rules.

Copies of the revised rules were distributed to all judges and magistrates and were filed with the Administrative Office of the Courts and in the offices of the clerks of the court of appeals and district and bankruptcy courts throughout the Eighth Circuit.

During 1982, six complaints were received by the Clerk's Office. One was dismissed for failure to comply with the Rules, four were dismissed by the Chief Judge and one was dismissed by the Chief Judge and subsequently dismissed by the Judicial Council.

District Court Calendar and Docket Management

Pursuant to 28 U.S.C. § 332 (d) (1) Councils are empowered to make all necessary and appropriate orders for the effective and expeditious administration of justice within the circuits. Within this authority, the Council has established for the district courts its calendar and docket management goals. These goals urge the district courts to undertake programs and plans to assist judges in eliminating all three-year-old cases, in providing trials within one year of case filings and in disposition of all matters under advisement within sixty days. In addition, in 1982 the Council has established goals for jury utilization and court reporter management.

The Circuit Executive's Office prepares and distributes to each Chief District Judge and Council member, reports of the status of the three-year-old cases and on matters under advisement for each district judge in the Eighth Circuit. Three-year-old case reports are sent twice yearly and reports of matters under advisement are sent quarterly.

The Council also has approved implementation of an automated system of producing monthly reports on district court dockets by the Circuit Executive's Office.

With the assistance of the staff of the Federal Judicial Center, a computerized system has been installed to record monthly data on the state of the docket. Data has been recorded for the years 1980, 1981 and 1982. Work is now underway to design a monthly state of the docket report for the council and for the district court judges.

Jury Utilization

In order to determine whether or not there were optimum utilization of juries in the Eighth Circuit, a Jury Utilization Committee was appointed, chaired by Circuit Judge J. Smith Henley. The committee conducted a survey and presented a report and recommendation which was distributed to all judges in the Eighth Circuit. In 1982 the Council again recommended adoption of practices which have been shown to improve jury utilization. In addition, the Council urged each district to target for a 5 percent reduction in Juror costs in 1982.

Federal Practice Committees

The organization and operation of Federal Practice Committees in each district continues as an important goal and accomplishment in the Eighth Circuit. The fundamental purpose of the Committee is to study and recommend improvements in the practice and procedures in the federal courts throughout the circuit.

In each district, the chief district judge appoints two lawyers to serve with him as co-chairpersons of the Federal Practice Committee and each Committee is to include a cross-representation of lawyers and law professors in the district.

The goals of the Committee are, to provide studies and forums to maintain a high level of competency of all attorneys practicing in the federal courts; to assist in the organization and conduct of the annual Judicial Conference; work together with law schools and bar associations within their districts to co-sponsor Continuing Legal Education seminars on federal practice and procedures; to assist the district courts in furthering their efforts to dispose of all three-year-old cases and to bring to trial all cases within one year of filing; and to address problems relating to discovery and to other causes of delay in case processing as well as to propose solutions and procedures that will expedite the litigation process.

Committees have been established in every district. Each year they review the list of those who are sent notification of the Annual Conference together with a list of those who attend. As a result of that review, updated lists are prepared containing the names of those lawyers in the Eighth Circuit who are interested in actively participating in the work of the Conference. The fact that the list has almost doubled (from 825 in

1980 to 1,608 in 1982) is a clear indication that more persons are now being given the opportunity to attend the Conference.

Committees in every district have also defined areas of concern within their districts which have been discussed and addressed at the Committee meetings held at the Judicial Conference. The section of this report covering the 1982 Conference contains a listing of the varied subjects which were discussed at those meetings.

The North Dakota Committee co-sponsored a seminar with the CLE Committee of the State Bar Association of North Dakota. The seminar's program was coordinated by the University of North Dakota. Topics on the program included; federal grand juries, practice before United States Magistrates, district and circuit court rules and bankruptcy court procedures.

The Committees for the Eastern and Western Districts of Arkansas joined with the Arkansas Institute for Continuing Legal Education to sponsor a two-day seminar on Federal Civil Practice. The program covered the beginning of a federal law suit, discovery, the federal civil trial and federal appellate jurisdiction and practice. Each session was followed by a judges' panel composed of federal district judges from both districts.

Several Committees have been actively involved in reviewing and revising local district court rules.

The District of Nebraska and the Northern and Southern Districts of Iowa in cooperation with Drake University Law School conducted its second annual Federal Practice Seminar in August 1982. The first joint seminar was held in Nebraska in cooperation with Creighton Law School.

The 1982 seminar included presentations by federal judges, lawyers, law professors, and U.S. Magistrates on such subjects as federal rules of evidence, discovery, pretrial conferences, expert witnesses and improving practice in the federal courts.

Sentencing Institute

A Sentencing Institute was held for judges of the Eighth and Tenth Circuit at the Hilton Inn of the Ozarks in Springfield, Missouri, on April 26-27, 1982. Chief Judge Russell G. Clark, of the Western District of Missouri, served as arrangements chairman. Presiding on the opening day and welcoming the participants, was the Honorable Myron H. Bright, Judge, U.S. Court of Appeals, Eighth Circuit.

Topics and activities of concern addressed throughout the first day included:

- ° The conduct of an experiment exploring the relative importance of various kinds of information in the sentencing process by the Honorable James M. Burns, Chief Judge, U.S. District Court, Oregon.
- ° A panel discussion on the state of the art of sentencing and corrections with specific attention to what is known about the effectiveness of various sanctions and treatments and to the use of that knowledge. Chairing the discussion was the Honorable James K. Logan, Judge, U.S. Court of Appeals, Tenth Circuit. Panelists were the Honorable William C. Stuart, Chief Judge, U.S. District Court, Southern District of Iowa; the Honorable Sherman G. Finesilver, Chief Judge, U.S. District Court, Colorado; Professor C. Tonry, University of Maryland Law School and Mr. Anthony Partridge, Research Division, Federal Judicial Center.
- ° A Discourse and discussion on the dispersion of sentencing authority and the judge's role in the sentencing process by the Honorable Gerald Bard Tjoflat, Judge, U.S. Court of Appeals, Eleventh Circuit, and Chairman, Judicial Conference Committee on the Administration of the Probation System.
- ° A workshop on policies and procedures of the Parole Commission led by members of the Parole Commission.
- ° A panel discussion relating to special problems in the sentencing of drug abusers: identification, treatment programs available, surveillance. Chairing this discussion was Mr. James B. Eaglin, Research Division, Federal Judicial Center. Panelist were Mr. Robert N. Altman, Drug Division, Administrative Office, U.S. Courts; and Mr. John L. Williams, Vice President, Macro Systems, Inc.

On the second day of the institute, participants toured the Medical Center for Federal Prisoners at Springfield, Missouri. Activities included opportunities for informal interaction with prison staff and inmates and for workshop discussion with inmates, institutional staff and members and staff of the Parole Commission. The institute closed with workshop discussions of sentencing problems in the context of hypothetical cases. Acting as workshop chairmen were:

Honorable Donald D. Alsop, Judge, District of Minnesota

Honorable Paul Benson, Chief Judge, District of North Dakota

Honorable Howard C. Bratton, Chief Judge, District of New Mexico

Honorable Clarence A. Brimmer, Judge, District of Wyoming

Honorable John F. Nangle, Judge Eastern District of Missouri

Honorable Earl E. O'Conner, Chief Judge, District of Kansas

COMMITTEES OF THE JUDICIAL COUNCIL

MEMBERS

AND

AREAS OF RESPONSIBILITY

COMMITTEES

- I. The following Committees have been established as permanent Judicial Council Committees:

Court of Appeals
District Court
Senior Judge
Magistrate
Bankruptcy
Criminal Justice
Operation of the Jury System
Calendar and Docket Management
Court Reporter Management

- II. The following Committees have been established as Ad Hoc Committees:

Federal Practice Committee
Judicial Council Advisory Committee On the
Judicial Conference

- III. The Council authorizes the chairman of the permanent Committees to take action on behalf of the council on matters which require council approval. Prior to approving any matter, the chief judge shall be notified of the matter which is under consideration and advised of the action proposed to be taken by the chairman pursuant to this delegation.

Approvals given by the chairman pursuant to this delegation shall be immediately communicated to all council and committee members.

COURT OF APPEALS COMMITTEE

Composition as of August 20, 1980 is:

Judge Gerald W. Heaney, Chairman

Judge Donald R. Ross

Judge Theodore McMillian

Lester C. Goodchild, Secretary

The Committee shall advise the Council as to standards and policies concerning the Council's responsibilities for the Court of Appeals. The Committee shall review and report on the state of the docket of the Court of Appeals.

DISTRICT COURT COMMITTEE

Composition as of May 17, 1982:

Judge John R. Gibson

Judge Edward L. Filippine

Lester C. Goodchild, Secretary

The Committee shall advise the Council as to standards and policies concerning the Council's administrative responsibilities for the District Court. The Committee shall review and recommend Council action on matters which require Judicial Council approval and shall review and report on the state of the docket in the District Courts.

The Council authorized the Chairman to take action on behalf of the Council, on District Court matters which require Judicial Council approval. Prior to approving any matter, the Chief Judge shall be notified of the matter which is under consideration and advised of the final action the Chairman is considering taking.

Approvals given by the Chairman pursuant to this delegation shall be immediately communicated to all Council and Committee members.

SENIOR JUDGE COMMITTEE

Composition as of May 17, 1982 is:

Judge Myron H. Bright, Chairman
Senior Circuit Judge Floyd R. Gibson
Senior District Judge Earl R. Larson
Lester C. Goodchild, Secretary

The Committee shall advise the Council as to standards and policies concerning senior judge matters, including retention by senior judges of staff and quarters. Annually, the Committee will review the services performed by senior judges to determine whether such services are substantial as defined in the Standards For Senior Judges To Qualify For Retention Of Staff adopted by the Council. A report shall be made to the Council containing a recommendation as to the number of staff positions each senior judge should have in order to perform the Senior Judge's actual workload.

MAGISTRATES COMMITTEE

Composition as of July 9, 1981 is:

Judge Theodore McMillian, Chairman
Judge Harry H. MacLaughlin
Magistrates:

Calvin Hamilton	W.D. MO
David Noce	E.D. MO
Henry L. Jones, Jr.	E.D. AR
J. Earl Cudd	Minn.
Ned A. Stewart, Jr.	W.D. AR
Richard W. Peterson	S.D. IA

Ray Conrad, Federal Public Defender
Lyman L. Larsen, Attorney
Eyvon Mendenhall, Clerk of the
District Court, E. D. MO

Lester C. Goodchild, Secretary

The Committee shall advise the Council on standards, policies and procedures concerning the Magistrates and the administration of their offices in the Eighth Circuit.

The Committee shall review and recommend action on Magistrate matters which require Judicial Council approval.

The Council authorized the Chairman to take action on behalf of the Council on Magistrate matters which require Judicial Council approval. Prior to approving any matter, the Chief Judge shall be notified of the matter which is under consideration and advised of the final action the Chairman is considering.

Approvals given by the Chairman shall be immediately communicated to the Committee and Council members.

BANKRUPTCY COURT COMMITTEE

Composition as of May 17, 1982

Circuit Judge Donald R. Ross

District Judge Harry H. MacLaughlin, Minnesota

Bankruptcy Judges:

Robert E. Brauer, E.D. Missouri

Richard F. Stageman, S.D. Iowa

John J. Connelly, Minnesota

Harold O. Bullis, North Dakota

David L. Crawford, Nebraska

Attorneys

Charles D. Davidson, Esq.

Curtis L. Mann, Esq.

Richard Farrington, Esq.

A. Frank Baron, Esq.

J. Bruce Blake, Esq.

Lester C. Goodchild, Secretary

The Committee shall advise the Council on standards, policies and procedures concerning the administration and procedures of the Bankruptcy Courts in the Eighth Circuit.

The Committee shall review and recommend action on Bankruptcy Court matters which require Circuit Council approval.

The Council authorized the Chairman to take action on behalf of the Council on Bankruptcy matters which require Judicial Council approval. Prior to approving any matter, the Chief Judge shall be notified of the matter which is under consideration and advised of the final action the Chairman is considering.

Approvals given by the Chairman shall be immediately communicated to the Committee and Council members.

CRIMINAL JUSTICE COMMITTEE

Composition of Committee as of May 17, 1982:

Judge Richard S. Arnold, Chairman

Judge Myron H. Bright

Judge John Nangle, E.D. MO

Daniel Scott, Federal Public Defender

Frederick H. Mayer, Attorney

Dean Robert Walsh

Prof. Barbara A. Schwartz

Lester C. Goodchild, Secretary

The Committee will explore all procedures pertaining to the handling of criminal cases in the District Court and Court of Appeals within the Eighth Circuit. It will examine and make recommendations from time to time to the Judicial Council for the implementation of procedures and recommendations which will facilitate the expeditious processing of cases in the District Court as well as in the Court of Appeals. It shall from time to time examine plans under the Criminal Justice Act relating to competency of performance by counsel as well as guidelines and standards pertaining to the award of attorney fees under the Criminal Justice Act. It will study means by which prisoner habeas corpus and civil rights actions might be more expeditiously handled, including the recommendations of forms and procedures to be implemented by the District Courts and the Court of Appeals. It shall study the implementation of student intern programs in each of the law schools within the circuit with the prospect of setting up a uniform plan applicable to each of the District Courts as well as the Court of Appeals. The Circuit Executive shall serve as ex officio reporter to the Committee and assist the Committee in carrying out any of its recommendations. The Committee may also consider whether it would be advisable to expand the Committee so as to include representation by the bar from each of the judicial districts.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM
IN THE EIGHTH CIRCUIT

Composition of the Committee as of July 1981:

Judge J. Smith Henley, Chairman
Judge Harry H. MacLaughlin
Judge Scott O. Wright
William L. Olson
Lester C. Goodchild, Secretary

The Committee will study and report on the operation of the jury system in the District Courts and advise on methods and procedures that will lead to effective and economical jury utilization in the courts in the Eighth Circuit.

DISTRICT COURT CALENDAR AND DOCKET MANAGEMENT COMMITTEE

Composition as of May 17, 1982 is:

Chief Judge Donald P. Lay, Co-Chairman
Judge Harry H. MacLaughlin, Co-Chairman
Judge John F. Nangle
Judge William C. Stuart
Judge G. Thomas Eisele
Judge Edward L. Filippine
Judge Donald D. Alsop

The Committee shall advise the Council on standards, policies and procedures concerning the management of dockets and calendars of the District Courts in the Eighth Circuit. It shall recommend case management guidelines for council action, and shall recommend methods and procedures which the Council can utilize to assist the district courts in managing their dockets.

COURT REPORTER COMMITTEE

Composition as of October 2, 1981 is:

Judge G. Thomas Eisele, Chairman
Judge Albert G. Schatz
Judge Edward L. Filippine
Judge Harry H. MacLaughlin
Judge Clyde S. Cahill
Lester C. Goodchild, Secretary

The Committee shall advise the Council as to the standards and policies concerning the Council's administrative responsibilities for the management of court reporters and the performance of court reporter services in the courts in the Eighth Circuit.

FEDERAL PRACTICE COMMITTEE

The Committees in each District in the Circuit shall be chaired by the Chief District Judge who shall designate two lawyer co-chairpersons. Membership in the Committee shall include a cross-section of lawyers and law teachers in each district.

The Committee will study the practice and procedure in the federal courts in the Eighth Circuit and recommend to the Council and the District Courts changes, improvements and methods to improve and expedite case processing.

The Committee will advise the Council and District Courts as to programs that will assist in maintaining a high level of competency of all attorneys practicing in the federal courts.

The Committee will work with law schools and bar associations within the districts to co-sponsor legal education seminars in federal practice and procedures for law students and federal court practitioners.

The Committee will assist in the organization and conduct of the annual Eighth Circuit Judicial Conference and shall attend such Conference. The Committee shall annually review the list of attendees and recommend persons who should be invited to the Conference.

The Clerks of the respective District Courts shall act as Secretary to the Committees and shall keep minutes of the meetings.

The following is a list of Committee members in each of the Districts in the Circuit.

Eastern District of Arkansas

Chairman:

Chief Judge G. Thomas Eisele

Co-Chairpersons:

Herschel H. Friday

William R. Wilson, Jr.

Other members of the Committee are:

David Blair

Ellen B. Brantley

Darrell F. Brown

Martin G. Gilbert

Philip Kaplan

George Proctor

Stephen M. Reasoner

Carl Brents, Secretary

Western District of Arkansas

Chairman

Chief Judge H. Franklin Waters

Co-Chairpersons:

LeRoy Autrey

Robert L. Jones, Jr.

Other members of the Committee are:

Donald J. Adams

William S. Arnold

Terry Kirkpatrick

David Newbern

Don M. Schnipper

Dennis Shackelford

Bill B. Wiggins

Pat L. Graham, Jr., Secretary

Northern District of Iowa

Chairman:

Chief Judge Edward J. McManus

Co-Chairpersons:

Thomas M. Collins

John J. Greer

Other members of the Committee are:

Stephen F. Avery

Robert M. Bertsch

Claire F. Carlson

Leo E. Fitzgibbons

Edward J. Gallagher, Jr.

William O. Gray

James D. Hodges, Jr.

Wiley Mayne

William J. Rawlings

Robert L. Teig

Allan D. Vestal

William Kanak, Secretary

Southern District of Iowa

Chairmen:

Chief Judge William C. Stuart and

Judge Harold D. Vietor

Co-Chairpersons:

Ross H. Sidney

LeRoy R. Voigts

Other members of the Committee are:

Richard C. Bauerle

Lex Hawkins

Ronald M. Kayser

Don C. Nickerson

Peter J. Peters

Raymond Rosenberg

Lawrence F. Scalise

H. Richard Smith

Diane M. Stahle

Robert A. Van Vooren

David Walker

James Rosenbaum, Secretary

District of Minnesota

Chairman:

Chief Judge Miles W. Lord

Co-Chairpersons:

Alberto Miera

Ann D. Montgomery

Ex Officio:

Judge Gerald W. Heaney

Other members of the Committee are:

Bernard Becker

Andrew W. Danielson

W. James Fitzmaurice

Joseph S. Friedberg

Sheryl Ramstad Hvass

John Killen

Richard E. Kyle

John D. Levine

Daniel M. Scott

Carolyn P. Short
Marcy Wallace
Charles Williams
Robert Hess, Secretary

Eastern District of Missouri

Chairman:
Chief Judge John F. Nangle

Co-Chairpersons:
Robert S. Allen
Eugene Buckley

Other members of the Committee are:

Terry I. Adelman
Ronald L. Carlson
Kenneth Chackes
David Collins
Thomas Dittmeier
Elbert Dorsey
Manuel Drumm
Lawrence Grebel
Claire Halpern
Thomas R. Jayne
Louis Leonatti
Arthur Margulis
Michael Minton
Margaret Mooney
Sandra Moore
John Oliver
Stephen Ringkamp
L. Joe Scott
Shulamith Simon
Thomas Wack
Donald L. Wolff
Eyvon Mendenhall, Secretary

Western District of Missouri

Chairman:
Chief Judge Russell G. Clark

Co-Chairpersons:
John Martin
Joseph Sherman

Other members of the Committee are:

Donald Bonacker
Reggie C. Giffin
William A. Knox
Samuel McHenry

Ronald Reed
Malcolm Robertson
David Russell
Daniel Simon
Raymond Whiteaker
Judith Whittaker
Robert F. Connor, Secretary

District of Nebraska

Chairman:
Chief Judge Warren K. Urbom

Co-Chairpersons:
M. J. Bruckner
J. Kirk Brown

Other members of the Committee are:

Robert Cannon
Robert P. Chaloupka
Clyde Christian
Jerold V. Fennell
Barbara Gaskins
C. J. Gatz
David Herzog
Annette E. Mason
Lindsey Miller-Lerman
William P. Mueller
Murray Ogborn
Josephine R. Potuto
George Rozmarin
Thomas Thalken
William L. Olson, Secretary

District of North Dakota

Chairmen:
Chief Judge Paul Benson and
Judge Bruce M. Van Sickle

Co-Chairpersons:
James L. Lamb
Mitchell Mahoney

Other members of the Committee are:

Bruce B. Bair, Jr.
Patrick W. Durick
James S. Hill
Judith E. Howard
John D. Kelly
Karen K. Klein
Randy Lee
Patrick R. Morley

Irvin B. Nodland
Thomas E. Rutten
Rodney S. Webb
Cletus J. Schmidt, Secretary

District of South Dakota

Chairman:
Chief Judge Andrew W. Bogue

Co-Chairpersons:
John M. Costello
Stanley E. Siegel

Ex Officio:
Judge Donald Porter
Judge John B. Jones

Other members of the Committee are:

Richard K. Burke
Joseph M. Butler
William F. Day
Harold C. Doyle
Phillip N. Hogen
Charles Rick Johnson
Ross H. Oviatt
William G. Porter
Walter Reed
Robert Riter, Jr.
Donald R. Shultz
Deming Smith
Francis M. Smith
Charles M. Thompson
Bonnie P. Ulrich
William F. Clayton, Secretary

JUDICIAL COUNCIL ADVISORY COMMITTEE
ON THE JUDICIAL CONFERENCE

Composition of Committee as of April 1983:

Honorable John R. Gibson, Co-Chairman
Honorable J. Smith Henley, Co-Chairman
Honorable Edward J. Devitt
Honorable James H. Meredith
Honorable Albert G. Schatz
Honorable Donald P. Lay, Ex officio
Mr. Robert L. Jones, Jr.
Mr. Herschel H. Friday
Mr. J.T. Martin
Mr. Lyle Strom
Mr. John H. Greer
Mr. Ross H. Sidney
Mr. Richard H. Kyle
Mr. Stanley E. Siegel
Mr. John Cole
Mr. James Lamb
Mr. Lester C. Goodchild, Secretary

This Committee was reconstituted by Chief Judge Lay on June 26, 1980, to consider and advise the Chief Judge and the Council on the structure, format, composition and location of the annual Eighth Circuit Judicial Conference. The Committee shall also evaluate and report on the effectiveness of the Annual Conference in carrying out its goal of providing a forum for the exchange of ideas by those interested in improving the administration of justice in the federal courts in the circuit.

The Committee will also review and report on the effectiveness of the Federal Practice Committees established in each district.

JUDICIAL CONFERENCE OF THE EIGHTH CIRCUIT

JUDICIAL CONFERENCE OF THE EIGHTH CIRCUIT

Purpose

The Conference meets annually pursuant to Section 333 of Title 28 of the United States Code which provides as follows:

The chief judge of each circuit shall summon annually the circuit, district, and bankruptcy judges of the circuit, in active service, to a conference at a time and place that he designates, for the purpose of considering the business of the courts and advising means of improving the administration of justice within such circuit. He shall preside at such conference, which shall be known as the Judicial Conference of the Circuit. The judges of the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands shall also be summoned annually to the conferences of their respective circuits.

Every judge summoned shall attend, and unless excused by the chief judge, shall remain throughout the conference.

The court of appeals for each circuit shall provide by its rules for representation and active participation at such conference by members of the bar of such circuit.

The Conference of the Eighth Circuit was reorganized in 1981 to accomplish its statutory purpose more effectively and to broaden the membership so that all persons interested in the administration of justice in the federal courts in the circuit would have an opportunity to participate in its meetings.

The Eighth Circuit Conference provides the major forum for the joint participation by the judiciary, members of the bar and the academia in the exchange of ideas for the improvement of the administration of justice within the circuit.

Organization

Pursuant to statute, the chief judge is responsible for the organization and operation of the Judicial Conference of the Circuit. Assisting him are the following committees upon which the Chief Judge serves as an ex officio member.

(1) Judicial Council Advisory Committee On The Judicial Conference

This committee provides advice and recommendations concerning the structure, format, composition and location of the Conference. It also evaluates the effectiveness of the Conference in carrying out its goals.

(2) Program Committee

This committee is responsible for recommending topics and speakers for the general sessions of the Conference and makes the necessary arrangements for the presentations at the general sessions.

(3) Resolutions Committee

This committee is responsible for presentation of Conference resolutions adopted in honor of judges who have taken senior status or have passed away during the year.

(4) Arrangements Committee

This committee is responsible for planning and implementing the hotel arrangements, entertainment, and social events.

(5) Federal Practice Committees

These committees were established in each of the ten districts in the Eighth Circuit.

The committees form the nucleus for the lawyer membership of the Conference and recommend additional lawyers and others who should be invited to the Conference identified by the committee as being (1) active practitioners in the federal courts, (2) concerned with the improvement in the administration of justice in the federal courts, and (3) willing to attend and actively participate in the Conference.

Following is a summary report of the Conference held in 1982.

Summary Report of the 1982 Judicial Conference of the Eighth Circuit

The 1982 Judicial Conference of the Eighth Circuit took place from July 25 through July 28, at the Hyatt Regency Minneapolis Hotel in Minneapolis, Minnesota. Held annually to undertake the business of the court and to explore means for improvement of the administration of justice in the federal courts, the Conference was convened by Chief Judge Donald P. Lay. Among the 572 in attendance, were 70 members of the federal judiciary from the Eighth Circuit. Others attending the conference included the Chief Judges of State Supreme Courts, the Chief Judges of the State intermediate appellate courts, the deans of law schools in the circuit, the attorney general of each state in the circuit, the United States Attorneys in this circuit, the president of state bar associations, the clerks of the district courts and the members of the Federal Practice Committees, and approximately 439 lawyers from the seven states comprising the Eighth Circuit.

For the second year, registration was open to all lawyers interested in federal practice, district-wide meetings were held, and the Federal Practice Committees continued to function. These practices were instituted last year for the purpose of providing a more direct forum for lawyers acting as officers of the court to participate in the administrative business of the court. Almost 1,000 members, spouses, and guests were registered.

The conference began with a meeting, in executive session, of the federal judges of the circuit.

Following the introduction of new judges, Alice O'Donnell, Director of Inter-judicial Affairs and Information Services of the Federal Judicial Center, presented a tribute to Justice Tom C. Clark. Judge Gerald B. Tjoflat, Chairman of the Probation Committee of the Judicial conference of the United States, William E. Foley, Director of the Administrative Office of the Courts, and A. Leo Levin, Director of the Federal Judicial Center, also addressed the judges. Following their remarks, each chief district judge reported on the state of the docket in their respective districts.

Chief Judge Lay announced that effective October 1, 1983, the Judicial Council of the Eighth Circuit would be reconstituted so that thereafter there would be five (5) district judges serving on the Council, together with all active court of appeals judges. The district judges who represents the circuit on the Judicial Conference of the United States would remain a member and four (4) additional district judges would be selected by a vote of the district judges. Copies of the Order reconstituting the Council were

distributed to all judges in attendance.

Chief Judge Lay welcomed the participants at each of the general sessions.

New judges introduced were:

Hon. John R. Gibson
U.S. Circuit Judge

Hon. Paul A. Magnuson
U.S. District Judge (Minnesota)

Hon. H. Franklin Waters
Chief U.S. District Judge (W.D. Arkansas)

Hon. John B. Jones
U.S. District Judge (South Dakota)

Hon. Clarence A. Beam
U.S. District Judge (Nebraska)

Hon. D. Brook Bartlett
U.S. District Judge (W.D. Missouri)

Hon. Joseph E. Stevens, Jr.
U.S. District Judge (W.D. Missouri)

As Chairman of the Resolutions Committee, Judge Theodore McMillian presented resolutions declaring changes in status of judges.

Honored for Senior status were:

Hon. Roy L. Stephenson
U.S. Circuit Judge

Hon. Paul X Williams
U.S. District Judge (W.D. Arkansas)

Hon. J. Smith Henley
U.S. Circuit Judge

Memorialized were:

Hon. Axel J. Beck
U.S. Senior District Judge (S. Dakota)

Hon. John J. Shanahan
Bankruptcy Judge (E.D. Missouri)

Hon. Jacob Dim
Bankruptcy Judge (Minnesota)

Speakers at the Conference included Theodore B. Olson, Assistant Attorney General, Department of Justice; William H. Webster, Director Federal Bureau of Investigation; and David R. Brink, President of the American Bar Association. Mr. Olson explained policies of the Department of Justice under the Reagan administration while Mr. Webster delineated current problems in law enforcement. Mr. Brink spoke to the separation of powers in government. Adding their remarks were Rex E. Lee, Solicitor General of the United States; Norman Carlson, Director, Federal Bureau of Prisons; and United States Senator Dale Bumpers of Arkansas.

Specifically addressing the business of the judiciary as it relates to opinions and decision making were the Honorable Robert Van Pelt, Senior United States District Judge for the District of Nebraska; the Honorable Patricia M. Wald, United States Circuit

Judge for the District of Columbia Circuit, and the Honorable Howard T. Markey, Chief Judge, United States Court of Customs and Patent Appeals. The Honorable Harry A. Blackmun, Supreme Court Justice, and our own circuit justice, concluded the presentation with a review of Supreme Court decisions.

Following the first general session, the district judges, bankruptcy judges, magistrates, court clerks, and lawyer members held separate sessions.

The district judges' program included presentations by Chief Judge Warren K. Urbom on the subject of appointment and payment of counsel in 1983, Title VII and habeas corpus cases, by District Judge Diane E. Murphy on the subject of Requests for Emergency Relief - Management and Legal Issues. The district judges then held a meeting of the District Judges Association which was presided over by Chief Judge G. Thomas Eisele.

The Bankruptcy Judges' Session was presided over by Circuit Judge Donald R. Ross and Bankruptcy Judge John C. Connelly. Melvin Orenstein, Counsel in the Marathon Pipe Line Company Case, spoke on the presentation of that case before the Supreme Court. The program also included a review of pending legislation concerning bankruptcy courts and the status of the United States Trustee program.

The Magistrates' Session was presided over by Circuit Judge Theodore McMillian and Magistrate Calvin K. Hamilton. The program included the following topics: Pretrial Services; Social Security Cases; and Evidentiary Privileges.

The Clerks' Session was attended by the Clerks of the District Courts and the Clerk of the Court of Appeals with Carl Brents, Clerk of the Eastern District of Arkansas, presiding. Subjects presented included: Court Reporter Management; Implications of the Marathon Pipeline Case; CVB Automation Program; Automation in District Courts; Federal Registry Fund Management; and Improving Jury Utilization.

The Lawyers' Session featured a Circuit Judges' Panel.

Circuit Judge Richard Arnold served as moderator and spoke on the subject of lawyer's fees. Other members of the panel included Chief Judge Lay, who spoke on Brief-Writing; Judge Heaney, who reviewed the Internal Operating Procedures of the Court of Appeals; Judge Bright, who discussed Oral Argument; and Judge John R. Gibson, who spoke on Jurisdiction, including Problems of Non-final Orders. Following remarks by each of the judges on their respective subjects, the audience was given the opportunity to ask questions.

The Conference concluded with Federal Practice Committee Breakfast Meetings presided over by the Chief Judges of the District Courts. Special programs were prepared for each meeting by the respective federal practice committees. Discussions at these meetings covered important subjects of concern to the bench and the bar in the Eighth Circuit including: Discovery Practices; Obtaining Counsel to Represent Indigent Defendants; Seminars in Federal Practice and Procedure; Pretrial Conferences; Jury Management; Appointment of Counsel in Civil Rights Cases; Procedure in Bankruptcy Courts; Use of Alternate Jurors; Jury Instructions; Counsel fees under the Criminal Justice Act; Sanctions for Abuse of Discovery; Pleading and Motion Practice and Settlement Deadlines; Standards for the admission of Attorneys; Scope of the United States Magistrates Act; Review of Court Workloads and Statistics; Role of Lawyer and Judge in Seeking and Imposing Sanctions; Discussion of New Local Rules.

CIRCUIT EXECUTIVE'S OFFICE

THE ROLE OF THE CIRCUIT EXECUTIVE'S OFFICE IN THE EIGHTH CIRCUIT

Background

Congress established the position of circuit executive in 1971 and prescribed the duties that may be delegated to the circuit executive. These include:

- Administer non-judicial activities, personnel, and budget of Court of Appeals.
- Maintain accounting systems, property control records, and space management programs.
- Conduct studies of the business and administration of courts within the circuits, prepare reports, and make recommendations.
- Collect, compile, and analyze statistical data for reports.
- Act in liaison with state courts, marshal's office, bar associations, civic groups, media, and others having interest in the circuit.
- Prepare agenda and attend meetings of judges of the circuit and Circuit Council.
- Prepare annual report with recommendations to expedite disposition of the business of the circuit.

In addition, the Bankruptcy Reform Act of 1978 provided that the circuit executive shall convene a merit screening committee for the purpose of passing on the qualifications of bankruptcy judges who are candidates for appointment or reappointment until March 31, 1984, after which the president will make the appointments.

Each Chief Circuit Judge and Circuit Council has great latitude as to what duties they wish the circuit executive to perform. While the present duties are described below, it should be noted that the role of the circuit executive is an evolving one and will continue to be changed in order to meet the administrative needs of the circuit.

In the Eighth Circuit, the circuit executive has a staff of three: an administrative assistant and two secretaries.

Under Chief Judge Lay's direction, the circuit executive in the Eighth Circuit has exercised responsibility in the following areas of court administration:

(1) Internal Operations of Court of Appeals

Exclusive of the judges' chambers, the operating units of the Court of

Appeals consist of the Clerk's Office, the Staff Law Clerks, and the Library. The circuit executive prepares the annual budget request for all three units for personnel, space, and other needs and submits same to the Administrative Office of the United States Courts.

The circuit executive provides administrative support service to the judges' chambers in the areas of equipment and furniture, space, and budget matters. In addition, the circuit executive coordinates the physical inventory of all accountable items of furniture and furnishings assigned to the court, maintaining a record of value and advising the Administrative Office of same.

A physical inventory of all accountable items of furniture and furnishings assigned to Court of Appeals judges and other personnel was taken as of December 31, 1981. The total value of the furniture and furnishings as determined by that inventory was \$442,501.95.

The circuit executive's office formulated plans and assisted the court with the installation of a word processing system in all the judges chambers, the clerk's office, the staff law clerk's office and the circuit executive's office. Future plans include upgrading the system and installing electronic mail.

Under the direction of the circuit executive, the circuit library has expanded operations and now has four satellite court libraries jointly servicing both the district courts and the Court of Appeals in Little Rock, Des Moines, Omaha, and St. Paul. Plans are underway to explore further expansion of the Eighth Circuit satellite library system to Kansas City. The circuit had four Lexis terminals, one each in St. Louis, Kansas City, Omaha, and Little Rock. Those terminals were replaced by Westlaw terminals in 1982. Another terminal is scheduled to be installed in St. Paul.

The circuit executive's office continued to assist in providing administrative services for the preargument conference program in the Eighth Circuit. Under that program, efforts are made to settle cases or otherwise improve case processing so that the judicial workload may be decreased.

Efforts were also devoted to the establishment of a northern division of the court in St. Paul. To complete that project, it was necessary to obtain staff, space, and furniture so that the Court of Appeals can create a permanent and fully functioning operations in St. Paul.

(2) Annual Eighth Circuit Judicial Conference

Pursuant to statute, the conference is called each year by the Chief Judge for the purpose of considering the business of the courts and advising on means to improve the administration of justice within the circuit. Under the leadership of Chief Judge Lay, the conference was reorganized in 1981, so that its membership would be broadened and so that all persons interested in improving the administration of justice within the circuit could have the opportunity to attend. As a result, some 1,600 persons were sent notices in 1982 with over 1/3 accepting, the largest attendance by far of all circuit conferences. The circuit executive's office provides the staff support for the various committees which are established to provide advice and assistance in planning the various aspects of the annual conference. The office carries out numerous arrangements and organizational matters necessary to conduct the conference, including such matters as hotel accommodations, special events, services to program participants, invitations, registration, accounting, payment of bills, preparation and printing of the program. To carry out those responsibilities, the office has acquired a computer terminal and operates an "on line" Judicial Conference Information System utilizing computers located at the Administrative Office in Washington, DC. Data entered into the system produces mailing labels, lists of registrants and their various events and fees, summary lists of fees collected and persons registered, conference badges and special reports.

(3) Committee Support

The circuit executive's office provides staff report for all committees established by the Chief Judge, Circuit Council, or the Court of Appeals. The following is a current list of the committees:

Rules	Judicial Conference:
Preargument Conference Program	Judicial Council Advisory Committee
District Court	Program Committee
Magistrates	Resolution Committee
Bankruptcy Court	Arrangement Committee
Court of Appeals	Local Arrangement Committee
Criminal Justice	Senior Judges
Operation of the Jury System	Disposition of Court Records

(4) District Court

In addition to supporting the district court committee in carrying out its responsibilities to review and approve district court matters on behalf of the Council, the circuit executive assists the Chief Judge in planning his conference of district chief judges. In cooperation with the Circuit Executive of the Seventh Circuit, the office established a planning committee to prepare for a seminar for the Chief District Judges and Clerks of Court in the Seventh and Eighth Circuit to be held in 1983 under the sponsorship of the Federal Judicial Center.

The circuit executive has conducted annual meetings of the clerks of the district courts since 1980. Such meetings have been held in conjunction with the Circuit's Judicial Conference and have included programs on case management, circuit court rules, EEO procedures, jury utilization, centralization of court functions, and Court of Appeals case processing procedures.

Statistical reports covering work of the district courts are prepared for the Council, the chief district judges, the Chief Judge of the circuit, and various committees.

Pursuant to the authority delegated by the Circuit Council, the circuit executive passes upon requests for emergency and contract court reporter services in the district courts. Procedures have been established to promptly review and pass upon requests for supplemental court reporter services so that court trial schedules are not delayed due to the absence of a necessary court reporter. Sixty-seven requests were processed in 1982. As a result of these procedures, the district courts no longer utilize the more costly and time consuming contract court reporter procedure.

(5) Reports and Recommendations on Matters Requiring Circuit Council Approval

As a result of statutory mandate and directions of the United States Judicial Conference, Circuit Councils have responsibilities concerning various aspects of the administration of the federal courts, including such matters as:

- Jury Plans
- Criminal Justice Act Plans
- Court Space Requests
- Salaries of Magistrates
- Additional Judgeships and Magistrate positions
- EEO Plan Amendments
- Legal Assistants for Magistrates
- Residence of District Judges

To reduce the burden on the twelve judges who serve on the Judicial Council (12 until October 1, 1983 and 14 thereafter), the Council adopted procedures whereby all requests requiring Council approval are addressed to the Chief Judge with a copy to the circuit executive. The circuit executive reviews them and prepares reports and recommendations on the requests and forwards them to the chairman of the appropriate committee with a copy to the Chief Judge. After review and approval by the chairman, the action by the chairman on behalf of the Council is communicated by the circuit executive to the appropriate parties with copies to the Council. These procedures have greatly improved the speed at which Council action is obtained and has reduced total judicial involvement in administrative matters.

(6) Merit Screening Committees

Under guidelines and procedures adopted by the Circuit Council the circuit executive convenes and serves as staff for the Merit Screening Committees for Bankruptcy Judges and, on the Committees behalf, performs the following tasks:

- Advertises the fact that the committee is established and invites comments concerning the judge or candidates involved.
- Surveys lawyers who regularly practice before the judge and evaluates their responses.
- Obtains information and waivers from judge.
- Checks with bar associations.
- Obtains opinions from district judges and others.
- Prepares a summary report on relevant information.
- Schedules and attends committee meetings and the committee's interview of the judge.
- Prepares final report on committee findings for Chief Judge.

Since these procedures have been established in 1980, merit screening committees have been convened by the circuit executive in Arkansas, Iowa, South Dakota and three in Missouri and two in Minnesota.

(7) Liaison with the Administrative Office of the Courts (AO)

A productive working relationship has developed between the circuit executive's office and the Administrative Office. Both offices are in daily communication concerning administrative matters. The circuit executive's office serves as the center for circuit wide distribution of important information emanating from the Administrative Office.

Twice a year, the circuit executives meet in Washington with the key staff of the Administrative Office. New and old procedures are discussed, legislation is reviewed, and policy matters are reviewed and revised, planning is coordinated, and specific circuit problems are discussed and resolved. Congressional and other government agency staff members attend these meetings as needed. These semi-annual meetings are scheduled during the week the United States Judicial Conference meets and the action of the Conference is critiqued by the Administrative Office for the circuit executives.

During that week, the circuit executives attend the meeting of the Conference of Chief Judges of the United States, chaired by the Chief Justice which is held following the United States Judicial Conference meeting. In 1982, the Circuit Executive in the Eighth Circuit served on a special committee appointed by the Conference of Chief Judges to review and report on the Appellate Information and Management System (AIMS). That system was designed to introduce automation into the Court of Appeals.

(8) Annual Report and Eighth Circuit Newsletter

The first annual report for the Courts in the Eighth Circuit was prepared by the Circuit Executives office in 1982. The report covered calendar years 1980 and 1981. Over 500 copies were distributed at the Circuit's 1982 Judicial Conference and 250 copies were sent to individuals and agencies who were known to have an interest in the administration of justice in the federal courts.

Work also was begun on the preparation of a Circuit Newsletter to be issued in 1983. Tests were conducted to determine if the Newsletter could be typeset electronically through the utilization of the communications feature of the word processor.

UNITED STATES COURT OF APPEALS

Law School Court Sessions

In 1981, the Court of Appeals began a program to regularize its efforts to sit at each of the law schools in the Eighth Circuit. The plan which would schedule a regular session of the Court of Appeals, with actual cases being argued, at each law school once every three years, is designed to give students at least one exposure to a full and actual session of the Court.

Deans of the fifteen law schools in the Circuit were apprised of the program and all expressed an interest in it.

The Court endeavors to select at least three cases which are significant cases and which present varied issues to the Court. The Clerk of the Court supplies the briefs of these cases to the law schools in advance of the Court session. The law school usually prepares a summary of the facts and issues to be presented which is distributed to the students before argument. At the completion of the arguments, the Court returns to hold a discussion session with the students. When the opinion is filed, the Clerk of the Court sends a copy to the law school where it can be posted and read by students.

During 1982, the Court sat at five of the fifteen law schools. Responses of students continue to be enthusiastic. Members of the Court enjoy the sessions which enable them to interact with law students and school faculty as well.

Below is a table showing the law schools in the Circuit, the dates when the Court of Appeals has sat there, and the names of the judges presiding.

TABLE 5
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
COURT SESSIONS HELD IN LAW SCHOOLS

LAW SCHOOLS	1975	1976	1977	1978	1979	1980	1981	1982
WASHINGTON UNIV. ST. LOUIS, MO	February 13 Presiding Judges: Bright Ross Stephenson							February 11 Presiding Judges: Lay McMillian Stephenson
CREIGHTON UNIV. OMAHA, NE	March 31 Presiding Judges: Lay Ross F. Gibson							March 25 Presiding Judges: Ross Stephenson Van Pelt
UNIV OF NEBRASKA LINCOLN, NE	November 3 Presiding Judges: Lay Ross F. Gibson				April 24 Presiding Judges: Lay Bright Ross			
UNIV OF SOUTH DAKOTA VERMILLION, SD		September 24 Presiding Judges: Bright Ross Webster						April 23 Presiding Judges: Lay Bright Ross
UNIV. OF IOWA IOWA CITY, IA		October 8 Presiding Judges: Lay Stephenson F. Gibson					April 3 Presiding Judges: Lay Stephenson Arnold	

TABLE 5
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
COURT SESSIONS HELD IN LAW SCHOOLS
con't

LAW SCHOOLS	1975	1976	1977	1978	1979	1980	1981	1982
DRAKE UNIV. DES MOINES, IA		October 7 Presiding Judges: Lay Stephenson F. Gibson					April 2 Presiding Judges: Lay Stephenson Arnold	
UNIV OF NORTH DAKOTA GRAND FORKS, ND		October 5 Presiding Judges: Heaney Bright Ross					October 14 Presiding Judges: Bright Ross Devitt	
UNIV OF MINNESOTA MINNEAPOLIS, MN				May 16 Presiding Judges: Heaney Bright F. Gibson	May 17 Presiding Judges: Heaney McMillian F. Gibson		October 14 Presiding Judges: Lay Heaney Henley	November 11 Presiding Judges: Lay Henley Arnold
UNIV OF MISSOURI COLUMBIA, MO						October 13 Presiding Judges: Ross Gibson Sachs		
ST. LOUIS UNIV ST. LOUIS, MO						October 15 Presiding Judges: Lay Bright McMillian		

TABLE 5
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
COURT SESSIONS HELD IN LAW SCHOOLS
con't

LAW SCHOOLS	1975	1976	1977	1978	1979	1980	1981	1982
UNIV OF ARKANSAS FAYETTEVILLE, AR						November 17 Presiding Judges: Lay Henley Harris		
UNIV OF ARKANSAS LITTLE ROCK, AR							March 6 Presiding Judges: Heaney Henley Arnold	
UNIV OF MISSOURI KANSAS CITY, MO							April 17 Presiding Judges: Lay Bright F. Gibson	
WM. MITCHELL COLLEGE OF LAW ST. PAUL, MN							October 14 Presiding Judges: Lay Heaney Bright	
HAMLIN UNIV. SCHOOL OF LAW ST. PAUL, MN								November 11 Presiding Judges: Lay Henley Arnold

**The Role of the Clerk's Office
For the United States Court of Appeals
For the Eighth Circuit**

The Clerk's Office serves a wide and varied constituency —the judges of the Court, district court judges, the practicing Bar, the public district court clerks' offices, and numerous federal agencies. The Clerk's office is responsible for working with counsel, pro se litigants, court reporters, federal agencies, and district court clerks' offices in preparing cases for submission to and disposition by the Court on a timely basis. This responsibility includes the more obvious tasks of receiving and filing the different documents by which an appeal is readied for submission—the notice of appeal, the record, the briefs, motions and court orders. Much of what the Clerk's office does is involved with the routine processing of filings, with notifying counsel of action taken by or required to be taken by the Court. The routine but efficient processing of cases is a necessary prerequisite to submission of a case to the Court. However, the Clerk's office provides a wide variety of other services to the Court and the persons who have contact with the Court.

As part of the overall case processing effort the Clerk's office must schedule, monitor and coordinate the activities which comprise "the appellate process". Briefing schedules must be established and monitored for compliance. Briefing schedules affect not only the attorneys who must prepare and file the briefs but the court reporter if a transcript is required, the district court clerk's office for record composition and production and, at times, other courts if collateral litigation is pending. The goal in every case is to coordinate all necessary events so that the case can be scheduled for submission before a panel of the Court in the shortest feasible time. Before submission, the Clerk's office must make certain that all necessary events have occurred and that procedural problems have been resolved so that the case is in a posture for disposition by the Court.

One of the services provided by the Clerk's office is a combination of "education" and problem resolution. Whenever attorneys or pro se litigants are uncertain on how to proceed on appeal or become confused by the Federal Rules of Appellate Procedure or the Eighth Circuit Rules they are encouraged to contact the Clerk's office. The most frequently recurring problems involve scheduling conflicts where an extension of time to file a document is needed and confusion over the composition and production of the

record on appeal. The Clerk's office attempts to work with counsel or pro se litigants by explaining applicable appellate rules and court policy or by facilitating the resolution of procedural problems so that an appeal is not delayed and can proceed toward submission.

The most recent change in the Court's operation in which the Clerk's office is substantially involved is the opening of a divisional office in St. Paul, Minnesota. The St. Paul office has been opened to make oral argument more convenient and less expensive for counsel and litigants. A two-deputy office now supports increased court sessions in St. Paul and offers additional services to local counsel. Cases are now being scheduled for argument in St. Louis or St. Paul depending on the origin of the case and the location of the attorneys involved in the case. All Missouri and Arkansas cases (including both appeals and agency cases) are now scheduled for argument and submission in St. Louis. All Minnesota and North and South Dakota cases will be scheduled for argument in St. Paul. Nebraska and Iowa cases will be apportioned between the two cities for argument. All case processing continues to be handled from the central office in St. Louis.

By scheduling cases for argument in the city most convenient to the participating attorneys the Court hopes to reduce travel related costs and save the attorneys considerable travel time.

PRE-ARGUMENT/SETTLEMENT CONFERENCE PROGRAM

Description of the Program

The Pre-Argument/Settlement Conference Program (PAC) is designed to identify and to dispose of cases that can be settled without full appellate review. Under this procedure, selected cases are scheduled for conferences by the Program Director shortly after the notice of appeal has been filed. During such conferences, voluntary settlements are explored through discussion among the parties. In those cases that cannot be settled, attempts are made to reduce or to further delineate the issues in an effort to limit briefs and the record required for review.

When the appeal is filed, counsel are asked to complete forms indicating the nature of the case and the issues to be raised. The Director welcomes additional material including citations, district court briefs, and memoranda of law, particularly in cases in which there is no district court opinion or the opinion does not address issues to be raised on appeal.

Briefing schedules are not delayed by reason of the Settlement Conference Program. If, however, counsel believe that settlement is a reasonable possibility, a short extension can be arranged.

In settlement discussions the parties are free to explore any basis for settlement, whether or not it pertains to the legal issues that are involved in the judgment. Settlement of other litigation, purchase of property related to litigation, scheduled time payments, and the modification of existing business relationships are but a few examples of areas that can be explored. Consistent with the voluntary and privileged nature of settlement discussions, Rule 2 of the Eighth Circuit Rules provides that settlement discussions and settlement related material are confidential. There is absolutely no contact between the Director and the judges or the court's legal staff about matters which are discussed in conference. Similarly confidential discussions and positions with one party will not be transmitted to the other party by the Director without authorization. Counsel can openly discuss and evaluate the issues and explore alternatives in a non-adversarial setting without fear that the subsequent processing of the appeal will be adversely affected by participation in the program.

Joint personal conferences with the attorneys, and when possible with their respective clients, are highly encouraged. The attendance by a client at such a conference is often highly beneficial to the process of communication and the development of options for compromise that many times are not within the scope of the litigation itself.

Much of the bargaining in litigation is typified by one side stating a position and the other side responding in kind with no discussion or analysis of the interests or reasons for a proposal. More often than not such an approach results in each side freezing in a preconceived position and then refusing to move toward the other's position due to a fear of displaying weakness, bargaining against oneself, or simple pride in one's own evaluation of the litigation.

Many complicated lawsuits are not resolved by such positional bargaining, which results in ongoing litigation that taxes the resources of everyone concerned: the attorney, the client, and the court. In the context of adversarial roles in trial litigation, when each party is hopeful of establishing its version of the facts and law, such bargaining is more understandable than when employed after the judgment has at least initially established the facts and the law of the case and the questions to be presented on appeal. Unfortunately, many times the hostility and aggression generated by a hotly contested trial carries over to the appellate process and interferes with a reasoned approach to settlement discussion which is intended to explore the prospective nature of an appeal and objectively evaluate the likelihood of success on appeal.

Through personal conferences or telephone contact, the Settlement Director attempts to facilitate an atmosphere of open communication of the real interests that lie behind positions and an exploration of avenues for accommodating those interests, if possible. It often develops that those interests are at least partially reconcilable. Aside from exploring these matters with each attorney separately and jointly, the Settlement Director explores the prospective nature of the dispute, i.e. the probability of prevailing on the merits, as well as some practical analysis of past and future litigation costs, so as to assist each party in determining whether it is better to resolve the dispute by agreement rather than by the process of appellate decision.

Apart from the prospect of settlement, the Director also promotes the delineation and simplification of the issues on appeal. That process enables the Court and counsel to focus only on those issues that need judicial resolution. The program has helped relieve the ever-increasing caseload confronting the Court but it has also saved litigants and attorneys substantial amounts of time and money.

Although participation in the program is voluntary, the Court strongly urges participation and cooperation of attorneys and their clients. The program has enabled many appellate litigants to achieve a mutually satisfactory resolution of certain issues or an overall settlement prior to progressing through all stages of the appellate process.

Regular conferences are held in St. Louis, St. Paul, and Little Rock. In other parts of the circuit, the Program is conducted mainly on the telephone although conferences in other locations may be arranged if the volume or complication of litigation justifies a special conference. In cases where the amount in controversy is substantial, counsel are encouraged to attend conferences in St. Louis when the Director is unable to schedule a case for conference in one of the cities mentioned.

This program, then, provides a mechanism for bringing together litigating parties for the purpose of exploring settlement, finding alternative means of resolution of disputes, or reducing and redefining the issues. The program is intended to conserve the time of the litigants and assist the judges in maintaining a current caseload.

History of Program in the Eighth Circuit

The Eighth Circuit approved the PAC Program on October 14, 1980. In December, 1980, Chief Judge Donald P. Lay appointed a PAC implementation committee consisting of Circuit Judges Gerald W. Heaney, Chairman, Roy L. Stephenson, and Richard S. Arnold. Assisting the committee were Lester C. Goodchild, Circuit Executive, Robert D. St. Vrain, Clerk of Court, and Tim Gammon, Senior Staff Attorney.

Charles B. Blackmar directed the Program from its inception until December, 1982, when he was appointed to the Missouri Supreme Court. Judge Blackmar, a distinguished law professor, labor arbitrator, and practitioner was replaced by John H. Martin in February, 1983. Previously engaged in private law practice for several years, Mr. Martin has functioned during the past 15 years as an attorney with the National Labor Relations Board and the Federal Mediation and Conciliation Service having served as a mediator for most of his career with the latter agency. As an adjunct professor of law at St. Louis University Law School, where he graduated in 1965, he teaches bargaining and mediation techniques.

Rules for Settlement Conference

Pursuant to Federal Rules of Appellate Procedure 33, the United States Court of Appeals for the Eighth Circuit designated all civil appeals from the United States district

courts except those brought under 28 U.S.C. § 2241, § 2254, or § 2255 for consideration in the settlement program. In every such civil case, at the time of filing the notice of appeal with the district court clerk, the appellant must also file a completed Appellant's Appeal Information Form, Form A, with the Clerk of the Court of Appeals and serve a copy on the appellee(s) together with the uncompleted Appellee's Appeal Information Form, Form B. Having been furnished with the completed Form A, the appellee completes Form B and files it directly with the Clerk of the Court of Appeals. Forms are available in the clerk's office of both the Court of Appeals and the district courts.

The district court clerk furnishes to the Clerk of the Court of Appeals two copies of the notice of appeal, the docket entries, the judgment or order appealed from together with any memorandum or finding by the district court. In jury tried cases or other cases where a district court opinion is not issued (e.g. no motion for new trial filed) counsel are encouraged to include with the notice of appeal and Appeal Information Form (or separately with the Settlement Director) copies of the relevant pre-trial and post-trial motions and legal memoranda that provide helpful background about the nature of the case.

After the receipt of the notice of appeal, docket entries and Appeal Information Form from the Clerk's office, the Settlement Director screens from all civil appeals those cases that seem appropriate for settlement discussions. In all such cases telephonic contact is made with the attorneys for each party to explore settlement possibilities and a personal or telephone conference is arranged.

TABLE 6

PRE-ARGUMENT CONFERENCE PROGRAM
MAY 1, 1981, THROUGH DECEMBER 31, 1982

Total files examined: 553

NOT DISPOSED

No contact made:	224	
Substantial legal issues:		94
Appeal should not have been taken:		11
Strong plaintiff's judgment:		8
Strong defendant's judgment:		86
Dismissed by appellant:		3
Contacts made:	310	
Conference:	61	
Telephone:	228	
Substantial legal issues:		49
Appeal should not have been taken:		18
Strong plaintiff:		25
Weak plaintiff--should settle:		6
Plaintiff would not settle	4	
Defendant would not settle:	2	
Strong defendant:		92
Weak defendant--should settle:		14
Plaintiff would not settle:	3	
Defendant would not settle:	11	

DISPOSED

Settlements:	90	
After conference:		21
Telephone contact:		23
Minimal telephone contact:		9
Dismissed by appellant after contact:		35
After referral by panel and conference:		1

REFERRED

Referred to Senior Staff Attorney:		36
Frivolous:	7	
Finality:	22	
Stay:	0	
Consolidated:	3	
Intervening conflict:	3	
Mootness:	1	
Referred to Judge Heaney because of conflict:		2
Cases on settlement docket:		33

STAFF ATTORNEYS' OFFICE

The staff attorneys' office is supervised by a senior staff attorney, Tim Gammon, who is assisted by Mary Jane Lyle, supervising staff attorney, who works half-time, four other full-time attorneys, one other half-time staff attorney, three attorneys in St. Louis who are officially part of individual judges' staff, a temporary staff attorney who works exclusively on district court social security cases, and three secretaries, one of whom works primarily with the settlement conference director. All except one staff attorney who is in Omaha work in St. Louis. Most of the staff attorneys are assigned to work on the screening panel (nonargument cases) of one or two individual judges.

Staff work can be organized into (1) administrative work handled primarily by the senior staff attorney or the secretaries, (2) case screening, (3) case work, (4) law clerk orientation, and (5) special projects.

The administrative work includes (1) quarterly reports to the court, (2) inventories, (3) processing of employment papers and records, (4) indexing staff memoranda, (5) other periodic reports, and (6) projects.

In the spring of 1981, a settlement program began. An appeals information form is now filed with the notice of appeal. In all civil cases where the government is not a party, the form is referred to the settlement director who talks to counsel and schedules conferences where appropriate.

All pro se civil appeals are sent with the original district court record to the senior staff attorney. After preliminary review, they are sent to a staff attorney to evaluate if they can be decided without briefs; if so, a recommended disposition is sent to a screening panel (three judges for possible action); if not, the record is held until the briefs are filed and the appeal proceeds as any other.

When briefs are filed, all cases are sent to the senior staff attorney who screens the cases according to court guidelines. Cases screened for argument are returned to the clerk and calendared for oral argument and normally the staff is through with them. When a case is screened no-argument, a judge must concur in that screening. Then it is returned to the staff for preparation of a memorandum.

Although the staff is occasionally assigned argument cases, most of the case work done by the staff is on screening panel cases which are of three kinds: (1) cases screened no-argument, (2) pro se prisoner appeals, including both habeas corpus and civil rights cases, and (3) jurisdictional motions which may be dispositive of the appeal. Memoranda

and, when directed, per curiam opinions are prepared by the staff and circulated to a three judge panel for disposition. Over eighty percent of staff time is spent doing case work.

Law clerk orientation for all law clerks is held the first court session in St. Louis each fall. This program in the past was under the direction of Judge Gerald W. Heaney. Judge Richard S. Arnold will be in charge in 1983. At one session, representatives of the clerk's office, circuit executive's office, library, staff attorneys' office, and the chief judge explain their functions. In the second session, substantive presentations are made on particular legal topics. In 1982, Mary Winslow spoke on discrimination and Professor Ron Carlson of Washington University spoke on evidence. A representative of the legal information research computer company also speaks briefly at orientation, with training provided the following weeks.

Special projects include rules committee work, the social security project, and education. For the past two years, the supervising staff attorney, Mary Jane Lyle, has worked closely with the clerk and with Judge Myron H. Bright in drafting a new set of rules. Currently, she is working on a practice manual to accompany the rules. In 1980, Chief Judge Lay initiated a program to alleviate the backlog of social security cases that existed in the Arkansas district courts. Under that program, circuit and district judges were assigned social security cases. A staff attorney was hired to assist those judges in handling those cases. In three years that program has resulted in over one hundred completed case assignments by that attorney.

In April 1982, the senior staff attorney, the court clerk, and four judges conducted a one-day seminar in Kansas City covering court operations and developments. It was sponsored by the Kansas City Bar and the University of Missouri at Kansas City Law School. In 1982 the staff began work on an outline of Prisoner Law, identifying Eighth Circuit law and cases in the areas of habeas corpus and prisoner § 1983 suits. That project should be finished in 1983.

The Court of Appeals has experienced a significant increase in filings in the last three years. To keep up with that increase (30% in 1982 over 1980) the court has undertaken measures designed to increase terminations. One such measure was an increase in case screening by the staff attorneys' office. Another was to increase the number of cases calendared each month. The court also scheduled additional hearing days.

The workload of the staff attorneys' office has increased significantly as a result of these measures. Three hundred and seventy assignments were completed in 1982, a 37 percent increase over the 270 assignments that were completed in 1980. Following is a table indicating the workload of the staff attorneys' office from 1978 through 1982.

TABLE 7

**Court of Appeals
Staff Attorneys' Office Workload
1978-1982**

<u>Year</u>	<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>	<u>Year Total</u>	<u>Percent Increase</u>
1978	46 cases	44 cases	40 cases	49 cases	179	—
1979	54 cases	54 cases	59 cases	63 cases	230	28.5
1980	65 cases	65 cases	70 cases	70 cass	270	17.4
1981	71 cases	74 cases	102 cases	90 cases	337	24.8
1982	102 cases	86 cases	105 cases	77 cases	370	9.8

EIGHTH CIRCUIT LIBRARY SYSTEM

The Eighth Circuit Library System presently is comprised of five libraries, with a sixth to be added in Kansas City. The central library for the circuit is located in St. Louis. Staffed branch libraries are located in St. Paul, Little Rock, Des Moines, and Omaha. These facilities, closer to judges and to supporting personnel, have expedited service.

There were LEXIS computer terminals with printers in St. Louis, Little Rock, Kansas City, and Des Moines until November when they were replaced by Westlaw computer terminals with printers. Combined usage for LEXIS and Westlaw terminals was 1,615 hours of computer time. The St. Louis Library generated 40% of the 1,615 hours. The remaining 60% was as follows: Little Rock Branch Library 18%, Omaha Branch Library 20%, and Kansas City terminal 22%. A Westlaw terminal was requested for the St. Paul Branch Library.

Although the libraries in St. Louis and St. Paul have been in existence the longest and the Eighth Circuit Court of Appeals sits most often in St. Louis and St. Paul, all the libraries are expanding their book collections, and services. The central library, directly and through its branch libraries, provides information and research services to all the circuit judges, district judges, bankruptcy judges, magistrates, and their supporting personnel within the Eighth Circuit. The libraries supply court and agency opinions, law reviews, books, and congressional materials to judges, the circuit executive, and their supporting personnel. The circuit librarian receives monthly reports from the branch librarians on library operations and on usage of the legal research computers (LEXIS and Westlaw, which replaced LEXIS). There is circuit-wide coordination by the circuit librarian for many functions such as cataloging and classification, indexing of slip opinions, government documents, reference and research, acquisitions, budgeting, library user training and orientation, and participation in professional library organizations. Planning began in late 1982 for a union catalog which will list all the books and research materials in the central library and branch libraries in one list with location symbols to indicate which particular libraries have which books.

In 1982 the St. Paul library was carpeted and plans were made to paint the library and construct a counsel lounge with a new entrance to the library in 1983. Planning for the expansion of the Des Moines Branch Library and the Omaha Branch Library was begun in late 1982. Planning for the expansion of the St. Louis Library also began in 1982; additional space will be acquired on the sixth floor with a stairway within the

library connecting the fifth and sixth floors. Library books which are now in the St. Louis chambers of out of town circuit judges will be back in the library when the expansion is completed.

St. Louis librarians and branch librarians began verifying their computer-generated book inventories which the Administrative Office sent to all the Eighth Circuit's libraries in the fall. Librarians also were verifying inventories for some of the Circuit Judges, the Circuit Executive's Office, the Clerk's Office, and the Staff Attorneys' Office.

In late 1982 the Branch Librarian in Omaha began indexing half of the Eighth Circuit's published slip opinions for inclusion in the Slip Opinion Index. The other half of the opinions are indexed by the circuit librarian and St. Louis Westlaw Operator. The Slip Opinion Index is printed and distributed monthly to all U.S. Circuit Judges, U.S. District Judges, U.S. Magistrates, U.S. Attorneys, and Federal Public Defenders within the Eighth Circuit. The Little Rock, Branch Librarian went to Batesville, Arkansas where she organized the courthouse's book collection there so the books could be used more effectively by the district judges when court sessions are held there.

The Little Rock Branch librarian represented the Eighth Circuit Library System at the American Association of Law Libraries annual meeting in June in Detroit.

The Des Moines Branch Librarian's position increased from a half-time position to a full-time position. The Des Moines Branch Librarian worked with the circuit librarian to transfer many books to the new Branch Library and to assist judges in Des Moines in disposing of excess books.

The Branch Librarian in St. Paul performed two jobs in late 1982 as he continued to fulfill his library duties and responsibilities as well as open the Clerk Office's Branch Office in St. Paul.

In addition to serving court personnel, the court libraries are open to some attorneys under Eighth Circuit Local Rule 24(a):

Rule 24. Court Libraries; Library and Miscellaneous Expense Fund.

(a) The law libraries of this court, located in St. Louis, Missouri, Little Rock, Arkansas, St. Paul, Minnesota, Des Moines, Iowa, and Omaha, Nebraska, shall be open to members of the bar of this court, to the United States Attorneys of the circuit and their assistants, and to other law officers of the government. No person other than a judge of this court may remove books from the buildings in which these libraries are maintained.

DISTRICT COURT CLERK'S OFFICE

REPORTS FROM THE CLERKS OF THE DISTRICT COURTS

Automation and computerization of operations continue to be expanded in the management of systems in all districts. Innovative procedures facilitating the business of the courts as well as revision of Local Rules also are reported. In the Northern District of Iowa, for example, the Clerk's office integrated with the Clerk's office for the District of Colorado in centralization of CVB notice processing. The Northern Iowa District also reports that the adoption of revised Local Rules now enables that court to terminate a settled action when counsel fail to file required documents.

The Western District of Arkansas has automated the qualified jury wheel in each of its six divisions. Its Local Rule No 10 has been amended to provide that all exhibits, except sensitive exhibits, are to be retained by counsel until the time for filing notice of appeal has expired.

In the Southern District of Iowa, the local rules for admission to practice were modified to require applicants to either pass a written examination or to certify the completion of six hours of continuing legal education in the federal practice area within the past two years. Once admitted, each attorney must complete six hours of continuing legal education in federal practice every two years, to be certified by the Clerk's office. The qualifying examination is offered daily at all three offices.

The Eastern District of Missouri has provided tighter controls over its financial management operations. The court's Internal Control Plan has been revised and a new Exhibit Control Manual has been prepared. The district was one of twelve district courts in the county (and the only one in the Eighth Circuit) to participate in the District court Audio Tape Reporting Project conducted by the Federal Judicial Center.

Innovative practices reported by the District of North Dakota include a design for tracking civil cases, a revision of the juror information form, and a consolidation of monthly financial and statistical reports.

The Western District of Missouri expanded the case management reports to judges to include more data on cases filed, closed, and pending, which will enable the judges to ascertain the cases, by type, in each of those categories. The court has eliminated typing index cards and now relies on their computer-generated microfiche index. The district has also contracted with a travel agency to process court travel requests, installed a check-signing device and reduced the costs of typewriter repairs by over 60 percent. Conferences with counsel are now held by the appeals clerk to designate the

record on appeal. These "designation conferences" are expected to substantially reduce the number of documents that are reproduced for submission to the Court of Appeals.

The District Clerk's offices in the Eighth Circuit participated in a unique workshop sponsored by the Federal Judicial Center during the week of December 6th in St. Louis, Missouri. Clerks of Court and selected deputy clerks attended separate but overlapping sessions. The overlapping sessions were designed to develop "team" management concepts and to develop an understanding of the advancing technology of information and automation systems.

The separate program for the Clerks of Court covered the subjects of management of court reporters, the district court executive positions, quality control and performance standards, work measurement standards and special problems involved in processing admiralty and asbestos cases. The deputy clerks' program included presentations on the subjects of jury utilization, taxation of costs, Speedy Trial Act, case management, and strengthening the management component of the courts.

III

JUDICIAL WORKLOAD

STATEMENT ON STATISTICS USED

The Administrative Office of the United States Courts prepares detailed statistical reports issued yearly for the period July 1 - June 30, the Court's statistical year. It also issues cumulative interim reports and special multi-year reports. The statistical year reports contain the more detailed statistical data.

One report of the Administrative Office is issued by the calendar year. It is the data from that report that is used herein. The purpose for selecting the data compiled by the calendar year is two-fold: 1) 28 U.S.C. §332 (e) (10) provides that Circuit Executives prepare annual reports on a calendar year basis and 2) using calendar year data allows this report to be more timely and relevant.

Data in this report generally covers the period 1977-1982, which are the only years for which this calendar year data is available. Because all data in the calendar year reports is not published on a regular bases, the Administrative Office generously has provided unpublished data to fill in the gaps whenever this data was available.

The Administrative Office also prepares statistical year reports which present a profile of the workload in the courts of appeals and in the district courts containing per panel and per judgeship comparisons for the respective courts. While these reports are not regularly prepared on a calendar year basis, in 1979 and 1981, the Administrative Office prepared calendar year profiles for the courts of appeals and the district courts as part of its Biennial Judgeship Surveys of 1980 and 1982. With some revisions, some of those reports have been utilized here. Through the generous cooperation of the Statistical Division of the Administrative Office, statistical profiles for the Court of Appeals of the Eighth Circuit and the District Courts were specially prepared for this report.

Finally, the Administrative Office recently has completed a survey of the bankruptcy courts in preparation of a report on judgeship needs which was submitted to the Judicial Councils, the Judicial Conference of the United States, and ultimately, to Congress. That report contains statistical year data which has been included herein. Although the analyses for other courts were based on calendar year data, statistical year data was used for the bankruptcy courts because the organization and presentation of the data contained in the judgeship survey fulfilled the needs of this report and because comparable calendar year data is not available. The Bankruptcy Division of the Administrative Office has kindly given permission for the use of that data. Furthermore, they have provided the additional data for the statistical year 1982.

UNITED STATES COURT OF APPEALS

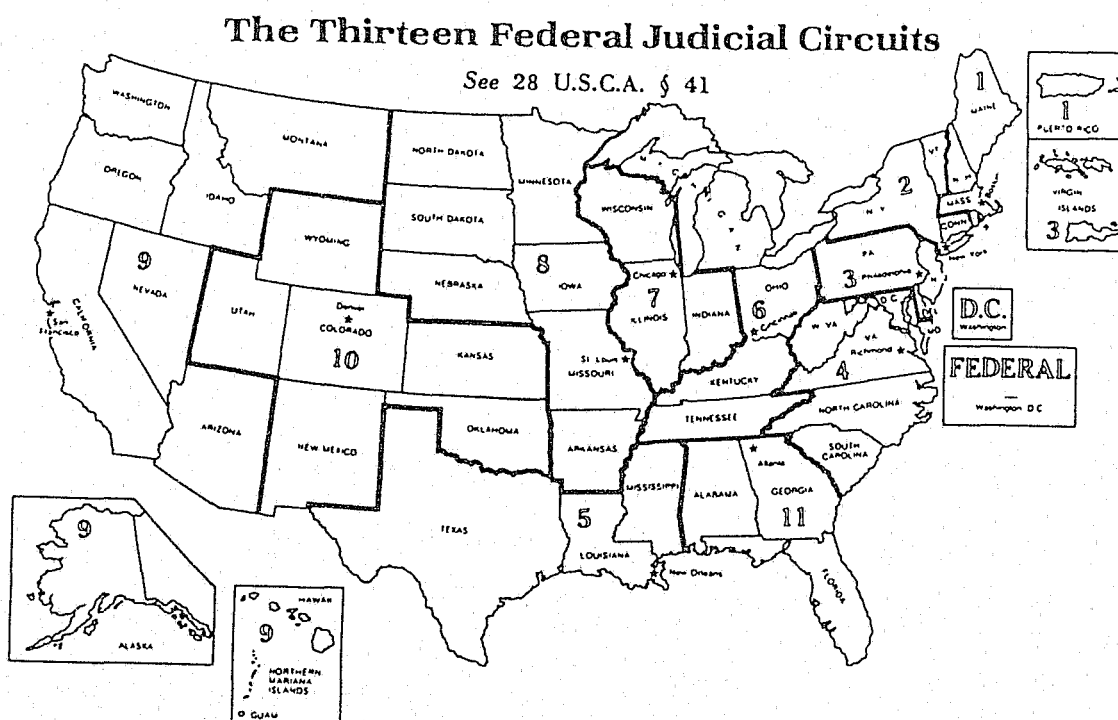
Court Profile

U.S. Court of Appeals

Eighth Circuit

Geography

Area:	Sq. Miles	Population (1980)
Arkansas	51,950	2,266,832
Iowa	55,945	2,871,795
Minnesota	84,068	4,077,148
Missouri	68,990	4,917,444
Nebraska	77,227	1,570,006
North Dakota	70,665	652,695
South Dakota	77,047	690,178
Total Area	485,892	17,046,098



**U.S. Court of Appeals
Eighth Circuit**

Circuit Judgeships

Authorized Judges. . .9*
Senior Judges. . .2

Authorized Places of Holding Court**

St. Louis, Missouri	Headquarters
Kansas City, Missouri	
Omaha, Nebraska	
St. Paul, Minnesota	Northern Division Chief Judge's Chambers

Residence of Judges:

<u>State</u>	<u>Resident Active***</u>	<u>Judges Senior</u>
Arkansas	1	1
Iowa	1	
Minnesota	1	
Missouri	2	1
Nebraska	2	
North Dakota	1	
South Dakota	0	
TOTAL	<u>8</u>	<u>2</u>

*In 1982 the Judicial Conference of the United States approved and submitted to Congress a recommendation to authorize an additional judgeship.

**The Court holds court at each law school within the Circuit approximately once every three years.

***On December 31, 1982, there was one vacancy.

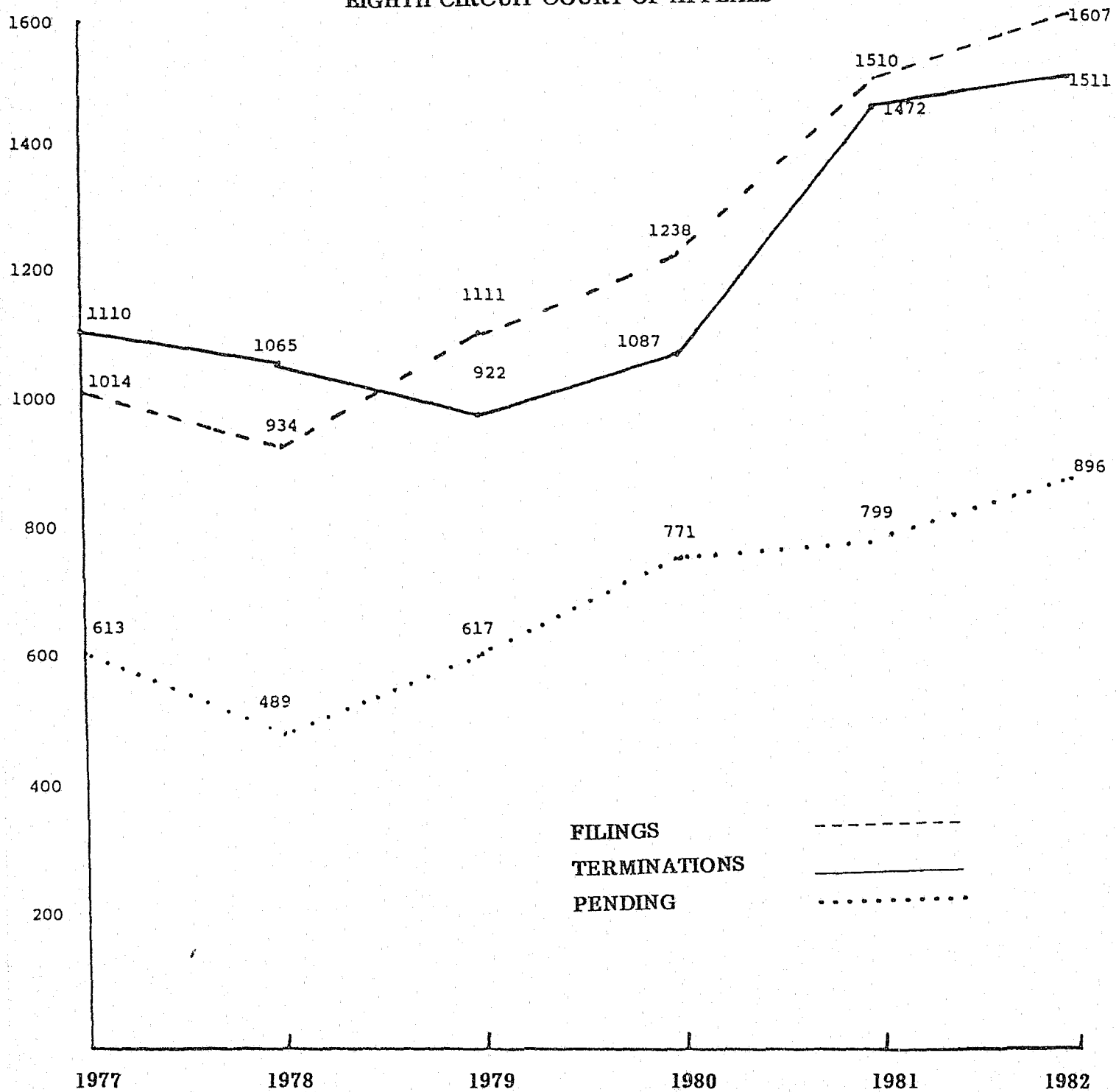
TABLE 8
Total Caseload
United States Court of Appeals
For the Eighth Circuit
Twelve Month Periods Ending December 31, 1977, 1980, 1981 and 1982

	<u>1977</u>	<u>1980</u>	<u>% Change</u>	<u>1981</u>	<u>% Change</u>	<u>1982</u>	<u>% Change</u>	<u>% Change over 1977</u>
Totals								
Filed	1,014	1,238	+22.1	1,510	+22.0	1,607	+6.4	+58.5
Terminated	1,110	1,087	-2.1	1,472	+35.4	1,511	+2.6	+36.1
Pending	613	771	+25.8	800	+3.8	896	+12.0	+46.2
Civil Cases								
Filed	669	847	+26.6	1,137	+34.2	1,233	+8.4	+84.3
Terminated	731	787	+7.7	1,060	+34.7	1,142	+7.7	+56.2
Pending	420	516	+22.9	592	+14.7	683	+15.4	+62.6
Criminal Cases								
Filed	237	238	+0.4	233	-2.1	266	+14.2	+12.2
Terminated	274	167	-39.1	238	+42.5	258	+8.4	-5.8
Pending	123	147	+19.5	142	-3.4	150	+5.6	+22.0
Administrative Cases								
Filed	108	153	+41.7	140	-8.5	108	-22.9	+0
Terminated	105	133	+26.7	174	+30.8	111	-36.2	+5.7
Pending	70	108	+54.3	66	-38.9	63	-4.5	-10.0

* Includes United States civil, private civil, bankruptcy, original proceedings and prisoner petitions.

TABLE 9

**APPEALS COMMENCED, TERMINATED AND PENDING
EIGHTH CIRCUIT COURT OF APPEALS**



Summary of Statistics
For the Eighth Circuit Court of Appeals

In 1982, total filings increased for the fourth consecutive year, rising from 1510 in 1981 to 1607 in 1982 or 6.4 percent. Total filings in 1982 were 29.8 percent above 1980 filings, 44.6 percent above 1979 filings, 72.1 percent above 1978 filings and 58.5 percent above 1977 filings.

In 1982, civil case filings were 84.3 percent above 1977 followed by criminal case filings which rose 12.2 percent in the same period while administrative case filings showed no change.

The Eighth Circuit continued to record an increase in pending cases which began in 1979. The total pending caseload at the end of 1982 stood at 896, the highest ever recorded in the circuit. That figure represented a 12 percent increase over 1981, a 45 percent increase over 1979, and a 83 percent increase over 1978.

The court increased terminations in 1982 by almost 3 percent, despite the fact that it entered its fourth year with a vacant judgeship.

Table B in the appendix provides comparative data for cases commenced, terminated, and pending for the United States Courts of Appeals for the calendar years 1981 and 1982.

Table 10
EIGHTH CIRCUIT AND ALL UNITED STATES COURTS OF APPEALS
Source of Appeals and Original Proceedings Commenced
For the Twelve Month Periods Ended December 31,

SOURCE	1978		1979		1980		1981		1982	
Percent of Totals	%		%		%		%		%	
United States District Courts.....	15,973	81.64	18,011	81.85	19,646	81.44	22,758	82.92	23,854	84.71
Bankruptcy	419	2.14	430	1.95	398	1.65	476	1.73	530	1.88
Boards and Commissions, Total.....	2,711	13.86	2,979	13.54	3,431	14.22	3,464	12.62	3,038	10.79
The Tax Court of the United States .	235	1.20	302	1.37	286	1.19	378	1.38	373	1.32
Civil Aeronautics Board.....	57	0.29	43	0.20	31	0.13	15	0.05	27	0.10
Federal Communications Commission	76	0.39	106	0.48	132	0.55	105	0.38	122	0.43
Federal Energy Regulatory Commission	123	0.63	350	1.59	282	1.17	184	0.67	172	0.61
Federal Trade Commission.....	51	0.26	67	0.30	15	0.06	20	0.07	15	0.05
National Labor Relations Board	870	4.45	935	4.25	1,037	4.30	992	3.61	825	2.93
Secretary of Agriculture.....	7	0.04	12	0.05	6	0.02	13	0.05	11	0.04
Securities and Exchange Commission	14	0.07	13	0.06	18	0.07	18	0.07	13	0.05
Immigration and Naturalization Service	223	1.14	209	0.95	328	1.36	352	1.28	333	1.18
All Other Boards and Commissions ..	1,055	5.39	942	4.28	1,296	5.37	1,387	5.05	1,147	4.07
Original Proceedings	461	2.36	585	2.66	647	2.68	747	2.72	739	2.62
TOTAL APPEALS ALL CIRCUITS...	19,564	100%	22,005	100%	24,122	100%	27,445	100%	28,161	100%

TABLE 10 (continued)
EIGHTH CIRCUIT AND ALL UNITED STATES COURTS OF APPEALS
 Source of Appeals and Original Proceedings Commenced
 For the Twelve Month Periods Ended December 31,

SOURCE	1978		1979		1980		1981		1982	
Percent of Totals	%		%		%		%		%	
Arkansas										
Eastern	70	7.49	150	13.46	122	9.85	189	12.52	175	10.89
Western	35	3.74	56	5.03	31	2.50	51	3.38	79	4.92
Iowa										
Northern	36	3.85	28	2.51	59	4.77	55	3.64	48	2.99
Southern	38	4.06	66	5.92	61	4.93	77	5.10	61	3.80
Minnesota	150	16.04	144	12.93	167	13.49	218	14.44	221	13.75
Missouri										
Eastern	231	24.71	232	20.83	243	19.63	319	21.13	287	17.86
Western	106	11.34	105	9.43	162	13.09	182	12.05	242	15.06
Nebraska	74	7.91	78	7.00	66	5.33	107	7.09	129	8.03
North Dakota	46	4.92	44	3.95	51	4.12	45	2.98	51	3.17
South Dakota	<u>49</u>	<u>5.24</u>	<u>60</u>	<u>5.39</u>	<u>75</u>	<u>6.06</u>	<u>70</u>	<u>4.64</u>	<u>110</u>	<u>6.85</u>
TOTAL DISTRICT COURTS	835	89.30	963	86.45	1,037	83.76	1,313	86.95	1,403	87.31
Bankruptcy	0	0	3	0.27	19	1.53	20	1.32	39	2.43
The Tax Court of the United States ...	12	1.28	16	1.44	27	2.18	26	1.72	28	1.74
National Labor Relations Board	44	4.71	70	6.28	66	5.33	62	4.11	36	2.24
All Other Boards and Commissions	<u>26</u>	<u>2.78</u>	<u>43</u>	<u>3.86</u>	<u>60</u>	<u>4.85</u>	<u>52</u>	<u>3.44</u>	<u>44</u>	<u>2.74</u>
TOTAL BOARDS AND COMMISSIONS	82	8.77	129	13.80	153	12.36	140	9.27	108	6.72
Original Proceedings	18	1.93	19	1.71	29	2.34	37	2.45	57	3.55
TOTAL APPEALS EIGHTH CIRCUIT	935	100%	1,114	100%	1,238	100%	1,510	100%	1,607	100%

The table above indicates the source of appeals for the calendar years 1978 through 1982 for the Eighth Circuit and for all the circuits in the nation. In 1982, the district courts were the source of 87 percent of the appeals in the Eighth Circuit, slightly higher than the national figure of 85 percent for the year.

The Administrative agency appeals in the Eighth Circuit continued to decline from 153 in 1980 to 140 in 1981, and to 108 in 1982, representing 12 percent, 9 percent, and 7 percent, respectively, of the total appeals in the Eighth Circuit. Nationwide, the rate of Administrative appeals declined from 14 percent in 1980 to 13 percent in 1981 and to 11 percent in 1982.

TABLE 11
Eighth Circuit Court of Appeals
Administrative Agency Filings
For Calendar Years 1980, 1981, 1982

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Total	153	140	108
Civil Aeronautics Board	1	0	0
Copyright Royalty Tribunal	1	0	0
Department of Agriculture	1	3	1
Department of Energy	6	0	1
Department of Labor	2	0	4
Department of Transportation	1	1	0
Drug Enforcement Agency	0	2	0
Environmental Protection Agency	7	6	1
Federal Aviation Administration	1	1	2
Federal Energy Regulatory Commission	3	5	1
Federal Labor Relations Authority	1	1	1
Federal Reserve System	2	0	0
Federal Trade Commission	3	0	1
Health and Human Services	1	0	1
Immigration and Naturalization Service	2	2	7
Interstate Commerce Commission	17	9	9
Merit Systems Protection Board	3	8	8
National Labor Relations Board	61	62	36
Occupational Safety and Health Administration	2	1	0
Occupational Safety and Health Review Commission	1	6	2
Railroad Retirement Board	0	2	1
U.S. Tax Court	25	26	28
Other	12	5	4

Above is a table listing selected Administrative agencies and the number of appeals they filed in the Eighth Circuit during calendar years 1980, 1981, and 1982. As indicated therein, in those years, national labor board cases, tax court cases, and commerce commission cases, in that order, lead the Administrative agencies in case filings.

TABLE 12
Source of Appeals in Civil and Criminal Cases
From U.S. District Courts
For the Twelve Months Ended December 31, 1981 and 1982

APPEALS COMMENCED									APPEALS DISPOSED OF									
TOTAL			CIVIL			CRIMINAL			TOTAL			CIVIL			CRIMINAL			
%			%			%			%			%			%			
1981	1982	Change	1981	1982	Change	1981	1982	Change	1981	1982	Change	1981	1982	Change	1981	1982	Change	
Total All																		
U.S. Circuit Courts..	22,758	23,854	+4.8	18,303	18,996	+3.8	4,455	4,858	+9.0	21,894	23,467	+7.2	17,675	18,879	+6.8	4,219	4,588	+8.7
Total All Eight																		
Circuit Districts.....	1,313	1,403	+6.9	1,080	1,137	+5.3	233	266	+14.2	1,242	1,314	+5.8	1,004	1,056	+5.2	238	258	+8.4
Eastern Arkansas....	189	175	-7.4	168	151	-10.1	21	24	+14.3	154	181	+17.5	133	159	+19.5	21	22	+4.8
Western Arkansas ...	51	79	+54.9	45	67	+48.9	6	12	+100.0	38	76	+100.0	32	66	+106.3	6	10	+66.7
Northern Iowa	55	48	-12.7	43	38	-11.6	12	10	-16.7	58	48	-17.2	45	39	-13.3	13	9	-30.8
Southern Iowa	77	61	-20.8	62	54	-12.9	15	7	-53.3	64	71	+10.9	55	60	+9.1	9	11	+22.2
Minnesota.....	218	221	+1.4	155	171	+10.3	63	50	-20.6	201	224	+11.4	143	165	+15.4	58	59	+.9
Eastern Missouri.....	319	287	-10.0	281	220	-21.7	38	67	+76.3	314	279	-11.1	273	217	-20.5	41	62	+51.2
Western Missouri	182	242	+33.0	149	205	+37.6	33	37	+12.1	194	208	+7.2	151	168	+11.3	43	40	-7.0
Nebraska.....	107	129	+20.6	94	107	+13.8	13	22	+69.2	99	106	+7.1	85	90	+5.9	14	16	+14.3
North Dakota.....	45	51	+13.3	32	37	+15.6	13	14	+7.7	58	37	-36.2	40	26	-35.0	18	11	-38.9
South Dakota	70	110	+57.1	51	87	+70.6	19	23	+21.1	62	84	+35.5	47	66	+40.4	15	18	+20.0

Provided in the table above are the number of civil and criminal appeals emanating from the district courts in the Eighth Circuit and from all the district courts in the nation during calendar years 1981 and 1982.

In 1982, criminal appeals constituted 20.4 percent of the total appeals from all district courts in the nation and 19.0 percent from the district courts in the Eighth Circuit, an increase from the previous year's rates of 19.6 percent and 17.7 percent, respectively. In both years the largest number of civil case appeals were filed from the Eastern District of Missouri. That district also filed the largest number of criminal case appeals in 1982.

Table C in the appendix contains detailed data on the nature of suit or offense from the district courts for the calendar year 1982.

The number of cases in the Eighth Circuit which were disposed of after oral hearing or submission on briefs declined from 832 in 1981 to 759 in 1982 or 8.8 percent. Of the 1511 cases terminated in 1982, 50.2 percent had a hearing or were submitted on briefs while 45.7 percent were terminated in that manner nationally. The rate of terminations in this manner in the Eighth Circuit has remained below the 1977 high and reached a new low in 1982. From 1977 to 1982, the rates were: 63.2 percent, 53.0 percent, 60.2 percent, 55.2 percent, 56.5 percent, and 50.2 percent.

Table D in the appendix contains more detailed data on the disposition of cases in this manner for the calendar years 1981 and 1982.

Median time intervals for cases terminated after hearing or submission are shown on Table E in the appendix.

TABLE 13

Cases Under Submission More than Three Months
Comparison of National Averages and Eighth Circuit Figures
December 31, 1977 through 1982

	Months				
	<u>Total</u>	<u>3-6</u>	<u>6-9</u>	<u>9-12</u>	<u>over 12</u>
1977					
National Average	30	14	8	4	4
Eighth Circuit	4	3	1	-	-
1978					
National Average	30	14	8	4	4
Eighth Circuit	1	11	-	-	-
1979					
National Average	43	20	11	7	5
Eighth Circuit	9	8	1	-	-
1980					
National Average	60	27	19	7	7
Eighth Circuit	20	14	4	2	-
1981					
National Average	54	27	15	7	5
Eighth Circuit	14	11	3	-	-
1982					
National Average	55	28	15	7	6
Eighth Circuit	17	8	8	1	0

As indicated in the above table, in every year since 1977, the Eighth Circuit Court of Appeals remained well below the national averages for total cases under submission more than three months. Except for 1980 and 1982, the court never held matters under submission for more than nine months and has never held matters under submission over one year. Since 1977, the Eighth Circuit has recorded a general upward trend of the number of cases under submission for more than three months. In 1982, the court recorded its largest number of cases under submission for more than six months but less than one year. However, it still remained substantially below the national average figure for that period.

TABLE 14

JUDICIAL WORKLOAD PROFILE

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT
 TWELVE MONTH PERIODS ENDING DECEMBER 31, 1979 AND 1982

		Years Ended December 31				
		1982		1979		
OVERALL WORKLOAD STATISTICS	Filings	1,607	Numerical Standing	1,111	Numerical Standing	
	Terminations	1,511	↓	922	↓	
	Pending	896	↓	617	↓	
	Percent Change in Total Filings Current Year Over	Prev. year 6.4 1979 44.6	7 2	18.9 9.6	1 8	
	Number of Judgeships/Number of Panels	9/3.0		9/3		
	Number of Vacant Judgeship Months	12.0		12.0		
	ACTIONS PER PANEL	A P P E A L S F I L E D	Total	536	11	370
Prisoner			85	8	54	6
All Other Civil			326	9	209	10
Criminal			89	10	64	10
Administrative			36	12	43	9
PENDING APPEALS		299	11	206	10	
T E R M I N A T E D A P P E A L S		Total	504	11	307	11
		Consolidations & Cross Appeals	78		41	
		Without Hearing or Submission	173	10	82	11
		After Hearing or Submission	253	10	185	9
O P I N I O N S P E R J U D G E S H I P		Signed	48	5	NA	
		Unsigned	27	10	NA	
OTHER		% Reversed or Denied	13.6		18.0	
		Median Time (Months) from Filing Complete Record to Disposition	5.2	2	NA	
		Number of Sitting Senior Judges	2		NA	

NA -- This information was compiled only for the year ended June 30.

The above table provides a profile of the work of the Eighth Circuit Court of Appeals for the years 1979 and 1982. This table is a combination of data prepared by the Administrative Office for its 1980 biennial judgeship survey and data specially prepared for this report. Sections in the table provide data on workload per panel. This figure is arrived at by dividing the number of authorized judgeships by three (the number of judges normally sitting on cases on appeals) which provides the figure for number of panels which becomes the denominator for the various actions computed in the table. Although the action per panel information serves as a rough method of comparing workload among the courts of appeals in the nation, it is not a totally accurate measurement of actual workload. In any particular court of appeals in the nation the actual workload may be higher or lower depending upon whether the court utilizes senior judges or visiting judges in which case the actual per panel workload figures would be lower and depending upon the number and length of time of judicial vacancies in which case the actual workload figures would be higher. Nevertheless, the present computations do provide a rough method of comparing workload among the courts of appeals.

THE DISTRICT COURTS: AN OVERVIEW

**THE DISTRICT COURTS OF THE EIGHTH CIRCUIT
SUMMARY OF STATISTICS FOR ALL DISTRICT COURTS**

This overview of the work of the district courts in the circuit is followed by a district by district analysis.

The chart below contains the composite figures for the district courts' criminal dockets from 1977 to 1982. As indicated therein, although criminal case filings have declined during that period by almost 3 percent, there is a trend upward which commenced in 1979 and continued through 1982. While filings increased in 1982 by 7.5 percent, terminations went up by less than 1 percent, resulting in a 12.1 percent increase in pending cases.

Percentage increases in filings and pending case loads in the Eighth Circuit were substantially above the national figures of 4 percent and 8.8 percent, respectively, but fell below the 4 percent rate of increase in terminations recorded nationwide for all U.S. district courts.

Table F in the appendix contains more detailed information on the criminal dockets of the district courts in the Eighth Circuit along with national composite data.

TABLE 15
TOTAL CRIMINAL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT COURTS OF THE EIGHTH CIRCUIT

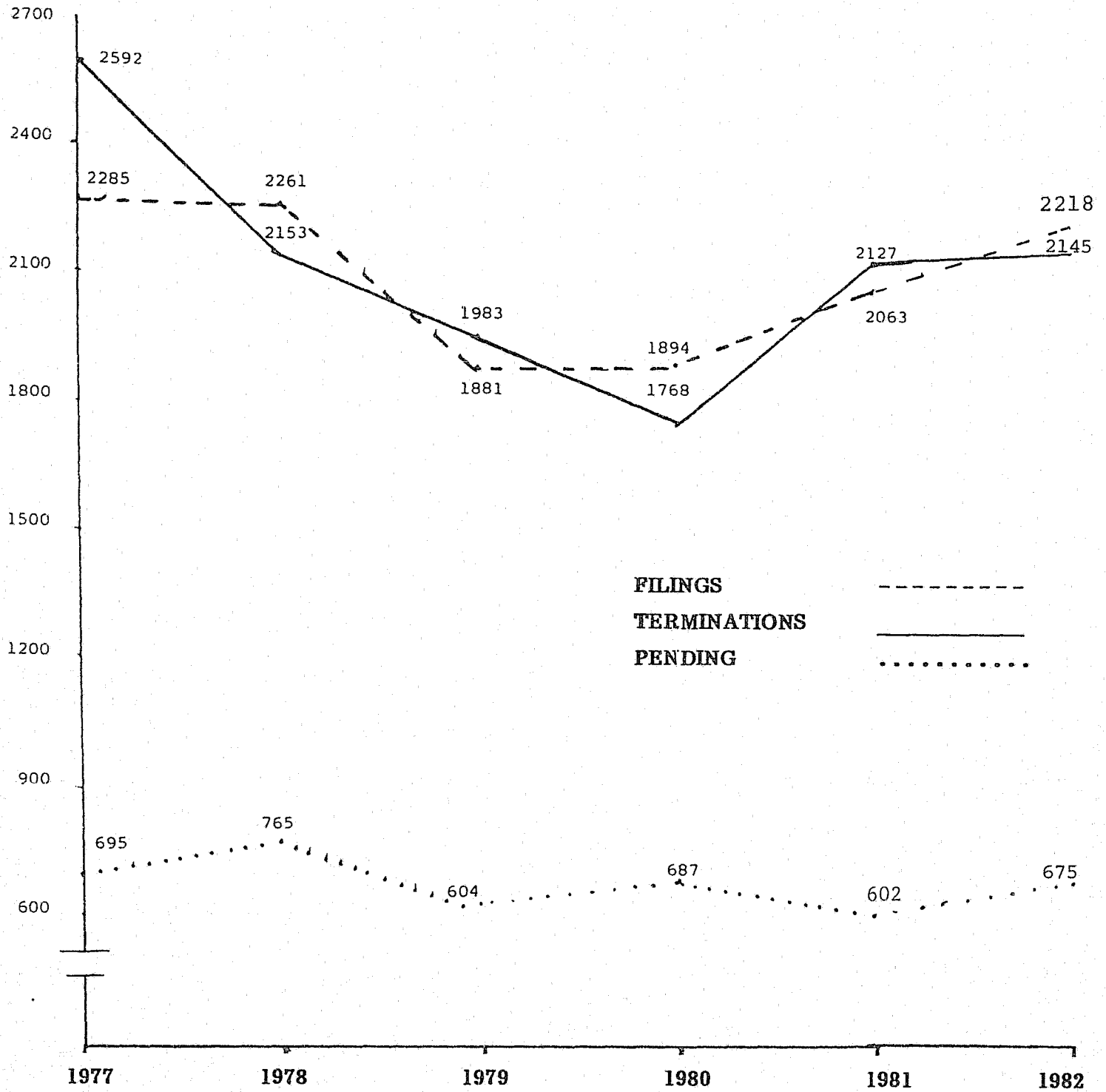
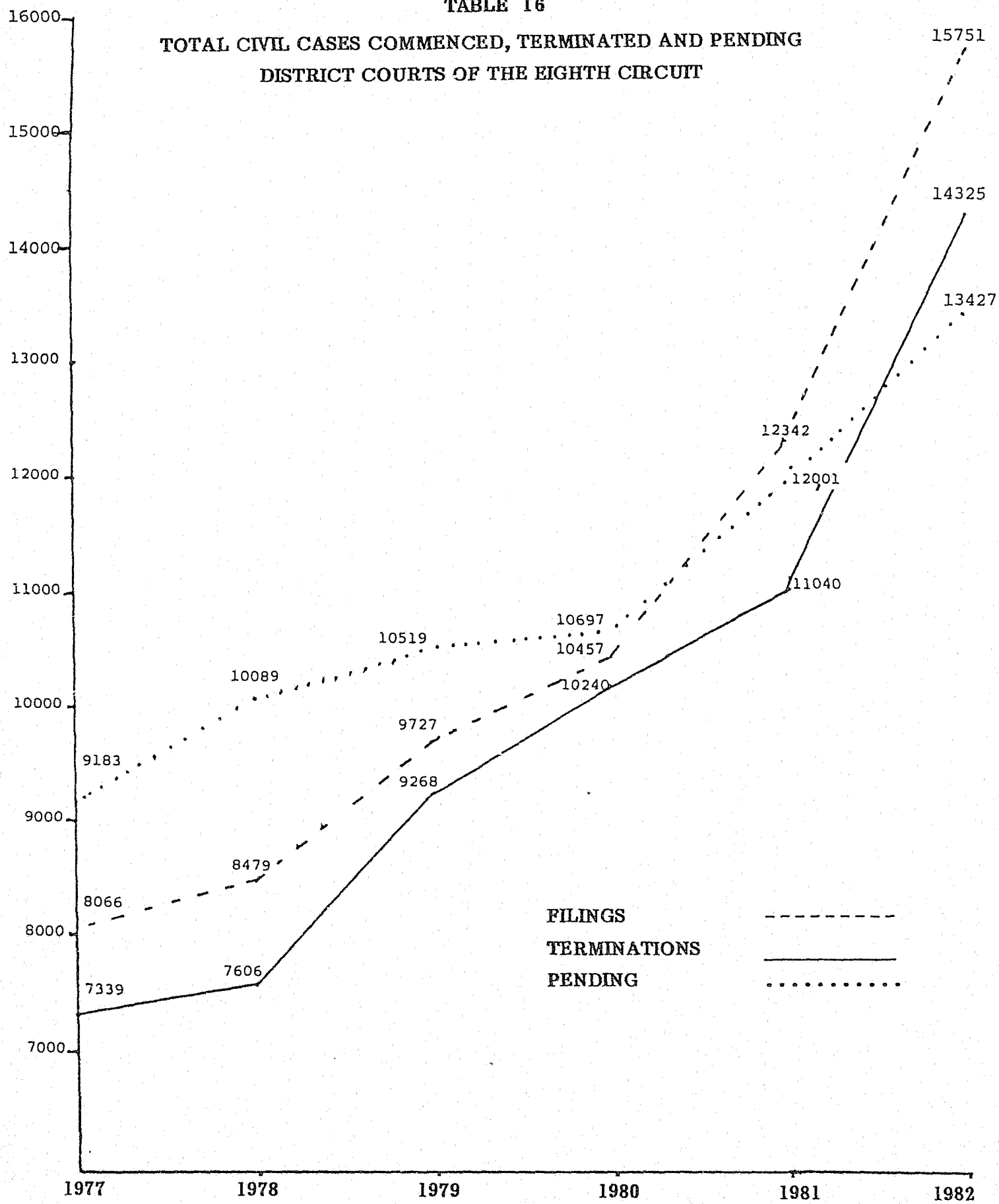


TABLE 16

TOTAL CIVIL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT COURTS OF THE EIGHTH CIRCUIT



The chart above summarizes the civil case workload of all the district courts in the Eighth Circuit during a six-year period commencing in 1977. Additional data concerning civil cases commenced, terminated and pending during that period is contained in Table G in the appendix. Civil case filings almost doubled between 1977 and 1982 with the sharpest increase of 27.6 percent occurring between 1981 and 1982. The more pronounced increase between 1981 and 1982 occurred in the District of Minnesota (71.7 percent). The Northern District of Iowa, the Eastern District of Missouri, and the District of Nebraska recorded increases of over 30 percent.

Civil case terminations in the district courts in the Eighth Circuit rose by almost 30 percent in 1982, helping to hold the rate of increase in pending civil cases to less than 12 percent. However, pending cases in the Eastern District of Missouri increased by almost 31 percent with both the districts in Iowa reporting increases of almost 22 percent. As the result of a decrease in filings (-12.2 percent) and a substantial increase in terminations (46.4 percent), the District of South Dakota reduced its pending cases by almost 26 percent.

Table H in the appendix contains information on the method of termination of civil actions in the district courts in the Eighth Circuit along with national composite data for 1982. As indicated therein, the district courts in the Eighth Circuit (as they have done for the last six years) again exceeded the national average for cases reaching trial. During 1982, the national trial rate was 5.8 percent while the rate in the Eighth Circuit was 7.0 percent. In 1982, the District of South Dakota reported the highest trial rate in the circuit of 11.1 percent. Four districts in the Eighth Circuit reported trial rates in excess of 9 percent during 1982 and only two districts were below the national trial rate.

TABLE 17
JUDICIAL WORKLOAD PROFILE
COMPARISON OF DISTRICTS WITHIN THE EIGHTH CIRCUIT
YEAR ENDED DECEMBER 31, 1982

			AR/E.	AR/W.	IA/H.	IA/S	MN	MO/E	MO/W	NE	ND	SD
			N C	N C	N C	N C	N C	N C	N C	N C	N C	N C
OVERALL WORKLOAD STATISTICS	NATIONAL & CIRCUIT STANDINGS											
	Filings		2,202	1,099	700	1,209	4,192	2,854	2,504	1,416	485	705
	Terminations		2,016	1,055	608	995	3,822	2,363	2,410	1,278	449	876
	Pending		2,047	962	547	1,240	2,508	2,076	2,367	1,290	429	551
	% Change in Total Filings Current Year	Over 1980	7.8%	9.5%	31.8%	22.4%	66.6%	32.7%	24.6%	30.3%	-8.1%	-10.0%
		Over 1979	68.7%	67.5%	46.1%	20.8%	162.2%	48.0%	4.0%	33.7%	-6.6%	7.8%
No. of Judgeships			4	2	1 1/2	2 1/2	6	5	6	3	2	3
Vacant Judgeship Mos.			.0	.0	.0	.0	.0	.0	8	.0	.0	.0
ACTIONS PER JUDGESHIP	FILINGS	Total	551 25 3	550 26 4	467 58 7	484 44 5	699 8 1	571 23 2	417 72 8	472 57 6	243 92 9	235 93 10
		Civil	501 29 4	507 26 3	419 55 7	443 43 5	657 9 1	514 24 2	376 71 8	443 43 5	193 92 9	171 93 10
		Criminal	50 33 3	43 46 6	48 39 5	41 53 8	42 48 7	57 26 2	41 53 8	29 81 10	50 33 3	64 18 1
	Pending Cases		512 32 1	481 42 3	365 71 8	496 35 2	418 55 5	415 56 6	395 59 7	430 52 4	215 91 9	184 93 10
	Weighted Filings		430 45 6	443 40 3	364 74 7	435 44 5	535 17 2	576 8 1	360 75 8	439 42 4	291 89 9	226 91 10
	Terminations		504 28 3	528 21 2	405 62 6	398 65 8	637 7 1	473 39 4	402 64 7	426 51 5	225 91 10	292 86 9
	Trials Completed		64 8 1	53 24 4	19 91 10	36 58 7	29 76 9	64 8 1	45 35 6	62 11 3	34 65 8	52 26 5
	From Filing to Disposition	Criminal	2.7 6 1	3.1 15 3	3.4 24 4	3.6 32 6	4.5 70 10	2.9 8 2	3.4 24 4	3.7 39 7	3.8 41 8	4.4 64 9
		Civil	7 37 5	9 61 7	6 23 2	8 51 6	2 1 1	6 23 2	11 78 9	9 61 7	6 23 2	11 78 9
	From Issue to Trial (Civil Only)		13 32 4	12 25 3	17 64 8	7 4 1	16 54 7	7 4 1	20 76 10	17 64 8	13 32 4	14 39 6
MEDIAN TIMES (MONTHS)	No. (and %) of Civil Cases Over 3 Years Old		83 - 9	20 - 4	14 - 2	42 - 5	79 - 8	47 - 6	122 - 10	56 - 7	7 - 1	14 - 2
			4.2%	2.2%	2.7%	3.5%	3.3%	2.4%	5.6%	4.5%	1.9%	2.9%
	TOTAL		257	105	29	91	176	318	267	185	68	157
	10 - 19 Days		2	0	2	4	7	5	4	1	0	1
	20 Days and Over		0	0	0	0	6	1	0	0	0	0
	OTHER											
	Number of Defendants Filed		274	123	107	190	396	422	801	145	133	244
	Number of Diver- sity Cases Filed		350	330	176	246	489	778	341	267	121	168
	Matters Under Ad- visement Over:	60 Days	14	0	6	10	5	5	19	4	1	3
		1 Year	1	0	0	1	0	2	4	0	1	0

The above table summarizes the workload in the district courts of the Eighth Circuit in calendar year 1982. The table provides data on workload per judgeship and serves to provide a method of comparing workload among the districts in the Eighth Circuit. Concededly, this method is not totally accurate because it utilizes authorized judgeships as a denominator rather than the actual number of judicial officers involved in case processing. In any particular district the actual workload per judge may be higher or lower depending upon whether senior judges are carrying partial or full dockets in which case the per judge workload figures would be less and depending upon the number and length of time of judicial vacancies in which case the actual per judge workload figures would be higher. Nonetheless, the current method does provide the only method at present for making workload comparison among the districts in the circuit and in the nation. Appearing below are the districts arranged according to their respective per judge workloads.

<u>Terminations</u>	<u>Pending</u>	<u>Trials Completed</u>
District of Minnesota	Eastern District of Arkansas	Eastern District of Arkansas
Western District of Arkansas	Southern District of Iowa	Eastern District of Missouri
Eastern District of Arkansas	Western District of Arkansas	District of Nebraska
Eastern District of Missouri	District of Nebraska	Western District of Arkansas
District of Nebraska	District of Minnesota	District of South Dakota
Northern District of Iowa	Eastern District of Missouri	Western District of Missouri
Western District of Missouri	Western District of Missouri	Southern District of Iowa
Southern District of Iowa	Northern District of Iowa	District of North Dakota
District of South Dakota	District of North Dakota	District of Minnesota
District of North Dakota	District of South Dakota	Northern District of Iowa

Table I in the appendix contains information on the age of pending civil cases for the year 1982 for the district courts in the Eighth Circuit along with national composite data. The table reflects the fact that every district court in the Eighth Circuit remained below the national average for pending three-year-old cases. Nationally, the percent of pending cases which were three years old or over was 6.9 percent while the range in the district courts in the Eighth Circuit was from 1.9 percent to 5.6 percent, with an average figure of 3.7 percent. This is the second year in a row that this percentage rate has been kept below 4 percent.

The civil cases discussed above do not include Land Condemnation cases. These are presented in Table J in the appendix.

**INDIVIDUAL PROFILES
OF
DISTRICT COURTS
AND
BANKRUPTCY COURTS**

EASTERN DISTRICT OF ARKANSAS

DISTRICT JUDGESHIPS

Authorized Judgeships4*
Senior Judges 0

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
<u>WESTERN DIVISION</u>		
Little Rock	631,336	4
<u>PINE BLUFF DIVISION</u>		
Pine Bluff	215,116	-
<u>EASTERN DIVISION</u>		
Helena	126,877	-
<u>JONESBORO DIVISION</u>		
Jonesboro	285,505	-
<u>NORTHERN DIVISION</u>		
Batesville	113,074	-

BANKRUPTCY JUDGESHIPS

Authorized Judgeships2**

Location of Headquarters Little Rock

Places of Holding Court:

Little Rock	Harrison
Jonesboro	Hot Springs
El Dorado	Texarkana
Fort Smith	Helena
Fayetteville	Pine Bluff

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED4

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Little Rock	Full-time	Sept. 23, 1989
Little Rock	Full-time	Dec. 21, 1986
Jonesboro	Part-time	March 21, 1985
West Memphis	Part-time	Feb. 19, 1987

* Three judgeships are authorized to serve the Eastern District of Arkansas exclusively. Two judgeships are authorized to "rove" between the Eastern and Western Districts. At present, both "roving judges" maintain their official stations at Little Rock.

** Both judges also serve in the Western District of Arkansas.

**EASTERN DISTRICT OF ARKANSAS
TABLE 18**

**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	2,043	2,202	+8	1,890	2,005	+6	192	224	+17
Terminated	1,875	2,016	+8	1,733	1,811	+5	178	234	+31
Pending	1,861	2,047	+10	1,797	1,991	+11	70	60	-14

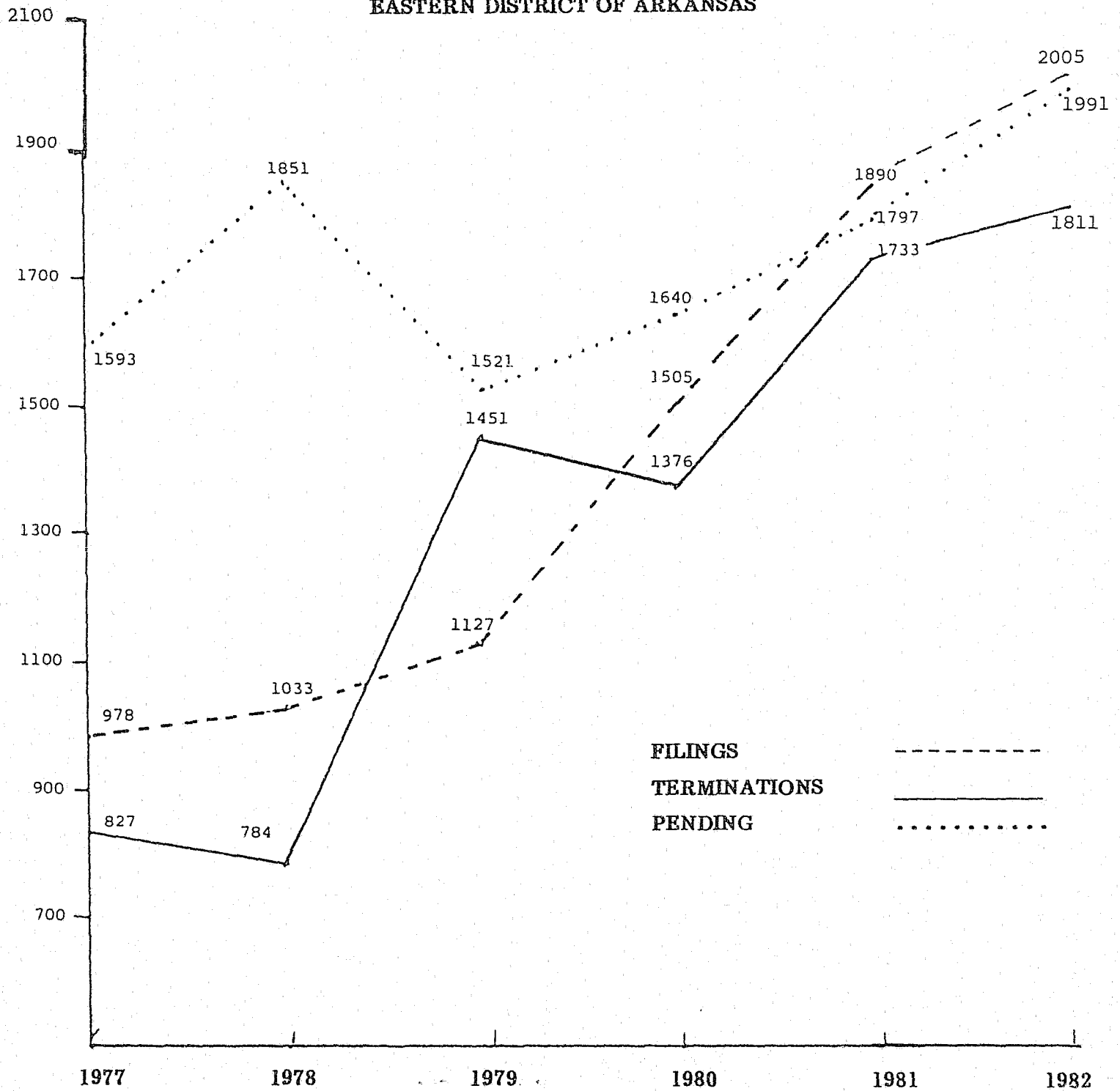
**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL CIRCUIT		STANDING NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	4	4				
Total Cases Filed	511	551	1	3	18	25
Civil Cases Filed	473	501	2	4	19	29
Felony Cases Filed	38	47	4	3	48	33
Total Weighted Caseload	383	430	2	6	50	45
Total Cases Terminated	469	504	2	3	18	28
Total Cases Pending	465	512	1	1	29	32
Total Trials Completed	62	64	1	1	8	8

**MEDIAN DISPOSITION TIMES
(Filing to Disposition, in Months)**

Criminal Cases	2.9	2.7	2	1	-	6
Civil Cases	6	7	2	5	-	37
Issue to Trial (Civil Only)	15	13	4	4	42	32

TABLE 19
CIVIL CASES COMMENCED, TERMINATED AND PENDING
EASTERN DISTRICT OF ARKANSAS



SUMMARY OF STATISTICS FOR THE EASTERN DISTRICT OF ARKANSAS

Civil filings more than doubled, rising almost 105 percent from 1977 to 1982. Civil terminations more than doubled during the same period increasing by 119 percent. Total filings per judgeship stood at 551 in 1982, giving this district the third heaviest workload in the circuit and making it twenty-fifth in the nation. In 1982, the district completed 64 trials per judge, which for the second year was more than any other district in the circuit. Only 7 other districts of the 95 districts in the nation recorded more trials per judge. In addition to a high civil workload in 1982, the district's criminal caseload per judge was third highest in the circuit and substantially above the national average. Despite its heavy workload the district disposed of its criminal filings in less than three months and its civil filings within seven months. Civil cases disposed of by trial took thirteen months compared to fifteen months in 1981. Thus, the district came close to meeting the 12 month median time to trial standards set by the Circuit Council. Although the district was not able to meet the other two Circuit Council goals of elimination of three-year-old cases and disposing of matters under advisement within 60 days it registered substantial improvement in that regard in 1982. At the end of 1982, the district had reduced civil cases pending over 3 years by almost 20 percent (down from 102 to 84) and had only 14 matters under advisement over 60 days compared to 27 in 1981, almost 50 percent reduction.

The Circuit Council has urged (and should continue to urge) that an additional judgeship be created to assist the district in processing its increasing workload.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT

Eastern and Western Districts of Arkansas

As indicated above, the Eastern and Western Districts of Arkansas are served by the same two bankruptcy judges. Although there is separate statistical data available for each district, no purpose would be served to present the separate data when there is, in effect, but one bankruptcy court for the state of Arkansas.

The table below (and those that follow) were prepared by the Bankruptcy Division of the Administrative Office in 1981 and updated with data supplied by that office for this report.

TABLE 20

BANKRUPTCY ESTATES FILED

EASTERN/WESTERN DISTRICTS OF ARKANSAS (COMBINED)

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	1,710	1,025	6	9	1	669	0	286	16.7
1977	1,521	977	0	8	6	530	0	257	16.9
1978	1,409	917	0	13	4	475	0	311	22.0
1979	2,026	1,180	0	15	5	826	0	402	19.8
7/1/79 thru 9/30/79	482	278	0	4	0	200	0	69	
10/1/79 thru 6/30/80	2,469	Bankruptcy Code						217	
		Chapter 7	Chapter 11		Chapter 13	Other			
		594	51		1,824	0			
Total 1980	2,951	872	55		2,024	0	286	9.69	
1981	3,982	1,301	75		2,606	0	469	11.7	
1982	3,972	1,481	144		2,348	0	353	8.89	

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total annual filings of estates for these districts stood at 3,972 in 1982, an increase of 96 percent over the 2,026 estates filed in 1979 but a decrease of 0.25 percent from the 3,982 estates filed in 1981.

In 1982, the combined districts received 144 estate filings in Chapter 11 compared to 15 filed under Chapter XI in 1979 for an increase of 860 percent. Of the remaining caseload, approximately 37 percent are Chapter 7 filings and 59 percent are Chapter 13 filings.

In 1982, 941 adversary proceedings were commenced and 791 were terminated. The number of adversary proceedings pending at the end of 1982 totaled 694, an increase of 28 percent over the 544 pending at the beginning of 1982.

WESTERN DISTRICT OF ARKANSAS

DISTRICT JUDGESHIPS

Authorized Judgeships 1*
Senior Judges 2**

<u>Authorized Places of Holding Court</u>	<u>1980 Population</u>	<u>Resident Judges</u>
<u>FORT SMITH DIVISION</u>	282,170	1
Fort Smith	71,384	
<u>EL DORADO DIVISION</u>	180,278	-
El Dorado	26,685	
<u>HOT SPRINGS DIVISION</u>	179,652	-
Hot Springs	35,166	
<u>TEXARKANA DIVISION</u>	145,641	-
Texarkana	21,459	
<u>HARRISON DIVISION</u>	107,183	-
Harrison	9,567	

BANKRUPTCY JUDGES

Authorized Judgeships 2***

Location of Headquarters Little Rock
Places of Holding Court:

Little Rock	Harrison
Jonesboro	Hot Springs
El Dorado	Texarkana
Fort Smith	Helena
Fayetteville	Pine Bluff

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED 5

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Fort Smith	Full-time	Sept. 30, 1987
Hot Springs	Part-time	Jan. 31, 1987
Harrison	Part-time	Jan. 31, 1987
El Dorado	Part-time	Jan. 31, 1987
Texarkana	Part-time	Jan. 1, 1984

* One judge is authorized for the Western District of Arkansas exclusively. Two additional judges serve in both the Eastern and Western Districts. Both of those judges are currently stationed at Little Rock in the Eastern District.

The Judicial Conference of the United States approved and sent to the Congress, a recommendation that an additional Judgeship be created in the District. As of December 31, 1982 Congress has not acted upon that recommendation.

** Only one Senior Judge handles cases.

*** Both judges also serve in the Eastern District of Arkansas.

**WESTERN DISTRICT OF ARKANSAS
TABLE 21**

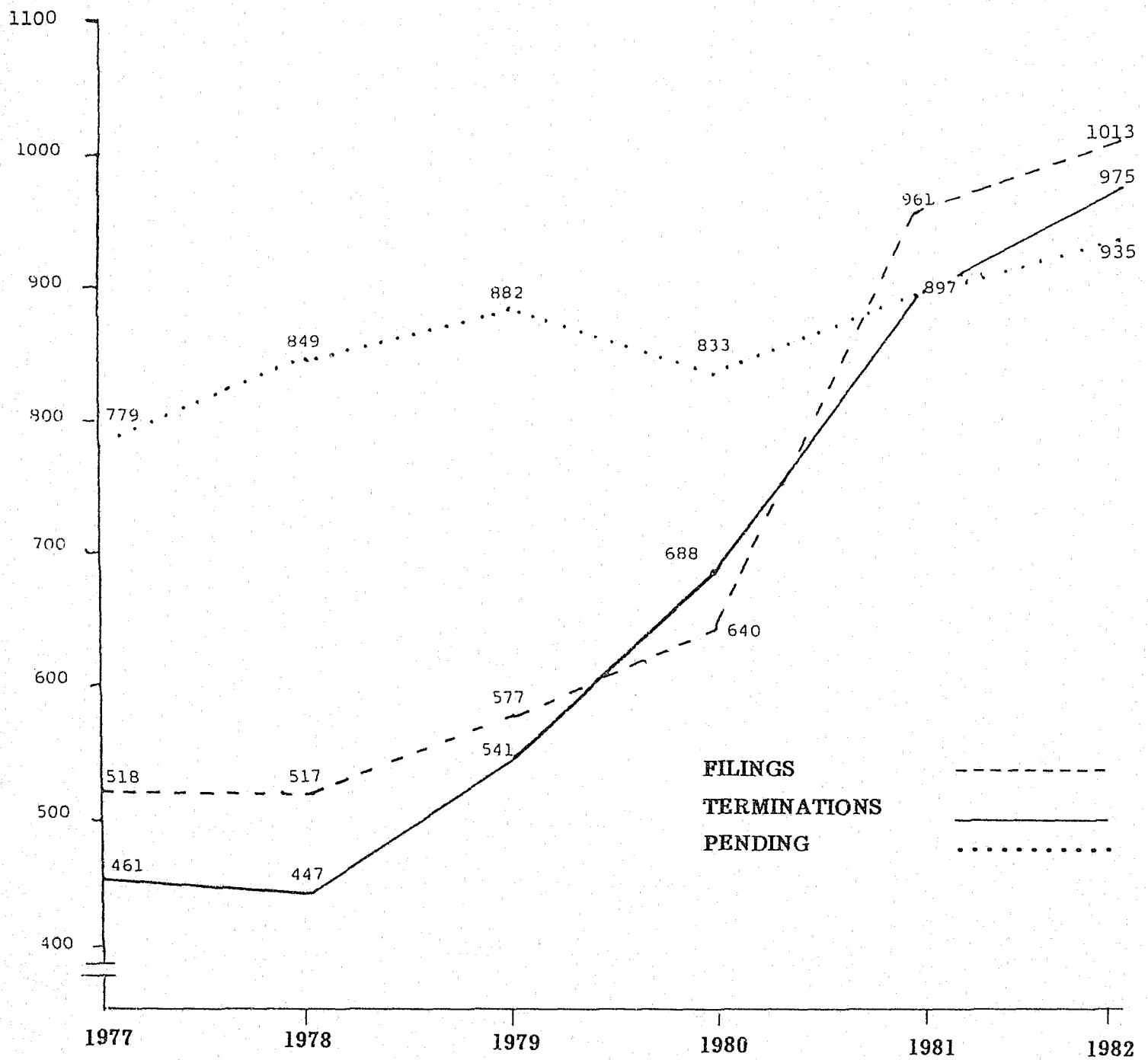
**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	1004	1099	+9	961	1013	+5	112	99	-12
Terminated	943	1055	+12	897	975	+9	111	94	-15
Pending	916	962	+5	897	935	+4	26	31	+19

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
			CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	2	2				
Total Cases Filed	502	550	2	4	22	26
Civil Cases Filed	481	507	1	3	17	26
Felony Cases Filed	21	43	10	6	88	46
Total Weighted Caseload	383	443	2	3	50	40
Total Cases Terminated	472	528	1	2	17	21
Total Cases Pending	458	481	2	3	32	42
Total Trials Completed	41	53	5	4	42	24
MEDIAN DISPOSITION TIMES						
(Filing to Disposition, in Months)						
Criminal Cases	4.4	3.1	7	3	66	15
Civil Cases	7	9	4	7	24	61
Issue to Trial (Civil Only)	18	12	5	3	60	25

TABLE 22
CIVIL CASES COMMENCED, TERMINATED AND PENDING
WESTERN DISTRICT OF ARKANSAS



SUMMARY OF STATISTICS FOR THE WESTERN DISTRICT OF ARKANSAS

Civil case filings continued the climb upward which commenced in 1979, although at a slower rate - 6 percent in 1982 over 1981 compared to 51 percent in 1981 over 1980. Between 1980 and 1982 civil terminations increased by 42 percent which held the increase in pending to 12 percent for that period.

Total filings per judgeship rose from 502 in 1981 to 550 in 1982, the fourth heaviest workload in the circuit. In 1982, the district complied with the Judicial Council median time to trial standard of twelve months, fully complied with the council guideline urging disposition of all matters under advisement within sixty days and recorded a 64 percent reduction in civil cases which were over three years old.

In 1980, the Judicial Conference recommended that Congress authorize an additional temporary judgeship for the district. Congress has not acted on that recommendation.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT
Western District of Arkansas

The state of Arkansas is served by two bankruptcy judges who preside in both districts. The statistics for the state can be found in the previous section for the Eastern District of Arkansas.

NORTHERN DISTRICT OF IOWA

DISTRICT JUDGESHIPS

Authorized Judgeships 1 1/2*
 Senior 1

<u>Authorized Places of Holding Court</u>	<u>1980 City Population</u>	<u>Resident Judges</u>
Cedar Rapids	110,243	1
Dubuque	62,321	-
Fort Dodge	29,423	-
Mason City	30,144	-
Sioux City	82,003	1*
Waterloo	75,985	-

BANKRUPTCY JUDGESHIPS

Authorized Judgeships 1

Location of Headquarters Cedar Rapids
 Places of Holding Court:

Cedar Rapids	Sioux City	
Dubuque	Waterloo	
Fort Dodge		

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED 3

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Cedar Rapids	Full-time	Sept. 21, 1988
Sioux City	Part-time	Oct. 31, 1984
Dubuque	Part-time	Dec. 31, 1986

* One judge is officially stationed at Sioux City and serves both the Northern and Southern Districts of Iowa

**NORTHERN DISTRICT OF IOWA
TABLE 23**

**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

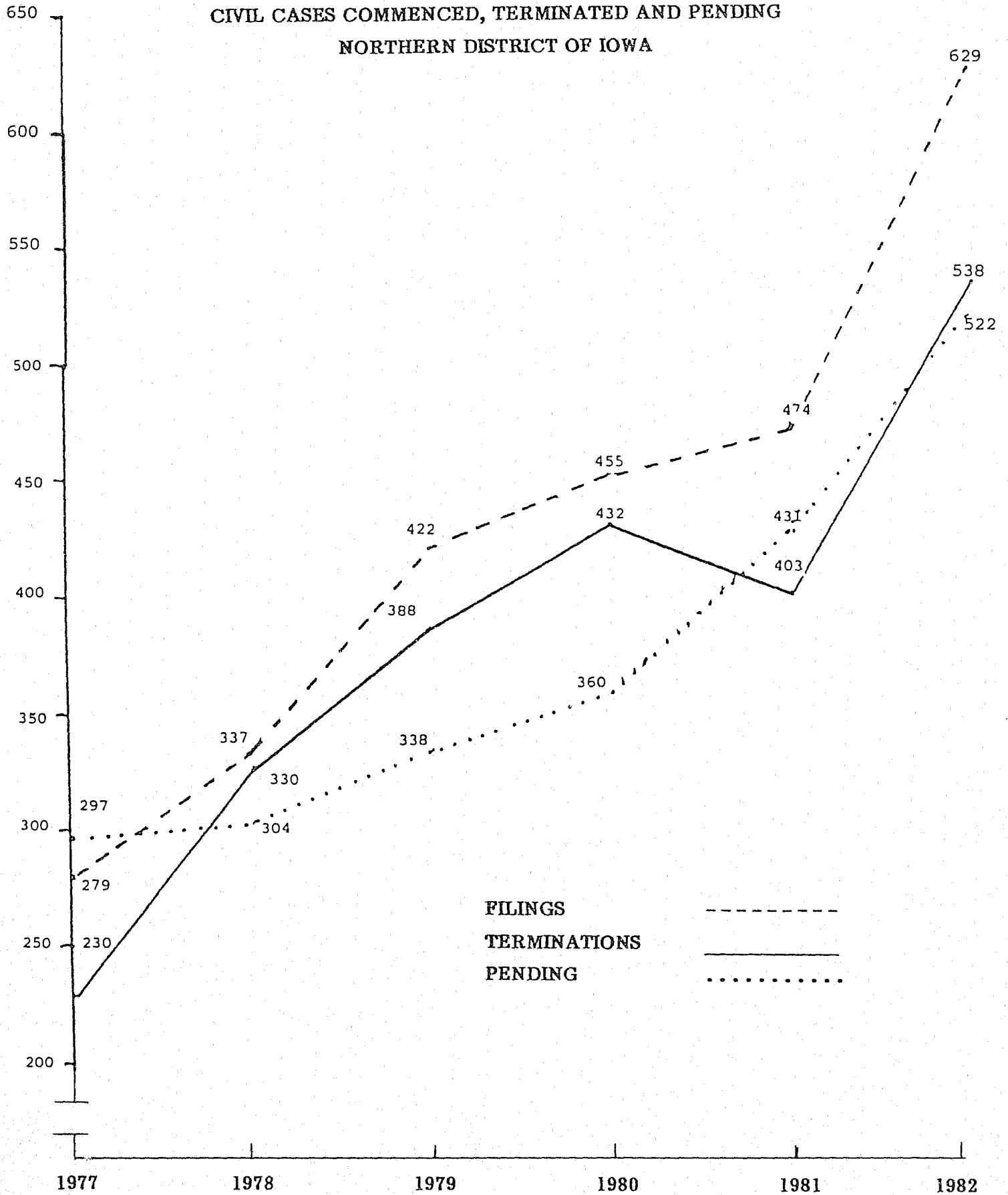
	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	531	700	+32	474	629	+33	68	75	+10
Terminated	451	608	+35	403	538	+33	57	77	+35
Pending	455	547	+20	431	522	+21	28	26	-7

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	NUMERICAL STANDING					
	DISTRICT		CIRCUIT		NATIONAL (95 Districts)	
Authorized Judgeships	1 1/2					
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Total Cases Filed	354	467	7	7	73	58
Civil Cases Filed	316	419	7	7	72	55
Felony Cases Filed	38	48	4	5	48	39
Total Weighted Caseload	349	364	6	7	62	74
Total Cases Terminated	301	405	8	6	81	62
Total Cases Pending	303	365	8	8	75	71
Total Trials Completed	29	19	6	10	74	91
MEDIAN DISPOSITION TIMES (Filing to Disposition, in Months)						
Criminal Cases	3.7	3.4	4	4	40	24
Civil Cases	8	6	5	2	42	23
Issue to Trial (Civil Only)	NA	17	-	8	-	64

TABLE 24

CIVIL CASES COMMENCED, TERMINATED AND PENDING
NORTHERN DISTRICT OF IOWA



SUMMARY OF STATISTICS FOR THE NORTHERN DISTRICT OF IOWA

Civil case filings showed a sharp increase of almost 33 percent in 1982 over 1981. Terminations have remained below filings in every year since 1976 causing a steady increase in pending civil cases and resulting in a 76 percent increase by 1982. Despite this increase, only two districts in the Circuit have fewer pending cases per judgeship than this district.

The district had 14 cases which were over three years old, 6 matters under advisement over 60 days and exceeded the Judicial Council median time to trial standard of 12 months by 5 months.


SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT
Northern District of Iowa

TABLE 25
 BANKRUPTCY ESTATES FILED

NORTHERN DISTRICT OF IOWA

Under the Bankruptcy Act and the Code
 in Statistical Years (Ended June 30) for
 1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	1,329	1,278	1	3	0	47	0	217	16.3
1977	1,287	1,238	0	8	0	41	0	307	23.8
1978	1,297	1,242	0	9	7	39	0	336	25.9
1979	1,368	1,303	0	10	7	48	0	426	31.1
7/1/79 thru 9/30/79	324	305	1	4	2	12	0	95	
10/1/79 thru 6/30/80	1,522	Bankruptcy Code					0	544	
		Chapter 7	Chapter 11		Chapter 13				
		1,247	30		245				
Total 1980	1,846	1,552	37		257	0	639	34.6	
1981	2,962	2,661	48		253	0	1,172	39.5	
1982	2,510	2,221	137		152	0	538	21.4	

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district declined to 2,510 in 1982. This is an increase of 83 percent over the 1,368 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, but a decrease of 15 percent from the 2,962 estates filed in 1981.

In 1982, 1,040 adversary proceedings were filed in the district, and 628 were terminated. This left 650 pending adversary proceedings at the end of 1982 compared to 238 pending at the beginning of the year, a 173 percent increase in pending adversary proceedings during 1982.

SOUTHERN DISTRICT OF IOWA

DISTRICT JUDGESHIPS

Authorized Judgeships 2 1/2 *
Senior Judges 1

<u>Authorized Places of Holding Court</u>	<u>1980 City Population</u>	<u>Resident Judges</u>
<u>CENTRAL DIVISION</u>		
Des Moines	588,170	2
<u>DAVENPORT DIVISION</u>		
Davenport	359,438	-
<u>WESTERN DIVISION</u>		
Council Bluffs	170,201	-
<u>EASTERN DIVISION</u>		
Keokuk	128,880	-
<u>OTTUMWA DIVISION</u>		
Ottumwa	125,809	-
<u>SOUTHERN DIVISION</u>		
Creston	108,945	-

BANKRUPTCY JUDGES

Authorized Judgeships 1

Location of Headquarters Des Moines

Places of Holding Court:

Council Bluffs Des Moines
Davenport

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Des Moines	Full-time	Feb. 29, 1984
Burlington	Part-time	Sept. 24, 1984
Council Bluffs	Part-time	Dec. 16, 1986

** 28 U.S.C. §133 provides for one judge to serve both the Northern and Southern Districts of Iowa. The official station of this judge is Sioux City, a place of holding court for the Northern District.

**SOUTHERN DISTRICT OF IOWA
TABLE 26**

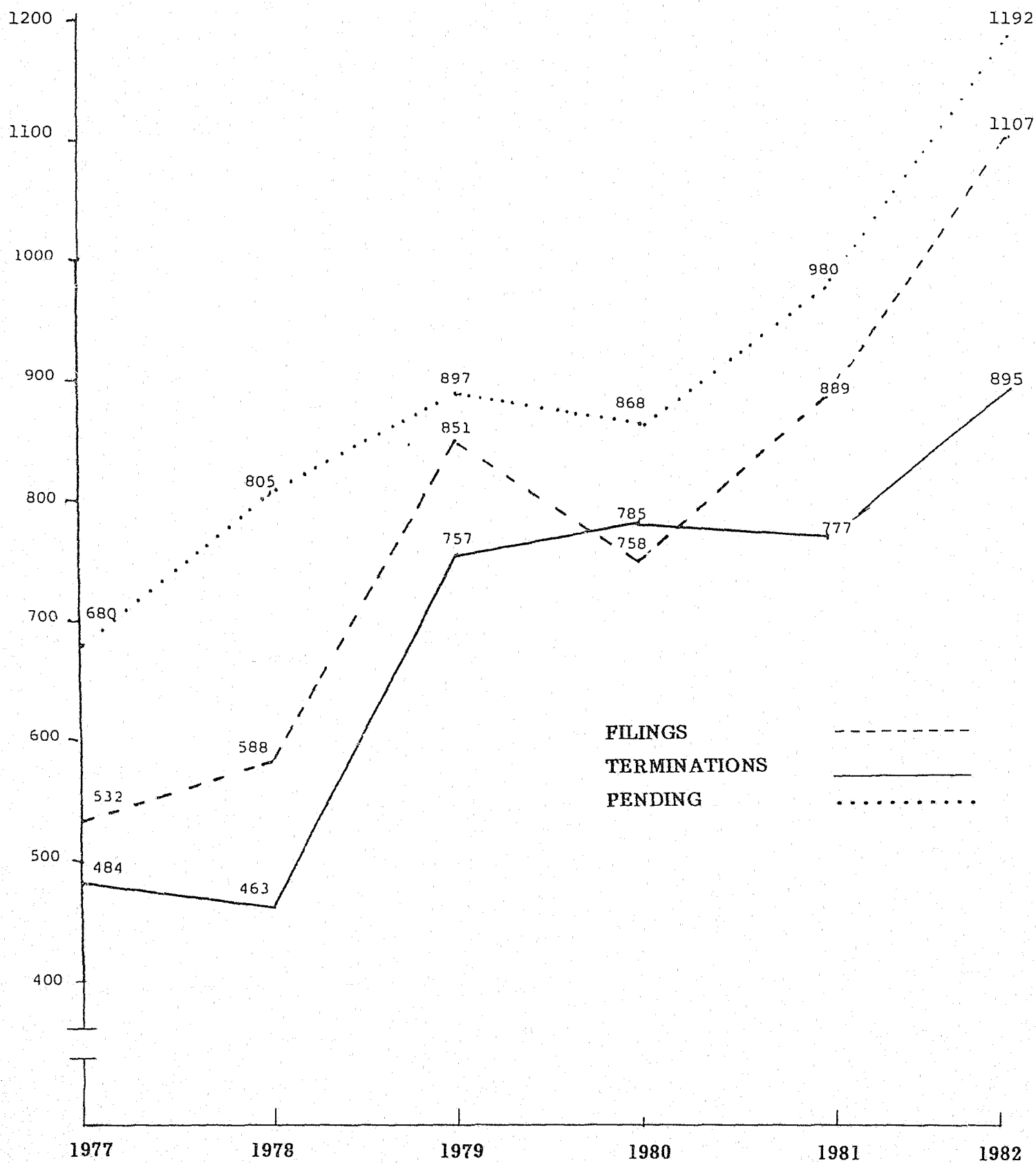
**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	988	1209	+22	889	1107	+25	108	110	+2
Terminated	879	995	+13	777	895	+15	120	108	-10
Pending	1025	1240	+21	980	1192	+22	49	51	+4

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
	<u>1981</u>	<u>1982</u>	CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	2 1/2					
Total Cases Filed	395	484	5	5	58	44
Civil Cases Filed	356	443	5	5	58	43
Felony Cases Filed	39	41	3	8	44	53
Total Weighted Caseload	347	435	7	5	64	44
Total Cases Terminated	352	398	5	8	63	65
Total Cases Pending	410	496	3	2	47	35
Total Trials Completed	50	36	4	7	21	58
MEDIAN DISPOSITION TIMES						
(Filing to Disposition, in Months)						
Criminal Cases	3.8	3.6	6	6	47	32
Civil Cases	11	8	8	6	72	51
Issue to Trial (Civil Only)	11	7	2	1	17	4

TABLE 27
CIVIL CASES COMMENCED, TERMINATED AND PENDING
SOUTHERN DISTRICT OF IOWA



SUMMARY OF STATISTICS FOR THE SOUTHERN DISTRICT OF IOWA

Except for the reduction in 1980 the district continued to experience a steady increase in pending civil cases from 632 in 1976 to 1,192 in 1982 or 89 percent. In 1982, only one district in the circuit had more cases pending per judgeship than this district. Total filings per judgeship are approaching the 500 mark.

The district was tied with the Eastern District of Missouri for providing the fastest trial disposition time in the circuit. The district's trial disposition time was well below the 12 month limit recommended by the Circuit Council. The district, however, had 42 cases which were pending for over 3 years (an increase over last year) and recorded 10 matters under advisement over 60 days, with one matter held under advisement over one year.

SUMMARY OF THE STATISTICS FOR THE BANKRUPTCY COURT
Southern District of Iowa

TABLE 28

BANKRUPTCY ESTATES FILED

SOUTHERN DISTRICT OF IOWA

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	1,742	1,559	1	6	8	168	0	216	12.4
1977	1,412	1,304	0	7	1	100	0	158	11.1
1978	1,579	1,487	0	5	0	87	0	340	21.5
1979	1,544	1,475	0	5	2	62	0	201	13.0
7/1/79 thru 9/30/79	461	432	0	5	0	24	0	59	
10/1/79 thru 6/30/80	2,013	Bankruptcy Code							
		Chapter 7	Chapter 11		Chapter 13	Other			
		1,844	22		147	0			
Total 1980	2,474	2,276	27		171	0	295	11.9	
1981	4,054	3,794	31		229	0	850	20.9	
1982	3,009	2,672	111		226	0	443	14.7	

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district declined to 3,009 in 1982. This is an increase of 95 percent over the 1,544 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, but a decrease of 26 percent from the 4,054 estates filed in 1981.

In 1982, 680 adversary proceedings were filed in the district, and 674 were terminated. This left 194 pending adversary proceedings at the end of 1982 compared to 188 adversary proceedings which were pending at the beginning of the year, a 3 percent increase in pending adversary proceedings during 1982.

DISTRICT OF MINNESOTA

DISTRICT JUDGESHIPS

Authorized Judgeships6*
Senior Judges 2

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
Minneapolis	1,422,201	3
St. Paul	921,803	3
Fergus Falls	517,938	-
Duluth	511,013	-
Mankato	419,593	-
Winona	284,600	-

BANKRUPTCY JUDGES

Authorized Judgeships5**

Location of Headquarters	Minneapolis	(2) Judges
	St. Paul	(2) Judges
	Duluth	(1) Judge

Places of Holding Court:

Duluth	Minneapolis
Fergus Falls	Rochester
Mankato	St. Cloud
St. Paul	

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED5

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Minneapolis	Full-time	Sept. 30, 1989
Minneapolis/St. Paul	Full-time	March 19, 1988
St. Paul	Full-time	Oct. 5, 1988
Duluth	Bankruptcy/Part-time Mag.	Jan. 1, 1987
Bemidji	Part-time	Nov. 9, 1986

* One judgeship is temporary and can lapse after October 1983 upon a vacancy. The Judicial Conference of the United States approved and sent to Congress a recommendation that it be made permanent. As of December 31, 1982, Congress has not acted upon that recommendation.

** Four full-time and one part-time.

**DISTRICT OF MINNESOTA
TABLE 29**

**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

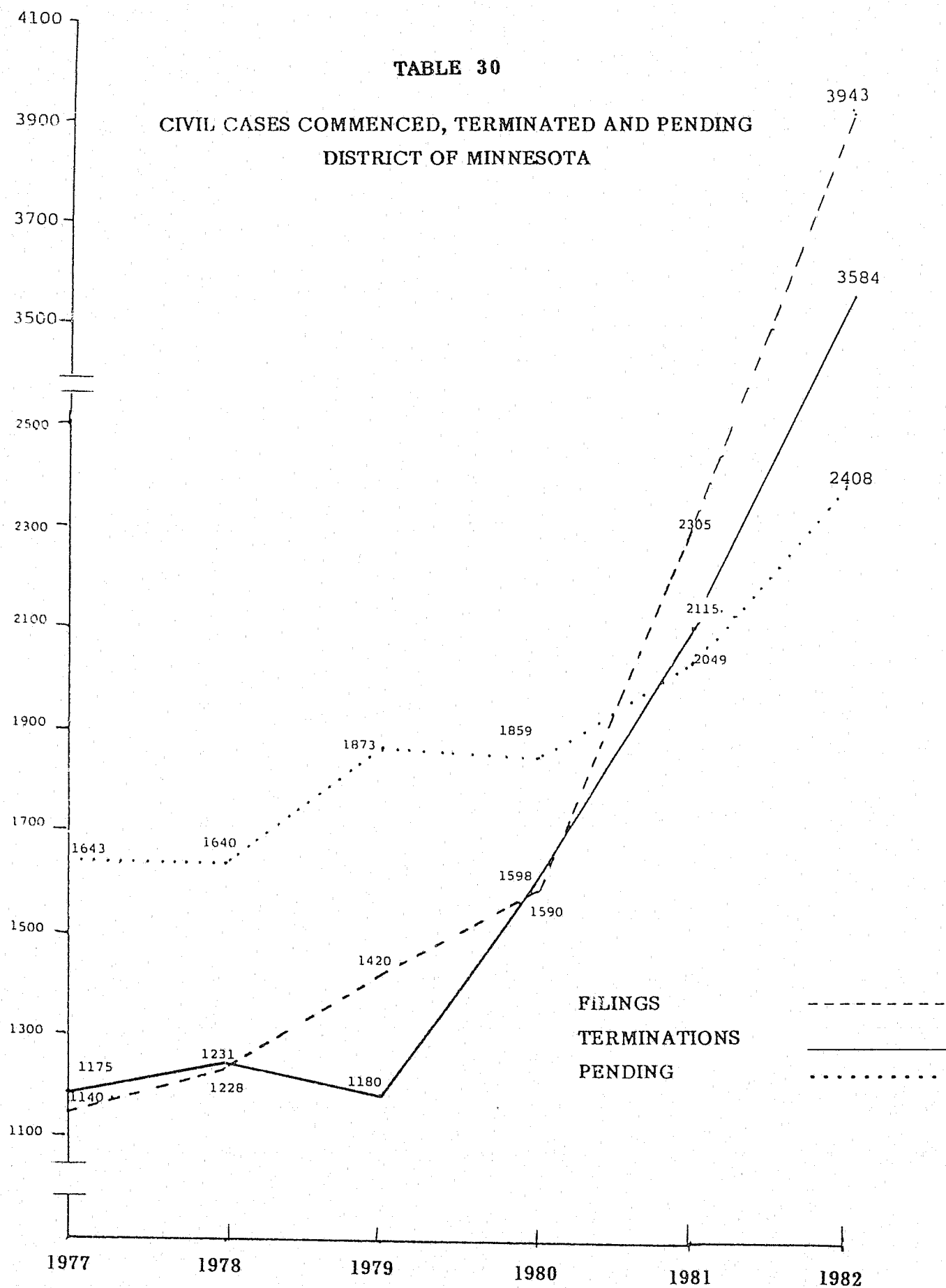
	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	2,517	4,192	+67	2,305	3,943	+71	227	259	+14
Terminated	2,357	3,822	+62	2,115	3,584	+69	257	252	-2
Pending	2,138	2,508	+17	2,049	2,408	+18	96	103	+7

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
	<u>1981</u>	<u>1982</u>	<u>CIRCUIT</u>	<u>NATIONAL</u>	(95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	6					
Total Cases Filed	420	699	4	1	50	8
Civil Cases Filed	384	657	4	1	44	9
Felony Cases Filed	36	42	7	7	56	48
Total Weighted Caseload	368	535	5	2	56	17
Total Cases Terminated	393	637	3	1	43	7
Total Cases Pending	356	418	6	5	61	55
Total Trials Completed	25	29	10	9	85	76
MEDIAN DISPOSITION TIMES						
(Filing to Disposition, in Months)						
Criminal Cases	4.5	4.5	10	10	76	70
Civil Cases	9	2	6	1	60	1
Issue to Trial	21	16	6	7	70	54
(Civil Only)						

TABLE 30

CIVIL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT OF MINNESOTA



SUMMARY OF STATISTICS FOR THE DISTRICT OF MINNESOTA

Total filings and terminations both rose by about 70 percent over 1981, the largest increases recorded in the circuit. The weighted caseload per judgeship increased by over 45 percent. The district held more extended trials than any other district in the circuit. Three year old cases declined but were still among the highest in the circuit. Matters under advisement over 60 days were cut in half. Although the district reduced median disposition time from issue to trial by 5 months, it was still substantially above the guidelines established by the Judicial Council. Because the judges disposed of about as many cases as were filed in 1982, the increase in the pending caseload was held to 17 percent.

Upon the recommendation of the Judicial Council, the Judicial Conference of the United States recommended that Congress convert the five year temporary judgeship to a permanent judgeship. Congress has yet to act on that recommendation.

SUMMARY OF BANKRUPTCY COURT STATISTICS

District of Minnesota

TABLE 31

BANKRUPTCY ESTATES FILED

DISTRICT OF MINNESOTA

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	4,008	3,518	1	70	2	417	0	665	16.5
1977	3,368	3,055	0	21	0	292	0	651	19.3
1978	3,262	2,946	0	21	1	294	0	820	25.1
1979	3,605	3,240	0	36	0	329	0	491	13.6
7/1/79 thru 9/30/79	1,005	904	0	14	0	87	0	102	
10/1/79 thru 6/30/80	4,305	Bankruptcy Code							
		Chapter 7	Chapter 11		Chapter 13	Other			
		3,803	39		463	0			
Total 1980	5,310	4,707	53			550	0	857	16.1
1981	7,962	6,529	122			1,311	0	1,425	17.9
1982	8,152	6,590	184			1,378	0	1,113	13.6

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district reached 8,152 in 1982. This is an increase of 126 percent over the 3,605 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, and an increase of less than 3 percent over the 7,962 estates filed in 1981.

In 1982, 1,380 adversary proceedings were filed in the district, and 1,067 were terminated. This left 751 pending adversary proceedings at the end of 1982 compared to 438 adversary proceedings which were pending at the beginning of the year, a 71 percent increase in pending adversary proceedings during 1982.

EASTERN DISTRICT OF MISSOURI

DISTRICT JUDGESHIPS

Authorized Judgeships5*
Senior Judges 3

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
St. Louis	2,038,519	5
Cape Girardeau	200,582	-
Hannibal	347,256	-

BANKRUPTCY JUDGES

Authorized Judgeships3

Location of Headquarters St. Louis
Places of Holding Court:

St. Louis Hannibal	Cape Girardeau
-----------------------	----------------

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED6

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
St. Louis	Full-time	Sept. 30, 1989
St. Louis	Full-time	Dec. 30, 1984
St. Louis	Full-time	Oct. 7, 1990
Ozark National Scenic Riverways	Part-time	Vacant
Cape Girardeau	Part-time	Nov. 21, 1984
Hannibal	Part-time	Vacant

* The Judicial Conference of the United States has approved and sent to Congress a recommendation that an additional judgeship be authorized. As of December 31, 1982, Congress has not acted upon that recommendation.

**EASTERN DISTRICT OF MISSOURI
TABLE 32**

**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

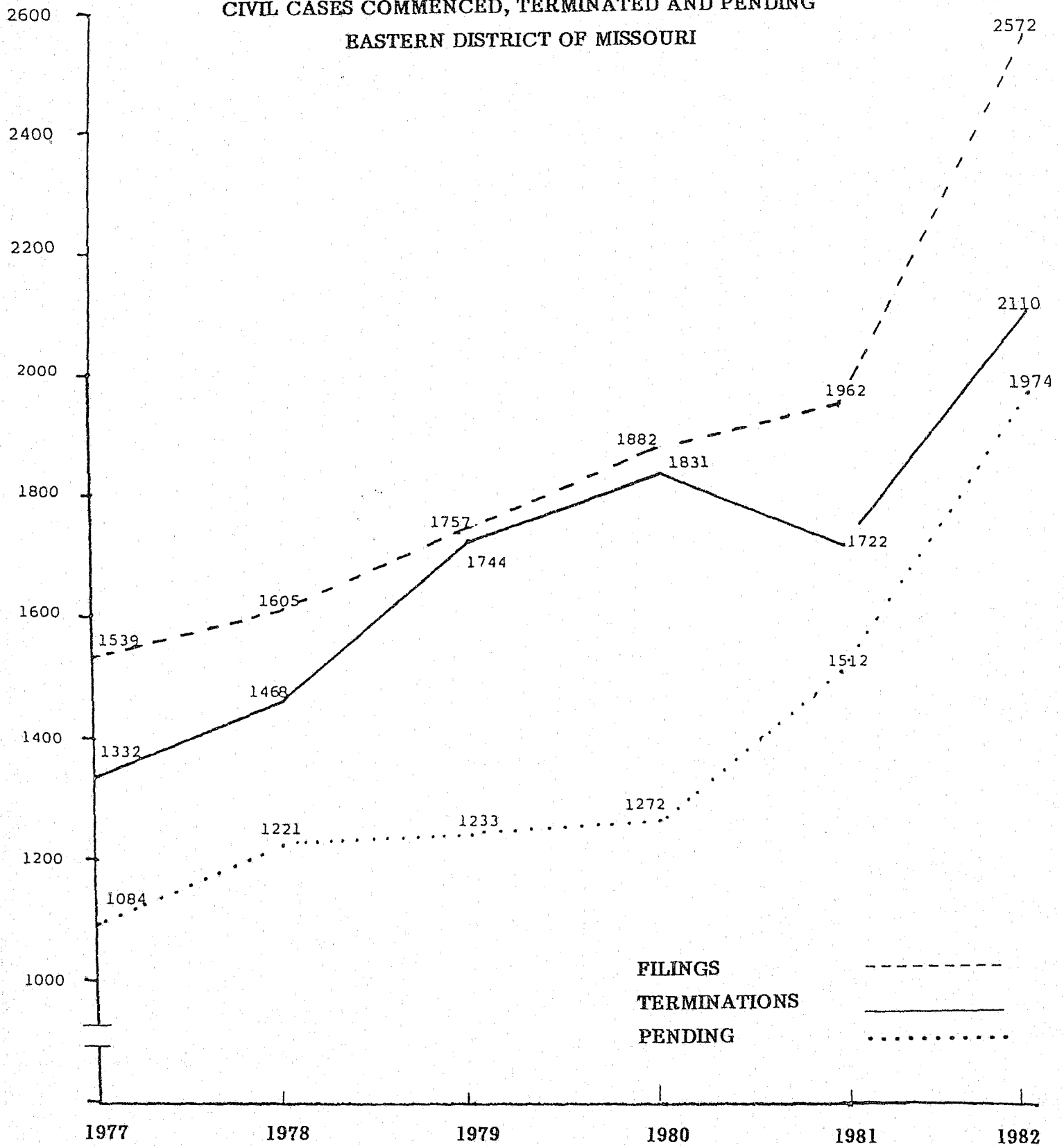
	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	2,151	2,854	+33	1,982	2,572	+30	223	304	+36
Terminated	1,893	2,363	+25	1,722	2,110	+23	206	275	+33
Pending	1,585	2,076	+31	1,512	1,974	+31	78	107	+37

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
			CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	5					
Total Cases Filed	430	571	3	2	46	23
Civil Cases Filed	392	514	3	2	41	24
Felony Cases Filed	38	57	4	2	48	26
Total Weighted Caseload	477	576	1	1	19	8
Total Cases Terminated	379	473	4	4	52	39
Total Cases Pending	317	415	7	6	68	56
Total Trials Completed	58	64	2	1	11	8
MEDIAN DISPOSITION TIMES (Filing to Disposition, in Months)						
Criminal Cases	2.8	2.9	1	2	9	8
Civil Cases	6	6	2	2	8	23
Issue to Trial (Civil Only)	8	7	1	1	6	4

TABLE 33

CIVIL CASES COMMENCED, TERMINATED AND PENDING
EASTERN DISTRICT OF MISSOURI



SUMMARY OF STATISTICS FOR THE EASTERN DISTRICT OF MISSOURI

Civil filings rose almost 80 percent between 1976 and 1982 and increased by 30 percent between 1981 and 1982. During the last year, criminal case filings increased by 36 percent. Although civil and criminal case terminations showed substantial increases of 23 percent and 33 percent respectively, both registered larger increases in pending 31 percent and 37 percent respectively. The district's weighted caseload (which increased by over 20 percent during the year) remains the highest in the circuit and 19th in the nation. As it did in prior years, the district continued prompt disposition of its docket. Only 7 district's in the nation move criminal cases faster and only 3 bring cases to trial faster. The district completed more trials than the other districts in the circuit and stood 8th in the nation for total trials completed. The district's civil cases pending over 3 years increased from 28 in 1981 to 47 in 1982. However, it reduced the number of matters under advisement over 60 days from 20 to 5 but continued to report 2 matters as under advisement for over 1 year.

Due to the size and complexity of its cases, the Circuit Council and the Judicial Conference of the United States have asked Congress to create an additional judgeship for the district. As of December 31, 1982, Congress has not acted upon that recommendation.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT
Eastern District of Missouri

TABLE 34

BANKRUPTCY ESTATES FILED

EASTERN DISTRICT OF MISSOURI

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982.

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	2,614	2,596	3	2	0	13	0	384	14.6
1977	2,083	2,057	0	11	4	11	0	328	15.7
1978	1,909	1,896	0	3	0	10	0	295	15.4
1979	2,189	2,151	3	7	6	22	0	290	13.2
7/1/79 thru 9/30/79	642	625	0	7	3	7	0	91	
10/1/79 thru 6/30/80	3,084	Bankruptcy Code						418	
		Chapter 7	Chapter 11		Chapter 13	Other			
		2,858	21		205	0			
Total 1980	3,726	3,483	31		212		0	509	13.6
1981	5,058	4,746	35		277		0	736	14.5
1982	5,251	4,887	70		293		1	488	9.29

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district reached 5,251 in 1982. This is an increase of 86 percent over the 2,819 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, and an increase of 4 percent over the 5,058 estates filed in 1981.

In 1982, 1,238 adversary proceedings were filed in the district and 1,030 were terminated. This left 557 pending adversary proceedings at the end of 1982 compared to 349 adversary proceedings which were pending at the beginning of the year, a 60 percent increase in pending adversary proceedings during 1982.

WESTERN DISTRICT OF MISSOURI

DISTRICT JUDGESHIPS

Authorized Judgeships 6
 Senior Judges 4

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
Kansas City	448,159	5
Springfield	133,116	1
St. Joseph	76,691	-
Joplin	38,893	-
Jefferson City	33,619	-

BANKRUPTCY JUDGES

Authorized Judgeships 3

Location of Headquarters: Kansas City (2) Judges
 Springfield (1) Judge

Places of Holding Court:

Kansas City	Jefferson City
Joplin	Springfield
	Saint Joseph

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED 3

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Kansas City	Full-time	May 2, 1987
Kansas City	Full-time	Dec. 12, 1984
Springfield	Full-time	Dec. 14, 1984

**WESTERN DISTRICT OF MISSOURI
TABLE 35**

**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

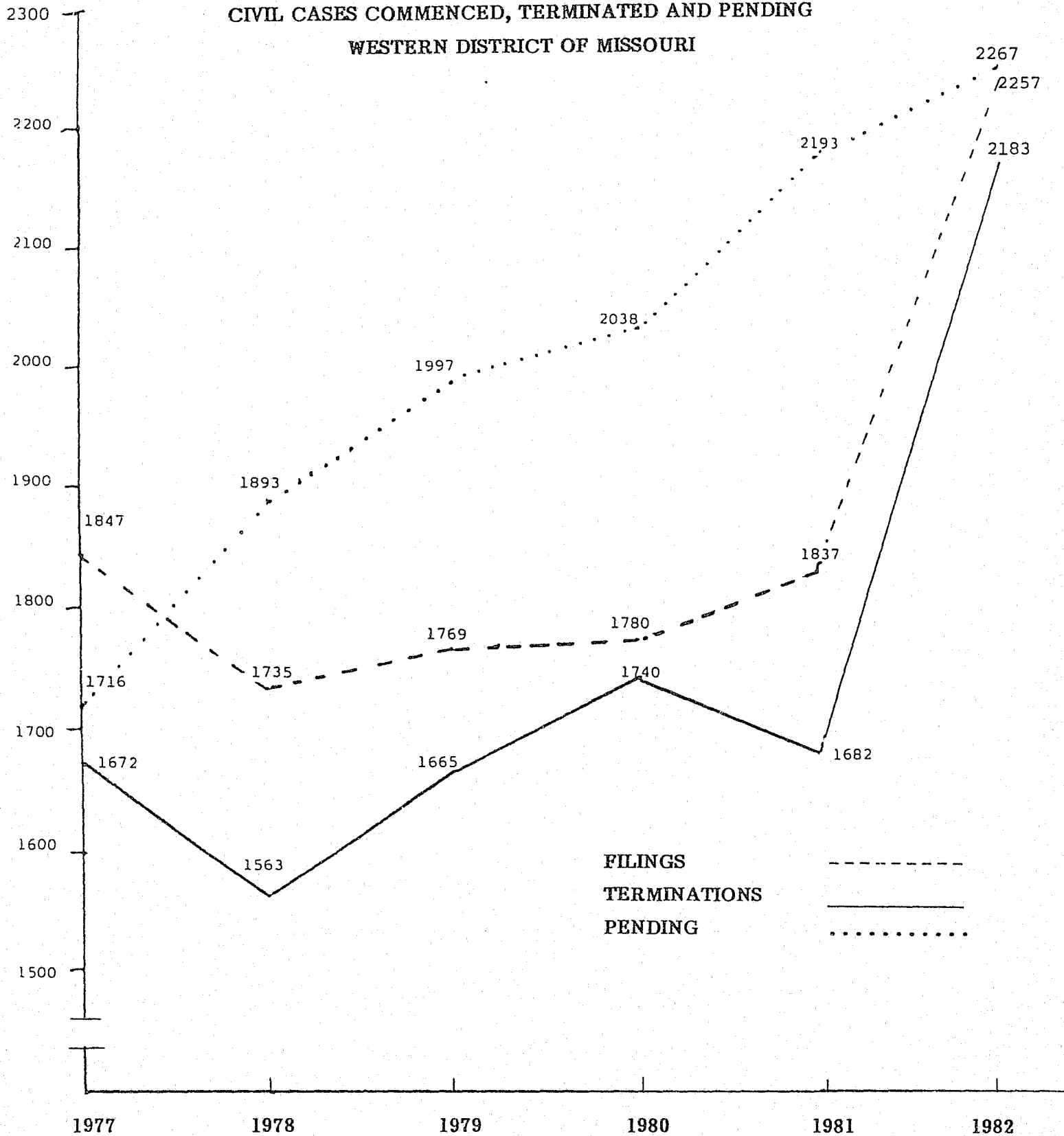
	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	2,009	2,504	+25	1,837	2,257	+23	705	721	+2
Terminated	1,841	2,410	+31	1,682	2,183	+30	748	691	-8
Pending	2,274	2,367	+4	2,193	2,267	+3	114	144	+26

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
	<u>1981</u>	<u>1982</u>	CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	6					
Total Cases Filed	335	417	8	8	77	72
Civil Cases Filed	306	376	8	8	75	71
Felony Cases Filed	29	41	8	8	70	53
Total Weighted Caseload	334	360	8	8	70	75
Total Cases Terminated	307	402	7	7	80	64
Total Cases Pending	379	395	5	7	54	59
Total Trials Completed	28	45	9	6	78	35
MEDIAN DISPOSITION TIMES						
(Filing to Disposition, in Months)						
Criminal Cases	3.7	3.4	4	4	40	24
Civil Cases	11	11	8	9	72	78
Issue to Trial	26	20	7	10	78	76
(Civil Only)						

TABLE 36

CIVIL CASES COMMENCED, TERMINATED AND PENDING
WESTERN DISTRICT OF MISSOURI



SUMMARY OF STATISTICS FOR THE WESTERN DISTRICT OF MISSOURI

Although civil filings took a sharp increase in 1982 of 23 percent, terminations increased by 30 percent. This kept the increase in pending to a mere 3 percent and about half the increase recorded for the prior year. However, criminal case terminations declined during 1982 by 8 percent leading to a 26 percent increase in pending cases. Despite this fact the district reduced its disposition time for criminal cases.

Cases now take 20 months to get to trial, down from 26 months a year ago but still the longest issue to trial time in the circuit. The district continues to have the largest number and percentage of its civil cases that were over three years old, but did decrease those numbers in 1982 from 171 to 122 and from 8.3% to 5.6%. However, the district had 19 matters under advisement over 60 days and 4 over one year compared to only 2 and 0 in 1981.

It is encouraging to note that the district had only 8 vacant judgeship months in 1982, whereas since 1979, it had been operating with only two thirds of its authorized judicial positions.

SUMMARY OF BANKRUPTCY COURT STATISTICS

Western District of Missouri

TABLE 37

BANKRUPTCY ESTATES FILED

WESTERN DISTRICT OF MISSOURI

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	3,650	3,113	0	12	5	520	0	402	11.0
1977	3,118	2,623	2	18	1	474	0	406	13.0
1978	3,112	2,499	2	17	4	590	0	415	13.3
1979	2,805	2,403	0	13	8	381	0	274	9.77
7/1/79 thru 9/30/79	823	741	0	0	5	77	0	64	
10/1/79 thru 6/30/80	3,852	Bankruptcy Code						* 591	
		Chapter 7	Chapter 11			Chapter 13	Other		
		* 3,273	43			536	0		
Total 1980	4,675	* 4,014	48			613	0	* 655	14.0
1981	6,517	5,632	94			791	0	1,260	19.3
1982	5,940	5,076	153			711	0	749	12.6

* Includes one (1) Chapter 7 Stockbroker petition.

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district declined to 5,940 in 1982. This is an increase of 112 percent over the 2,805 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, but a decrease of 9 percent over the 4,675 estates filed in 1981.

In 1982, 2,098 adversary proceedings were filed in the district, and 1,910 were terminated. This left 718 pending adversary proceedings at the end of 1982 compared to 530 adversary proceedings which were pending at the beginning of the year, a 35 percent increase in pending adversary proceedings during 1982.

DISTRICT OF NEBRASKA

DISTRICT JUDGESHIPS

Authorized Judgeships3
Senior Judges2

<u>Authorized Places of Holding Court</u>	<u>1980 City Population</u>	<u>Resident Judges</u>
Omaha	311,681	2
Lincoln	171,932	1
North Platte	24,479	-

BANKRUPTCY JUDGES

Authorized Judgeships1

Location of Headquarters: Omaha

Places of Holding Court:

Omaha	Grand Island
Lincoln	North Platte

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED4

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Omaha	Full-time	Oct. 31, 1983
Lincoln	Full-time	Jan. 19, 1989
Gering (or Scottsbluff)	Part-time	Nov. 30, 1986
North Platte	Part-time	Nov. 30, 1986

**DISTRICT OF NEBRASKA
TABLE 38**

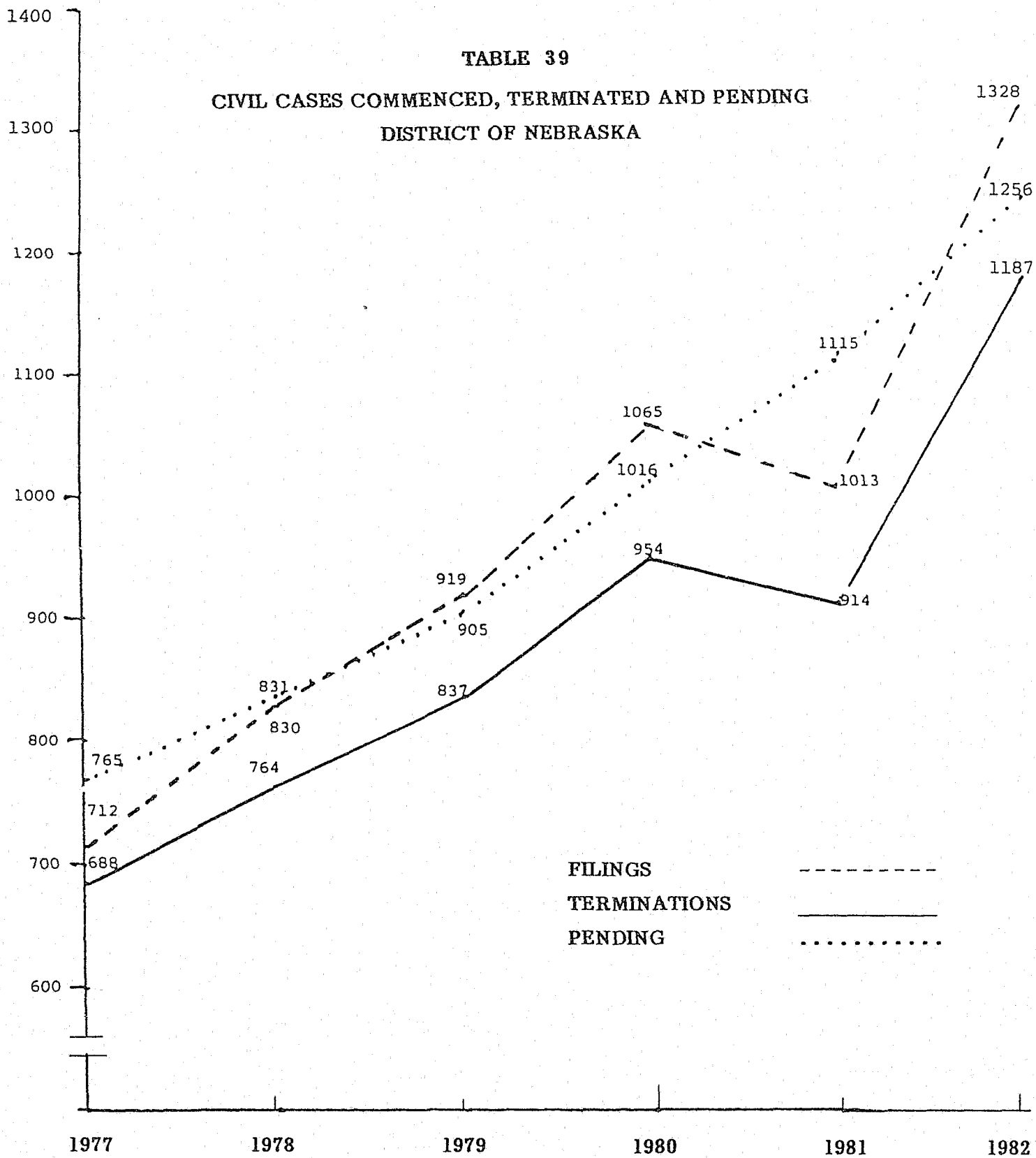
**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	1,087	1,416	+30	1,013	1,328	+31	83	102	+23
Terminated	1,002	1,278	+28	914	1,187	+30	100	101	+1
Pending	1,152	1,290	+12	1,115	1,256	+13	38	39	+3

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING CIRCUIT NATIONAL (95 Districts)			
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	3					
Total Cases Filed	362	472	6	6	69	57
Civil Cases Filed	338	443	6	5	66	43
Felony Cases Filed	24	29	9	10	82	81
Total Weighted Caseload	370	439	4	4	55	42
Total Cases Terminated	334	426	6	5	70	51
Total Cases Pending	384	430	4	4	51	52
Total Trials Completed	57	62	3	3	13	11
MEDIAN DISPOSITION TIMES (Filing to Disposition, in Months)						
Criminal Cases	4.4	3.7	7	7	66	39
Civil Cases	11	9	8	7	72	61
Issue to Trial (Civil Only)	14	17	3	8	36	64

TABLE 39
CIVIL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT OF NEBRASKA



SUMMARY OF STATISTICS FOR THE DISTRICT OF NEBRASKA

Civil and criminal case filings in 1982 increased by 30 percent and 23 percent respectively. Civil case filings almost doubled the number filed in 1977 with civil pending cases increasing by 64 percent. Only two other districts in the circuit and 10 other districts in the nation completed more trials than were completed in the district.

The district had 56 cases which were over three years old (an increase of 3 over the previous year) and its median time to trial also increased, going from 14 months to 17 months. The district had only 4 matters under advisement over 60 days.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT

District of Nebraska

TABLE 40

BANKRUPTCY ESTATES FILED

DISTRICT OF NEBRASKA

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	2,062	1,945	0	12	3	102	0	234	11.3
1977	1,934	1,826	1	16	2	89	0	201	10.3
1978	2,041	1,900	1	15	8	117	0	223	10.9
1979	2,180	2,024	0	10	3	143	0	186	8.53
7/1/79 thru 9/30/79	548	504	0	4	1	39	0	55	
10/1/79 thru 6/30/80	2,886	Bankruptcy Code						629	
		Chapter 7	Chapter 11		Chapter 13	Other			
		2,359	26		501	0			
Total 1980	3,434	2,863	31		540	0	684	19.9	
1981	4,384	3,448	52		884	0	677	15.4	
1982	3,628	2,738	95		795	0	448	12.3	

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district declined to 3,628 in 1982. This is an increase of 66 percent over the 2,180 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, but a decrease of 17 percent from the 4,383 estates filed in 1981.

In 1982, 880 adversary proceedings were filed in the district, and 859 such proceedings were terminated. The number of adversary proceedings pending at the end of 1982 totaled 574, an increase of 4 percent over the 553 pending at the beginning of 1982.

DISTRICT OF NORTH DAKOTA

DISTRICT JUDGESHIPS

Authorized Judgeships2
Senior Judges1

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
Fargo	186,443	1
Bismarck	175,144	1
Grand Forks	151,584	-
Minot	139,584	-

BANKRUPTCY JUDGES

Authorized Judgeships1

Location of Headquarters: Fargo

Places of Holding Court:

Fargo	Bismarck
Minot	

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED6

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Bismarck	Part-time	June 18, 1986
Fargo	Part-time	Nov. 30, 1983
Grand Forks	Part-time	Nov. 14, 1986
Minot	Part-time	Nov. 14, 1986
Devils Lake (or Minnewaukan)	Part-time	Jan. 1, 1987
Rolla	Part-time	March 31, 1985

**DISTRICT OF NORTH DAKOTA
TABLE 41**

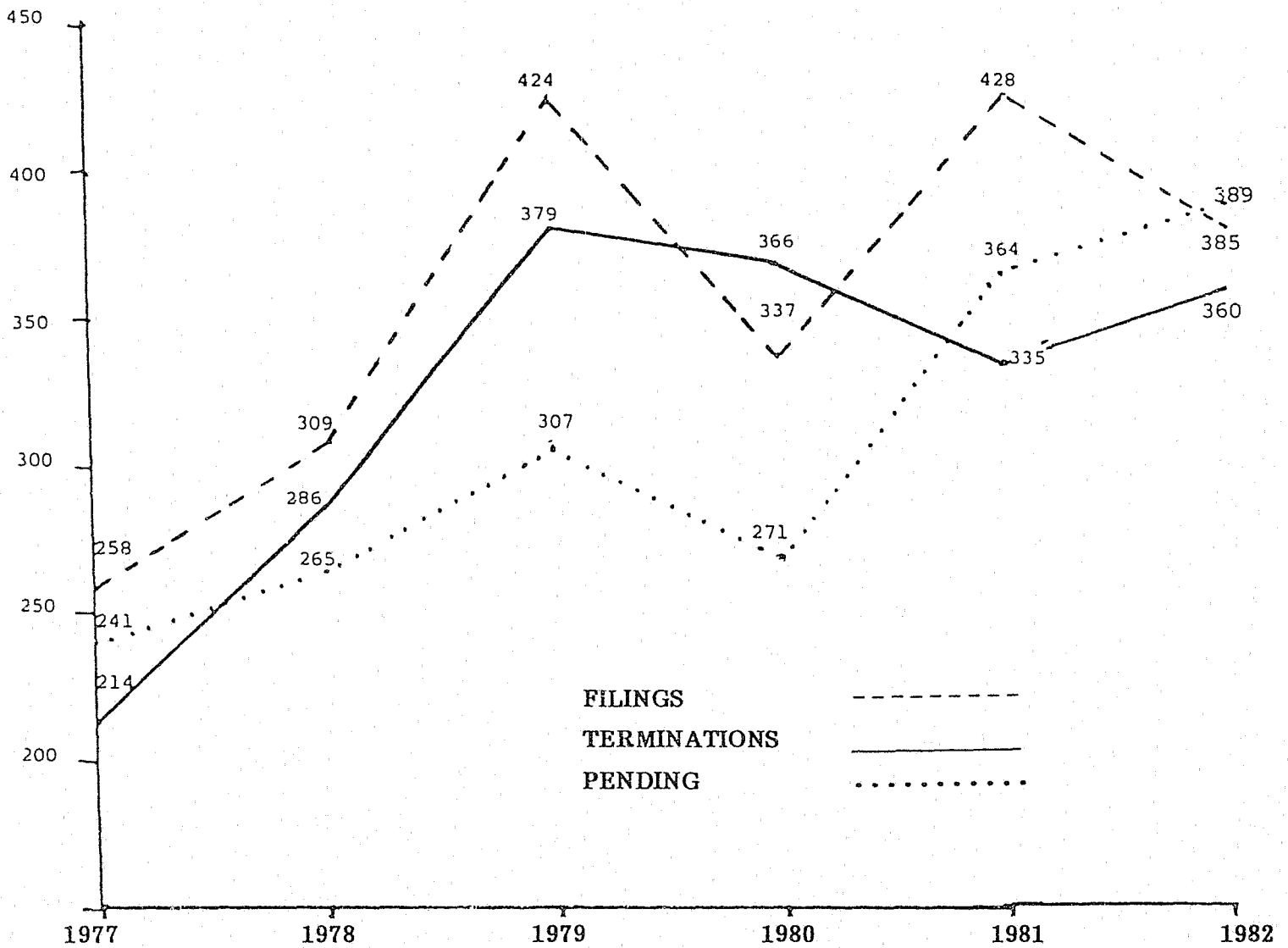
**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	528	485	-8	428	385	-10	108	107	-1
Terminated	433	449	+4	335	360	+7	104	97	-7
Pending	393	429	+9	364	389	+7	33	43	+30

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
			CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	2					
Total Cases Filed	264	243	9	9	87	92
Civil Cases Filed	214	193	9	9	88	92
Felony Cases Filed	50	50	2	3	25	33
Total Weighted Caseload	222	241	10	9	89	89
Total Cases Terminated	217	225	10	10	91	91
Total Cases Pending	197	215	10	9	92	91
Total Trials Completed	29	34	6	8	74	65
MEDIAN DISPOSITION TIMES (Filing to Disposition, in Months)						
Criminal Cases	3.4	3.8	3	8	27	41
Civil Cases	5	6	1	2	4	23
Issue to Trial (Civil Only)	NA	13	NA	4	NA	32

TABLE 42
CIVIL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT OF NORTH DAKOTA



SUMMARY OF STATISTICS FOR THE DISTRICT NORTH DAKOTA

Although civil case filings declined this year by 10 percent and termination increased by 7 percent, the civil pending increased by 7 percent. Civil filings per judgeship remain the second lowest in the circuit and rank 92 in the nation. Only one district in the circuit has fewer cases pending per judgeship than this district and only four districts in the nation have a lower pending rate per judgeship. Only two districts in the circuit had more criminal case filings per judgeship than this district.

The district had 7 cases which were over three years old (the lowest in the circuit) and it had only one matter under advisement over sixty days and one matter under advisement over one year. Median time to trial was only slightly over the Council's guidelines.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT
District of North Dakota

TABLE 43

BANKRUPTCY ESTATES FILED

DISTRICT OF NORTH DAKOTA

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	409	402	0	5	0	2	0	77	18.8
1977	430	427	0	1	0	2	0	111	25.8
1978	540	529	0	3	0	8	0	100	18.5
1979	549	537	0	4	2	6	0	135	24.5
7/1/79 thru 9/30/79	179	179	0	0	0	0	0	37	
10/1/79 thru 6/30/80	537	Bankruptcy Code						171	
		Chapter 7	Chapter 11			Chapter 13	Other		
		510	10			17	0		
Total 1980	716	689	10			17	0	208	29.0
1981	911	871	12			28	0	297	32.6
1982	980	878	50			52	0	245	25

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

The territory now served by the North Dakota bankruptcy judge includes the State of North Dakota plus counties comprising the Sixth Division of Minnesota with the exception of Stearns County. In 1982, total estate filings for all bankruptcy cases reached 980 in the State of North Dakota and 428 in the Sixth Division; making a total of 1,408 estate filings in the territory served by the bankruptcy judge in this district. This is an increase of 100 percent over the 704 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, and an increase of 44% over the 1,367 estates filed in 1981.

In 1982, 362 adversary proceedings were filed in North Dakota and 263 such proceedings were terminated. The number of adversary proceedings pending at the end of 1982 totaled 201, an increase of 97 percent over the 102 pending at the beginning of 1982. A breakdown of the number of adversary proceedings filed in the counties comprising the Sixth Division of Minnesota during this period is unavailable.

DISTRICT OF SOUTH DAKOTA

DISTRICT JUDGESHIPS

Authorized Judgeships3
Senior Judges1

<u>Authorized Places of Holding Court</u>	<u>1980 Division Population</u>	<u>Resident Judges</u>
<u>Norther Division</u>		
Aberdeen	25,956	-
<u>Southern Division</u>		
Sioux Falls	81,343	1
<u>Central Division</u>		
Pierre	11,973	1
<u>Western Division</u>		
Deadwood	2,035	-
Rapid City	46,492	1

BANKRUPTCY JUDGES

Authorized Judgeships1

Location of Headquarters: Sioux Falls

Places of Holding Court:

Sioux Falls	Pierre
Rapid City	Aberdeen

MAGISTRATE POSITIONS PRESENTLY AUTHORIZED4

<u>Location</u>	<u>Type</u>	<u>Expiration of Current Term</u>
Pierre	Part-time	Feb. 10, 1984
Rapid City	Part-time	April 9, 1984
Sioux Falls	Part-time	July 31, 1985
Aberdeen	Part-time	July 14, 1983

**DISTRICT OF SOUTH DAKOTA
TABLE 44**

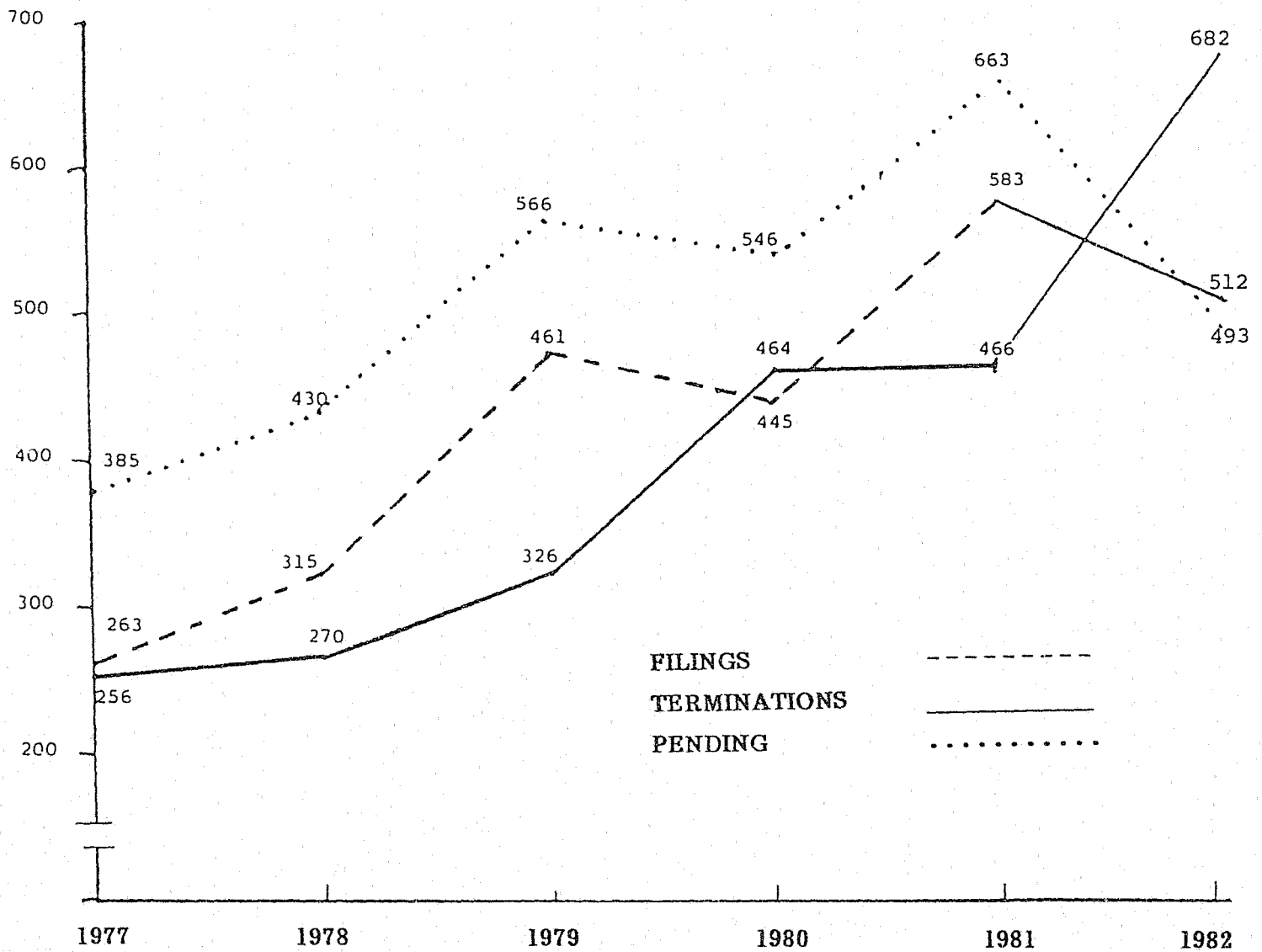
**CASELOAD OF THE DISTRICT COURT
Years Ended December 31, 1981 and 1982**

	TOTALS			CIVIL			CRIMINAL		
	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>	<u>1981</u>	<u>1982</u>	<u>% Change</u>
Filed	783	705	-10	583	512	-12	237	217	-8
Terminated	683	876	+28	466	682	+46	246	216	-12
Pending	722	551	-24	663	493	-26	70	71	+1

**STATISTICAL PROFILE PER JUDGESHIP
Years Ended December 31, 1981 and 1982**

	DISTRICT		NUMERICAL STANDING			
	<u>1981</u>	<u>1982</u>	CIRCUIT		NATIONAL (95 Districts)	
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Authorized Judgeships	3					
Total Cases Filed	261	235	10	10	88	93
Civil Cases Filed	194	171	10	10	92	93
Felony Cases Filed	67	64	1	1	8	18
Total Weighted Caseload	231	226	9	10	88	91
Total Cases Terminated	228	292	9	9	89	86
Total Cases Pending	241	184	9	10	88	93
Total Trials Completed	29	52	6	5	74	26
MEDIAN DISPOSITION TIMES						
(Filing to Disposition, in Months)						
Criminal Cases	4.4	4.4	7	9	66	65
Civil Cases	10	11	7	9	66	78
Issue to Trial	NA	14	NA	6	NA	39
(Civil Only)						

TABLE 45
CIVIL CASES COMMENCED, TERMINATED AND PENDING
DISTRICT OF SOUTH DAKOTA



SUMMARY OF STATISTICS FOR THE DISTRICT OF SOUTH DAKOTA

Termination of civil cases increased by almost 50 percent in 1982 over 1981, while filings declined 12 percent. This resulted in a 26 percent decrease in pending civil cases (the largest and only such decrease in the circuit). The district has the lowest rate of civil cases pending per judgeship in the circuit and is almost the lowest in the nation.

With the exception of the District of North Dakota, the per judgeship civil filings and total pending cases are approximately one half those of the other districts in the circuit.

However, the district had the largest number of criminal case filings per judgeship in the circuit.

The district exceeds the Circuit Council guidelines for trial disposition time by 2 months. It has 14 cases which have been pending over three years, which is 8 fewer than a year ago. Only 3 matters were held under advisement over sixty days and no matters were held under advisement over one year.

SUMMARY OF STATISTICS FOR THE BANKRUPTCY COURT
District of South Dakota

TABLE 46

BANKRUPTCY ESTATES FILED

DISTRICT OF SOUTH DAKOTA

Under the Bankruptcy Act and the Code
in Statistical Years (Ended June 30) for
1976 through 1982

Circuit: Eighth

Statistical Year	Total Estates	Bankruptcy Act						Business Estates	% of Bus. to Total Estates
		Chapters I - VII	Chap. X	Chap. XI	Chap. XII	Chap. XIII	Other		
1976	391	391	0	0	0	0	0	104	26.6
1977	399	392	0	3	0	4	0	123	30.8
1978	502	483	0	6	1	12	0	178	35.4
1979	531	417	0	19	5	90	0	134	25.2
7/1/79 thru 9/30/79	139	116	0	2	0	21	0	28	
10/1/79 thru 6/30/80	760	Bankruptcy Code							
		Chapter 7	Chapter 11		Chapter 13	Other			
		* 638	23		99	0			
Total 1980	899	* 754	25		120	0	* 340	37.8	
1981	968	831	43		94	0	383	39.5	
1982	1,251	1,029	98		124	0	411	32.8	

* Includes one (1) Chapter 7 Stockbroker petition.

NOTE: Any differences in the figures above from those published in the Director's Annual Reports for the respective years reflect minor corrections to the published figures.

Total estate filings for all bankruptcy cases in the district reached 1,251 in 1982. This is an increase of 136 percent over the 531 estates filed in 1979, the last year prior to the effective date of P.L. 95-598, and an increase of 29 percent over the 968 estates filed in 1981.

In 1982, 796 adversary proceedings were filed in the district, and 613 such proceedings were terminated. The number of adversary proceedings pending at the end of 1982 totaled 388, an increase of 89 percent over the 205 pending at the beginning of 1982.

APPENDIX

TABLE A Categories for the Positions and Occupations in the Federal Courts

CATEGORY	COURTS OF APPEALS	DISTRICT COURTS	BANKRUPTCY COURTS	NATIONAL COURTS
Professional (Legal)	<ul style="list-style-type: none"> - Judge's Law Clerk - Federal Public Defender - Assistant Defender - Staff Attorneys 	<ul style="list-style-type: none"> - Judge's Law Clerk - District Research Ass't. - Magistrate's Legal Ass't. 	<ul style="list-style-type: none"> - Judge's Law Clerk 	<ul style="list-style-type: none"> - Judge's Law Clerk - Trial Judge's Law Clerk - Staff Attorneys - Executive Attorneys
Professional (General)	<ul style="list-style-type: none"> - Circuit Executive - Assistant Circuit Executive - C.J.A. Investigator - Librarian & Ass't. 	<ul style="list-style-type: none"> - Chief, Probation/Pretrial - Probation/Pretrial Officer - Probation/Pretrial Trainee & Assistant - Librarian & Ass't. 		<ul style="list-style-type: none"> - Librarian & Ass't.
Administrative (Professional)	<ul style="list-style-type: none"> - Clerk of Court - Deputy Clerk (12+) - Deputy Clerk (9-11) - Admin. Ass't. to Chief Judge - Admin. Ass't. to Circuit Exec. 	<ul style="list-style-type: none"> - Clerk of Court - Deputy Clerk (12+) - Deputy Clerk (9-11) - Admin. Ass't. to Chief Judge 	<ul style="list-style-type: none"> - Clerk of Court - Deputy Clerk (12+) - Deputy Clerk (9-11) 	<ul style="list-style-type: none"> - Clerk of Court - Deputy Clerk (12+) - Deputy Clerk (9-11) - Building Manager - Marshal
Legal Secretarial	<ul style="list-style-type: none"> - Judge's Secretary - Defender's Secretary - Staff Attorney's Secretary - Court Secretary - Circuit Executive's Secretary - Clerk's Secretary 	<ul style="list-style-type: none"> - Judge's Secretary - Magistrate's Secretary - Probation/Pretrial Chief's Secretary - Clerk's Secretary 	<ul style="list-style-type: none"> - Judge's Secretary - Clerk's Secretary 	<ul style="list-style-type: none"> - Judge's Secretary - Marshal's Secretary - Court's Secretary - Clerk's Secretary
Technical		<ul style="list-style-type: none"> - Court Reporter - Court Interpreter - Bailiff 		<ul style="list-style-type: none"> - Decisions Reporter - Technical Advisor & Ass't. - Bailiff - Computer Specialist - Auditor
Office/Clerical	<ul style="list-style-type: none"> - Deputy Clerk (7-8) - Deputy Clerk (5-6) - Deputy Clerk (2-4) - Library Aide - F.P.D. Clerical - Messenger 	<ul style="list-style-type: none"> - Deputy Clerk (7-8) - Deputy Clerk (5-6) - Deputy Clerk (2-4) - Library Aide - Magistrate's Clerical Ass't. - Messenger - Probation/Pretrial Clerical 	<ul style="list-style-type: none"> - Deputy Clerk (7-8) - Deputy Clerk (5-6) - Deputy Clerk (2-4) 	<ul style="list-style-type: none"> - Deputy Clerk (7-8) - Deputy Clerk (5-6) - Deputy Clerk (2-4) - Library Aide - Clerical Ass't. - Messenger - Custodial

TABLE B
U.S. Courts of Appeals
Appeals Commenced, Terminated, and Pending
During the Twelve Month Periods Ended December 31, 1981 and 1982

Circuit	Filings			Terminations			Pending		
	1981	1982	Percent Change	1981	1982	Percent Change	1981	1982	Percent Change
Total	27,432	28,161	2.7	26,757	28,151	5.2	22,139	22,149	-
District of Columbia	1,439	1,571	9.2	1,704	1,564	-8.2	1,469	1,476	0.5
First	935	1,014	8.4	893	1,021	14.3	537	530	-1.3
Second	2,914	2,771	-4.9	2,931	2,763	-5.7	1,047	1,055	0.8
Third	2,190	2,349	7.3	1,716	2,618	52.6	1,741	1,472	-15.5
Fourth	2,646	2,451	-7.4	2,422	2,515	3.8	1,874	1,810	-3.4
Fifth	2,640	2,808	6.4	2,889	2,662	-7.9	2,181	2,327	6.7
Sixth	2,553	2,722	6.6	2,256	2,824	25.2	2,698	2,596	-3.8
Seventh	2,180	2,165	-0.7	2,006	2,070	3.2	1,750	1,845	5.4
Eighth	1,510	1,607	6.4	1,472	1,511	2.6	800	896	12.0
Ninth	4,356	4,192	-3.8	4,672	4,486	-4.0	4,202	3,908	-7.0
Tenth	1,706	1,812	6.2	1,516	1,860	22.7	1,642	1,594	-2.9
Eleventh	2,363	2,699	14.2	2,280	2,257	-1.0	2,198	2,640	20.1

TABLE C

U.S. COURTS OF APPEALS
NATURE OF SUIT OR OFFENSE OF APPEALS ARISING FROM THE U.S. DISTRICT COURTS BY CIRCUIT
DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1982

NATURE OF SUIT OR OFFENSE	CIRCUIT												
	TOTAL	D.C.	FIRST	SECOND	THIRD	FOURTH	FIFTH	SIXTH	SEVENTH	EIGHTH	NINTH	TENTH	ELEVENTH
TOTAL CASES.....	23,854	852	897	2,396	2,038	2,202	2,487	2,374	1,870	1,403	3,325	1,563	2,447
TOTAL CRIMINAL CASES.....	4,858	101	160	502	411	370	367	366	295	266	830	309	881
TOTAL CIVIL CASES.....	18,996	751	737	1,894	1,627	1,832	2,120	2,008	1,575	1,137	2,495	1,254	1,566
U.S. CASES.....	5,489	520	222	473	384	465	409	508	469	362	842	417	418
U.S. PLAINTIFF.....	931	35	35	64	53	29	120	81	74	71	162	90	117
NEGOTIABLE INSTRUMENTS.....	19	1	3	1	2	-	2	1	1	1	2	1	4
OTHER CONTRACT ACTIONS.....	63	3	5	8	4	3	9	3	3	5	9	3	8
CONDEMNATION OF LAND.....	63	-	7	1	1	15	6	4	-	11	10	5	3
OTHER REAL PROPERTY ACTIONS.....	66	1	6	8	4	1	6	3	7	5	5	12	8
PERSONAL PROPERTY TORT ACTIONS.....	6	-	-	-	2	-	2	1	-	-	1	-	-
CIVIL RIGHTS:													
EMPLOYMENT.....	72	-	-	3	2	1	17	9	7	4	8	14	7
OTHER CIVIL RIGHTS.....	17	-	-	-	1	1	3	1	1	1	5	1	3
FORFEITURE AND PENALTY.....	110	1	3	16	4	5	18	4	8	2	23	4	22
FAIR LABOR STANDARDS ACT.....	46	2	-	3	2	-	12	6	1	7	1	8	4
LABOR MANAGEMENT RELATIONS ACT.....	20	1	-	1	1	-	2	-	2	-	10	2	1
OTHER LABOR.....	43	1	2	3	7	-	8	2	5	2	5	5	3
SECURITIES, COMMODITIES AND EXCHANGES.....	25	1	-	1	2	-	2	2	3	3	3	4	4
TAX SUITS.....	209	1	6	11	8	1	20	32	17	21	57	19	16
ALL OTHER.....	172	23	3	8	13	2	13	13	19	9	23	12	34
U.S. DEFENDANT.....	4,558	485	187	409	331	436	289	427	395	291	680	327	301
CONTRACT ACTIONS.....	121	9	3	8	11	13	6	10	12	10	22	7	10
REAL PROPERTY ACTIONS.....	71	1	5	2	2	9	3	2	3	10	23	7	4
TORT ACTIONS.....	424	35	17	41	30	24	42	27	20	22	94	31	41
CIVIL RIGHTS:													
EMPLOYMENT.....	233	56	38	6	8	22	13	11	16	8	21	14	20
OTHER CIVIL RIGHTS.....	394	73	26	34	34	14	16	19	38	28	74	24	14
PRISONER PETITIONS:													
MOTIONS TO VACATE SENTENCE.....	392	-	4	49	25	57	40	59	25	34	56	23	20
HABEAS CORPUS.....	424	10	5	44	34	20	15	31	97	27	59	63	19
PRISONER CIVIL RIGHTS.....	253	26	5	6	15	22	5	25	65	24	19	36	5
OTHER PRISONER PETITIONS.....	129	6	1	2	29	45	2	5	10	9	5	11	4
LABOR SUITS.....	104	15	3	9	10	13	5	9	2	7	19	1	11
SOCIAL SECURITY LAWS.....	826	17	52	76	74	117	57	167	41	54	82	15	74
TAX SUITS.....	234	-	7	12	13	21	25	19	25	21	39	31	21
ENVIRONMENTAL MATTERS.....	111	29	6	16	3	7	12	3	1	3	25	1	5
FREEDOM OF INFORMATION ACT.....	78	38	2	4	3	7	2	5	2	2	5	1	7
ALL OTHER.....	764	170	13	100	40	45	46	35	38	32	137	62	46
PRIVATE CASES.....	13,507	231	515	1,421	1,243	1,367	1,711	1,500	1,106	775	1,653	837	1,148
FEDERAL QUESTION.....	10,031	136	377	1,125	822	1,118	1,275	1,151	874	520	1,302	519	812
MARINE CONTRACT.....	209	-	8	49	1	22	48	5	2	10	31	-	33
OTHER CONTRACT ACTIONS.....	191	5	11	27	13	3	16	21	7	11	37	9	31
EMPLOYERS LIABILITY ACT.....	77	1	4	7	11	5	6	12	7	8	11	3	2
MARINE INJURY.....	240	-	8	14	4	6	172	7	-	3	13	-	13
OTHER TORT ACTIONS.....	283	8	10	32	11	12	61	23	14	9	48	9	46
ANTITRUST.....	327	15	9	30	35	26	29	16	28	19	85	18	17
CIVIL RIGHTS:													
EMPLOYMENT.....	1,047	17	53	97	76	89	155	116	87	71	116	47	123
OTHER CIVIL RIGHTS.....	1,751	34	109	199	143	103	192	226	207	113	197	101	127
PRISONER PETITIONS:													
HABEAS CORPUS.....	1,612	7	28	221	36	149	269	260	173	75	162	84	148
PRISONER CIVIL RIGHTS.....	1,984	10	33	133	269	560	125	223	155	85	172	117	102
OTHER PRISONER PETITIONS.....	51	1	-	3	1	29	4	4	4	1	-	3	1
LABOR MANAGEMENT RELATIONS ACT.....	406	5	21	37	62	15	23	74	34	28	77	4	26
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT.....	58	2	3	5	9	3	2	14	7	3	7	-	3
RAILWAY LABOR ACT.....	37	2	2	4	3	1	3	3	4	5	7	1	2
OTHER LABOR.....	251	7	11	24	20	15	28	33	19	10	54	12	18
COPYRIGHT, PATENT, & TRADEMARK.....	392	4	10	89	28	17	41	33	40	18	80	12	20
SECURITIES, COMMODITIES & EXCH. CONST. OF STATE STATUTES.....	290	3	14	54	14	12	24	27	24	4	34	49	31
ALL OTHER.....	131	-	11	16	11	10	12	10	11	10	25	9	6
ALL OTHER.....	694	15	32	84	75	41	65	44	51	37	146	41	63
DIVERSITY OF CITIZENSHIP.....	3,406	95	138	296	366	246	433	346	230	254	350	318	334
INSURANCE.....	484	8	12	21	65	32	55	47	22	31	53	38	100
OTHER CONTRACT ACTIONS.....	1,384	34	63	159	133	107	154	118	129	107	158	114	108
REAL PROPERTY ACTIONS.....	199	2	10	12	22	22	20	10	7	16	29	24	25
PERSONAL INJURY - MOTOR VEHICLE.....	187	2	4	6	28	6	30	27	7	29	8	20	20
PERSONAL INJURY - OTHER.....	404	29	22	35	50	33	67	44	21	20	23	43	17
OTHER TORT ACTIONS.....	747	20	27	62	68	46	107	100	44	51	79	79	64
ALL OTHER.....	1	-	-	1	-	-	-	-	-	-	-	-	-
GENERAL LOCAL JURISDICTION.....	70	-	-	-	55	3	3	3	2	1	1	-	2
CONTRACT ACTIONS.....	7	-	-	-	7	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS.....	7	-	-	-	7	-	-	-	-	-	-	-	-
TORT ACTIONS.....	17	-	-	-	17	-	-	-	-	-	-	-	-
PRISONER PETITIONS.....	1	-	-	-	1	-	-	-	-	-	-	-	-
ALL OTHER.....	38	-	-	-	23	3	3	3	2	1	1	-	2

TABLE C (CONTINUED)

U.S. COURTS OF APPEALS
NATURE OF SUIT OR OFFENSE OF APPEALS ARISING FROM THE U.S. DISTRICT COURTS BY CIRCUIT
DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1982

NATURE OF SUIT OR OFFENSE	CIRCUIT												
	TOTAL	D.C.	FIRST	SECOND	THIRD	FOURTH	FIFTH	SIXTH	SEVENTH	EIGHTH	NINTH	TENTH	ELEVENTH
TOTAL CRIMINAL CASES.....	4,858	101	160	502	411	370	367	366	295	266	830	309	881
HOMICIDE, TOTAL.....	68	-	-	-	8	4	6	3	8	9	21	6	3
MURDER, FIRST DEGREE.....	44	-	-	-	8	2	5	2	6	2	10	6	3
OTHER HOMICIDE.....	24	-	-	-	-	2	1	1	2	7	11	-	-
ROBBERY, TOTAL.....	336	6	3	29	48	49	11	20	12	21	83	17	37
BANK.....	312	5	3	26	42	46	10	19	11	21	80	17	32
OTHER ROBBERY.....	24	1	-	3	6	3	1	1	1	-	3	-	5
ASSAULT.....	81	1	1	3	13	12	4	7	3	8	11	11	7
BURGLARY.....	6	-	-	-	-	-	-	2	1	1	-	-	2
LARCENY AND THEFT, TOTAL.....	281	12	6	37	29	23	16	12	41	17	44	14	30
INTERSTATE COMMERCE.....	56	-	1	15	9	5	5	3	8	2	2	1	5
TRANSPORTATION, ETC. OF STOLEN													
PROPERTY.....	85	9	3	8	4	6	3	4	22	7	9	4	6
POSTAL.....	47	1	-	7	6	4	1	2	3	3	10	3	7
OTHER LARCENY AND THEFT.....	93	2	2	7	10	8	7	3	8	5	23	6	12
EMBEZZLEMENT.....	94	-	7	11	3	12	6	6	11	3	20	5	10
FRAUD, TOTAL.....	797	6	28	103	77	50	64	87	67	51	133	55	76
INCOME TAX.....	230	-	9	22	24	15	18	19	12	14	52	26	19
POSTAL AND INTERSTATE WIRE,													
RADIO, ETC.....	281	-	10	30	34	9	21	47	29	22	40	20	19
LENDING AND CREDIT.....	44	2	1	1	3	1	7	-	5	1	4	3	16
FALSE CLAIMS AND STATEMENTS.....	95	-	4	16	7	9	10	8	6	5	15	1	14
OTHER FRAUD.....	147	4	4	34	9	16	8	13	15	9	22	5	8
AUTO THEFT.....	50	-	1	2	1	5	6	11	6	3	3	3	9
FORGERY AND COUNTERFEITING.....	198	1	7	21	15	16	14	14	12	8	33	2	55
SEX OFFENSES.....	37	1	1	1	7	2	-	3	-	6	14	2	-
DRUG ABUSE PREVENTION AND													
CONTROL ACT, TOTAL.....	1,710	46	69	181	110	135	138	99	66	73	269	31	493
DAPCA MARIHUANA.....	579	3	34	36	17	60	47	28	12	23	28	9	282
DAPCA NARCOTICS.....	807	31	29	133	42	64	57	51	39	29	162	13	157
DAPCA CONTROLLED SUBSTANCES.....	324	12	6	12	51	11	34	20	15	21	79	9	54
MISCELLANEOUS GENERAL OFFENSES,													
TOTAL.....	735	21	25	84	79	37	60	74	47	40	111	48	109
BRIBERY.....	35	7	4	7	4	2	-	-	-	-	3	-	8
EXTORTION, RACKETEERING AND													
THREATS.....	183	-	1	36	22	6	19	27	4	7	20	12	29
GAMBLING, LOTTERY.....	46	-	10	2	10	4	-	4	-	-	5	10	1
KIDNAPPING.....	20	-	-	-	3	1	2	1	2	2	3	1	5
FIREARMS, WEAPONS.....	281	13	5	21	29	16	17	33	24	21	45	16	41
ESCAPE.....	77	1	1	2	4	1	14	6	3	5	26	6	8
PERJURY.....	31	-	-	9	2	-	4	2	2	4	3	-	5
OTHER MISCELLANEOUS GENERAL													
OFFENSES.....	62	-	4	7	5	7	4	1	12	1	6	3	12
IMMIGRATION LAWS.....	90	-	3	5	-	-	20	3	3	-	39	3	14
LICUOR, INTERNAL REVENUE.....	1	-	-	-	-	1	-	-	-	-	-	-	-
FEDERAL STATUTES.....	353	6	8	25	19	24	21	22	12	25	48	110	33
OTHER.....	21	1	1	-	2	-	1	3	6	1	1	2	3

TABLE D

UNITED STATES COURTS OF APPEALS
CASES COMMENCED AND TERMINATED DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1981.

NATURE OF PROCEEDING	CASES PENDING JAN. 1 1981	CASES COM- MENCED	CASES TERM- INATED	CASES PENDING DEC. 31 1981	CASES DISP. OF BY CONSOL- IDATION	CASES DISPOSED OF WITHOUT HEARING OR SUBMISSION			CASES DISPOSED OF AFTER HEARING OR SUBMISSION					
						TOTAL	W/ JUD. ACTION	W/O JUD. ACTION	TOTAL	AFFIRM. OR GRANTED	DIS- MISSED	REV. OR DENIED	OTHER	PCT.* REV.
ALL CIRCUITS.....	21,429	27,445	26,757	22,117	3,990	10,430	5,729	4,701	12,337	9,147	602	2,224	362	17.3
CRIMINAL.....	3,574	4,455	4,219	3,810	833	854	440	414	2,530	2,160	54	276	38	10.9
U. S. PRISONER PETITIONS	774	1,223	1,180	819	96	629	407	222	455	385	16	45	9	9.9
OTHER U. S. CIVIL.....	3,177	4,198	4,099	3,276	585	1,568	635	933	1,946	1,348	79	439	80	22.6
PRIV. PRISONER PETITIONS	2,153	3,560	3,310	2,403	198	1,908	1,444	444	1,204	892	44	212	34	17.6
OTHER PRIVATE CIVIL.....	7,595	9,322	9,086	7,831	1,487	3,164	1,225	1,939	4,435	3,193	249	874	119	19.7
BANKRUPTCY.....	442	476	543	375	86	181	61	120	276	210	16	43	7	15.4
ADMINISTRATIVE APPEALS...	3,538	3,464	3,543	3,459	462	1,491	928	563	1,370	952	120	223	75	14.3
ORIGINAL PROCEEDINGS....	174	747	777	144	23	633	589	44	121	7	-	114	-	-
EIGHTH CIRCUIT.....	761	1,510	1,472	799	190	450	207	243	832	640	33	149	10	17.6
CRIMINAL.....	147	233	238	142	31	26	19	7	181	154	5	20	-	11.0
U. S. PRISONER PETITIONS	28	77	76	29	4	31	19	12	41	36	-	4	1	9.8
OTHER U. S. CIVIL.....	105	259	235	129	42	77	27	50	116	68	6	38	4	32.8
PRIV. PRISONER PETITIONS	79	182	180	81	8	46	29	17	126	97	6	21	2	16.7
OTHER PRIVATE CIVIL.....	285	562	513	334	83	155	59	96	275	220	10	44	1	16.0
BANKRUPTCY.....	11	20	18	13	2	5	2	3	11	5	1	5	-	-
ADMINISTRATIVE APPEALS...	99	140	174	65	18	78	22	56	78	57	5	14	2	17.9
ORIGINAL PROCEEDINGS....	7	37	38	6	2	32	30	2	4	1	-	3	-	-

U.S. COURTS OF APPEALS
CASES COMMENCED AND TERMINATED DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1982.

CIRCUIT AND NATURE OF PROCEEDING	CASES PENDING JAN. 1 1982	CASES COM- MENCED	CASES TERM- INATED	CASES PENDING DEC. 31 1982	CASES DISPOSED OF BY CONSOLIDATION			CASES DISPOSED OF WITHOUT HEARING OR SUBMISSION			CASES DISPOSED OF AFTER HEARING OR SUBMISSION					
					TOTAL	W/O JUD. ACT.	W/ JUD. ACT.	TOTAL	W/O JUD. ACT.	W/ JUD. ACT.	TOTAL	AFFIRM. OR GRANTED	DIS- MISSED	REV. OR DENIED	OTHER	PCT.* REV.
ALL CIRCUITS.....	22,139	28,161	28,151	22,149	4,173	447	3,726	11,124	5,256	5,868	12,854	9,863	589	2,087	315	15.6
CRIMINAL.....	3,812	4,858	4,588	4,082	1,037	23	1,014	916	480	436	2,835	2,313	55	243	24	9.2
U. S. PRISONER PETITIONS	819	1,198	1,237	780	56	2	54	711	280	431	470	385	17	54	14	11.5
OTHER U. S. CIVIL.....	3,279	4,291	4,295	3,275	715	115	600	1,636	899	737	1,944	1,419	66	397	82	20.4
PRIV. PRISONER PETITIONS	2,400	3,648	3,648	2,400	134	10	124	2,047	529	1,518	1,467	1,175	52	206	34	14.0
OTHER PRIVATE CIVIL.....	7,840	9,859	9,699	8,000	1,567	254	1,313	3,522	2,275	1,247	4,610	3,436	198	868	108	18.8
BANKRUPTCY.....	378	530	463	445	52	12	40	180	123	57	231	14	20	65	5	28.1
ADMINISTRATIVE APPEALS...	3,461	3,038	3,440	3,059	582	30	552	1,477	625	852	1,381	984	181	148	68	10.7
ORIGINAL PROCEEDINGS....	150	739	781	108	30	1	29	835	45	590	116	10	-	106	-	-
EIGHTH CIRCUIT.....	800	1,607	1,511	898	232	33	199	520	258	262	759	621	19	109	10	13.8
CRIMINAL.....	142	266	258	150	56	-	56	39	11	28	163	152	2	8	-	5.5
U. S. PRISONER PETITIONS	29	94	94	29	3	-	3	65	20	45	28	23	1	2	-	7.7
OTHER U. S. CIVIL.....	129	288	230	167	39	4	35	87	50	37	104	82	1	18	3	17.3
PRIV. PRISONER PETITIONS	82	161	177	86	11	-	11	53	12	41	113	94	2	16	1	14.2
OTHER PRIVATE CIVIL.....	333	614	555	392	115	27	88	182	124	58	258	200	7	47	4	18.2
BANKRUPTCY.....	13	39	31	21	3	2	1	8	8	-	20	14	1	5	-	25.0
ADMINISTRATIVE APPEALS...	66	108	111	63	2	-	2	41	30	11	68	56	5	5	2	7.4
ORIGINAL PROCEEDINGS....	6	57	55	8	3	-	3	45	3	42	7	-	-	7	-	-

PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES DISPOSED OF AFTER HEARING OR SUBMISSION IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED OR DENIED HAS BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS. NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.

TABLE E

U.S. COURTS OF APPEALS
MEDIAN TIME INTERVALS IN CASES TERMINATED AFTER HEARING OR SUBMISSION, BY CIRCUIT
DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1982

CIRCUIT	CASES	FROM FILING OF COMPLETE RECORD TO FINAL DIS- POSITION	FROM FILING OF COMPLETE RECORD TO FILING LAST BRIEF	FROM FILING LAST BRIEF TO HEARING OR SUBMISSION	FROM HEARING OR SUBMISSION TO FINAL DISPOSITION	FROM FILING NOTICE OF APPEAL TO FILING COMPLETE RECORD	FROM FILING NOTICE OF APPEAL TO FINAL DISPO- SITION	FROM FILING IN LOWER COURT TO FINAL DIS- POSITION IN APPELLATE COURT
		INTERVAL (MONTHS)	INTERVAL (MONTHS)	INTERVAL (MONTHS)	INTERVAL (MONTHS)	INTERVAL (MONTHS)	INTERVAL (MONTHS)	INTERVAL (MONTHS)
ALL CASES								
TOTAL	12,854	8.7	3.0	3.0	1.5	1.5	11.3	25.2
DISTRICT OF COLUMBIA..	564	9.2	4.6	2.2	1.6	1.3	10.1	23.2
FIRST.....	406	6.5	2.6	1.3	2.1	1.0	8.4	21.0
SECOND.....	1,113	4.7	2.4	.9	.4	1.1	6.3	18.0
THIRD.....	1,339	7.7	2.8	3.4	.3	1.2	9.6	23.2
FOURTH.....	687	7.1	2.7	1.6	2.4	2.8	10.6	23.4
FIFTH.....	1,519	8.3	3.2	2.4	2.1	1.7	10.5	28.5
SIXTH.....	1,491	13.1	3.4	7.4	.7	1.2	14.7	27.5
SEVENTH.....	958	9.8	3.0	2.8	2.4	1.1	12.1	27.8
EIGHTH.....	759	5.2	1.0	2.2	1.4	2.1	7.9	19.8
NINTH.....	2,035	11.6	3.7	3.9	2.2	1.8	14.5	28.5
TENTH.....	883	10.7	2.6	3.4	1.9	1.1	13.1	26.5
ELEVENTH.....	1,100	10.3	3.4	4.4	1.9	1.8	12.9	25.4
CIVIL								
TOTAL	8,491	9.2	3.0	3.2	1.5	1.3	11.6	29.2
DISTRICT OF COLUMBIA..	299	9.1	4.3	2.3	1.4	1.2	10.4	26.0
FIRST.....	288	6.5	2.6	1.4	2.1	.9	8.1	25.2
SECOND.....	647	4.9	2.4	1.0	.6	1.1	6.5	21.5
THIRD.....	880	7.8	2.7	3.5	.3	1.1	9.5	25.9
FOURTH.....	428	7.2	2.7	1.6	2.4	2.2	10.2	26.6
FIFTH.....	1,061	8.5	3.2	2.7	2.1	1.4	10.5	32.4
SIXTH.....	1,136	13.4	3.3	8.0	.6	1.0	15.0	29.2
SEVENTH.....	664	10.5	3.0	3.3	2.2	.9	12.6	31.2
EIGHTH.....	501	5.4	1.0	2.3	1.4	2.1	8.3	24.9
NINTH.....	1,275	13.3	4.0	5.2	2.4	1.7	16.3	33.3
TENTH.....	605	10.1	2.3	3.0	1.4	.8	12.2	30.4
ELEVENTH.....	707	10.5	3.2	4.8	2.0	1.5	12.7	29.4
CRIMINAL								
TOTAL	2,635	7.4	2.8	2.5	1.5	2.3	10.6	17.7
DISTRICT OF COLUMBIA..	60	7.0	3.8	.7	1.1	1.4	8.5	13.6
FIRST.....	68	6.4	3.0	1.2	1.8	2.7	9.4	15.3
SECOND.....	270	4.1	2.3	.9	.2	1.2	5.8	14.4
THIRD.....	273	7.1	2.9	3.1	.2	2.1	10.3	17.6
FOURTH.....	174	6.7	2.4	1.7	2.3	5.4	12.8	18.6
FIFTH.....	311	7.9	3.3	1.8	1.8	2.5	11.0	18.4
SIXTH.....	208	8.5	3.7	3.2	.7	3.4	12.7	20.5
SEVENTH.....	164	7.9	2.4	1.9	3.0	2.9	11.3	19.1
EIGHTH.....	163	4.6	.7	2.1	1.4	1.9	6.6	12.8
NINTH.....	451	8.1	2.5	3.0	2.0	2.0	10.9	17.2
TENTH.....	177	10.5	3.2	3.1	2.9	1.7	14.7	22.3
ELEVENTH.....	316	9.6	3.7	3.6	1.4	2.9	13.4	20.2
ADMINISTRATIVE AGENCY								
TOTAL	1,381	9.8	3.7	3.2	1.9	-	-	-
DISTRICT OF COLUMBIA..	203	10.7	5.5	2.4	2.2	-	-	-
FIRST.....	43	7.0	3.0	1.3	2.6	-	-	-
SECOND.....	94	5.4	2.5	1.0	1.2	-	-	-
THIRD.....	158	8.1	3.3	3.4	.4	-	-	-
FOURTH.....	74	7.9	3.1	1.4	2.9	-	-	-
FIFTH.....	126	7.7	3.0	3.2	2.5	-	-	-
SIXTH.....	127	15.1	4.2	8.8	1.0	-	-	-
SEVENTH.....	99	10.1	4.0	2.6	3.0	-	-	-
EIGHTH.....	68	5.9	1.8	2.1	1.2	-	-	-
NINTH.....	260	12.1	4.5	4.0	1.9	-	-	-
TENTH.....	69	17.9	3.3	9.3	2.8	-	-	-
ELEVENTH.....	60	11.8	3.9	4.8	3.0	-	-	-
BANKRUPTCY								
TOTAL	231	8.8	2.7	3.4	1.9	1.1	11.0	20.8
DISTRICT OF COLUMBIA..	1	14.8	6.9	4.0	3.9	.8	15.6	26.4
FIRST.....	5	5.7	3.5	.7	1.8	.4	6.1	23.0
SECOND.....	22	5.0	1.4	.9	1.0	1.2	6.1	12.7
THIRD.....	20	6.6	2.7	3.1	.5	1.1	8.1	15.0
FOURTH.....	9	6.5	3.0	1.8	1.6	1.2	8.0	14.2
FIFTH.....	18	7.5	2.4	.8	2.2	.6	8.1	15.7
SIXTH.....	18	16.0	3.1	9.2	1.1	.8	17.5	25.4
SEVENTH.....	31	10.4	3.3	3.3	2.1	.6	11.7	22.4
EIGHTH.....	20	6.6	.8	2.6	2.1	1.3	8.8	18.6
NINTH.....	46	12.2	3.1	5.8	1.8	2.0	15.1	25.4
TENTH.....	24	8.8	2.8	3.9	1.7	.6	9.4	18.6
ELEVENTH.....	17	12.1	2.6	5.1	4.5	1.5	16.9	24.8

TABLE F

U.S. District Court

Criminal Cases Commenced, Terminated, and Pending, by District
During the Twelve Month Periods Ended December 31, 1981 and 1982

Circuit and District	Filings			Terminations			Pending		
	1981	1982	Percent Change	1981	1982	Percent Change	1981	1982	Percent Change
Total	31,566	32,819	4.0	30,197	31,401	4.0	16,176	17,594	8.8
8th Cir.	2,063	2,218	7.5	2,127	2,145	0.8	602	675	12.1
AR, E	192	224	16.7	178	234	31.5	70	60	-14.3
AR, W	112	99	-11.6	111	94	-15.3	26	31	19.2
LA, N	68	75	10.3	57	77	35.1	28	26	-7.1
LA, S	108	110	1.9	120	108	-10.0	49	51	4.1
MN	227	259	14.1	257	252	-1.9	96	103	7.3
MO, E	223	304	36.3	206	275	33.5	78	107	37.2
MO, W	705	721	2.3	748	691	-7.6	114	144	26.3
NE	83	102	22.9	100	101	1.0	38	39	2.6
ND	108	107	-0.9	104	97	-6.7	33	43	30.3
SD	237	217	-8.4	246	216	-12.2	70	71	1.4

TABLE G

U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, TERMINATED AND PENDING
DURING THE TWELVE MONTH PERIODS ENDED DEC. 31, 1981 AND 1982

CIRCUIT AND DISTRICT	FILINGS			TERMINATIONS			PENDING		
	PERIOD ENDED DEC. 31, 1981	PERIOD ENDED DEC. 31, 1982	PERCENT CHANGE	PERIOD ENDED DEC. 31, 1981	PERIOD ENDED DEC. 31, 1982	PERCENT CHANGE	PERIOD ENDED DEC. 31, 1981	PERIOD ENDED DEC. 31, 1982	PERCENT CHANGE
TOTAL...	190,428	223,581	17.4	180,635	202,766	12.3	196,808	217,623	10.6
8TH...	12,342	15,751	27.6	11,044	14,325	29.7	12,001	13,427	11.9
AR. E....	1,890	2,005	6.1	1,733	1,811	4.5	1,797	1,991	10.8
AR. W....	961	1,013	5.4	897	975	8.7	897	935	4.2
IA. N....	474	629	32.7	403	538	33.5	431	522	21.1
IA. S....	889	1,107	24.5	777	895	15.2	980	1,192	21.6
MN.	2,305	3,943	71.1	2,115	3,584	69.5	2,049	2,408	17.5
MO. E....	1,962	2,572	31.1	1,722	2,110	22.5	1,512	1,974	30.6
MO. W....	1,837	2,257	22.9	1,682	2,183	29.8	2,193	2,267	3.4
NE.	1,013	1,328	31.1	914	1,187	29.9	1,115	1,256	12.6
ND.	428	385	-10.1	335	360	7.5	364	389	6.9
SD.	583	512	-12.2	466	682	46.4	663	493	-25.7

TABLE H U. S. DISTRICT COURTS
CIVIL CASES TERMINATED, BY DISTRICT AND ACTION TAKEN
(LAND CONDEMNATION CASES OMITTED)
DURING THE TWELVE MONTH PERIOD ENDED DEC. 31, 1982

CIRCUIT AND DISTRICT	TOTAL	NO COURT ACTION	COURT ACTION						
			TOTAL	BEFORE PRETRIAL	DURING OR AFTER PRETRIAL	DURING OR AFTER TRIAL			
						TOTAL	NON- JURY	JURY	PERCENT REACHING TRIAL
TOTAL...	199,919	90,095	109,824	72,673	25,612	11,539	6,627	4,912	5.8
8TH...	14,174	7,605	6,569	4,186	1,386	997	532	465	7.0
AR. E...	1,797	688	1,109	792	154	163	110	53	9.1
AR. W...	964	442	522	312	119	91	41	50	9.4
IA. N...	538	251	287	224	39	24	13	11	4.5
IA. S...	894	340	554	337	158	59	33	26	6.6
MH...	3,575	2,628	947	371	476	100	62	38	2.8
MO. E...	2,093	1,271	822	580	42	200	104	96	9.6
MO. W...	2,104	879	1,225	865	212	148	57	91	7.0
NE...	1,175	583	592	387	92	113	50	63	9.6
ND...	358	209	149	79	46	24	18	6	6.7
SD...	676	314	362	239	48	75	44	31	11.1

TABLE I U. S. DISTRICT COURTS
CIVIL CASES PENDING. BY DISTRICT AND LENGTH OF TIME PENDING
(LAND CONDEMNATION CASES ARE OMITTED)
AS OF DEC. 31. 1982

CIRCUIT AND DISTRICT	TOTAL	LENGTH OF TIME PENDING				
		LESS THAN 1 YEAR	1 TO 2 YEARS	2 TO 3 YEARS	3 YEARS AND OVER	
					NUMBER	PERCENT
TOTAL...	213,402	133,471	45,655	19,473	14,803	6.9
8TH...	13,223	8,909	2,805	1,025	484	3.7
AR. E....	1,967	1,224	441	219	83	4.2
AR. W....	901	638	190	53	20	2.2
IA. N....	522	356	123	29	14	2.7
IA. S....	1,191	700	335	114	42	3.5
MN.....	2,403	1,719	450	155	79	3.3
MO. E....	1,948	1,520	295	86	47	2.4
MO. W....	2,184	1,386	487	189	122	5.6
NE.....	1,246	829	267	94	56	4.5
ND.....	376	239	106	24	7	1.9
SC.....	485	298	111	62	14	2.9

TABLE J U. S. DISTRICT COURTS
LAND CONDEMNATION CASES PENDING
BY DISTRICT AND LENGTH OF TIME PENDING
AS OF DEC. 31, 1982

CIRCUIT AND DISTRICT	TOTAL	LENGTH OF TIME PENDING				
		LESS THAN 1 YEAR	1 TO 2 YEARS	2 TO 3 YEARS	3 YEARS AND OVER	
					NUMBER	PERCENT*
TOTAL...	4,221	1,097	594	719	1,811	42.9
8TH...	204	51	93	25	35	17.2
AR. E....	24	7	13	1	3	12.5
AR. W....	34	12	10	5	7	20.6
IA. N....	-	-	-	-	-	-
IA. S....	1	-	1	-	-	-
MN.....	5	2	2	-	1	-
MO. E....	26	12	7	-	7	26.9
MO. W....	83	16	32	18	17	20.5
NE.....	10	2	7	1	-	-
ND.....	13	-	13	-	-	-
SD.....	8	-	8	-	-	-

* PERCENT NOT COMPUTED WHEN THERE ARE LESS THAN 10 CASES