



# THE UNITED STATES COURTS

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*a  
pictorial  
summary*

FOR THE TWELVE-MONTH  
PERIOD ENDED JUNE 30

**1979**

*Published by the  
Administrative Office of  
the United States Courts*

WILLIAM E. FOLEY, DIRECTOR



**THE UNITED STATES COURTS: A PICTORIAL SUMMARY  
THROUGH THE TWELVE-MONTH PERIOD ENDED JUNE 30, 1979**

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**REPORT OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE  
OF THE UNITED STATES COURTS  
WORKLOAD FOR THE YEAR ENDED JUNE 30, 1979**

September 19, 1979

TO THE CHIEF JUSTICE OF THE UNITED STATES, CHAIRMAN; AND MEMBERS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES:

It is my pleasure to present this pictorial summary of the workload of the federal judiciary for the year ended June 30, 1979.

**INTRODUCTION**

One of the responsibilities of the Director of the Administrative Office is to provide the Judicial Conference of the United States at its fall meeting an annual report on the business of the judiciary for the 12 months ended June 30. Because of the extensive length and detail of the annual report, a concise summarizing report is also needed. This pictorial summary of the activity of the federal courts is designed to fill that need.

**UNITED STATES COURTS OF APPEALS**

The number of appeals filed in 1979 continued in its steady climb to 20,219 cases. This series of annual increases began in the late 1950's and was only interrupted by an almost inconsequential decline (1.0%) last year. Filings and terminations increased at precisely the same rate (6.9%) in 1979. Because there were more appeals filed than terminated, however, this guaranteed that the number of cases pending would increase. A summary of the appellate court workload follows:

				Percent Change	
				1979 over 1970	1979 over 1978
Courts of Appeals	1970	1978	1979		
Cases Filed . . . . .	11,662	18,918	20,219	73.4	6.9
Cases Terminated . . . . .	10,699	17,714	18,928	76.9	6.9
Cases Pending June 30 . . .	8,812	16,648	17,939	103.6	7.8

**UNITED STATES DISTRICT COURTS**

The Omnibus Judgeship Act of 1978 added 117 new judgeships to the district courts raising the total authorized to 516. Of the 516, all but 19 of the 399 previously authorized judgeships were filled on June 30, 1979. Seventeen of the 117 judgeships were filled by that same date.

**Civil Litigation**

The volume of civil litigation in the district courts continued its climb to a record level of 154,666 filings. The speed with which the number of filings is increasing can only be understood by realizing that the percent increase each year over the previous year is itself increasing on the average. For example, civil case filings rose only 18.6% from 1970 to 1974 but increased by 31.8% over the 5-year period from 1975 to 1979. Although random fluctuations may make individual annual increases in this decade high or low, the overall trend is clear.



Leading the increase in civil filings were 9,254 suits for recovery of over-payments and enforcement of judgments. In 1978 there were only 1,856 such filings and in 1977 only 865. Most of the cases were instituted by the federal government to recover loans to students. Other major increases were tax suits, labor litigation, prisoner petitions, and filings involving personal injury.

Civil terminations have continued to rise to 143,323 in 1979. This increase of 13.8% over the 1978 level was not enough, however, to keep the number of cases pending from also rising to a record level of 177,805.

A summary of the civil workload in the district courts is as follows:

Civil Litigation	1970	1978	1979	Percent Change	
				1979 over 1970	1979 over 1978
Cases Filed . . . . .	87,321	138,770	154,666	77.1	11.5
Cases Terminated . . . . .	80,435	125,914	143,323	78.2	13.8
Cases Pending June 30 . . . . .	93,207	166,462	177,805	90.8	6.8

### Criminal Prosecutions

The number of criminal cases filed in district courts continued to decline, falling 9.2% from 35,983 in 1978 to 32,688 in 1979. Terminations also declined 10.4% to 33,411 cases, as did the number of cases pending (down 4.6% to 15,124).

The decline in filings may be attributed in large measure to the policy announced by the Attorney General in November 1977, directing the federal crime program primarily to deal with organized crime, narcotics, public corruption and white-collar crime. Further, the reduction of bank robbery prosecutions by federal authorities and the drop in juvenile offenders (both of which were diverted to state authorities) have contributed to the substantial decline in the criminal caseload.

A summary of the criminal workload in the district courts follows:

Criminal Prosecutions	1970	1978	1979	Percent Change	
				1979 over 1970	1979 over 1978
Cases Filed . . . . .	39,959	35,983	32,688	-18.2	-9.2
Cases Terminated . . . . .	36,819	37,286	33,411	-9.3	-10.4
Cases Pending June 30 . . . . .	20,910	15,847	15,124	-27.7	-4.6
Defendants Filed . . . . .	50,013	47,556	43,500	-13.0	-8.5
Defendants Terminated . . . . .	N/A	49,727	44,567	N/A	-10.4
Defendants Pending June 30 . . . . .	N/A	22,484	21,417	N/A	-4.7

### Juror Utilization

As is the case in any business, an effective use of resources is a key to success. This is particularly applicable to the federal courts in the use of jurors. A primary measure of this effectiveness is the Juror Usage Index. The Index is the average number of jurors on hand for each trial day. It is calculated by dividing the total number of available juror days by the number of jury trial days.

### Petit Jury

The number of total available jurors declined for the third year in a row to 565,617 in 1979. The percent of jurors selected or serving went down 1.3 percentage points to 59.2%, the only drop since records were first kept in 1971. The Juror Usage Index went up marginally from 19.51 to 19.60. The decline in the Index (in the last 9 years) and the increase in the proportion of jurors selected or serving indicate that there has been improvement in the utilization of petit jurors in the district courts. The minor change in direction of the two statistics in the most recent years could indicate that maximum efficiency using present techniques has been reached and that the numbers should stay at roughly their present levels.

The petit juror statistics are summarized in the following table:

Petit Jury	1971	1977	1978	1979
Juror Usage Index.....	23.31	19.55	19.51	19.60
Percent Selected or Serving .....	54.2	60.4	60.5	59.2
Percent Challenged .....	12.9	15.5	15.5	16.2
Percent Not Selected, Serving or Challenged .....	32.8	24.1	24.0	24.6

Note: 1971 percentages do not add to 100.0% because of rounding.

### U.S. MAGISTRATES

Although the total number of matters handled by magistrates declined slightly from 297,561 last year to 292,179 this year (-1.8%), magistrates are performing an increasing number of more time-consuming "additional duties" under 28 U.S.C 636(b). While the trial jurisdiction cases and the preliminary proceedings in criminal cases declined by 2.2% and 9.7%, respectively, the "additional duties" went against this trend by increasing 3.8%.

Magistrate activity is summarized in this manner:

U.S. Magistrate Activity	1970	1978	1979	Percent Change	
				1979 over 1970	1979 over 1978
Total Matters Handled .....	237,522	297,561	292,179	23.0	-1.8
Trial Jurisdiction Cases .....	72,082	102,547	100,267	39.1	-2.2
Preliminary Proceedings in Criminal Cases .....	120,723	77,332	69,798	-42.2	-9.7
Additional Duties					
Criminal .....	22,336	43,071	40,691	82.2	-5.4
Civil .....	22,381	74,611	81,423	263.8	9.1

### FEDERAL PROBATION SYSTEM

The number of persons received for supervision by the Federal Probation System continued its decline after peaking in 1975. The number decreased to 41,863 persons, sliding 2.8% since 1978. The number of persons under supervision usually follows the number received quite closely (compare charts X, "Persons Under Supervision...", and XI, "Type of Supervision..."). Although the number of persons under supervision also declined this year (down 0.9% to 66,087), it did not decline in 1978 as did persons received.

The number of persons removed from the Federal Probation Service increased by 4.0% to 44,049.

The probation system prepared 109,172 investigative reports in 1979 (up 6.3% from the previous year). Of this number, 26,388 were presentence investigation reports ordered by the court, a substantial reduction (13.7%) from 1978's total.

A summary of the probation workload is as follows:

				Percent Change	
				1979 over 1970	1979 over 1978
Federal Probation System	1970	1978	1979		
Persons Received* . . . . .	28,658	43,060	41,863	46.1	-2.8
Persons Removed* . . . . .	27,236	42,339	44,049	61.7	4.0
Persons Under Supervision on June 30 . . . . .	38,409	66,681	66,087	72.1	-0.9
Investigative Reports . . . . .	59,033	102,706	109,172	84.9	6.3

\*Includes transfers

### BANKRUPTCY CASES

Bankruptcy cases increased 11.6% in 1979 to 226,476, the first increase since filings shot up to their highest level (254,484) in 1975. (See Chart XIII, "Bankruptcy Cases Commenced".) The number of bankruptcy filings is more likely to change direction than other statistics in the federal courts because it is more dependent upon economic conditions. In spite of its variability, however, it can be safely assumed that filings will continue to increase through 1980.

A summary of bankruptcy activity in the district courts is as follows:

				Percent Change	
				1979 over 1970	1979 over 1978
Bankruptcy Cases	1970	1978	1979		
Cases Filed . . . . .	194,399	202,951	226,476	16.5	11.6
Cases Terminated . . . . .	182,430	216,733	209,316	14.7	-3.4
Cases Pending . . . . .	190,627	240,147	258,168	35.4	7.5

### CRIMINAL JUSTICE ACT

The Criminal Justice Act of 1964 provides court-appointed counsel for indigent persons who request legal representation in the federal courts. The C.J.A. charts which appear in this summary are based in part on information from vouchers supplied by the private panel attorneys. Since these vouchers are not always returned promptly, the totals for 1978 and 1979 are estimates.

The average payment to a private panel counsel in U.S. courts of appeals is estimated at \$920, an increase of 2.2% over the 1978 estimate of \$900. The analogous figure for district court case representations in 1979 is \$430, a 4.9% increase over the 1978 estimate of \$410.

The number of persons represented in the courts of appeals under the Criminal Justice Act is estimated to be 2,472 in 1979, of which 672 (not estimated) were represented by federal public or community defenders. The estimate for the district courts is 41,701 persons, of which 20,582 were represented by federal public or community defenders.

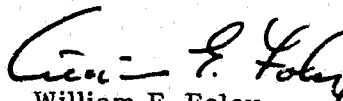
### **THE JUDICIAL DOLLAR**

There were no major changes in the proportions of the judicial dollar spent in various categories in 1979.

### **PERSONNEL IN THE FEDERAL JUDICIARY**

Compared to 1978 the total number of persons in the judiciary increased a modest 1.5% to 12,463. The most noteworthy personnel change in the last year was the increase in bankruptcy judges and staff - up 25.5% to 1,569 people. This is due in part to the transfer of district court clerk personnel to the new Bankruptcy Court pursuant to the provisions of the Bankruptcy Act of 1978.

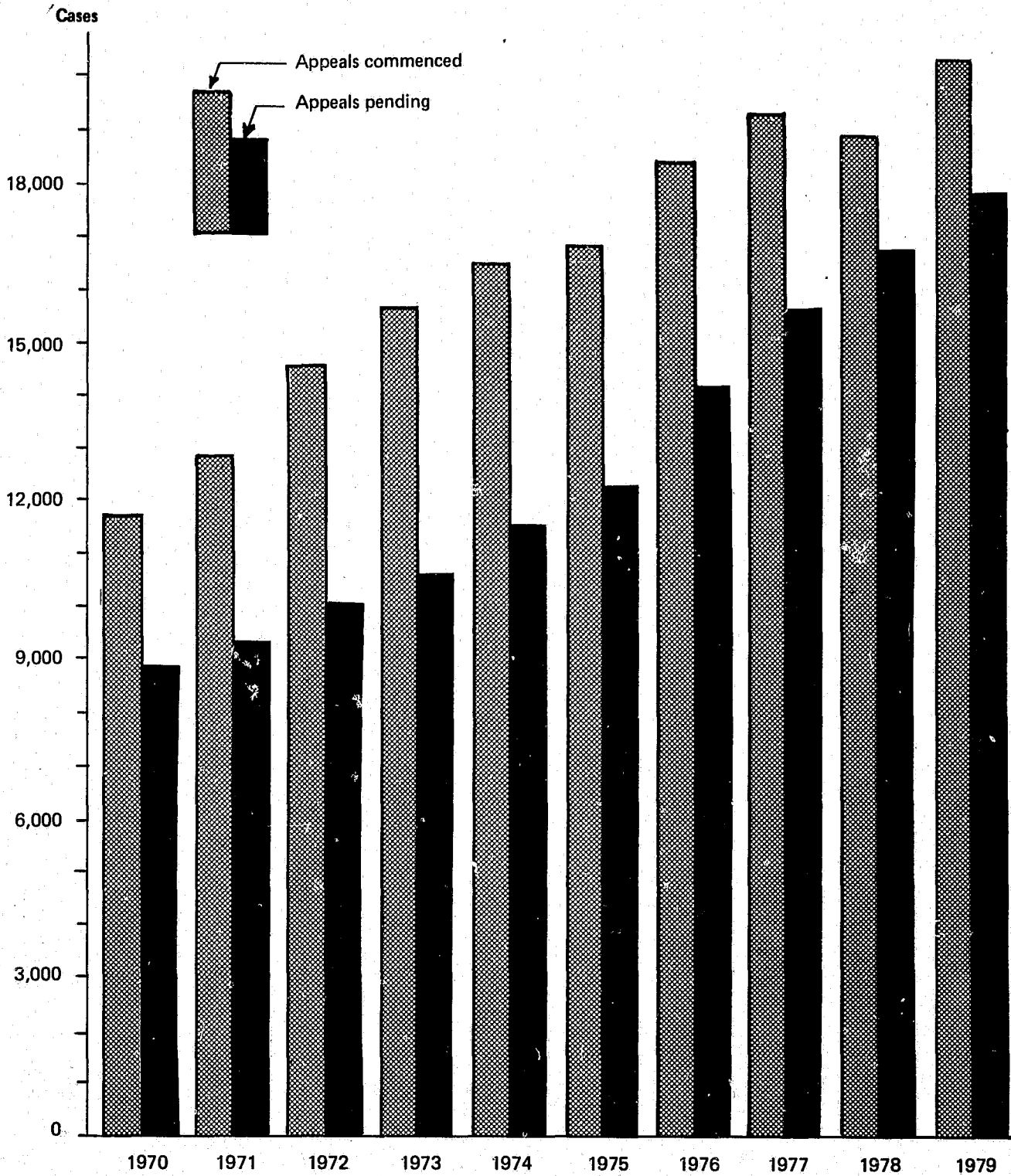
Respectfully submitted,

  
William E. Foley  
Director



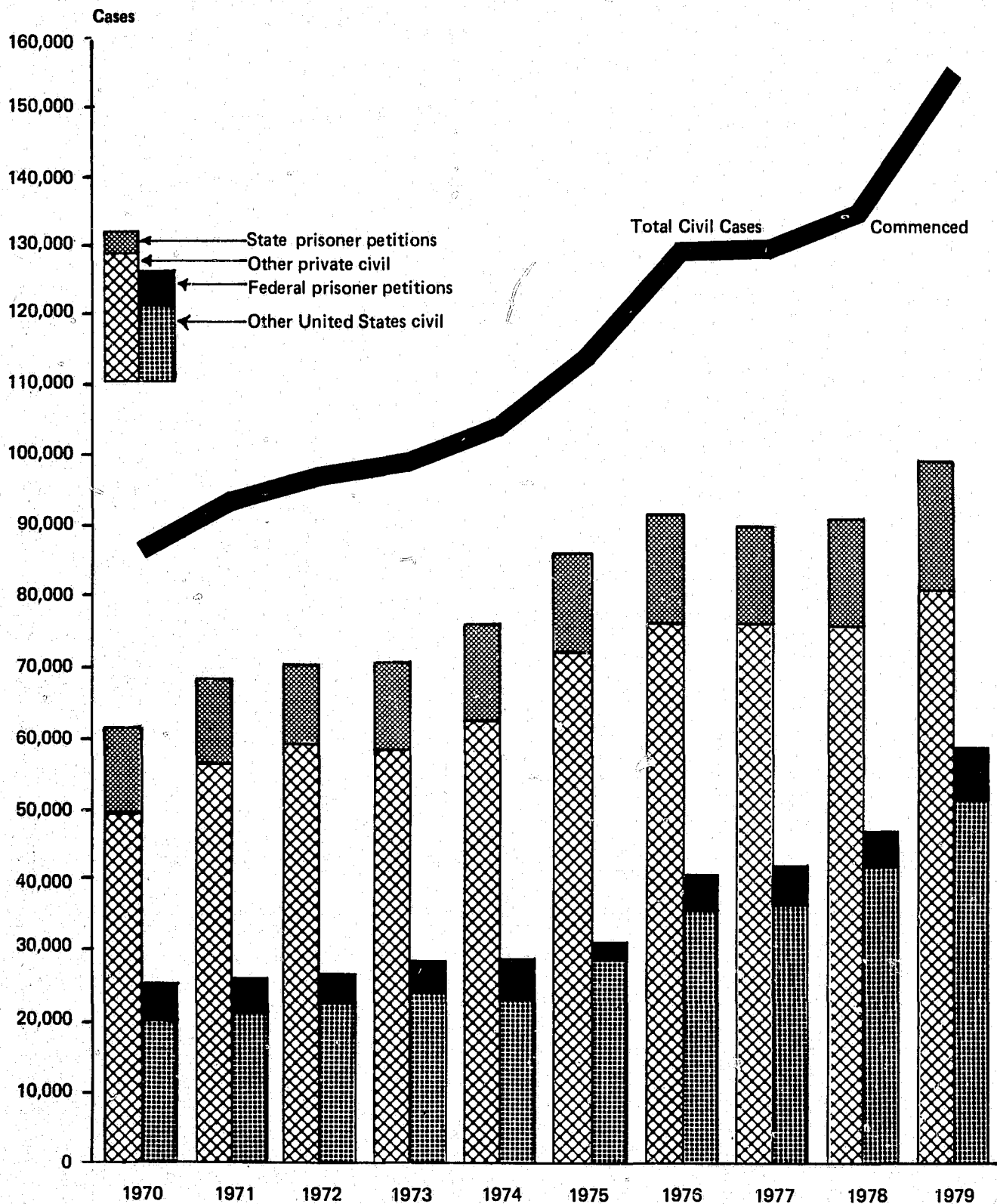
**APPEALS COMMENCED AND PENDING**

12 MONTHS ENDED JUNE 30, 1970-1979



**CIVIL CASES COMMENCED**

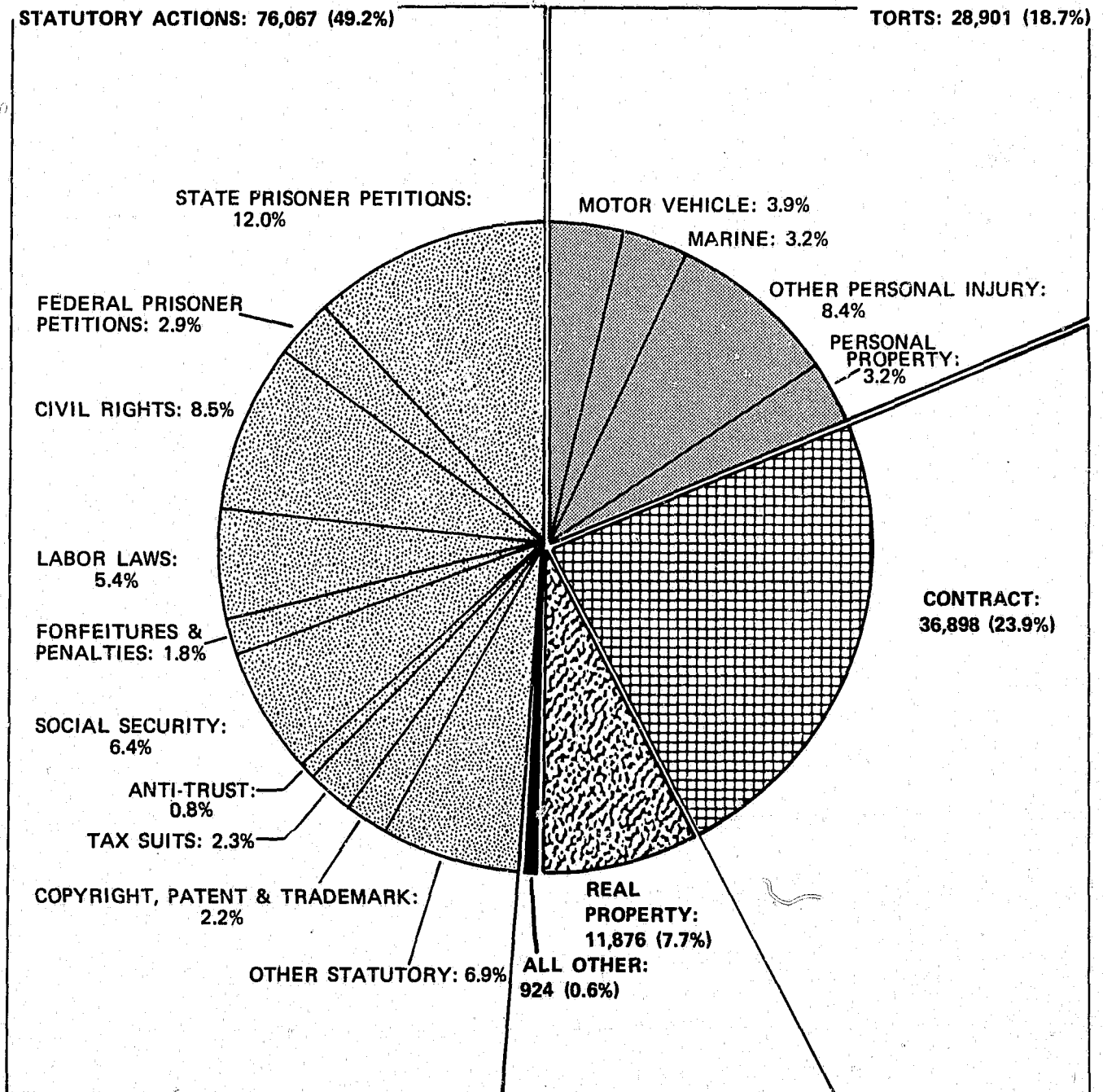
12 MONTHS ENDED JUNE 30, 1970-1979



**TYPE OF CIVIL CASES COMMENCED**

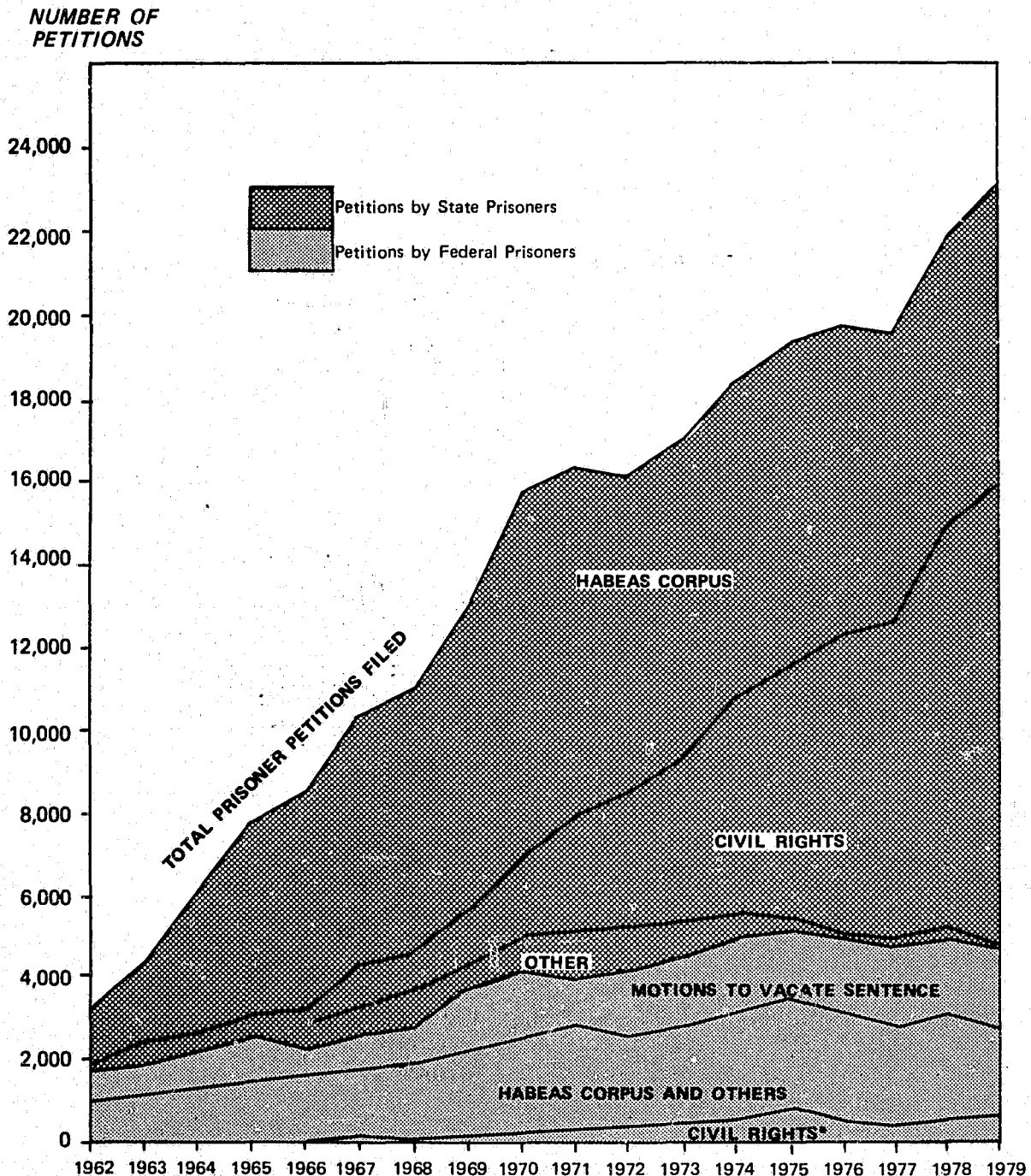
12 MONTHS ENDED JUNE 30, 1979

TOTAL CIVIL CASES: 154,666

*Does not add to 100.0% because of rounding.*

# PETITIONS FILED BY STATE AND FEDERAL PRISONERS

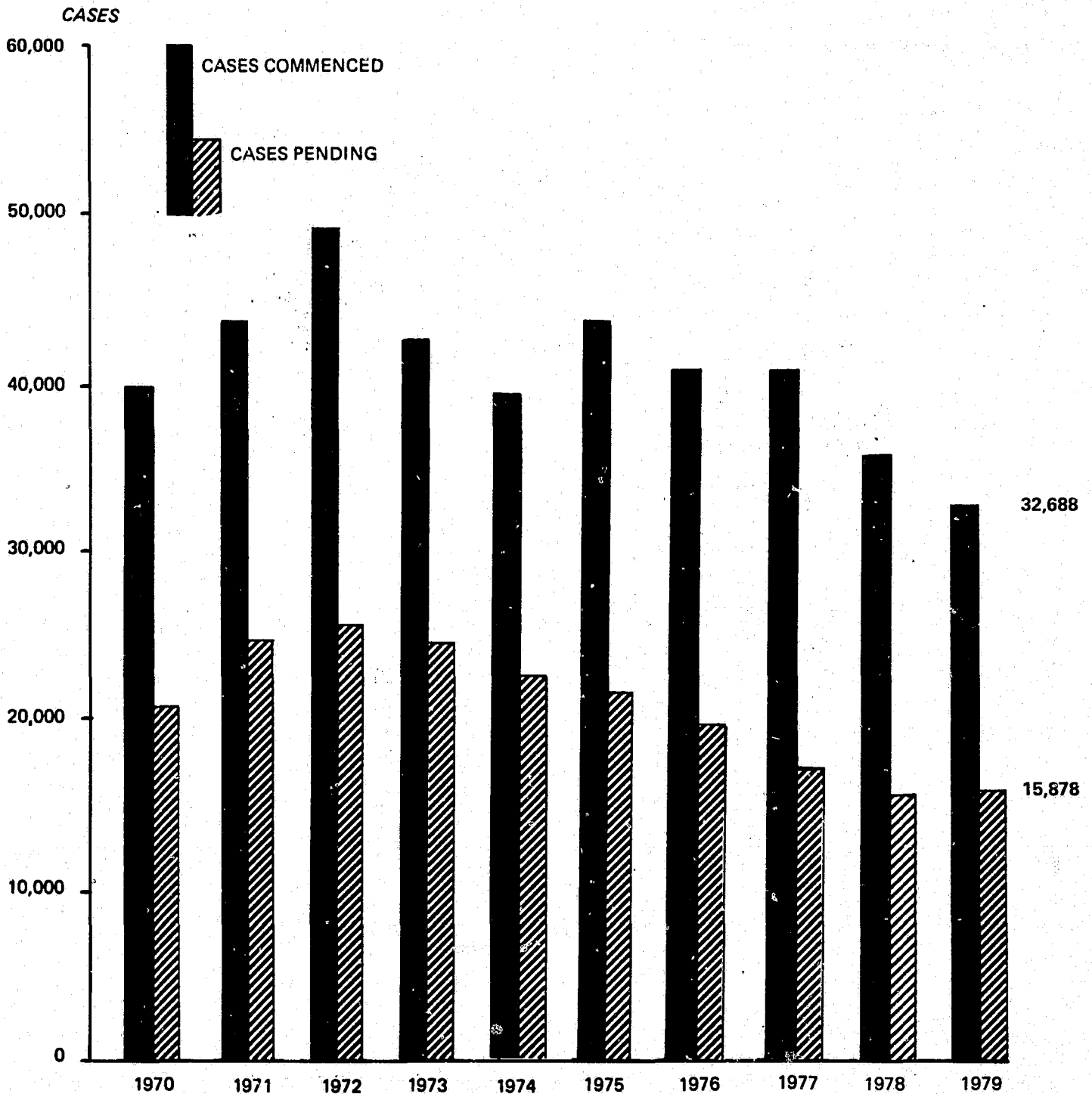
12 MONTHS ENDED JUNE 30, 1962-1979



\* "Civil Rights" prior to 1966 are included in "Other Prisoner Petitions".

# ALL CRIMINAL CASES COMMENCED\* AND PENDING

12 MONTHS ENDED JUNE 30, 1970-1979

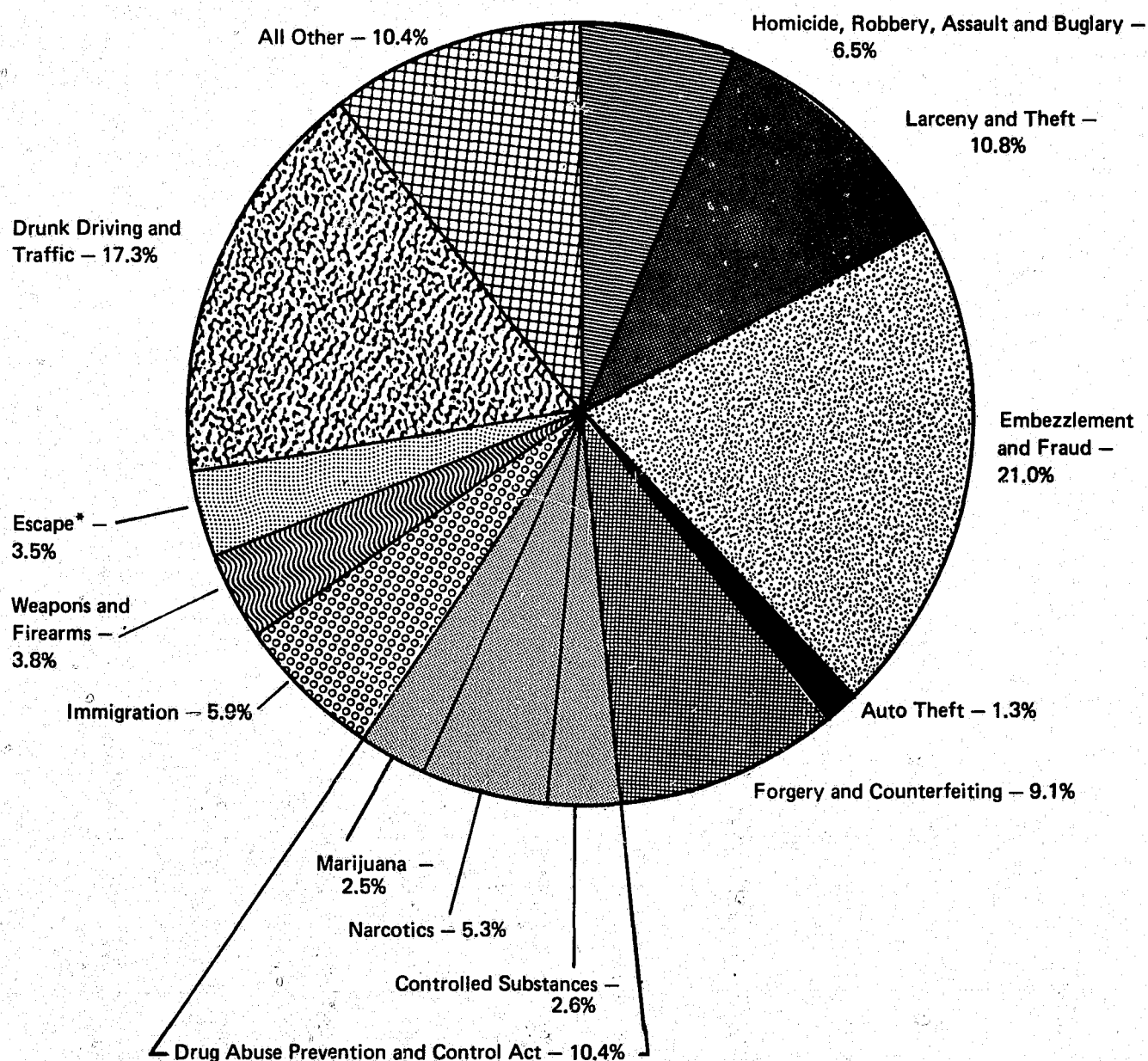


\*Includes transfers.

# ALL CRIMINAL CASES COMMENCED BY OFFENSE<sup>1</sup>

12 MONTHS ENDED JUNE 30, 1979

TOTAL CRIMINAL CASES: 31,536



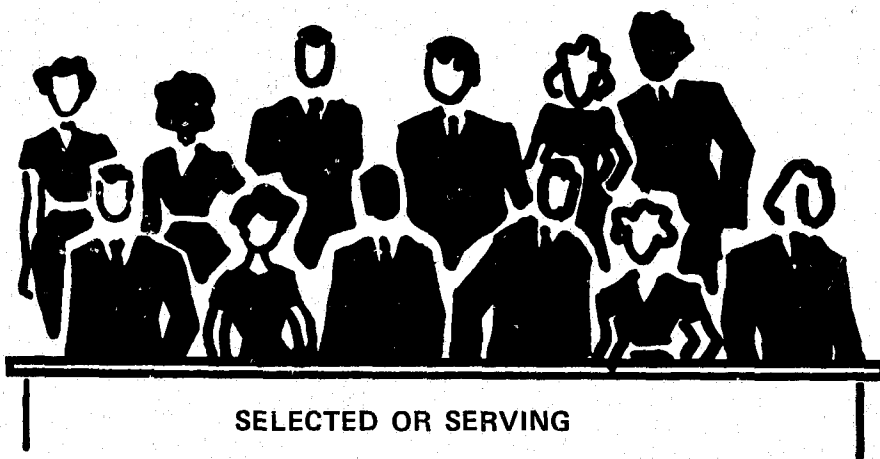
\* Escape from custody, aiding or abetting an escape, failure to appear in court and bail jumping.

<sup>1</sup> Includes all offenses reported filed in the federal district courts in accordance with reporting changes necessitated by the implementation of provisions of the Speedy Trial Act of 1974 (P.L. 93-619, approved January 3, 1975). All figures exclude transfers.



# PETIT JUROR USAGE

12 MONTHS ENDED JUNE 30, 1979

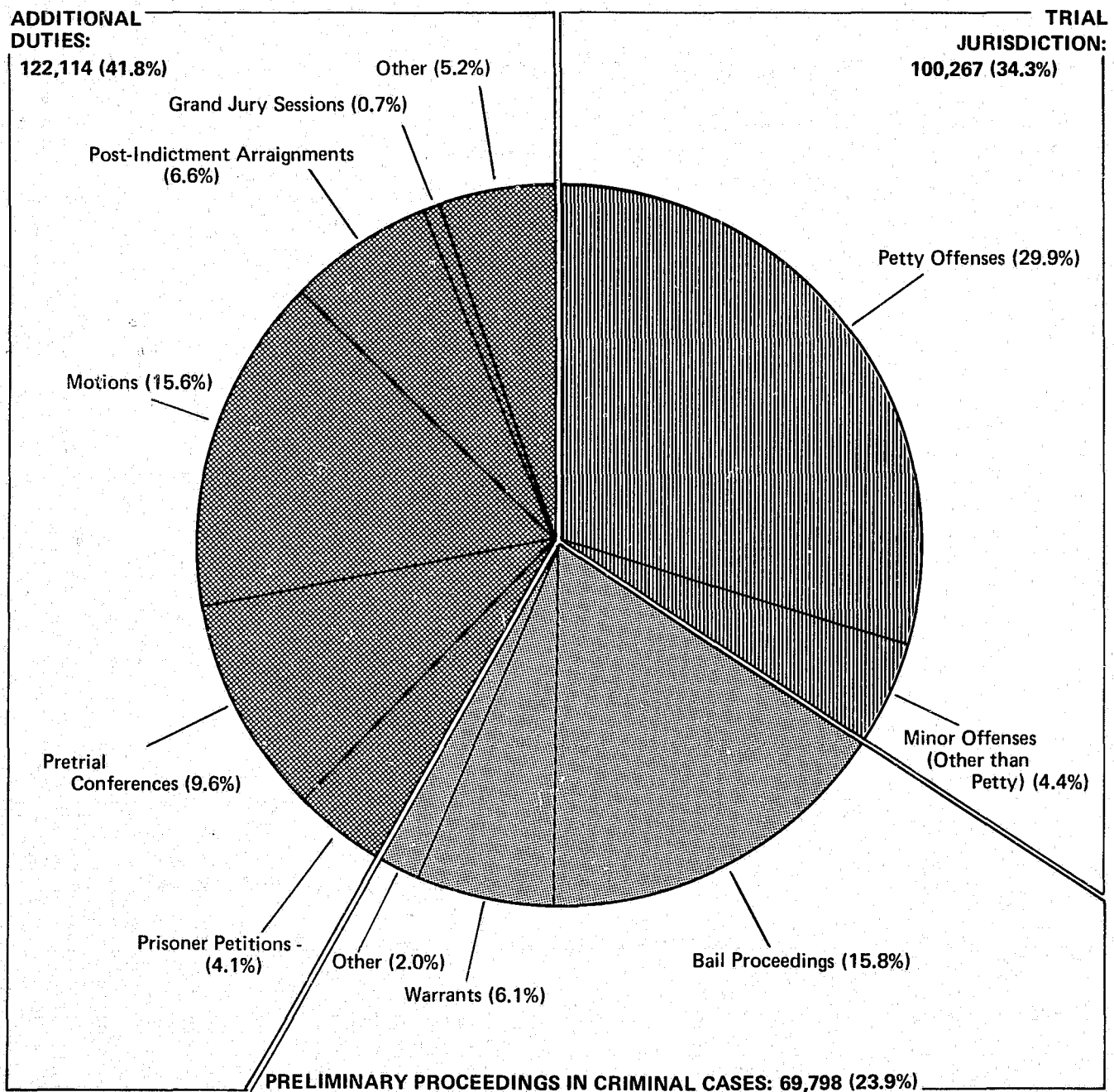


NOTE: Twenty people are pictured because the Juror Usage Index in 1979 was 19.60.

# DUTIES PERFORMED BY UNITED STATES MAGISTRATES

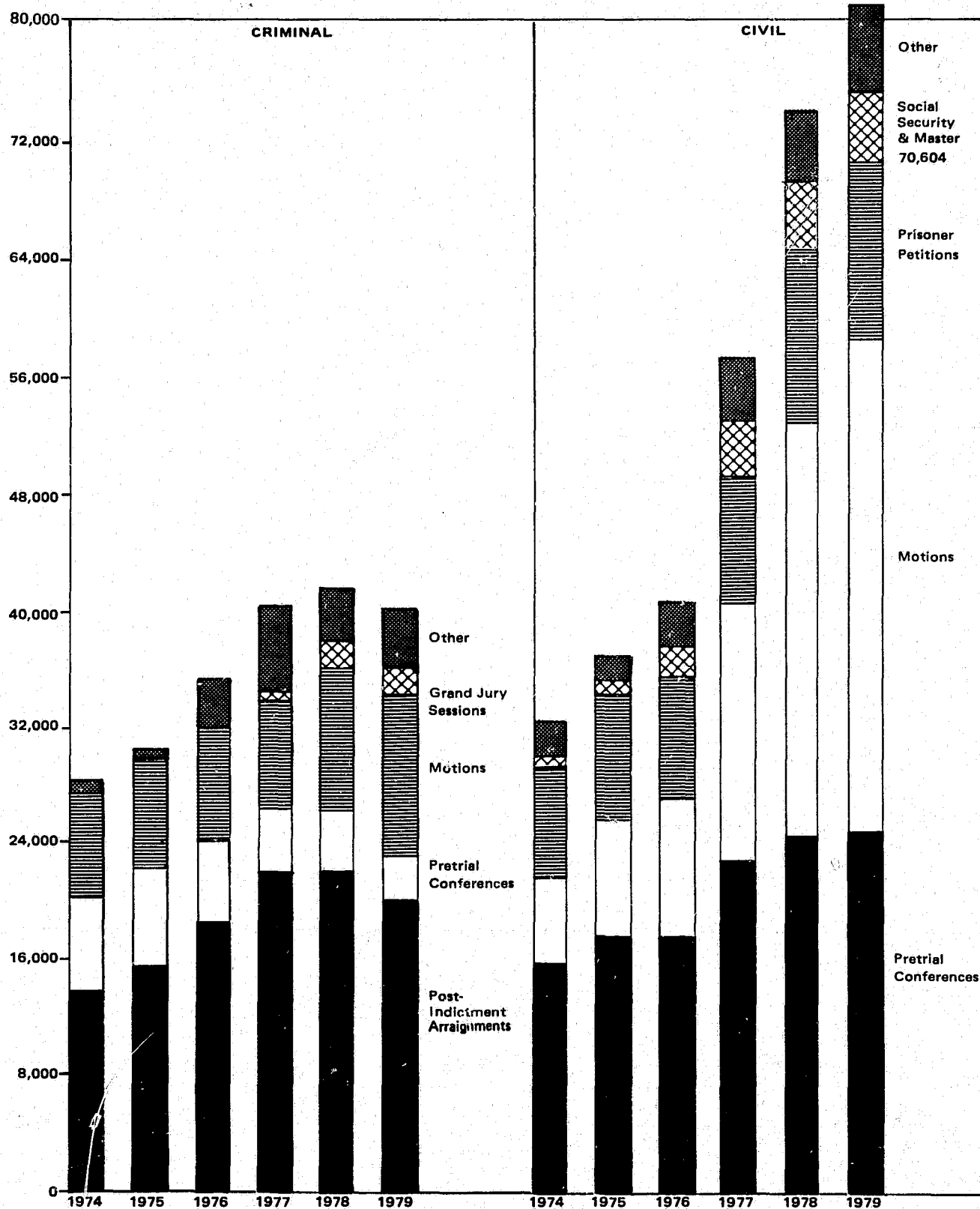
12 MONTHS ENDED JUNE 30, 1979

Total (all matters) = 292,179 (100%)



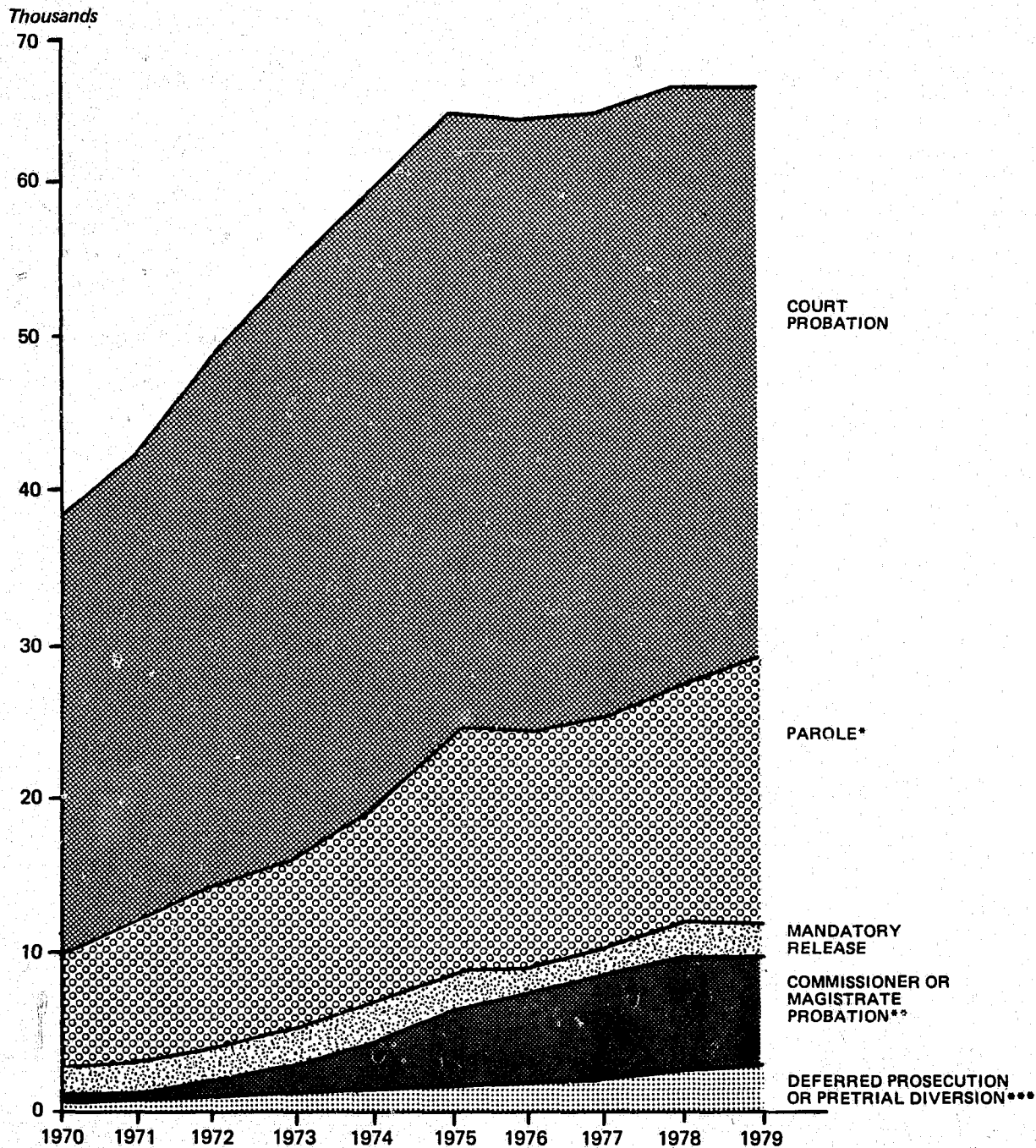
# "ADDITIONAL DUTIES" PERFORMED BY U.S. MAGISTRATES UNDER 28 U.S.C. 636(b)

12 MONTHS ENDED JUNE 30, 1974-1979



# PERSONS UNDER SUPERVISION OF THE FEDERAL PROBATION SERVICE ON JUNE 30 BY TYPE OF SUPERVISION

1970-1979



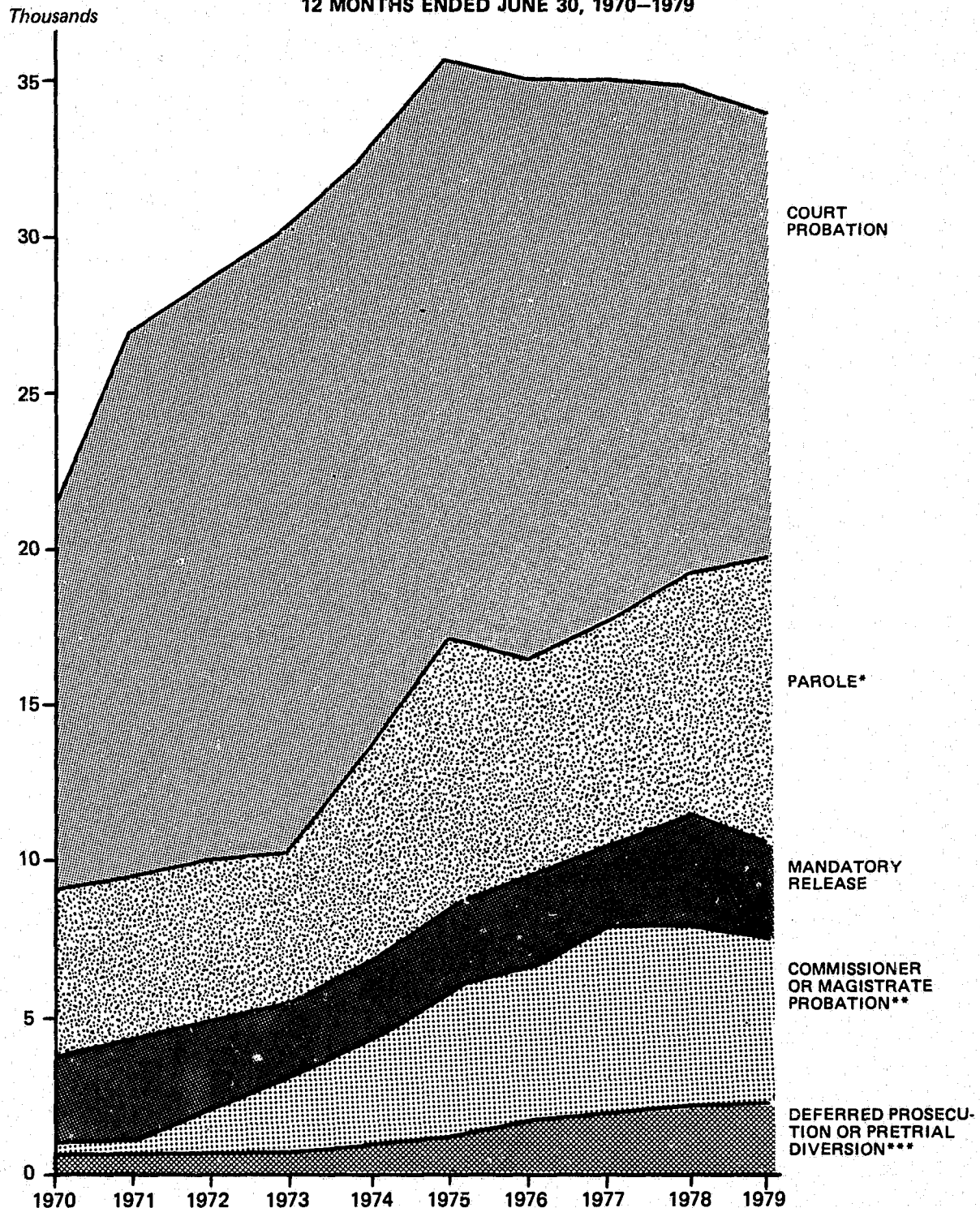
\*Includes Military Parole and Special Parole.

\*\*The Federal Magistrates Act came into full effect on July 1, 1971.

\*\*\*Beginning July 1, 1976 pretrial diversion replaced deferred prosecution.

# TYPE OF SUPERVISION FOR PERSONS RECEIVED BY THE FEDERAL PROBATION SERVICE

(EXCLUSIVE OF TRANSFERS)  
12 MONTHS ENDED JUNE 30, 1970-1979



\*Includes Military Parole and Special Parole.

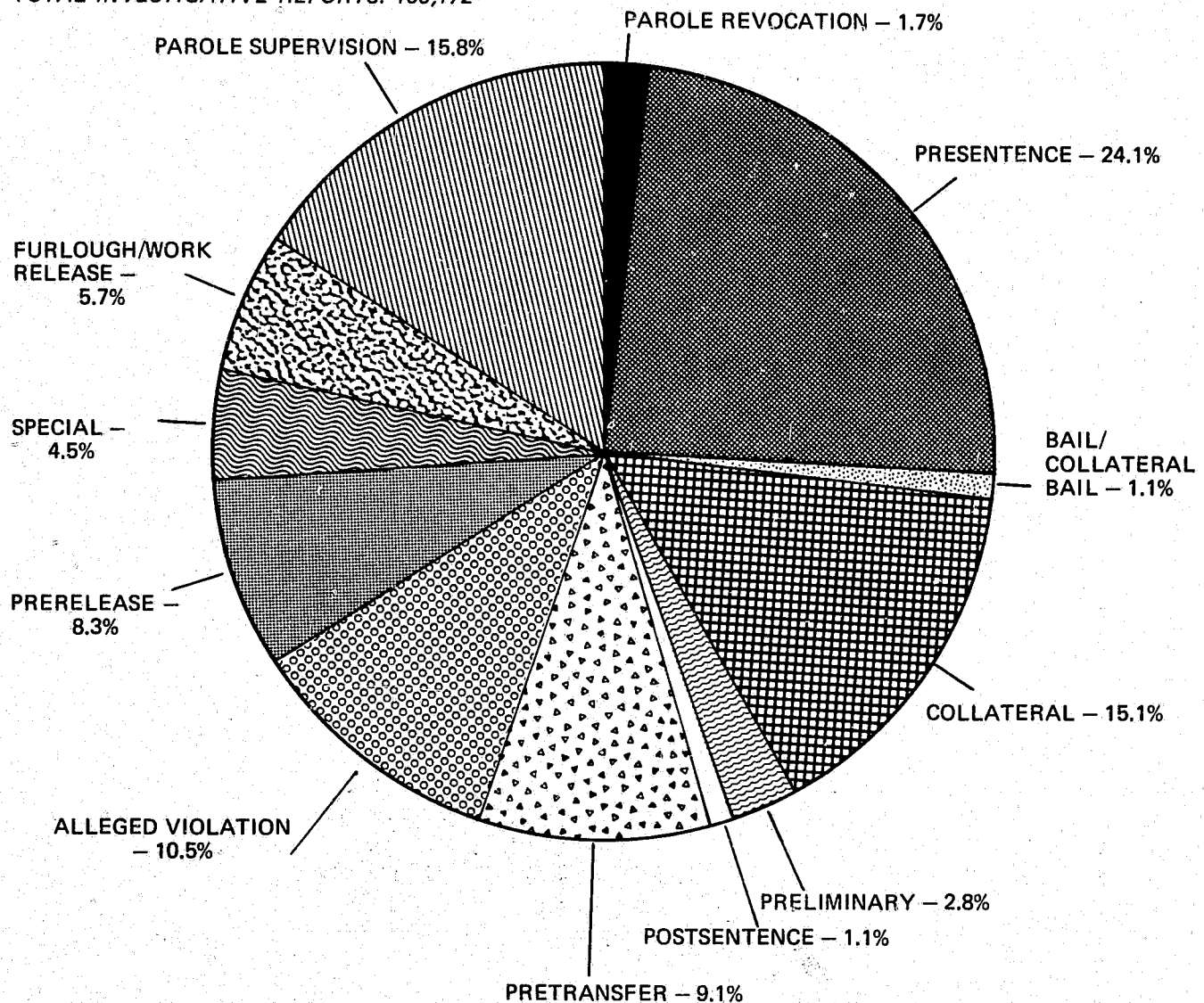
\*\*The Federal Magistrates Act came into full effect on July 1, 1971.

\*\*\*Beginning July 1, 1976 pretrial diversion replaced deferred prosecution.

# INVESTIGATIVE REPORTS BY PROBATION OFFICERS

12 MONTHS ENDED JUNE 30, 1979

TOTAL INVESTIGATIVE REPORTS: 109,172



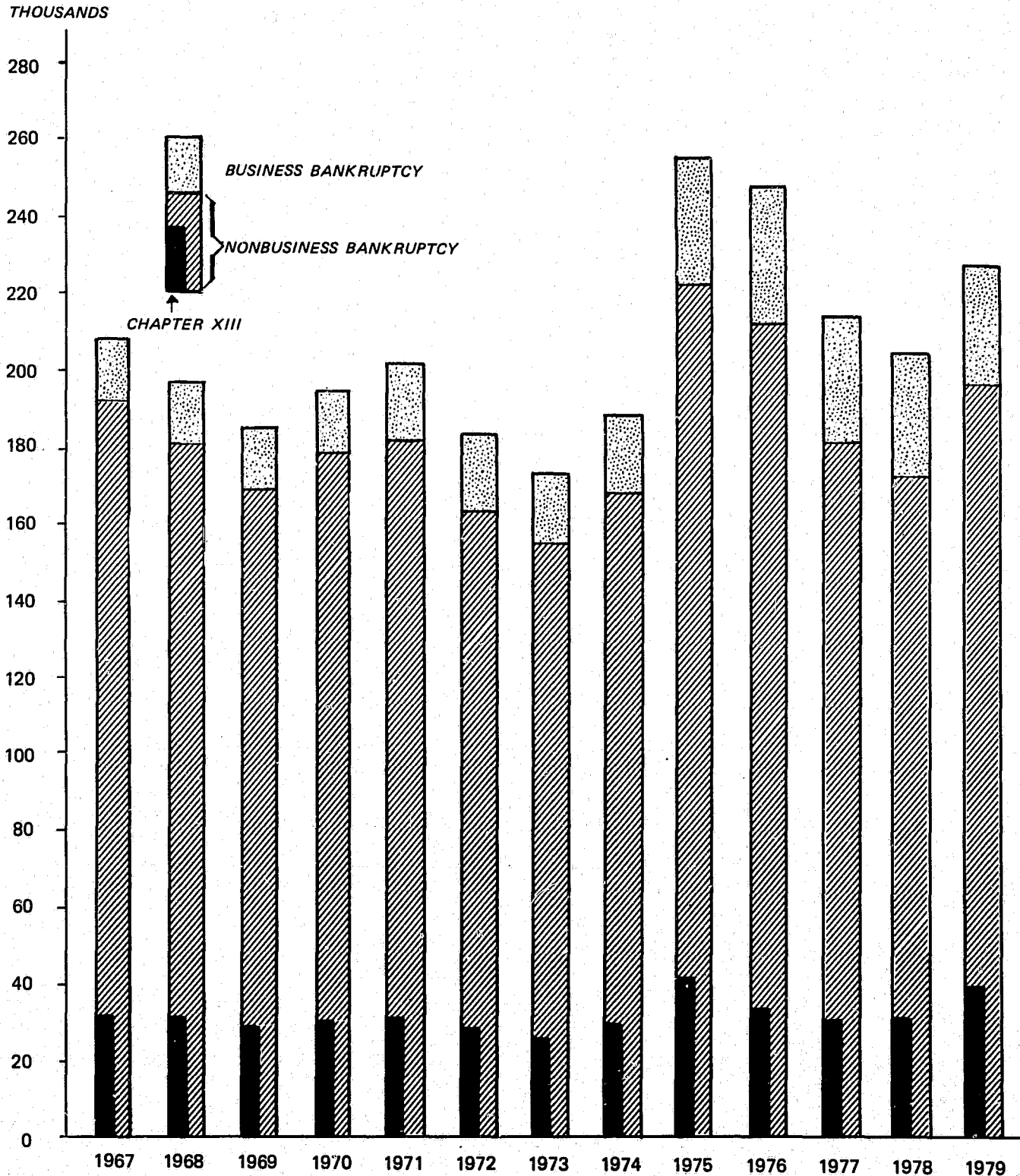
Note: Does not add to 100.0% because of rounding.



**BANKRUPTCY CASES COMMENCED**

BUSINESS AND NONBUSINESS (INCL. CHAPTER XIII)

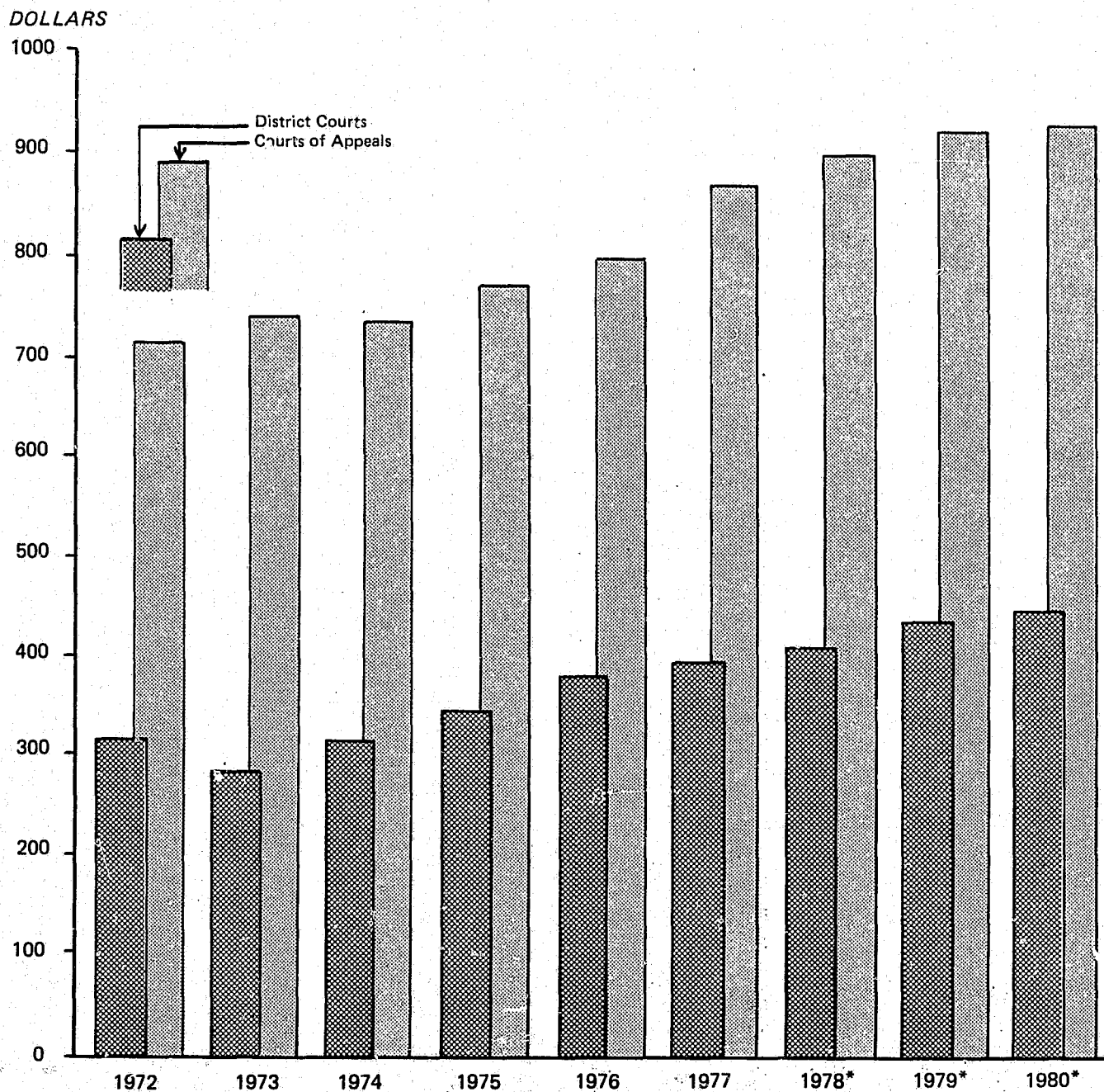
YEARS 1967-1979



**CRIMINAL JUSTICE ACT**

12 MONTHS ENDED JUNE 30, 1972-1980

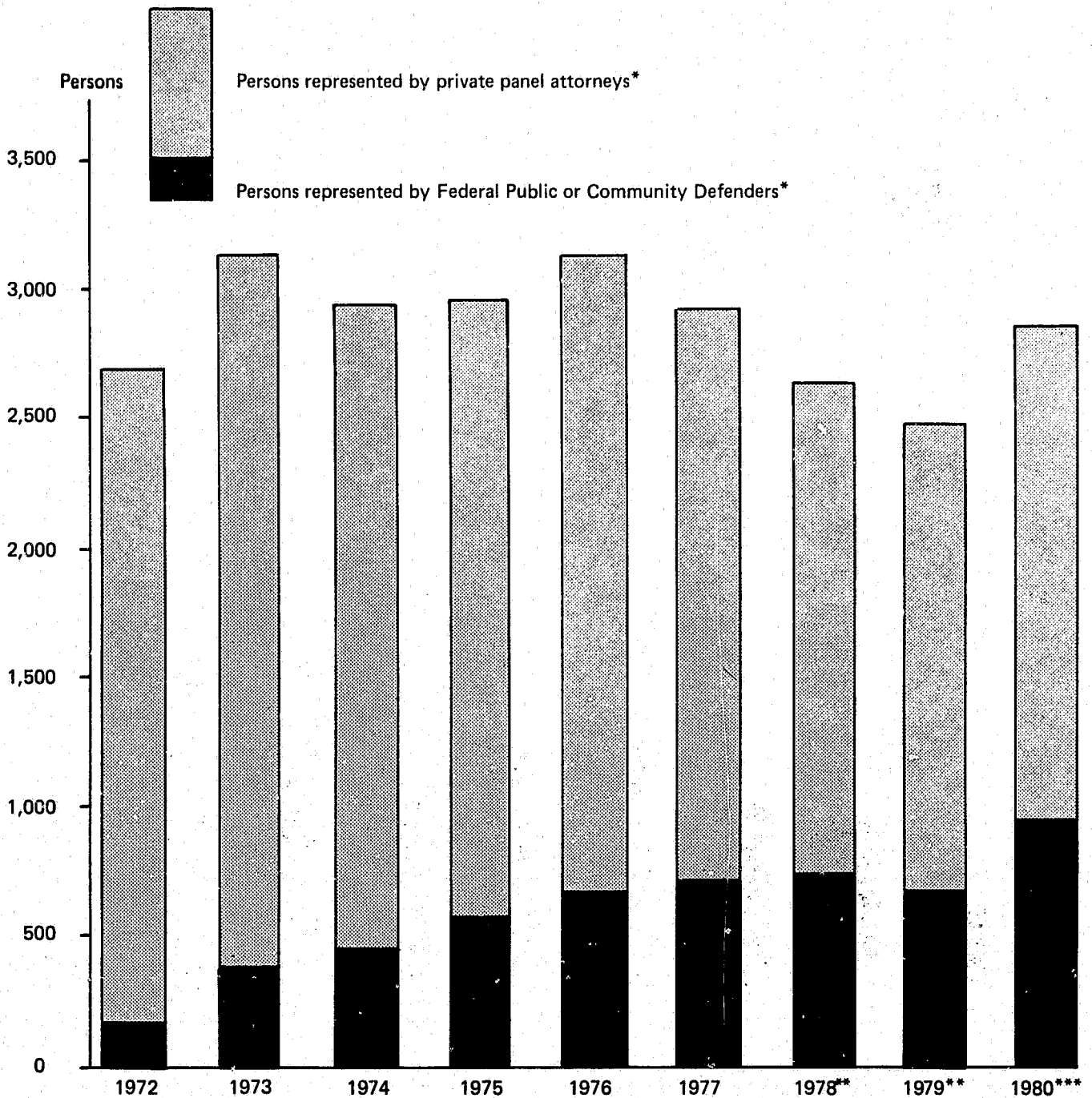
AVERAGE PAYMENT TO PRIVATE PANEL COUNSEL. (Excluding D.C. Court of Appeals and the Superior Court for the District of Columbia)



\*Estimated

# CRIMINAL JUSTICE ACT

*Number of persons represented during twelve month period ended June 30, 1972 through 1980*



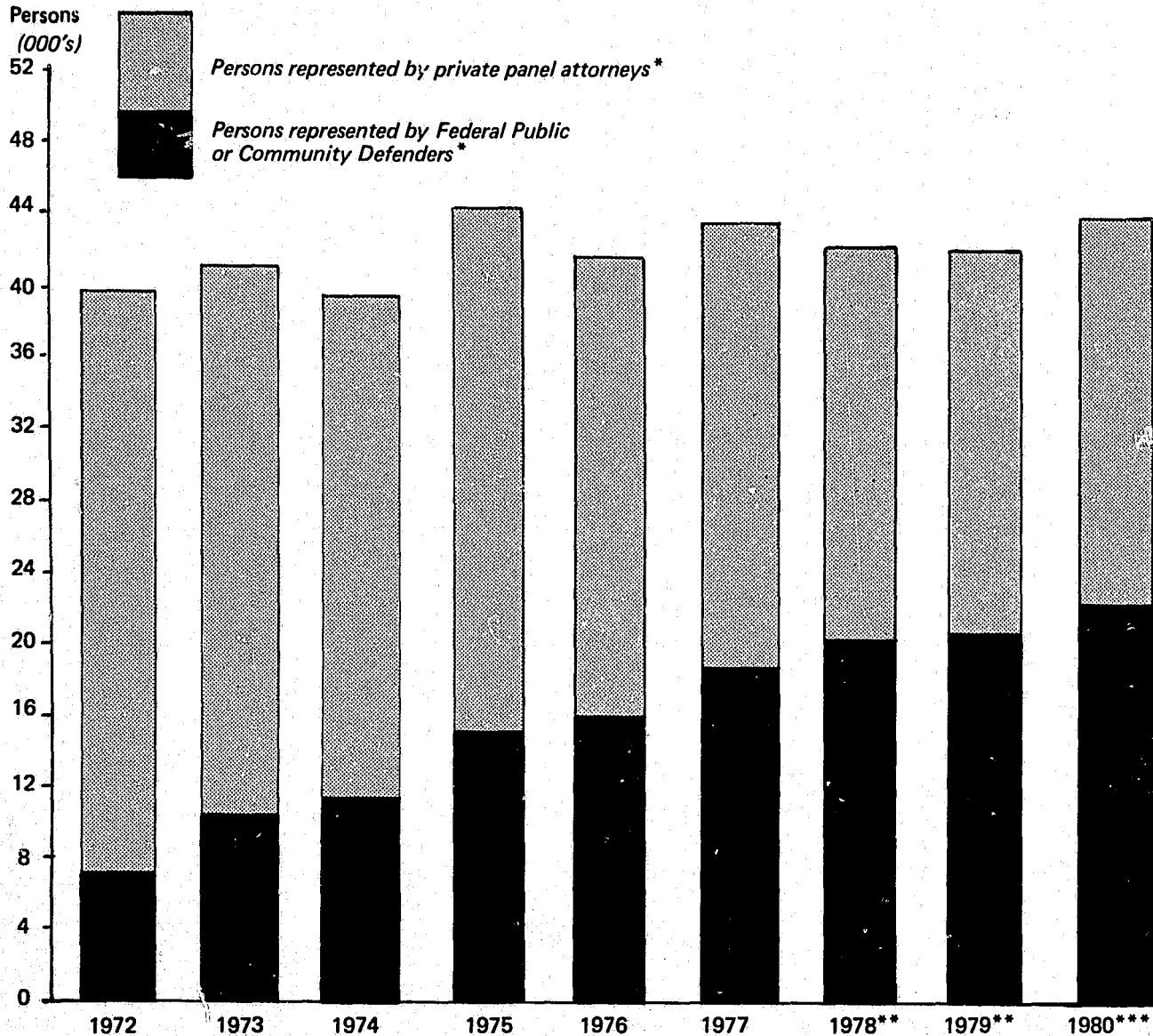
\*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through 1976. Beginning with 1977, the Southern District of California is included with community defenders.

\*\*Persons represented by private panel attorneys estimated based upon actual data through 3/31/79.

\*\*\*Estimated.

# CRIMINAL JUSTICE ACT

NUMBER OF PERSONS REPRESENTED DURING  
TWELVE MONTH PERIOD ENDED JUNE 30, 1972 THROUGH 1980



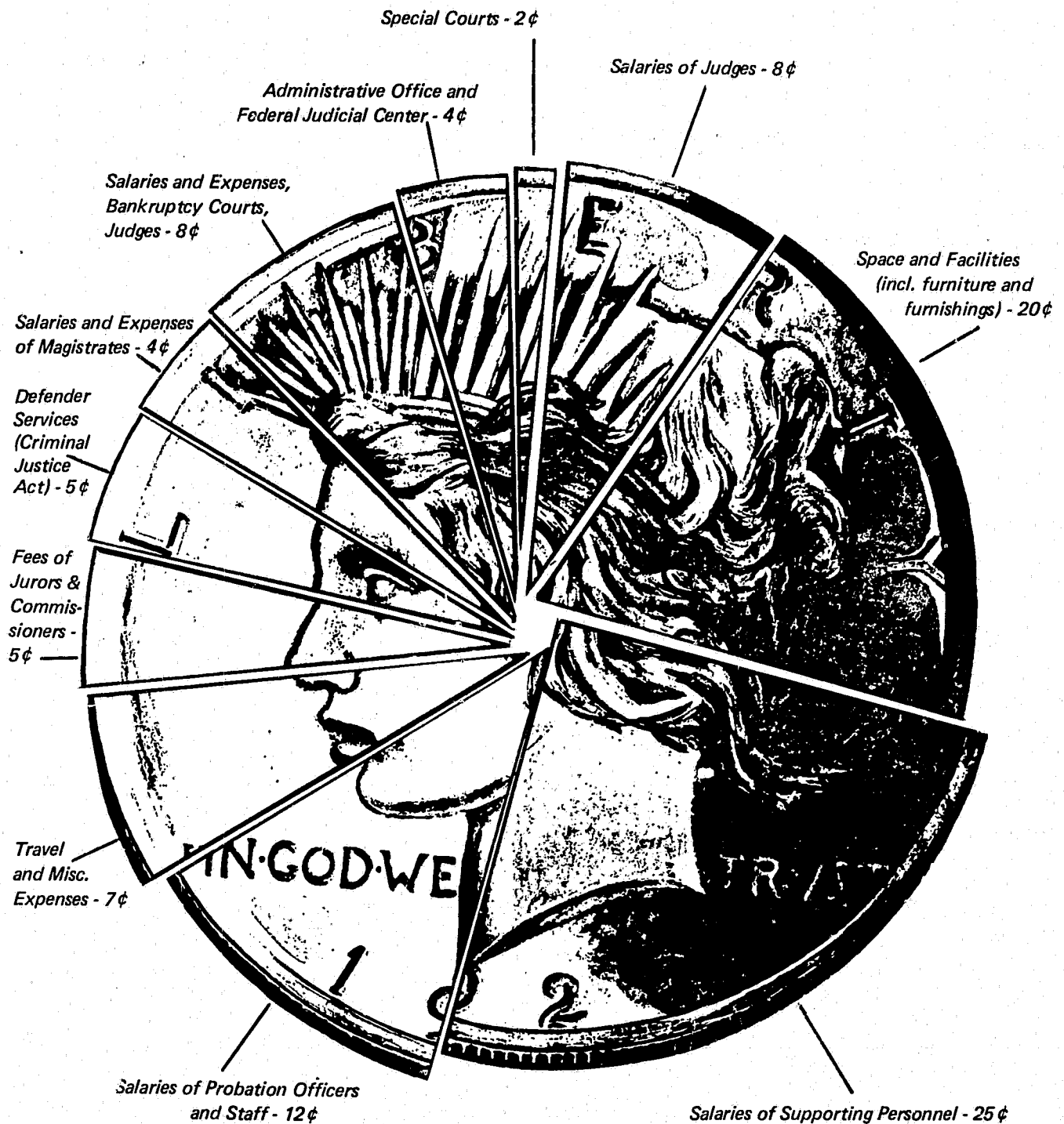
\*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through: 1976 and with community defenders starting in 1977.

\*\*Persons represented by private panel attorneys estimated based upon actual data through 3/31/79.

\*\*\* Estimated.

## THE JUDICIAL DOLLAR

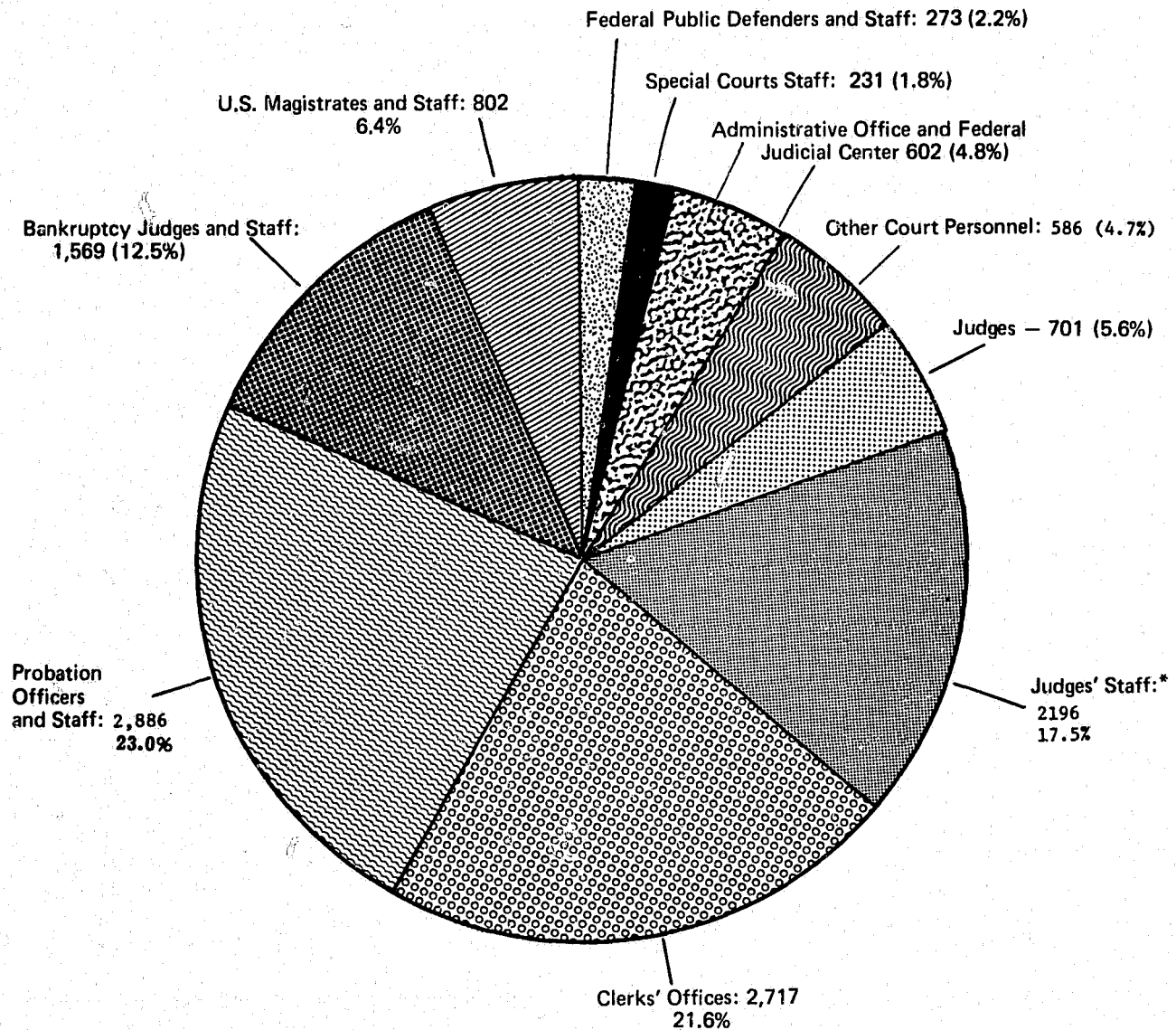
FISCAL YEAR 1979



**PERSONNEL IN THE U.S. JUDICIARY**

JUNE 30, 1979

TOTAL PERSONNEL: 12,563



\*Secretaries, Law Clerks, and Criers.

Does not add to 100.0% because of rounding.



