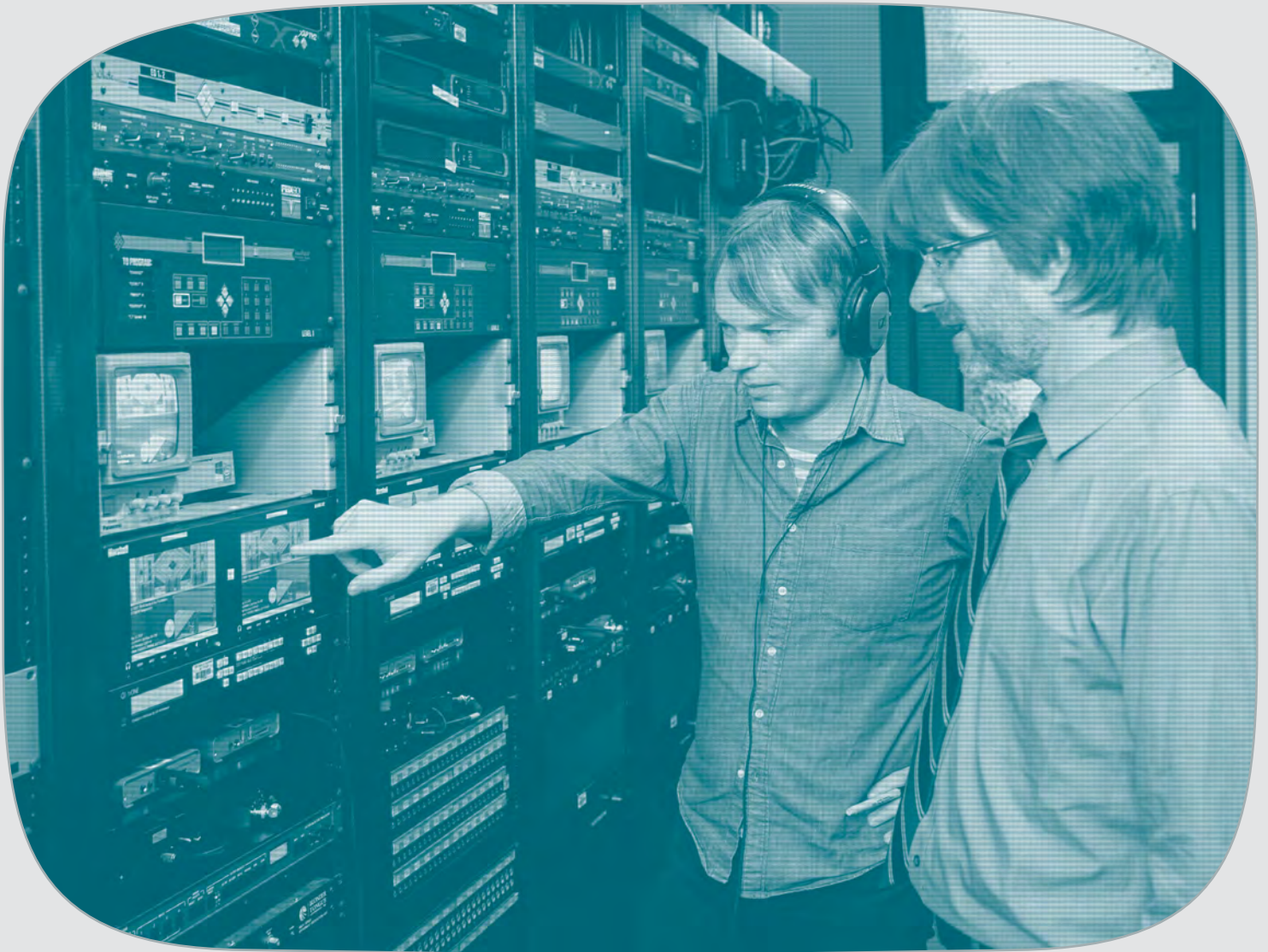


UNITED STATES COURTS
FOR THE NINTH CIRCUIT
2014 ANNUAL REPORT



The Office of the Circuit Executive would like to acknowledge the following for their contributions to the 2014 Ninth Circuit Annual Report:

Chief Judge Sidney R. Thomas

Cathy A. Catterson, Circuit and Court of Appeals Executive, Ninth Circuit

Molly C. Dwyer, Clerk of Court, Ninth Circuit Court of Appeals

Susan M. Spraul, Clerk, Ninth Circuit Bankruptcy Appellate Panel

Felix S. Mata, Chief Probation Officer, District of Hawaii

David L. Martin, Chief Pretrial Services Officer, District of Arizona

The cover image is taken from video of an oral argument before a three-judge panel. In the photo above, Assistant Information Systems Manager Kwame Copeland, right, and Courtroom Technology Specialist Matthew Bullimore monitor live video streaming from a control room in the James R. Browning U.S. Courthouse in San Francisco, California. More information about video streaming can be found on page 20.

JUDICIAL COUNCIL OF THE NINTH CIRCUIT

MISSION STATEMENT

The mission of the Judicial Council of the Ninth Circuit is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts within the circuit. To do so, it will promote the fair and prompt resolution of disputes, ensure the effective discharge of court business, prevent any form of invidious discrimination, and enhance public understanding of, and confidence in the judiciary.



Voting members of the Judicial Council of the Ninth Circuit are Chief Judge Sidney R. Thomas, Senior Circuit Judge J. Clifford Wallace, Circuit Judge Richard A. Paez, Circuit Judge Richard C. Tallman, Circuit Judge Consuelo M. Callahan, Circuit Judge Mary H. Murguía, Chief District Judge Raner C. Collins, Chief District Judge George H. King, Chief District Judge B. Lynn Winmill, Senior District Judge Susan Y. Illston, Senior District Judge Anthony W. Ishii

Observer members of the Judicial Council of the Ninth Circuit are Chief District Judge Susan Oki Mollway, District Judge Anna J. Brown, District Judge Robert S. Lasnik, Chief Bankruptcy Judge Frank R. Alley, III, Chief Magistrate Judge Deborah M. Smith, District Court Clerk Terry Nafisi, Bankruptcy Court Clerk Wayne E. Blackwelder, Chief Probation Officer Felix S. Mata and Chief Pretrial Services Officer David L. Martin.

TABLE OF CONTENTS

NINTH CIRCUIT OVERVIEW

- 1 Foreword
- 3 Ninth Circuit Overview
- 4 Judicial Council, Advisory Groups and Administration

JUDICIAL TRANSITIONS

- 8 New Judges
- 15 Senior Judges
- 16 In Memoriam

NINTH CIRCUIT HIGHLIGHTS

- 20 Live Video Streaming Now the Norm for Appellate Arguments
- 21 New Chief Judge for the Ninth Circuit
- 22 Circuit Welcomes New Law Clerks
- 23 Nevada's New Chief Judge Is Woman of 'Firsts'
- 24 Few Vacant Seats on the Federal Bench
- 26 Idaho Celebrates 225th Anniversary of Judiciary Act
- 27 Small Staff with Big Ideas Produces National eVoucher Systems
- 28 Quackenbush Lecture Series Draws Top Speakers
- 29 Ninth Circuit Judge Kim McLane Wardlaw Lectures on Judicial Philosophy
- 30 Ninth Circuit Chief Judge Takes Stock at Federal Bar Luncheon
- 31 Circuit Conference Marks 50th Anniversary of *Gideon* Decision
- 33 2014 Ninth Circuit Judicial Conference Awards
- 35 Circuit Conference Recognizes Civics Education
- 37 Newest Justice Makes a Visit to Portland
- 38 Ninth Circuit Committee Helps Courts Manage Pro Se Litigation
- 39 2014 Ninth Circuit New Judges Orientation
- 40 A Busy Year for Pacific Islands Committee
- 41 Courts Excel in Community Outreach Efforts
- 44 Kennedy Library Program
- 45 Judges Receiving Awards
- 44 Administrative Changes

SPACE & SECURITY

- 48 Courthouse Dedication Honors Memory of Slain Judge
- 51 Remembering the Loma Prieta Earthquake
- 52 Courthouses Under Construction

THE WORK OF THE COURTS

- 54 Court of Appeals Reduces Backlog and Processing Time
- 58 District Courts See Significant Decline in Criminal Filings
- 62 Bankruptcy Filings Continue Steep Decline
- 64 Parties Turn to BAP to Resolve Half of All Bankruptcy Appeals
- 66 Magistrate Judges Work Invaluable to Ninth Circuit
- 68 Caseloads Decline for Most Federal Public Defender Offices
- 70 Probation Officers Workload Increase
- 73 Pretrial Services Officers Use Various Methods to Improve Supervision
- 76 Juror Utilization
- 77 Court Interpreters
- 78 District Caseloads

FOREWORD

The 2014 Ninth Circuit Annual Report profiles the federal courts serving nine western states and two Pacific Island jurisdictions. It provides statistical summaries of the work done by judges and judiciary staff over the last year, and highlights important events and trends in our courts. I hope you find the information useful and welcome your comments.

Although this report is my first as Chief Judge, I have worked closely with my predecessors on the challenges facing the Judiciary, including budgetary, space, staffing, and case management issues. Special credit is due to Chief Judge Alex Kozinski for his leadership and management of the Circuit.

Budget sequestration and the government shutdown created significant problems throughout the judiciary. We were able to survive those difficult periods through the hard and creative work of judges and court staff throughout the circuit, and I am confident that our courts will continue to provide a high level of service to litigants and the general public.

I am very pleased to report that Ninth Circuit courts ended the year with just two judicial vacancies, the fewest in recent memory. The flurry of presidential nominations and Senate confirmations in 2014 included two new circuit judges, which gave the Ninth Circuit Court of Appeals its full complement of judges for the first time in more than 20 years. Our new colleagues, Judges John B. Owens and Michelle T. Friedland, are the 99th and 100th judges to be appointed in the 123-year history of the court.

Fifteen new district judges were appointed during the year, six of them in the District of Arizona and four in the Northern District of California. The newcomers



CHIEF JUDGE
SIDNEY R. THOMAS

are a diverse group that includes the first Native American woman to serve as a federal judge, Diane J. Humetewa of Arizona, a member of the Hopi Tribe. Also among the new appointees is Salvador Mendoza, Jr., the first Hispanic to serve as an Article III judge in the Eastern District of Washington.

The Ninth Circuit Court of Appeals appointed or reappointed seven bankruptcy judges in 2014. They included Bankruptcy Judge Barry Russell, who is the longest-serving, full-time bankruptcy judge in the nation with nearly 40 years of continuous service to the Central District of California. Five new magistrate judges were appointed and four reappointed by the judges of their respective districts.

The Ninth Circuit continues to be a leader in the use of technology to improve operations and make the judicial process more accessible to the public. Court staff in the District of Nevada developed a new system for managing costs for legal representation of indigent defendants as required by the Criminal Justice Act. Their eVoucher system is now being implemented nationally and will be in use by all federal courts by the end of 2015. The Ninth Circuit is currently the only federal appellate court to provide live high definition video streaming of oral arguments. In 2015, virtually all of the court's oral argument cases will be available for Internet viewing.

In the realm of space and facilities, we made good progress in constructing a new courthouse in Los Angeles, a long overdue priority project which is scheduled for completion in the spring of 2016. In northern California, construction was completed on a new courthouse in McKinleyville, replacing an aging facility in nearby Eureka. In Yuma, Arizona, dedication ceremonies were held for the new John M. Roll U.S. Courthouse, appropriately named for Chief District Judge Roll who was killed in the 2011 mass shooting in Tucson. The federal courthouse in Anchorage was rededicated as James M. Fitzgerald U.S. Courthouse in memory of a renowned jurist who served on both the federal and state courts of Alaska.

On the operational side, the Ninth Circuit Court of Appeals reduced its pending caseload by 3 percent and continued to improve its median time intervals, which measure how long it takes for cases decided on the merits to proceed through the appellate process. For all cases, the median time interval in 2014 was 12.4 months, down from 13.3 months the prior year. The court has reduced the median time interval by 5 months over the last four fiscal years.

Although the Ninth Circuit continues to be the nation's busiest appellate court with 21.9 percent of all new appeals nationally, new filings were down 6 percent from the prior year. Immigration matters and appeals brought by inmates in state or federal prisons within the circuit constituted two-thirds of the new filings, while more than half of all new appeals were brought by litigants who were not represented by a lawyer. To address the challenges created by pro se prisoner litigation, we are planning a comprehensive prisoner litigation summit in late 2015. The Court of Appeals continues to develop case management techniques to address the tremendous volume of immigration cases and, in December, met with Department of Justice representatives to discuss the administration's new initiatives on immigration and their impact on the courts.

Due largely to a significant drop in new criminal cases, district courts in the Ninth Circuit reported a 1.1 decrease in new filings overall. In the circuit,

the District of Arizona and the Southern District of California continue to report the greatest numbers of criminal defendants as a result of drug smuggling and illegal immigration over the U.S.-Mexico border.

Bankruptcy filings in the Ninth Circuit declined for the fourth consecutive year. The 15 districts within the Ninth Circuit reported 21.8 percent fewer new filings. The Central District of California, which continues to be the busiest bankruptcy court in the nation, saw new filings decrease by 26.9 percent.

A number of our judges were recognized during the year and a full listing of their awards can be found elsewhere in the report. One honoree was Circuit Judge Consuelo "Connie" M. Callahan, the 2014 recipient of the prestigious Ninth Circuit Professionalism Award from the American Inns of Court. A prominent member of the legal community in California's Central Valley for nearly 40 years, Judge Callahan has devoted her entire career to public service and been a role model for women and minorities in the legal profession.

Through its many committees, the Judicial Council of the Ninth Circuit continues to be among the most active and innovative in advancing the administration of justice. This year's report highlights the work of our Pacific Islands Committee, which is expanding judicial education opportunities for judges in the northern Pacific; the Pro Se Litigation Committee, which focuses on the challenges posed by self-represented litigants; and the Courts and Community Committee, which cosponsored a civics education contest whose winners were recognized at our circuit conference.

We invite you to review this report further for more information about the work of the courts of the West.



NINTH CIRCUIT OVERVIEW

The United States Courts for the Ninth Circuit consists of the U.S. Court of Appeals for the Ninth Circuit, the federal trial and bankruptcy courts in the 15 judicial districts within the circuit, and associated administrative units that provide various services to the courts.

Judicial districts within the Ninth Circuit include the districts of Alaska, Arizona, Central California, Eastern California, Northern California, Southern California, Hawaii, Idaho, Montana, Nevada, Oregon, Eastern Washington, Western Washington, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. The establishment of the Ninth Circuit in 1866 began the development of the federal judicial system for the western United States. It is the largest and busiest federal circuit in the nation.



Judges serving on the circuit and district courts are known as Article III judges, a reference to the article in the Constitution establishing the federal judiciary. Nominated by the president and confirmed by the Senate, Article III judges serve lifetime appointments upon good behavior. With the confirmations in 2014 of John B. Owens and Michelle T. Friedland, the Ninth Circuit Court of Appeals is now operating with its full

complement of active judges. Congress expanded the Ninth Circuit bench to 28 judgeships in 1984 and added the 29th seat in 2009. For most of the year, the district courts of the circuit were authorized 112 judgeships, two of which were vacant at the end of 2014.

Federal courts also rely on senior circuit and senior district judges to assist with their workload. These are Article III judges who are eligible to retire but have chosen to continue working with reduced caseloads. On the Ninth Circuit Court of Appeals, 16 senior circuit judges were at work during the year, sitting on motions and merits panels, serving on circuit and national judicial committees, and handling a variety of administrative matters. In the district courts within the circuit, 64 senior judges were at work, hearing cases, presiding over procedural matters, serving on committees and conducting other business in 2014.

In addition to Article III judges, the federal bench includes Article I judges, who serve as magistrate judges in the district courts and bankruptcy judges in the bankruptcy courts. Bankruptcy judges are appointed by judges of the courts of appeals and serve terms of 14 years. Magistrate judges are appointed by the judges of each district court and hold their positions for eight years. Bankruptcy and magistrate judges may be reappointed.

In 2014, bankruptcy courts in the Ninth Circuit were authorized 68 permanent and five temporary judgeships. The district courts were authorized 105 full-time and 9 part-time magistrate judges, and one combined position of part-time magistrate judge/clerk of court. Several courts also utilized recalled bankruptcy and recalled magistrate judges.

Overall, the Ninth Circuit courts experienced reduced caseloads in 2014. Unless otherwise noted, statistics in this report cover fiscal year 2014. ■

JUDICIAL COUNCIL, ADVISORY GROUPS AND ADMINISTRATION

The Judicial Council of the Ninth Circuit is the governing body for federal district and bankruptcy courts in nine western states and two Pacific island jurisdictions. The judicial council's statutory mission is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts. It has statutory authority to "make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit," [28 U.S.C. § 332(d)(1)].

The judicial council also has been delegated responsibilities by the Judicial Conference of the United States, the national governing body for the federal courts. These responsibilities include authorizing senior judge staffing levels and pay, and managing the judicial misconduct complaint process.

The judicial council is chaired by the chief judge of the circuit and relies on advisory groups and committees to accomplish its governance goals. Chairs of three advisory groups attend council meetings as observers and sometimes as voting members. Committee chairs report to the council as needed.

Circuit Judge Sidney R. Thomas became chief judge of the Ninth Circuit Court of Appeals and chair of the Judicial Council of the Ninth Circuit on December 1, 2014, succeeding Chief Judge Alex Kozinski, who had led the circuit since 2007. Newly appointed in 2014 as voting members of the judicial council were Circuit Judge Consuelo M. Callahan of Sacramento, California, and Chief District Judge B. Lynn Winmill of the District of Idaho. Newly appointed as observer members were Chief District Judge Susan Oki Mollway of the District of Hawaii; District Judge Anna J. Brown and Chief Bankruptcy Judge Frank

R. Alley, III, of the District of Oregon; Magistrate Judge Deborah M. Smith of the District of Alaska; District Court Clerk Terry Nafisi of the Central District of California; Bankruptcy Court Clerk Wayne Blackwelder of the Eastern District of California; Chief Probation Officer Felix S. Mata of the District of Hawaii; and Chief Pretrial Services Officer David L. Martin of the District of Arizona.

Under the Rules for Judicial-Conduct and Judicial-Disability Proceedings, the Judicial Council of the Ninth Circuit considers petitions for review of the chief judge's orders in judicial misconduct complaints. In 2014, there were 11 petitions for review filed and all 11 petitions were resolved by the judicial council.

Conference of Chief District Judges

The Conference of Chief District Judges advises the Judicial Council of the Ninth Circuit regarding the administration of justice in the circuit's 15 district courts. The conference, which meets twice a year, is comprised of the chief district judges of each district. Chief District Judge Ann L. Aiken of the District of Oregon served as chair from March 2013 to March 2014. She was succeeded by Chief District Judge Susan Oki Mollway, who will chair the conference until March 2015.

Elevated to chief district judge during the year were Judges Gloria M. Navarro of the District of Nevada and Phyllis J. Hamilton of the Northern District of California.

Conference of Chief Bankruptcy Judges

The Conference of Chief Bankruptcy Judges advises the Judicial Council of the Ninth Circuit on the administration of the bankruptcy courts within the

circuit. The conference, which also meets twice per year, consists of chief bankruptcy judges from each district, the chief bankruptcy judge of the Ninth Circuit Bankruptcy Appellate Panel and a recalled bankruptcy judge representative. Chief Bankruptcy Judge Christopher M. Klein of the Eastern District of California chaired the conference from October 2013 to September 2014. He was succeeded by District of Oregon's Chief Bankruptcy Judge Frank R. Alley, III, who will chair the conference until September 2015.

Elevated to chief bankruptcy judge in 2014 were Judges Daniel P. Collins of the District of Arizona, Frederick Corbit of the Eastern District of Washington, and Brian D. Lynch of the Western District of Washington.

Magistrate Judges Executive Board

The Magistrate Judges Executive Board communicates to the Judicial Council of the Ninth Circuit on behalf of the more than 120 full-time, part-time and recalled magistrate judges serving in the district courts. The 15-member board meets twice a year and holds a session with all magistrate judges at the Ninth Circuit Judicial Conference. Chief Magistrate Judge Deborah M. Smith of the District of Alaska succeeded Chief Magistrate Judge Candy W. Dale of the District of Idaho as chair of the board. Her term began in August 2014.



Clerks of Court

Day-to-day management of the courts rests with the chief judges and clerks and/or district executives of the court of appeals and each of the district and bankruptcy courts of the circuit. The clerks' offices process new cases and appeals, handle docketing functions, respond to procedural questions from

the public and bar, and provide adequate judicial staff resources. The clerk of court for the court of appeals also supervises the work of the Circuit Mediation Office and the Office of the Staff Attorneys, which includes the research, motions, case management and pro se litigation units. The Office of the Appellate Commissioner, also in the Ninth Circuit Court of Appeals Clerk's Office, reviews Criminal Justice Act vouchers for cases that come before the court of appeals.

Associated Court Units

Ninth Circuit courts also rely on several important court-related agencies to ensure the fair administration of justice. The district courts maintain oversight of U.S. Probation and Pretrial Services offices. Pretrial services officers are responsible for background investigations and reports on defendants awaiting trial, while probation officers supervise persons convicted of federal crimes after their release into the community. All but one judicial district in the circuit is served by either federal public defender or community defenders, who represent indigent defendants unable to afford private counsel. Indigent defendants in the District of Northern Mariana Islands are represented by private attorneys provided by the District of Guam and paid through the federal Criminal Justice Act.

Circuit Libraries

The Ninth Circuit Library System assists judges, attorneys, court staff and the public through a network of 24 law libraries housed in courthouses throughout the western states. The primary mission of court librarians is to provide research services to judges and their staff. Research librarians assist law clerks on case-related research by providing guidance and recommendations, offering training opportunities, and performing direct research on more complex topics. Librarians also conduct research to assist court executives and judges in the administration of local courts and on matters involving committees of the Judicial Council of the Ninth Circuit and the Judicial

Conference of the U.S. Library resources are also made available to the bar and public with the level of access determined by local judges.

Office of the Circuit Executive

The Office of the Circuit Executive provides staff support to the Judicial Council of the Ninth Circuit and implements the council's administrative decisions and policies. By statute, the circuit executive is the administrative assistant to the chief judge of the circuit and secretary to the council. The circuit executive and her staff assist in identifying circuit-wide needs, conducting studies, developing and implementing policies, and providing training, public information and human resources support. Circuit executive staff also coordinates building and automation projects, and advises the council on procedural and ethical matters. The Office of the Circuit Executive provides management and technical assistance to courts within the circuit upon request. It also administers the Ninth Circuit Judicial Conference.

Lawyer Representatives

Judges of the Ninth Circuit Court of Appeals and of each of the 15 district courts of the circuit appoint lawyer representatives. Lawyer representatives serve as a liaison between the federal bench and bar, fostering open communications between judges and lawyers, and providing support and advice in the functioning of the courts within the circuit. Attorneys serving as lawyer representatives work closely with district, bankruptcy and magistrate judges in their home districts. They participate as members on various committees and help plan local district conferences, often serving as speakers or facilitators. Lawyer representatives also help plan the annual Ninth Circuit Judicial Conference, which is convened "for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit," pursuant to 28 U.S.C. § 333. ■



JUDICIAL TRANSITIONS

JUDICIAL TRANSITIONS: NEW JUDGES

Circuit Judges



Michelle T. Friedland was confirmed as a circuit judge for the United States Court of Appeals for the Ninth Circuit on April 28, 2014, and received her commission on April 29, 2014. Prior to her appointment, Judge Friedland had been a litigation partner in the San Francisco office

of the law firm of Munger, Tolles & Olson LLP since 2010. She joined the firm in 2004 and has extensive litigation experience at the trial and appellate levels in state and federal courts, including the U.S. Supreme Court. Prior to practicing law, Judge Friedland lectured at Stanford Law School, where she taught federal jurisdiction and environmental law from 2002 to 2004. Before that, she clerked for Justice Sandra Day O'Connor of the Supreme Court from 2001 to 2002 and for Judge David Tatel of the U.S. Court of Appeals for the D.C. Circuit from 2000 to 2001. Judge Friedland received her B.S., with honors, from Stanford University in 1995. After studying at Oxford University on a Fulbright Scholarship, she attended Stanford Law School, where she received her J.D. in 2000, graduating second in her class. Judge Friedland maintains chambers in San Francisco.



John B. Owens was confirmed as a circuit judge for the U.S. Court of Appeals for the Ninth Circuit on March 31, 2014, and received his commission on April 2, 2014. Prior to his appointment to the bench, Judge Owens had been a litigation partner in the Los Angeles office

of the law firm of Munger, Tolles & Olson LLP since 2012. Prior to joining the firm, Judge Owens served for 11 years as a federal prosecutor, focusing on white collar and border crime cases. From 2004 to 2012, he worked as an assistant U.S. attorney for the Southern District of California in San Diego, where he served as chief of the Criminal Division from 2010 to 2011 and as deputy chief of the Major Frauds Section from 2008 to

2010. Judge Owens served as an assistant U.S. attorney for the Central District of California in Los Angeles from 2001 to 2004. He also worked as a litigation associate at the law firm of O'Melveny & Myers LLP in Washington, D.C., from 2000 to 2001, and as a trial attorney for the U.S. Department of Justice, Office of Consumer Litigation, from 1998 to 1999. Judge Owens received his B.A. with high distinction in 1993 from the University of California, Berkeley, and his J.D. from Stanford Law School, where he graduated first in his class in 1996. After law school, he clerked for Judge J. Clifford Wallace of the U.S. Court of Appeals for the Ninth Circuit from 1996 to 1997 and for Justice Ruth Bader Ginsburg of the U.S. Supreme Court from 1997 to 1998. Judge Owens maintains chambers in San Diego.

District Judges



Cynthia Ann Bashant was confirmed as a U.S. district judge for the Southern District of California on April 30, 2014, and received her commission on May 8, 2014. Prior to joining to the federal bench, she had served since 2000 as a judge of the California (San Diego

County) Superior Court, handling both criminal and juvenile matters. From 2010 to 2013, Judge Bashant was presiding judge of the Juvenile Court. Prior to her appointment to the bench, Judge Bashant held several positions in the Office of the U.S. Attorney for the Southern District of California, including assistant U.S. attorney from 1989 to 2000; chief of the Border Crimes Section from 1997 to 1998; and deputy chief of the Narcotics Section from 1995 to 1997. Judge Bashant practiced civil litigation in San Diego as an associate with Baker & McKenzie from 1988 to 1989 and with Macdonald Halsted & Laybourne from 1986 to 1988. She was an adjunct professor at Western State University, now the Thomas Jefferson School of Law, from 1988 to 1991. Judge Bashant received her A.B. from Smith College in 1982 and her J.D. from the University of California, Hastings College of the Law, in 1986. She maintains chambers in San Diego.



Stanley A. Bastian was confirmed as a U.S. district judge for the Eastern District of Washington on April 30, 2014, and received his commission on May 1, 2014. Prior to his appointment, Judge Bastian had been the managing partner since 2012 at the law firm of Jeffers, Danielson, Sonn & Aylward,

P.S., in Wenatchee, Washington, where his practice focused on civil employment matters. He joined the firm as an associate in 1988 and became a shareholder in 1992. Prior to that, Judge Bastian worked as an assistant city attorney and criminal prosecutor for the Seattle City Attorney's Office from 1985 to 1988. He also worked as an associate at the law firm of Bergman & Bauer in Seattle, from 1983 to 1984 and as a public defender in Renton, Washington, in 1984. Judge Bastian received his B.S. from the University of Oregon, Phi Beta Kappa, in 1980, and his J.D. from the University of Washington School of Law in 1983. He served as a law clerk to Judge Ward Williams of the Washington State Court of Appeals from 1984 to 1985. Judge Bastian maintains chambers in Yakima.



André Birotte, Jr., was confirmed as a U.S. district judge for the Central District of California on July 22, 2014, and received his commission on August 8, 2014. Prior to his appointment, Judge Birotte had served as the U.S. attorney for the Central District of California since

2010. He is the first African-American to serve in that post. He also served as an assistant U.S. attorney in the Central District from 1995 to 1999. Prior to his federal service, Judge Birotte served as the inspector general for the Los Angeles Police Commission from 2003 to 2010 and as an assistant inspector general from 2001 to 2003. He also engaged in private practice as an associate at the Los Angeles law firm of Quinn Emanuel Urquhart & Sullivan from 1999 to 2001 and served as a deputy public defender for Los Angeles County from 1991 to 1995. Judge Birotte received his B.S. from Tufts University in 1987 and his J.D. from Pepperdine University School of Law in 1991. He maintains chambers in Los Angeles.



Richard Boulware was confirmed as a U.S. district judge for the District of Nevada on June 10, 2014, and received his commission the same day. Prior to coming onto the federal bench, Judge Boulware had served as an assistant federal defender in the Office of the Federal Public Defender

for the District of Nevada. He joined the office in 2007 as a research and writing attorney and served as lead attorney for complex white-collar cases since 2010. Judge Boulware previously served as a trial attorney at the Federal Defenders of New York from 2003 to 2007 and worked at Covington & Burling in New York in 2003 and from 2000 to 2002, intermittently. He received his A.B. in 1993 from Harvard College, where he graduated cum laude, and his J.D. from Columbia Law School in 2002. He began his legal career as a law clerk to Judge Denise Cote of the U.S. District Court for the Southern District of New York from 2002 to 2003. Judge Boulware maintains chambers in Las Vegas.



Vince Girdhari Chhabria was confirmed as a U.S. district judge for the Northern District of California on March 5, 2014, and received his commission on March 7, 2014. Prior to his appointment, Judge Chhabria had served as the deputy city attorney in the Office of the City Attorney for

the City and County of San Francisco since 2005. He had been responsible for government litigation and served as co-chief of appellate litigation since 2011. Prior to government service, Judge Chhabria worked as a litigation associate in the San Francisco law firms of Covington & Burling LLP from 2002 to 2004 and Kecker & Van Nest LLP in 2001. He received his B.A. from the University of California, Santa Cruz, in 1991 and his J.D. from UC Berkeley School of Law in 1998. After law school, he clerked for U.S. District Judge Charles R. Breyer of the Northern District of California from 1998 to 1999; for Judge James R. Browning of the U.S. Court of Appeals for the Ninth Circuit from 1999 to 2000; and for Justice Stephen G. Breyer of the U.S. Supreme Court from 2001 to 2002. He maintains chambers in San Francisco.

JUDICIAL TRANSITIONS: NEW JUDGES



James Donato was confirmed as a U.S. district judge for the Northern District of California on February 25, 2014, and received his commission on February 26, 2014. Prior to his appointment, Judge Donato had been a litigation partner at the San Francisco law firm of

Shearman & Sterling LLP, where he has worked since 2009. His practice focused on antitrust and class action litigations. Prior to that, he had worked at Cooley LLP, from 1996 to 2008, at Morrison & Foerster from 1990 to 1993. Judge Donato served as deputy city attorney in the Office of the City Attorney for the City and County of San Francisco from 1993 to 1996. He received his B.A., Phi Beta Kappa, from the University of California, Berkeley, in 1983; his master's from Harvard University in 1984; and his J.D. in 1988 from Stanford Law School, where he was senior editor of the Stanford Law Review. Following law school, he clerked for Circuit Judge Procter Hug, Jr., of the U.S. Court of Appeals for the Ninth Circuit from 1988 to 1989. He maintains chambers in San Francisco.



Beth Labson Freeman was confirmed as a U.S. district judge for the Northern District of California on February 25, 2014, and received her commission on February 26, 2014. Prior to her federal appointment, Judge Freeman had served as a judge of the California (San Mateo

County) Superior Court since 2001. She was the assistant presiding judge in 2009 then presiding judge in 2011. Prior to her judicial appointment, she had served as deputy county counsel for San Mateo County since 1983. She was also an associate at Lasky, Haas, Cohler and Munter in San Francisco from 1981 to 1983 and at Fried, Frank, Harris, Shriver and Kampelman in Washington, D.C., from 1979 to 1981. Judge Freeman received her A.B. from the University of California, Berkeley, in 1976 and her J.D. from Harvard Law School in 1979. She maintains chambers in San Jose.



Haywood S. Gilliam, Jr., was confirmed as a U.S. district judge for the Northern District of California on December 16, 2014, and received his commission on December 19, 2014. Prior to coming onto the bench, Judge Gilliam had been a partner with the law firm of

Covington & Burling LLP in San Francisco from 2009 to 2014 and the law firm of Bingham McCutchen LLP in San Francisco from 2006 to 2009. Judge Gilliam served as an assistant U.S. attorney in the Northern District of California from 1999 to 2006 and was the chief of the office's Securities Fraud Section from 2005 to 2006. Earlier in his career, he worked at McCutchen, Doyle, Brown & Enersen from 1995 to 1998. Judge Gilliam received his B.A., magna cum laude, from Yale University in 1991, and his J.D. from Stanford Law School in 1994. He served as a law clerk to District Judge Thelton E. Henderson of the Northern District from 1994 to 1995. Judge Gilliam maintains chambers in San Francisco.



Diane J. Humetewa was confirmed as a U.S. district judge for the District of Arizona on May 14, 2014, and received her commission on May 16, 2014. Judge Humetewa, who is a member of the Hopi Indian Tribe, is the first Native American woman to serve as a federal judge. Prior to her

appointment, Judge Humetewa had served as a special advisor on tribal relations to the president of Arizona State University since 2011. She also served as special counsel in the Office of General Counsel at ASU and as a professor of practice at ASU's Sandra Day O'Connor College of Law. Judge Humetewa was of counsel with Squire, Sanders & Dempsey LLP in Phoenix and Washington, D.C., from 2009 to 2011. She worked in the Office of the U.S. Attorney for the District of Arizona from 1996 to 2009, serving as U.S. attorney from 2007 to 2009 and as senior litigation counsel from 2001 to 2007. During her tenure in the U.S. attorney's office, Judge Humetewa served as counsel to the deputy

attorney general in the Office of Tribal Justice from 1996 to 1998. She was deputy counsel for the U.S. Senate Committee on Indian Affairs from 1993 to 1996. Judge Humetewa received her B.S. from Arizona State University in 1987 and her J.D. from ASU College of Law in 1993. She served as an appellate court judge for the Hopi Tribe Appellate Court in Kearns Canyon from 2002 to 2007. Judge Humetewa maintains chambers in Phoenix.



Steven P. Logan was confirmed as a U.S. district judge for the District of Arizona on May 14, 2014, and received his commission on May 16, 2014. Prior to his appointment, Judge Logan had served as a federal magistrate judge in Phoenix since 2012. He was an immigration judge

for the Board of Immigration Appeals from 2010 to 2012, and an assistant U.S. attorney for the District of Arizona, from 2001 to 2010, and for the District of Minnesota, from 1999 to 2001. He served as a judge advocate for the Marine Corps and was on active duty from 1992 to 1999. While on reserve duty, Judge Logan was deployed to Iraq in 2004 and 2007 and to Afghanistan in 2008. Judge Logan received the Bronze Star and Combat Action Ribbon for his second tour of duty in Iraq. He holds the rank of colonel and currently serves on the Navy-Marine Corps Court of Criminal Appeals. Judge Logan received his B.S. from the University of Louisville in 1988 and his J.D. from the University of Oklahoma, College of Law, in 1992. He maintains chambers in Phoenix.



Rosemary Márquez was confirmed as a U.S. district judge for the District of Arizona on May 14, 2014, and received her commission on May 19, 2014. Prior to her appointment, Judge Márquez had been in a private practice since 2000 in Tucson. From 1996 to 2000, she served as an

assistant federal defender in the Office of the Federal Public Defender for the District of Arizona and as an

assistant legal defender for the Pima County (Arizona) Office of the Legal Defender from 1994 to 1996. Judge Márquez began her legal career working as a deputy county attorney for Pima County Attorney's Office in 1994 and as a law clerk in 1993. She received her B.A. from the University of Arizona in 1990 and her J.D. from the UA, James E. Rogers College of Law, in 1993. Judge Márquez maintains chambers in Tucson.



Salvador Mendoza, Jr., was confirmed as a U.S. district judge for the Eastern District of Washington on June 17, 2014, and received his commission on June 19, 2014. Prior to his appointment to the federal bench, Judge Mendoza had served as a judge of the Washington Superior

Court for Benton and Franklin counties since 2013. Before coming onto the bench, he had practiced law as a solo practitioner and in various law partnerships since 1999. His practice focused on criminal defense. Judge Mendoza also previously served as a judge pro tempore in various district, municipal, and juvenile courts in Benton and Franklin counties. He was a deputy prosecuting attorney in the Franklin County Prosecutor's Office, from 1998 to 1999, and an assistant attorney general in the Washington State Office of the Attorney General, from 1997 to 1998. Judge Mendoza served as a lawyer representative to the Ninth Circuit Judicial Conference from 2010 to 2013 and was chair of the lawyer representatives for the Eastern District of Washington from 2012 to 2013. He was a member of the Training Coordinating Committee of Tri-Cities Criminal Justice Act Attorneys from 2009 to 2013. Judge Mendoza served on the Magistrate Selection Committee for the U.S. District Court for the Eastern District of Washington in Yakima in 2007. He received his B.A. from the University of Washington in 1994 and his J.D. from the University of California, Los Angeles, School of Law in 1997. Judge Mendoza maintains chambers in Richland.

JUDICIAL TRANSITIONS: NEW JUDGES



Douglas L. Rayes was confirmed as a U.S. district judge for the District of Arizona on May 15, 2014, and received his commission on May 28, 2014. Prior to his appointment to the federal bench, Judge Rayes had served since 2000 as judge of the Maricopa County (Arizona) Superior

Court, where he presided over a wide range of civil and criminal matters. Prior to coming onto the state bench, he engaged in private practice in Scottsdale, Arizona, as a partner at the law firms of Tryon, Heller & Rayes from 1989 to 2000. He also was a partner at the law firms of McGroder, Tryon, Heller & Rayes from 1986 to 1989, and McGroder, Tryon, Heller, Rayes & Berch from 1984 to 1986, and an associate at McGroder, Pearlstein, Pepler & Tryon from 1982 to 1984. Judge Rayes received his B.S.E., summa cum laude, from Arizona State University in 1975 and his J.D., cum laude, from ASU College of Law in 1978. He maintains chambers in Phoenix.



James Alan Soto was confirmed as a U.S. district judge for the District of Arizona on May 15, 2014, and received his commission on June 9, 2014. Prior to his appointment to his federal appointment, Judge Soto had served as presiding judge of the Santa Cruz County (Arizona)

Superior Court since 2001. He was previously president and a shareholder of Soto, Coogan and Martin, P.C., in Nogales, Arizona, from 1992 to 2001, and was in private practice in various law partnerships and as a sole practitioner from 1975 to 1979. His earlier legal experience included civil service as a part-time town attorney in Patagonia, Arizona, from 1975 to 1992; a part-time deputy city attorney in Nogales from 1975 to 1983; and a part-time deputy county attorney for the Santa Cruz County in 1979. Judge Soto received his B.S. from Arizona State University in 1971 and his J.D. from ASU College of Law in 1975. He served in the Arizona National Guard from 1971 to 1977. Judge Soto maintains chambers in Tucson.



John J. Tuchi was confirmed as a U.S. district judge for the District of Arizona on May 14, 2014, and received his commission on May 16, 2014. Prior to his appointment, Judge Tuchi had served as chief assistant U.S. attorney in the Office of the U.S. Attorney for the District

of Arizona since 2012. He joined that office in 1998 and served as the office's senior litigation counsel and tribal liaison from 2009 to 2012; as interim U.S. attorney in 2009; and as chief of the Criminal Division from 2006 to 2009. Prior to government service, Judge Tuchi worked as an associate at the Phoenix law firm of Brown & Bain, P.A., from 1995 to 1998. He received a B.S. from West Virginia University in 1987; an M.S. from the University of Arizona in 1989; and a J.D. in 1994 from the ASU College of Law, graduating magna cum laude. Following law school, he clerked for Circuit Judge William C. Canby of the U.S. Court of Appeals for the Ninth Circuit from 1994 to 1995. Judge Tuchi maintains chambers in Phoenix.

Bankruptcy Judges



Scott H. Gan was appointed as a U.S. bankruptcy judge for the District of Arizona on September 22, 2014. Prior to his appointment to the bench, Judge Gan had been a shareholder and partner since 1993 with the law firm of Mesch, Clark & Rothschild, P.C., where he was

chair of the firm's Appellate Practice Section and a member of the firm's Bankruptcy Section. He joined the firm as an associate in 1986. Judge Gan began his legal career as an attorney with the Pima County (Arizona) Office of the Public Defender and then briefly joined a firm that represented claimants before the Social Security Administration and the Arizona Industrial Commission. He received his B.A. from the University of Arizona in 1977 and his J.D. from the UA James E. Rogers College of Law in 1980. Judge Gan maintains chambers in Tucson.



Brenda K. Martin was appointed as a U.S. bankruptcy judge for the District of Arizona on May 1, 2014. Prior to her appointment, Judge Martin had been a partner since 2005 at Osborn Maledon, P.A., in Phoenix, where she served as the firm's senior partner of the Bankruptcy and

Reorganization Practice Group. Judge Martin practiced law in Phoenix working as an associate then partner at Stinson Morrison Hecker, LLP, from 1998 to 2005; as an associate at FitzSimon Parker & Lustiger, PLC, from 1997 to 1998; and as an associate at Johnston Maynard Grant & Parker, PLC, from 1990 to 1997. She received her B.A. in English and political science at Willamette University in 1987 and her J.D. from Arizona State University, Sandra Day O'Connor College of Law, in 1990. Judge Martin maintains chambers in Phoenix.



Paul Sala was appointed as a U.S. bankruptcy judge for the District of Arizona on July 1, 2014. Prior to his appointment to the bench, Judge Sala had been a member in the law firm of Allen, Sala & Bayne, PLC, in Yuma, Arizona, since 1999. Prior to that, he had been an associate at Dillingham &

Cross, PLLC, from 1995 to 1999. Judge Sala began his legal career as an attorney with Fennemore Craig, PC, working there from 1987 to 1995. He received his B.S. from The University of Utah in 1984 and his J.D. from S.J. Quinney College of Law at The University of Utah in 1987. Judge Sala maintains chambers in Phoenix.



Madeleine C. Wanslee was appointed as a U.S. bankruptcy judge for the District of Arizona on March 17, 2014. Prior to her appointment to the bench, she had been an executive member and co-chair of the Creditors' Rights Section of the Phoenix law firm of Gust Rosenfeld,

PLC, where she also held the positions of associate then partner since 1990. Judge Wanslee received her

B.F.A. and B.A. from the University of Arizona in 1985 and her J.D. in 1988 from Gonzaga University School of Law, where she served as executive editor of the Gonzaga Law Review from 1987 to 1988 and published a note from 1985 to 1986. Following law school, she clerked for two years for Judge Robert C. Jones, then sitting on the U.S. Bankruptcy Court for the District of Nevada. Judge Wanslee maintains chambers in Phoenix.



Scott H. Yun was appointed as a U.S. bankruptcy judge for the Central District of California on June 23, 2014. Prior to his appointment to the bench, Judge Yun had been a shareholder with the former law firm of Stutman, Treister & Glatt since 2003. He joined the firm in

2000 and served as president of the firm's executive board. Judge Yun was previously an associate with the law firm Robinson, Diamant & Brill, from 1998 to 2000, and an associate with Steinberg, Barness & Foster, from 1997 to 1998. He received his B.A., cum laude, from the University of California, Los Angeles, in 1993 and his J.D. from the University of Southern California, Gould School of Law, in 1996. Following law school, he served as a law clerk to Bankruptcy Judge Ernest M. Robles of the Central District of California in 1997. Judge Yun maintains chambers in Riverside.

Magistrate Judges



John Z. Boyle was appointed as a U.S. magistrate judge for the District of Arizona on September 10, 2014. Prior to his appointment, Judge Boyle served from 2004 to 2014 in the U.S. Attorney's Office for the District of Arizona, where he held the positions of deputy appellate chief, chief of the

Southwest Border Section, and an attorney in the National Security and Organized Crime Drug Enforcement Task Forces sections. Prior to that, he worked in the Homicide Bureau, Gang and Vehicular Crimes, and Civil Litigation sections in the Maricopa County (Arizona) Attorney's

JUDICIAL TRANSITIONS: NEW JUDGES

Office from 1996 to 2004. Judge Boyle received his B.A. from the University of Arizona in 1990 and his J.D. from the UA James E. Rogers College of Law in 1993. He maintains chambers in Phoenix.



Jill L. Burkhardt was appointed as a U.S. magistrate judge for the Southern District of California on March 11, 2014. Prior to her appointment to the bench, Judge Burkhardt had served as an assistant U.S. attorney for the Southern District of California since 1994.

She engaged in private practice as an associate for Baker and McKenzie in San Diego from 1988 to 1994. Judge Burkhardt received her B.A. from the University of Minnesota, Twin Cities, in 1985 and her J.D. from Harvard Law School in 1988. She maintains chambers in San Diego.



Kenly Kiya Kato was appointed as a U.S. magistrate judge for the Central District of California on July 1, 2014. Prior to her appointment, she engaged in private practice from 2003 to 2014. She also served as deputy defender in the Office of the Federal Public

Defender for the Central District of California from 1997 to 2003. Judge Kato received her B.A., summa cum laude and Phi Beta Kappa, from the University of California, Los Angeles, in 1993 and her J.D., cum laude, from Harvard Law School in 1996. Following law school, she clerked for Judge Robert M. Takasugi of the U.S. District Court for the Central District of California from 1996 to 1997. Judge Kato maintains chambers in Riverside.



Eric J. Markovich was appointed as a U.S. magistrate judge for the District of Arizona of February 10, 2014. Prior to his appointment to the bench, Judge Markovich had been an assistant U.S. attorney for the District of Arizona since 2001.

He served as trial attorney for the Tax Division of the Criminal Enforcement Section of the Department of Justice from 1998 to 2001. He engaged in private practice in New York as an associate at the law firm of Morvillo, Abramowitz, Grand, Iason & Anello in New York from 1995 to 1998 and for White & Case from 1992 to 1994. Judge Markovich received his B.S.C., summa cum laude, from Ohio University in 1989 and his J.D., summa cum laude, in 1992 from Syracuse University College of Law, where he was the business editor of the Syracuse Law Review. He clerked for Judge Theodore A. McKee of the U.S. Court of Appeals for the Third Circuit from 1994 to 1995. Judge Markovich maintains chambers in Tucson.



Eileen S. Willett was appointed as a U.S. magistrate judge for the District of Arizona on October 7, 2014. Prior to her appointment to the federal bench, she served as a judge of the Maricopa County (Arizona) Superior Court in 1999 and as a commissioner from 1998 to 1999. Prior to that,

Judge Willett served as an administrative law judge and chief administrative law judge for the Industrial Commission of Arizona from 1992 to 1998 and was an attorney for the Arizona State Compensation Fund in 1992. She engaged in private practice as a partner at Ober & Willett in Phoenix from 1990 to 1992 and as an associate at Ely, Bettini & Ulman in Phoenix from 1985 to 1990. Judge Willett received her B.A., magna cum laude and Phi Beta Kappa, from the University of Georgia in 1980 and her J.D. from Rutgers School of Law in 1984. She maintains chambers in Phoenix.

JUDICIAL TRANSITIONS: SENIOR JUDGES



Senior District Judge Gary Allen Feess was confirmed as a district judge for the Central District of California on June 30, 1999, and received his commission on July 7, 1999. He assumed senior status on March 13, 2014. Prior to his appointment to the federal bench,

Judge Feess had served as judge of the Los Angeles County Superior Court since 1996. He also served in the Office of the U.S. Attorney for the Central District of California, working as chief assistant U.S. attorney from 1988 to 1989 and as an assistant U.S. attorney from 1979 to 1989. Judge Feess engaged in private practice in Los Angeles from 1989 to 1996, 1987-1988, and 1974-1979. He received a B.A. from Ohio State University in 1970 and his J.D. from the University of California, Los Angeles, School of Law in 1974. Judge Feess maintains chambers in Los Angeles.



Senior District Judge Jeremy D. Fogel was confirmed as a district judge for the Northern District of California on March 16, 1998, and received his commission on March 17, 1998. After having been appointed director of the Federal Judicial Center in 2011, he assumed senior status on

December 31, 2014. Prior to his appointment to the federal bench, Judge Fogel served as a judge of the Santa Clara County (California) Superior Court, from 1986 to 1998, and that county's Municipal Court from 1981 to 1986. Before coming onto the bench, he served as directing attorney then executive director of the Mental Health Advocacy Project, from 1978 to 1981, and worked for the Santa Clara County Bar Association Law Foundation, from 1978 to 1981. Judge Fogel was a lecturer on human development for the California State University from 1977 to 1978. Judge Fogel engaged in private practice in San Jose, California, from 1974 to 1978. He received his B.A. from Stanford University in 1971 and his J.D. from Harvard Law School in 1974.



Senior District Judge Claudia A. Wilken was confirmed as a district judge for the Northern District of California on November 20, 1993, and received her commission on November 22, 1993. She served as chief judge of the district from 2012 to 2014 and assumed senior status on

December 17, 2014. Prior to her appointment, Judge Wilken had served as a magistrate judge for the U.S. District Court for the Northern District of California since 1983. She was a professor at New College School of Law from 1980 to 1985 and an adjunct professor at the University of California, Berkeley, Boalt Hall School of Law, from 1978 to 1984. Judge Wilken also engaged in private practice in Berkeley. Before that, she served as a staff attorney in the Office of the Federal Public Defender for the Northern District of California from 1975 to 1978. Judge Wilken received her B.A. from Stanford University in 1971 and her J.D. from UC Berkeley Boalt Hall in 1975. She maintains chambers in Oakland.

JUDICIAL TRANSITIONS: IN MEMORIAM



Senior District Judge Robert C. Broomfield, 81, of the U.S. District Court for the District of Arizona, died on July 10, 2014. Judge Broomfield was confirmed by the Senate on July 10, 1985, and received his commission the next day. He served as chief judge of the

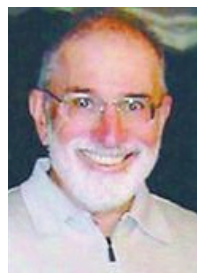
district from 1994 to 1999 and assumed senior status on August 12, 1999. Judge Broomfield served on several committees of the Judicial Conference of the U.S., including the Budget Committee, from 1997 to 2013; the Foreign Intelligence Surveillance Act Court, from 2002 to 2009; and the Space and Facilities Committee, from 1987 to 1995. Prior to his appointment to the federal bench, he had served as a judge of the Maricopa County (Arizona) Superior Court from 1971 to 1985. He was the presiding judge of that court from 1974 to 1985 and presiding judge of its juvenile division from 1972 to 1974. Earlier in his career, he served as a superior court bailiff and was in private practice in Phoenix. Judge Broomfield served as a pilot in the Air Force from 1955 to 1958 and in the Arizona Air National Guard from 1958 to 1991. He also served in the Air Force Reserve from 1961 to 1972, leaving the service at the rank of captain. Judge Broomfield received his B.S. from Pennsylvania State University in 1955 and his LL.B. from the University of Arizona College of Law in 1961. Survivors include his wife of 55 years, Cuma; their son, Robert, Jr., and daughter, Alyson; four grandchildren; and two great-grandchildren.



Bankruptcy Judge Arthur M. Greenwald, 83, of the U.S. Bankruptcy Court for the Central District of California died on June 4, 2014. Judge Greenwald was appointed as a bankruptcy judge in 1988 and reappointed to a second term in 2002. He

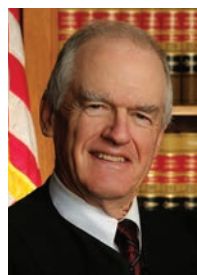
maintained chambers in Woodland Hills, California, until retiring from the bench in 2005. Prior to his

judicial appointment, Judge Greenwald had served as an assistant U.S. attorney for the Central District of California since 1964 and was a judge pro tempore for the Los Angeles Municipal Court from 1980 to 1987. He served in the U.S. Army Quartermaster Corps and was released as first lieutenant in 1955. He received his undergraduate degree from the University of California, Los Angeles, and his law degree from the Southwestern University School of Law in Los Angeles. Judge Greenwald is survived by his twin sister, Pearl Greenwald of Los Angeles.



Bankruptcy Judge Herbert Katz, 84, of the U.S. Bankruptcy Court for the Southern District of California died on February 4, 2014. Judge Katz was appointed in 1972 and served as chief bankruptcy judge of the court. He is one of the original five bankruptcy judges appointed to

the Ninth Circuit Bankruptcy Appellate Panel. Judge Katz retired from the bench in 1983. Prior to his appointment to the bench, Judge Katz had engaged in private practice as a partner at Hinchy, Katz, Witte, Wood & Anderson in San Diego since 1963. Judge Katz received his B.A. from the California State University, San Diego, in 1956 and his J.D. from the University of San Diego School of Law in 1962. He is survived by Pati, David, Lee, Julia, Jeff and Barrie.



Senior District Judge J. Spencer Letts, 79, of the U.S. District Court for the Central District of California died on November 10, 2014. Judge Letts was confirmed by the Senate on December 16, 1985, and received his judicial commission on December 17, 1985. Prior to

his appointment to the bench, Judge Letts engaged in private practice in Los Angeles from 1978 to 1985 and from 1973 to 1975 and in Houston from 1960 to 1966. He was vice president and general counsel for Teledyne, Inc., in Los Angeles from 1975 to 1978 and from

1966 to 1973. Judge Letts received his B.A. from Yale University in 1956 and his LL.B. from Harvard Law School in 1960. He served as captain in the U.S. Army Reserve from 1956 to 1965. Judge Letts is survived by his wife, Virginia; his sister, Elizabeth; his brother, Whitmarsh; three children, James, Elizabeth, and John; and nine grandchildren.



Senior District Judge Alfredo C. Marquez, 92, of the U.S. District Court for the District of Arizona died on August 27, 2014. Judge Marquez was confirmed by the Senate on June 26, 1980, and received his judicial commission on June 30, 1980. He was only

the second district judge of Hispanic descent to be appointed in the District of Arizona. Judge Marquez assumed senior status on July 25, 1991. Prior to his appointment, he had engaged in private practice in Tucson, Arizona, since 1957. He worked previously as a prosecutor for the City of Tucson from 1956 to 1957; as a deputy county attorney for Pima County, Arizona, from 1952 to 1954; and as first assistant attorney general for the State of Arizona from 1951 to 1952. He began his legal career in private practice in Phoenix from 1950 to 1951. In 1941, at the outset of World War II, Judge Marquez joined the navy, becoming a pilot and later serving as a flight instructor. Judge Marquez received his B.A. from the University of Arizona in 1948 and his LL.B. from the University of Arizona College of Law in 1950. Judge Marquez is survived by four children Mark, Sandra, Sharon and Linda, as well as 14 grandchildren and 14 great-grandchildren, from his marriage to his first wife, Georgie, whom he married in 1948. He and his second wife, Linda, wed in 1974 and have a daughter, Natalie, and two grandchildren.



Magistrate Judge Donald William Pitts, 86, of the U.S. District Court for the Eastern District of California, died on July 31, 2014. Judge Pitts was appointed to the bench in 1975 and retired in 1993. He maintained chambers in Yosemite National Park and was one of three magistrate

judges in the National Park system. Judge Pitts studied pre-med at UCLA then joined the U.S. Army as a paratrooper. He received his undergraduate degree in forestry from Oregon State University. Before attending the University of California, Berkeley, School of Law, where he received his law degree, Judge Pitts served as a smoke jumper and worked as a forester for three seasons. Judge Pitts is survived by his wife, Kay.



Senior District Judge Alicemarie H. Stotler, 72, of the U.S. District Court for the Central District of California, died on June 9, 2014. She was confirmed by the Senate on May 1, 1984, and received her commission on May 3, 1984. She served as chief judge of the district from 2005 to

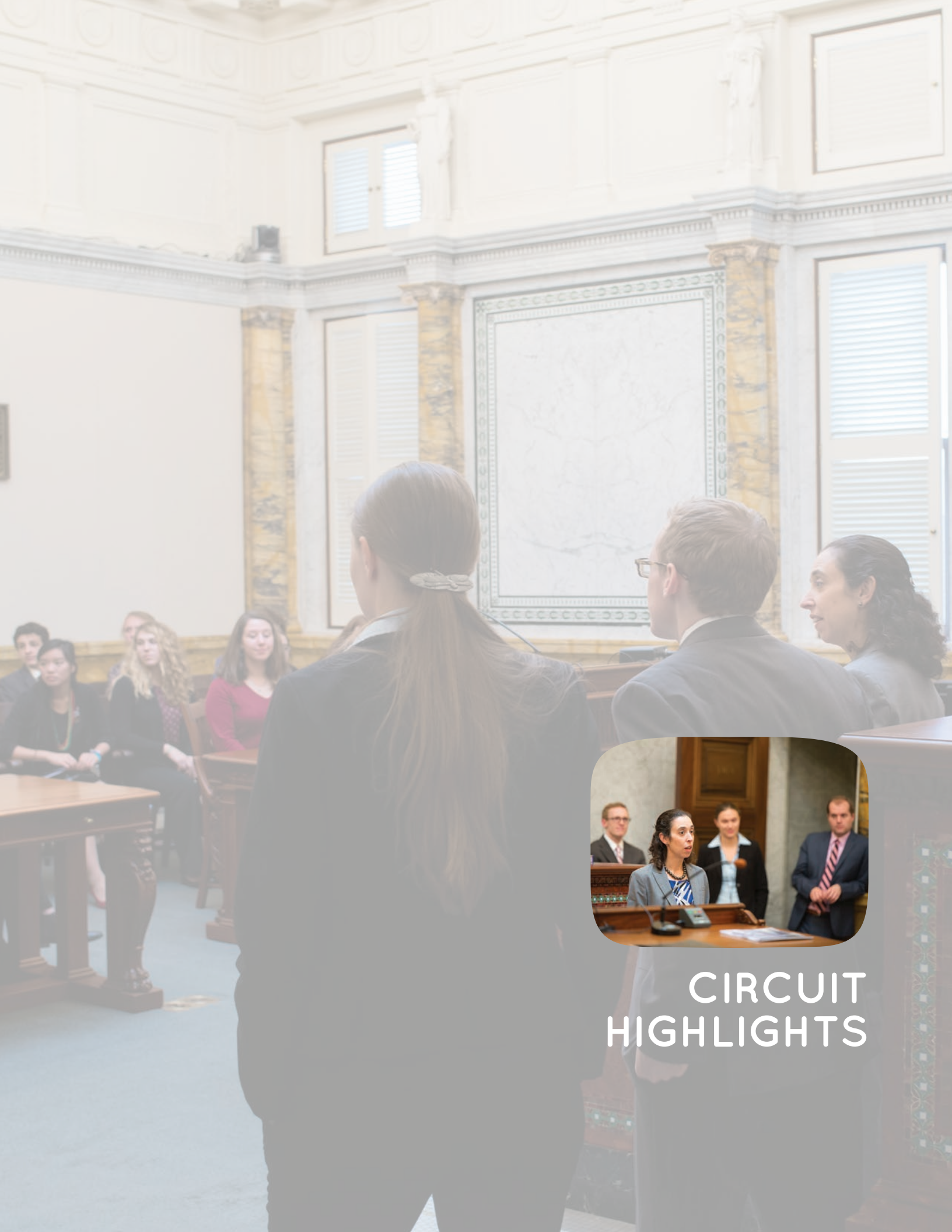
2009, assuming senior status on January 5, 2009. Prior to federal service, Judge Stotler was a judge of the Orange County (California) Superior Court in Santa Ana from 1978 to 1983; a justice pro tem of the California Court of Appeal, Fourth District, in 1977; and a judge of the Harbor Judicial District Municipal Court in Newport Beach from 1976 to 1978. Judge Stotler received her B.A. from the University of Southern California in 1964 and her J.D. from the USC Gould School of Law in 1967. She served on the Judicial Conference of the U.S. Committee on Rules of Practice and Procedure and was a lecturer and conference organizer for the Federal Judicial Center. She also sat on the Judicial Council of the Ninth Circuit. Judge Stotler was the recipient of one of Orange County's highest honors, the Franklin G. West Award, in 1984. The Orange County Federal Bar Association established the "Alicemarie H. Stotler Award" in her honor to be given annually to a deserving recipient.

JUDICIAL TRANSITIONS: IN MEMORIAM



MEMORIAL FOR JUDGE BROOMFIELD

Judges of the United States District Court for the District of Arizona convened in a special session to honor the memory of Judge Robert C. Broomfield. The gathering was held July 23, 2014, in the Special Proceedings Courtroom of the Sandra Day O'Connor U.S. Courthouse in Phoenix. Speakers included Justice O'Connor; two colleagues, Senior District Judge James A. Teilborg and Magistrate Judge David K. Duncan; and Judge Julia Smith Gibbons of the U.S. Court of Appeals for the Sixth Circuit, who worked with Judge Broomfield on national projects. Nominated by President Reagan, Judge Broomfield came onto the federal bench in 1985 and served as chief judge of the district from 1994 to 1999, when he assumed senior status.



CIRCUIT HIGHLIGHTS

LIVE VIDEO STREAMING NOW THE NORM FOR APPELLATE ARGUMENTS

The United States Court of Appeals for the Ninth Circuit continues to be a leader in using technology to make the judicial process more accessible and understandable to the public.

Since the early 1990s, the Ninth Circuit has granted nearly 400 requests from the news media to bring cameras into the courtroom for high-profile cases. Since 2003, the court has regularly provided audio recordings and occasionally offered video recordings of oral arguments before appellate panels. And in December 2013, the court ventured where no federal appellate court had gone before with live video streaming, enabling an Internet audience to observe oral arguments before an 11-judge en banc court.

Technology upgrades completed in 2014 now make possible live video streaming from all four Ninth Circuit courthouses, and the court intends to eventually video and audio stream all of its oral arguments, some 2,100 cases each year.

In all, 10 courtrooms are equipped for video streaming: four in the James R. Browning U.S. Courthouse in San Francisco; three in the Richard H. Chambers U.S. Courthouse in Pasadena, California; and one each in the William K. Nakamura U.S. Courthouse in Seattle, the Pioneer Courthouse in Portland, Oregon, and the Ninth Circuit courthouse in Honolulu. High-definition cameras are used in four courtrooms, one each in San Francisco, Pasadena, Portland and Seattle.

While not cutting-edge, video streaming is still challenging technically, involving not just cameras in the courtroom but use of complex video production systems behind the scenes. A small group of dedicated court staff assembled and installed the systems and operate and maintain the equipment.



The video stream process begins with two cameras in the courtroom, one focused on the bench, the other on the attorney lectern. Images from the two cameras are combined with a third image that consists of text identifying the case, including the date and location of the proceeding and composition of the panel. The combined image is then fed to two identical video recorder/streamer units, one of which is set only to record as safety backup.

The streaming unit sends its digital data via the court network to the YouTube.com website, which handles public distribution. Having a YouTube page – <https://www.youtube.com/user/9thcirc/videos> – is essential as the court's own network lacks the bandwidth to stream the video. The court also makes both audio and video recordings available the day after a proceeding.

Video streaming has been greeted enthusiastically by lawyers, parties to cases, law school students and faculty, and journalists. Viewership is expected to grow over time as the public becomes more aware of the availability of the service. A number of viewers have commented positively about the streaming and made suggestions for improvements, which are under consideration by the court. ■



NEW CHIEF JUDGE FOR THE NINTH CIRCUIT

Judges of the Ninth Circuit Court of Appeals convened in a special session in December for a gavel-passing ceremony marking the elevation of new Chief Judge Sidney R. Thomas of Billings, Montana. He succeeded outgoing Chief Judge Alex Kozinski of Pasadena, California, who had held the office since 2007.

Dozens of relatives and friends of Judge Thomas and his wife, Martha Sheehy, an attorney in Billings, traveled from Montana to witness the event at the James R. Browning United States Courthouse in San Francisco. Also in attendance were federal trial court judges, the U.S. attorney for Montana, the acting dean of the state's only law school, and more than 50 of Judge Thomas' current and former law clerks. Judge Thomas was joined on the bench by a dozen of his colleagues.

By law, selection of the chief judge of a federal circuit or district court is based on seniority and age. The most senior active judge under the age of 65 is eligible to serve as chief judge for a term of up to seven years.

Nominated by President Clinton, Judge Thomas came onto the court in 1996. As chief judge, he will preside when an 11-judge en banc court is convened to resolve cases posing intra-circuit legal conflicts or to consider other matters deemed to be of exceptional importance. He also assumes various administrative duties; chairs two judicial policy-making bodies, the

Executive Committee of the Ninth Circuit Court of Appeals and the Judicial Council of the Ninth Circuit; and represents the Ninth Circuit at biannual meetings of the Judicial Conference of the United States, the judiciary's national governing body.

Judge Thomas is Ninth Circuit's 11th chief judge and the third to hail from Montana. Montanans who previously led the court were Chief Judge Emeriti James R. Browning, the eponym for the Ninth Circuit headquarters building in San Francisco, and Walter



New Chief Judge Sidney R. Thomas, left, takes the podium after receiving a king-sized gavel from outgoing Chief Judge Alex Kozinski.

Lyndon Pope. Judge Browning, who died in 2012, served on the court for 50 years and was chief judge from 1976 to 1988. Judge Pope, who sat on the court from 1949 until his death in 1969, was chief judge for one year, 1959.

A native of Bozeman, Montana, Judge Thomas received his B.A. from Montana State University in 1975 and his J.D. from the University of Montana School of Law, graduating with honors in 1978. Prior to coming onto the federal bench, he had been in private practice in Billings from 1978 to 1995. He also was as an adjunct instructor of law at Rocky Mountain College in Billings from 1982 to 1995.

In accepting the gavel, Judge Thomas spoke of Judge Browning, saying he hoped “to emulate, if I can, in some small way his style and his manner of working with people. He was a brilliant administrator, but he also understood human nature.”

“As we all know, it is a collective endeavor we are engaged in here” the new chief observed. “If we can trust each other and create a good atmosphere in which we can all do our best work, then truly the process of justice will be served.”

Judge Kozinski stepped down after a successful seven-year term in which the court greatly expanded the use of technology to improve operations and make the judicial process more accessible to the public. Among many noteworthy advances during his tenure, the court completed its migration to electronic case filing with more than 40,000 attorneys currently registered to use the system, and expanded the use of cameras in the courtroom, becoming the first and currently only federal appellate court to live video stream oral arguments on the Internet. ■

CIRCUIT WELCOMES NEW LAW CLERKS



The United States Court of Appeals for the Ninth Circuit held its annual orientation program for newly-hired law clerks. The intensive two-day program, held September 16-17, 2014, at the James R. Browning U.S. Courthouse in San Francisco covered court operations and procedures, legal writing, ethics and use of social media, appellate jurisdiction and standards of review, and criminal law issues. U.S. Supreme Court Justice Anthony M. Kennedy, who previously served on the Ninth Circuit Court of Appeals and is now the Supreme Court justice designated to handle Ninth Circuit matters, spoke to the group, remarking upon workloads, opinion writing and interaction with other judges and their clerks. Judges of the Ninth Circuit Court of Appeals and the U.S. District Court for the Northern District of California, Clerk of Court Molly C. Dwyer, and other court staff made presentations and participated as panel members. ■

NEVADA'S NEW CHIEF JUDGE IS WOMAN OF 'FIRSTS'

The Honorable Gloria M. Navarro is the first person of Hispanic descent to serve as an Article III judge of the United States District Court for the District of Nevada. She notched two more firsts on January 1, 2014, when she was elevated to chief district judge, becoming the first woman and first Hispanic to lead her court.

Nominated by President Obama, Judge Navarro came onto the federal bench in 2010 with experience as both prosecutor and defense counsel in Clark County, Nevada. She served in the Office of the District Attorney as chief deputy for civil matters, from 2005 to 2010, and in the Office of the Public Defender as a special public defender, from 2001 to 2004. Earlier in her career she had been in private practice and worked as a research and writing specialist in the Office of the Federal Public Defender for Nevada.

"When someone opens the door you have to be prepared to walk through it," Judge Navarro said of becoming a judge. "You do it not just for yourself but for your generation and your community."

Judge Navarro is the first American-born child of Cuban immigrants who settled in Las Vegas in the 1960s. She learned to speak English by watching "Sesame Street." After grasping the written language as a young child, she was often called upon by family members and friends to read and write letters or answer the telephone and convey messages. Someone suggested she should become an attorney and the idea resonated with her.

"Attorneys are the voice of people who cannot communicate, whether because of language or lack of understanding or some other reason," Judge Navarro recalled.

Elevated on the basis of seniority, Judge Navarro can serve as chief judge for up to six years. Much of her first year as chief has been focused on guiding her court's recovery from the financial impacts of sequestration. The across-the-board cut in funding to the federal



Chief District Judge Gloria M. Navarro, District of Nevada

government in 2013 led to layoffs of court employees and cutbacks in services. Increased funding to the Judiciary in fiscal year 2014 has helped courts to restore services.

One of the new breed of tech-savvy jurists, Judge Navarro serves on the Ninth Circuit Information Technology Committee. She runs an almost paperless chambers, relying on electronic systems for calendaring, docketing and document storage. Hard copy documents provided by attorneys as a courtesy are shunted off to the clerk's office, instead. Courtroom proceedings are similarly technology friendly.

Born in Las Vegas, Judge Navarro attended the University of Nevada, Las Vegas, receiving her B.A. in 1989. She earned her J.D. from the Arizona State University College of Law in 1992. During law school, she served as an intern in the chambers of U.S. District Judge Philip M. Pro of Las Vegas, now retired. ■

FEW VACANT SEATS ON THE FEDERAL BENCH

Federal courts in the Ninth Circuit ended 2014 with the fewest judicial vacancies in recent memory. All of the seats on the Ninth Circuit Court of Appeals were filled while just two of the 112 district court judgeships in the circuit were vacant at year's end.



Circuit Judge Michelle T. Friedland was joined by retired Justice Sandra Day O'Connor, who administered the oath of office. Circuit Judge John B. Owens took the oath of office as his wife, Marjorie, held the Bible during the investiture ceremony.

The flurry of presidential appointments included two new circuit judges. The confirmation of John B. Owens in March expanded the court of appeals bench to 28 judges for the first time since 1992. The confirmation of Michelle T. Friedland in April gave the court 29 judges for the first time in its history. Judges Owens and Friedland are 99th and 100th judges to be appointed to the court.

Judge Owens, who maintains chambers in San Diego, was formally invested into office in April during a special court session at the new federal courthouse there. Chief Judge Emeritus J. Clifford Wallace administered the oath of office to Judge Owens, his former law clerk.

Judge Owens filled a judgeship vacant since 2004, when Judge Stephen Trott assumed senior status. The prolonged vacancy resulted from a Senate disagreement over whether the seat should be filled by California or Idaho.

An investiture ceremony for Judge Friedland was held in June at the historic James R. Browning U.S. Courthouse in San Francisco. Retired U.S. Supreme Court Justice Sandra Day O'Connor administered the oath of office to Judge Friedland, who had served as a law clerk for the justice.

Judge Friedland filled a judgeship vacant since 2013, when Judge Raymond C. Fisher of Pasadena, California, assumed senior status. Judge Friedland maintains chambers in San Francisco.

Fifteen new district judges were seated in the Ninth Circuit during the year. Six of the new judges were appointed in May to the U.S. District Court for the District of Arizona. The newcomers included the first female Native American to sit on the federal bench. Diane J. Humetewa, a member of the Hopi Tribe, had been a special advisor to the president of Arizona State University.



Four new judges were appointed to the U.S. District Court for the Northern District of California. The U.S. District Court for the Eastern District of Washington seated two new judges, including its first jurist of Hispanic descent. Judge Salvador Mendoza, Jr., formerly served as a judge of the Washington Superior Court for Benton and Franklin counties.

The U.S. district courts for the Central and Southern districts of California and the District of Nevada each seated one new judge during the year.

The Ninth Circuit Court of Appeals approved the appointments of five new bankruptcy judges. The court reappointed two bankruptcy judges, including the longest-serving full-time bankruptcy judge in the nation. Judge Barry Russell, who has chambers in Los Angeles, has almost 40 years of continuous service to the U.S. Bankruptcy Court for the Central District of California.

Judges of the district courts appointed five new magistrate judges and reappointed four others over the course of the year. ■

Pictured top. District Judge André Birotte, Jr., left, and Chief District Judge George H. King of the Central District of California, are joined by U.S. Attorney General Eric H. Holder, Jr. At right, District Judges James Donato, top, and Vince Chhabria of the Northern District of California.



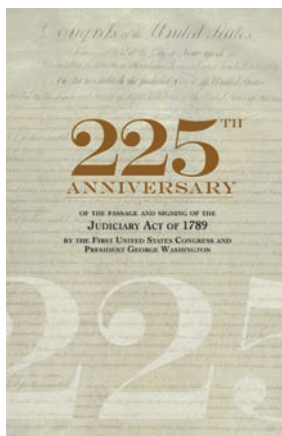
IDAHO CELEBRATES 225TH ANNIVERSARY OF JUDICIARY ACT



Judges of the United States District Court for the District of Idaho convened a special session in September to celebrate the 225th anniversary of the Judiciary Act of 1789. The event, which also marked the establishment of the U.S. Marshals Service that same year, was held at the James A. McClure Federal Building and U.S. Courthouse in Boise.

Article III of the Constitution established the Judicial Branch and the Supreme Court. The First Congress created the Judiciary Act of 1789 to establish the lower federal courts. In signing the bill into law, President George Washington also appointed the first 13 United States Marshals to help enforce all lawful precepts of the courts.

Civic leaders, members of the bar and local and state historians gathered for the program, which featured remarks by Judge N. Randy Smith of the U.S. Court of Appeals for the Ninth Circuit, who has chambers in Pocatello, Idaho, and Chief District Judge B. Lynn Winmill. Also making remarks was Brian



Judges gather to celebrate the 225th anniversary of the Judiciary Act of 1789. Pictured above from left are Magistrate Judges Larry M. Boyle, Mikel H. Williams and Ronald E. Bush, Chief Bankruptcy Judge Terry L. Myers, Chief Magistrate Judge Candy W. Dale, District Judge Edward J. Lodge, Chief District Judge B. Lynn Winmill, and Circuit Judge N. Randy Smith. Pictured to the left are Deputy U.S. Marshal Travis Humkey with Judge Smith.

T. Underwood, U.S. Marshal for the District of Idaho. Chief Magistrate Judge Candy W. Dale served as emcee.

The District of Idaho was established in 1890, when Idaho achieved statehood. Idaho's first federal judge was appointed by President Harrison in 1891. The court operated with one judge until 1954, when Congress authorized a second judgeship. To date, presidents have appointed 11 judges to the federal bench in Idaho.

Idaho's first federal courthouse opened in 1906 in Boise. Federal courthouses were opened in 1911 in Moscow and in 1912 in Pocatello. New courthouses have since been built in all three cities. ■

SMALL STAFF WITH BIG IDEAS PRODUCES NATIONAL eVOUCHER SYSTEM

Much of the credit for an electronic voucher processing system that is transforming how the federal courts manage spending for indigent defense under the Criminal Justice Act goes to a small group of employees at the United States District Court for the District of Nevada.

Chief Deputy Clerk Cindy K. Jensen set out in 2008 to develop a modern replacement for a paper-based system that was slow, inefficient and error prone. With ongoing help from District Clerk Lance Wilson, she tapped a trio of information technology specialists to tackle the job. They built what is now known as eVoucher, an electronic processing system for submitting and reviewing vouchers and disbursing payments.

With support from the Ninth Circuit, eVoucher was introduced in 2010 and quickly adopted by a number of courts in the circuit and elsewhere. After careful evaluation, the Administrative Office of the U.S. Courts officially adopted the system for use nationally in 2014. The implementation schedule calls for all federal courts to be using eVoucher by the end of 2015.

The Sixth Amendment of the Constitution and the Criminal Justice Act provide for legal representation of indigent criminal defendants. CJA funding is allocated to the federal judiciary for this purpose, and judges oversee use of these funds, which pay for legal counsel and other services.

Until eVoucher, courts relied on “hard copy” forms often filled out by hand by attorneys and service providers. Lawyers or their staff performed multiple mathematical operations, often introducing errors that had to be resolved by court staff. The hard



From left are Thomas Pyle and Guillermo Rojas, developers; Vicente Angotti, director of special projects; and Chief Deputy Clerk Cindy K. Jensen.

copy forms were often sent by mail, which took days and sometimes resulted in lost vouchers.

Working from the Lloyd D. George U.S. Courthouse in Las Vegas, Jensen and software developers Vicente S. Angotti, Thomas Pyle and Guillermo Rojas built a system that simplifies the voucher submission process for attorneys and service providers and the voucher review process for judges and court staff.

The eVoucher system automates much of the computation process. Hourly pay rates and mileage reimbursement rates are built into electronic forms, which automatically calculate payments based on the data entered by attorneys and service providers. This removes almost all mathematical errors and significantly reduces the amount of time needed for staff review.

“Their efforts have saved lawyers, judges, and court administrators in the Ninth Circuit significant time, money, and frustration,” said Judge Richard C. Tallman of the Ninth Circuit Court of Appeals, who chairs the circuit’s CJA Oversight Committee.

The eVoucher system produces many different kinds of reports, providing judges with information needed to help them manage their cases. It is also highly flexible, allowing courts to individually design their internal workflows. ■

QUACKENBUSH LECTURE SERIES DRAWS TOP SPEAKERS



Since 2010, some of the nation's most distinguished jurists, practitioners and judges have traveled to Spokane, Washington, to participate in the Quackenbush Lecture Series at Gonzaga University School of Law. The annual event is named for Senior District Judge Justin L. Quackenbush of the United States District Court for the Eastern District of Washington, one of the law school's most successful and influential alums.

The Quackenbush Lecture Series typically draws a large audience of law school students and faculty along with members of the bar from Spokane area. The guest speaker for the 2014 lecture was Cindy Cohn, legal director and general counsel for the Electronic Frontier Foundation, who discussed the legal implications of mass spying by the National Security Agency.

Prior speakers include Kathleen M. Sullivan, former dean of Stanford Law School, who discussed free speech in 2013; Erwin Chemerinsky, dean of the University of California, Irvine, School of Law, whose 2012 talk focused on the Supreme Court; retired District Judge Vaughn R. Walker of the Northern District of California, who spoke in 2011 about his decision on same-sex marriage; and Judge William A. Fletcher of the Ninth Circuit Court of Appeals, who shared his views on the death penalty in 2010.

Judge Quackenbush will celebrate his 35th anniversary as a federal judge in 2015. Nominated by President



Law school students, faculty, and members of the bar gathered for the Quackenbush Lecture. Senior District Judge Justin L. Quackenbush with speaker Cindy Cohn, left.

Carter, he came onto the bench in 1980 and served as an active judge for 15 years. He led the court as chief judge from 1989 to 1995, when he assumed senior status. He also was active in judicial governance, serving on several Ninth Circuit committees and the Committee on the Judiciary of the Judicial Conference of the United States. After taking senior status, he continued to carry a substantial caseload and served as a visiting judge for other federal courts.

Judge Quackenbush received his B.A. from the University of Idaho in 1951. After serving three years in the Navy, he returned to Spokane and enrolled in the Gonzaga University School of Law, receiving his LL.B. in 1957. His first job was as a Spokane County prosecutor. He was in private practice in Spokane from 1959 to 1980, during which he served as an instructor at the law school from 1961 to 1967. ■

NINTH CIRCUIT JUDGE KIM MCLANE WARDLAW LECTURES ON JUDICIAL PHILOSOPHY

Judge Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit delivered the prestigious Regents Lecture in March at her alma mater, the University of California, Los Angeles, School of Law.

Judge Wardlaw, who received her J.D. in 1979, titled her talk “Judicial Philosophy: Does It Matter?” Speaking to students, faculty and members of the bar, she focused how the phrase “judicial philosophy” came into use, its relationship to politics, and how it applies to the judicial decision-making process.

Following her speech, Judge Wardlaw was joined by two Ninth Circuit colleagues, Judge Richard A. Paez and Judge Jacqueline H. Nguyen, for a panel discussion moderated by UCLA Law Professor Adam Winkler, a leading expert in constitutional law. Judge Nguyen is also a UCLA School of Law alum who received her J.D. in 1991. All three judges have their chambers in Richard H. Chambers U.S. Courthouse in Pasadena.

The lecture was part of a two-week visit to UCLA Law by Judge Wardlaw. While on campus, she met with students and faculty members, participated in law school classes and conducted a dean’s roundtable discussion, as well as taking part in additional panel discussions and law school events.



The judges’ visit also coincided with a special sitting of the Ninth Circuit Court of Appeals, which heard oral arguments in four cases in the law school’s Cappello Courtroom.

Established by the Regents of the University of California, the Regents Lecturer Program brings distinguished leaders from non-academic fields to the university to enrich the instructional program and increase students’ exposure to a diverse range of successful professionals. ■

Circuit Judge Kim McLane Wardlaw, pictured above, delivered the Regents Lecture on “Judicial Philosophy: Does It Matter?” Below, Circuit Judges Richard A. Paez and Jacqueline H. Nguyen joined Judge Wardlaw for a question-and-answer session.



NINTH CIRCUIT CHIEF JUDGE TAKES STOCK AT FEDERAL BAR LUNCHEON

Speaking to an audience of 500 lawyers in March, Chief Judge Alex Kozinski of the United States Court of Appeals for the Ninth Circuit looked back on his seven years at the helm of the biggest and busiest judicial circuit in the nation.



Chief Judge Alex Kozinski delivered speech to more than 500 lawyers at the annual Ninth Circuit Luncheon sponsored by the Federal Bar Association of the Northern District of California.

Judge Kozinski covered a lot of ground ranging from the court's changing bench to its growing and sophisticated use of technology in his 30-minute speech delivered at the 36th annual Ninth Circuit Luncheon in San Francisco. The event was sponsored by the Federal Bar Association of the Northern District of California.

Judge Kozinski, who became chief in 2007, stepped down on November 30, 2014. He was succeeded by Judge Sidney R. Thomas of Billings, Montana, who assumed the leadership post on December 1, 2014. Judge Kozinski spoke of having a close working relationship with Judge Thomas and predicted an extraordinary chief judgeship for his successor.

Noting that judicial governance is largely collegial and reliant on consensus building, Judge Kozinski thanked his colleagues for their support, particularly those serving on various judicial committees. He also praised his predecessors as chief judges for having fended off repeated attempts to split the circuit, thus preserving "this great circuit of ours."

Judge Kozinski also focused on the use of Internet technology to make the Ninth Circuit Court of Appeals more accessible to the public. During his tenure, the court has initiated live audio and video streaming of cases so that anyone with an Internet connection can observe oral arguments anywhere in the world.

Judge Kozinski said he took pride in increasing interaction between the bench and bar, including the appointments of lawyer representatives who are engaged in various programs to improve the practice of law before the court. In concluding his remarks, Judge Kozinski spoke with appreciation to the Federal Bar Association.

"We depend on you for a great deal and you are always there when we need you. For that we are very grateful," he said. ■

CIRCUIT CONFERENCE MARKS 50TH ANNIVERSARY OF *GIDEON* DECISION

The Ninth Circuit Judicial Conference is authorized by law “for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit” 28 U.S.C. § 333. Conferees included judges of the United States Court of Appeals for the Ninth Circuit and the U.S. district courts and U.S. bankruptcy courts in nine western states and two Pacific island territories; lawyers practicing in these courts; court staff; and special guests.

The 2014 Ninth Circuit Judicial Conference, held July 14-17 in Monterey, California, was organized around the theme of “Access to Justice” in recognition of the 50th anniversary of the landmark ruling by the U.S. Supreme Court in *Gideon v. Wainwright*.

The general session, “Access to Justice in Civil Cases 50 Years After *Gideon*,” looked at how the lack of civil legal representation impacts access to justice, and whether the right to court-appointed legal counsel for indigent criminal defendants might be extended to indigent civil defendants. Panel members included retired Justice Earl Johnson, Jr., of the California Court of Appeal; Professor Deborah L. Rhode of Stanford University School of Law; and Bryan Stevenson, executive director of Equal Justice Initiative and a professor of law at New York University School of Law. Professor Arthur R. Miller of New York University School of Law moderated. Introductions were made by Assistant Federal Public Defender Rebecca L. Pennell of the Eastern District of Washington, chair of the Lawyer Representatives Coordinating Committee.

“Police Practices and the Courts: What Are They Hearing? What Are They Learning?” was the title of a general session program moderated by Professor David Sklansky of Stanford



*Noted civil rights attorney Eva Paterson, top, led a panel discussion on implicit bias. Professor Arthur Miller engaged panel members in a discussion on access to justice 50 years after *Gideon*.*

University School of Law. The panel presentation on state-of-the-art management of police organizations was designed to help the bench and bar better understand how court decisions affect what happens on the streets. Panelists were Senior District Judge Gary A. Feess of the Central District of California; Deputy Chief Christy E. Lopez of the Special Litigation Section of U.S. Department of Justice's Civil Rights Division; and Professor Joanna Schwartz of the University of California, Los Angeles, School of Law. Geoffrey T. Cheshire, assistant federal public defender for the District of Arizona, introduced the panel members.

The general session entitled "Shining A Light on the Hidden Recesses of Our Brains: Are We Subject to Implicit Bias and What Can We Do About That?," focused on implicit biases and its effects on decision making particularly in the administration of justice in the 21st century. Panelists included Professor Samuel Bagenstos of the University of Michigan School of Law and Professor Anthony G. Greenwald of the University of Washington. Eva Paterson, co-founder and president of Equal Justice Society served as moderator. They were introduced by attorney William M. Symmes of the Eastern District of Washington, who serves on the Ninth Circuit Lawyer Representatives Coordinating Committee.

A bench-bar program focused on criminal discovery and disclosure of Brady information by the prosecution. Speakers included Jenny A. Durkan, then-U.S. attorney for the Western District of Washington, and attorney and author Sidney Powell of Sidney Powell, P.C. Senior Circuit Judge Michael Daly Hawkins served as moderator, while Circuit Judge Jay S. Bybee, program chair of the Conference Executive Committee, introduced the panel members.



Supreme Court Justice Anthony M. Kennedy made remarks on the final day of the conference, recognizing Chief Judge Alex Kozinski's "commitment to the excellence of the Ninth Circuit."

In the general session, "What Makes the Constitution Work (or Not)?," panel members debated whether the Constitution requires informal institutions to work in modern times. Speakers included Larry Kramer, president of The William and Flora Hewlett Foundation; Trevor Morrison, dean of New York University School of Law; and Professor Kim Lane Scheppele of Princeton University, Woodrow Wilson School of Public and International Affairs. Kathleen M. Sullivan, partner at Quinn Emanuel Urquhart & Sullivan, LLP, served as moderator. Chief District Judge Rosanna M. Peterson of the Eastern District of Washington made introductions.

The effects of growing student debt and diminished employment opportunities were discussed in a general session entitled "The Crisis in Legal Education and Its Impact on the Federal Courts." Deanell R. Tacha, dean of Pepperdine University School of Law moderated the panel, which included Alli Gerkman of the Institute for the Advancement of the American Legal System; Professor William Henderson of Indiana University, Maurer School of Law; Paula Littlewood, executive director of the Washington State Bar Association; and Dean Kellye Y. Testy of the University Washington School of Law. Bankruptcy Judge Margaret M. Mann of the Southern District of California, made introductions. ■

2014 NINTH CIRCUIT JUDICIAL CONFERENCE AWARDS

Circuit Judge Consuelo “Connie” M. Callahan of the United States Court of Appeals for the Ninth Circuit received the prestigious Ninth Circuit Professionalism Award from the American Inns of Court. The award recognizes “a lawyer or judge whose life and practice display sterling character and unquestioned integrity, coupled with ongoing dedication to the highest standards of the legal profession and the rule of law.”

A prominent member of the legal community in California’s Central Valley for nearly 40 years, Judge Callahan has devoted her entire career to public service. She has served as a role model for women and minorities in the legal profession and been a mentor to many students and new attorneys.

Nominated by President George W. Bush and confirmed unanimously by the U.S. Senate, Judge Callahan was appointed to the Ninth Circuit Court of Appeals in 2003. She serves on the court’s Executive Committee and Standing Committee on Federal Public Defenders and is involved in various judicial education and outreach activities in the U.S. and overseas.

Prior to coming onto the federal bench, Judge Callahan had been an associate justice of the California Court of Appeal, Third District, from 1996 to 2003; a judge of the San Joaquin County Superior Court from 1992 to 1996; and a commissioner of the Stockton Municipal Court from 1986 to 1992. Of Hispanic descent, she was inducted into the Mexican-American Hall of Fame in Sacramento in 1999. She is the first woman and first Hispanic to be appointed to the San Joaquin County Superior Court and the first San Joaquin County judge to be appointed to a federal court.

Judge Callahan received her A.B. from Stanford University in 1972, her J.D. from the University of the Pacific, McGeorge School of Law, in 1975, and her LL.M. from the University of Virginia School of Law in 2004. She is a past president of the McGeorge School of Law Alumni Association.



Circuit Judge Consuelo “Connie” M. Callahan accepts the Ninth Circuit Professionalism Award from Dean Deanell R. Tacha of the Pepperdine University School of Law, current president of the American Inns of Court Foundation.

John Frank Award

Attorney Peter J. Hughes, considered the dean of the criminal defense bar in San Diego, was presented with the 2014 John Frank Award, recognizing a lawyer who has “demonstrated outstanding character and integrity; dedication to the rule of law; proficiency as a trial and appellate lawyer; success in promoting collegiality among members of the bench and bar; and a lifetime of service to the federal courts of the Ninth Circuit.”

Now in his 61st year of practice, Mr. Hughes has appeared as a trial lawyer in federal, state and military courts. He is highly regarded by members of the bench and bar for his professionalism and dedication to the pursuit of justice. Mr. Hughes has argued before the Supreme Court of the United States, the U.S. Court of Appeals for the Ninth Circuit, the U.S. District Court for the Southern District of California, and the California Supreme Court.

Born in Los Angeles, Mr. Hughes received his B.A. from Stanford University in 1951 and his J.D. from Stanford Law School in 1953. After serving as an officer in the Army JAG Corps from 1954 to 1957, he joined the



District Judge Ricardo S. Martinez of the Western District of Washington, center, presents the Robert F. Peckham Award to Chief Mediator Claudia Lynn Bernard and her colleagues.



Attorney Peter J. Hughes received the John Frank Award from Debora K. Kristensen, an Idaho attorney serving on the Ninth Circuit Advisory Board.

Office of the U.S. Attorney for the Southern District of California. He left government service in 1959 to go into private practice in San Diego, where he was a senior partner in two prominent law firms. He became a sole practitioner in 1978 emphasizing criminal defense.

Established in 2003, the award is named for the late John Frank, a renowned Phoenix attorney who argued more than 500 appeals before the Arizona Court of Appeals, the Arizona Supreme Court, the Ninth Circuit

Court of Appeals, other federal circuit courts and the U.S. Supreme Court.

Ninth Circuit ADR Education Award

A small group of attorneys credited with settling thousands of appeals brought before the United States Court of Appeals for the Ninth Circuit received the 2014 Robert F. Peckham Award, which recognizes outstanding achievement in the field of alternative dispute resolution.

The Ninth Circuit Mediation Office, which consists of nine attorney-mediators and support staff, regularly settles between 1,000 and 1,500 appellate cases annually. Cases range from basic contract and tort actions to complex public policy matters and death penalty cases. Since 2005, the mediators also have handled immigration cases, which constitute a large portion of the court's docket.

The Peckham award, established in 2001, is named for the late Judge Peckham, a former chief district judge of the Northern District of California, who helped pioneer use of legal means other than court trials to resolve disputes. ■

CIRCUIT CONFERENCE RECOGNIZES CIVICS EDUCATION

The 2014 Ninth Circuit Judicial Conference, held in July in Monterey, California, was noteworthy for acknowledging the importance of community outreach. At the conference, the Courts and Community Committee was recognized for its work in promoting civics education through poster and essay contests for young people in and around the Monterey area. The contests, which were held in conjunction with the conference, were cosponsored by the committee and the United States District Court for the Northern District of California.

The theme of the contest, “50 Years After the March on Washington: What the American Dream Means to Me,” focused on the importance of the historic 1963 demonstration in the nation’s capital. Some 250,000 people took part in the march, demanding equal rights for African Americans and an end of racial segregation and discrimination in the nation’s schools and workplaces. The march ended at the Lincoln Memorial, where Dr. Martin Luther King, Jr., delivered his stirring “I Have A Dream” speech to a huge throng.

Three of the four winners of the writing competition, which was open to high school juniors and seniors, were young women preparing for their senior year in high school in the Monterey area. They attended the opening session of the conference, where they were recognized from the podium by the chair of the conference, District Judge Richard A. Jones of Seattle.

While at the conference, the students were able to meet many judges and attorneys, including Ninth Circuit Chief Judge Alex Kozinski and Circuit Judges Mary H. Murguia of Phoenix and Jacqueline H. Nguyen of Los Angeles, who serve on the Courts and Community Committee. The first-place finisher, Giovanna A. Mitchell, who lives in Santa Cruz, also returned to the conference later in the week to meet U.S. Supreme

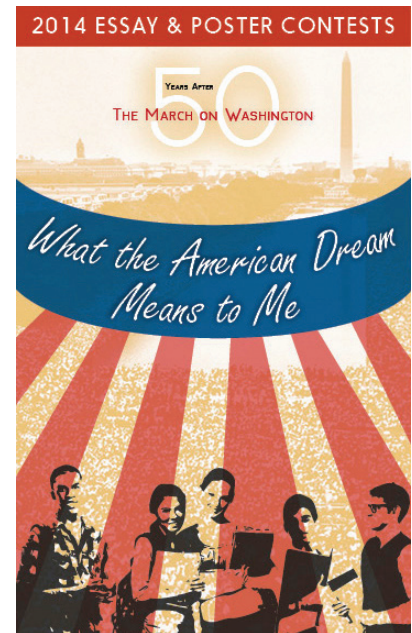


Pictured with Chief Judge Alex Kozinski are, from left, Giovanna A. Mitchell, Megan Holett, and Makena Ehnisz, who were winners of the civics education essay contest. Giovanna Mitchell later had a memorable moment meeting U.S. Supreme Court Justice Anthony M. Kennedy.





District Judge Janis Lynn Sammartino, chair of the Courts and Community Committee, met with essay contest winner, Makena Ehnisz.



Court Justice Anthony M. Kennedy and have her picture taken with him.

U.S. District Judge Janis L. Sammartino of San Diego, who chairs the committee, presented the students with their prizes along with Northern District Magistrate Judge Paul S. Grewal of San Jose and attorney Michael Celio of San Francisco. The prizes were made possible by a generous donation from the Federal Courts Committee of the Santa Clara County Bar Association.

In addition to the writing competition, third- and fourth-grade students were invited to submit posters illustrating the civil rights themes. Medals were awarded to three students from the communities of Aptos and Santa Cruz.

Soon after wrapping up the 2014 competition, the committee began work on a 2015 contest with the theme, “Our Constitution: What the American Dream Means to Me.” The contest focuses on how the Constitution, along with the Bill of Rights and later amendments, makes possible the American Dream. Individual students can express their thoughts and ideas in an essay of 500 to 750 words. Individual students or teams of two or three students may also submit a 2-3 minute video presentation on the theme.

Cosponsored by the U.S. District Court for the Southern District of California, the contest will be open to high school sophomores, juniors and seniors or home-schooled students of equivalent grade status in the greater San Diego area and Imperial County. Winners will be recognized at the opening session of the 2015 Ninth Circuit Judicial Conference, scheduled for July 13 in San Diego. ■

NEWEST JUSTICE MAKES A VISIT TO PORTLAND

United States Supreme Court Justice Sonia Sotomayor was an honored guest of the Ninth Circuit Court of Appeals in March. The nation's newest justice visited the Pioneer Courthouse in Portland, Oregon, where she was hosted by resident Ninth Circuit Judges Diarmuid F. O'Scannlain and Susan P. Graber.

Justice Sotomayor was given a tour of the historic courthouse, which opened in 1875 and has housed the Ninth Circuit since 1973. It is the oldest surviving federal building in the Pacific Northwest and the second oldest courthouse west of the Mississippi River.

Justice Sotomayor made a point of stopping to chat with law clerks and court staff and cheerfully agreed to have her picture taken with many of them. In the building's historic postal lobby, she signed the visitor guest book, adding the words "With admiration of the majesty of this courthouse."

Judges and chambers staff later lunched with the justice in the Matthew P. Deady Conference Room. Also invited to the brown bag affair were board members of the Pioneer Courthouse Historical Society and the executive director of the Oregon Historical Society. Justice Sotomayor talked about her recent autobiography, "My Beloved World," and life as a justice and answered questions.

While in Portland, Justice Sotomayor also spoke to a gathering made up largely of young people, again focusing on her book. The event was organized by the Multnomah County Library in conjunction with the library's "Everybody Reads" program. "My Beloved World" is one of the book selections for the 12th annual community reading program. ■



Supreme Court Justice Sonia Sotomayor signs the guest book at the historic Pioneer Courthouse in Portland, Oregon. Circuit Judges Susan P. Graber and Diarmuid F. O'Scannlain, served as hosts.



NINTH CIRCUIT COMMITTEE HELPS COURTS MANAGE PRO SE LITIGATION

People without lawyers, or pro se litigants, account for about half of all new appeals to the United States Court of Appeals for the Ninth Circuit, about a third of all new civil cases in the district courts and about one fifth of the new filings in the bankruptcy courts. In the Ninth Circuit, the Pro Se Litigation Committee is leading efforts to deal with the challenges posed by self-represented litigants.

To assist district courts, the committee has focused its efforts on issues of case management of prisoner litigation, increasing pools of pro bono attorneys for prisoner and non-prisoner cases, and judicial training. At the bankruptcy court level, the committee has sought to increase available pro bono resources and promote greater awareness of effective pro se litigant programs. The committee's periodic reports to the Judicial Council of the Ninth Circuit are available online at: <http://www.ce9.uscourts.gov/publications/prose/reports.html>.

In 2014, the committee sponsored its biennial Ninth Circuit Pro Se Conference, held September 18-19 in Seattle, Washington. More than 100 judges and staff attorneys from all of the federal courts of the circuit participated in the program.

The conference focused on effective case management in prisoner and non-prisoner pro se cases, including the expanded use of prisoner e-filing systems in Arizona, California and Nevada. Attendees also received substantive updates on habeas and §1983 civil rights cases; medical care and deliberate indifference cases; prisoner First Amendment matters; and issues related to the Prison Rape Elimination Act, and the Religious Land Use and Institutionalized Persons Act.

Dean Erwin Chemerinsky of the University of California, Irvine, School of Law, was a featured speaker, providing a review of U.S. Supreme Court decisions and an update on recent cases and trends in habeas law. As has come to be expected of the



Audience listened to Dean Erwin Chemerinsky review latest Supreme Court rulings and provide an update on recent cases.

renowned scholar, he delivered his 2-hour presentation without benefit of notes.

In addition to speakers and panel presentations, the program included roundtable discussions of case management strategies, particularly when dealing with mentally ill or incompetent pro se litigants; an ethics session for judges and judicial employees; and separate breakout sessions for judges and pro se staff attorneys.

Beyond its educational value, the conference served to recognize the exceptional work being done by pro se law clerks in dealing with unrepresented litigants. In welcoming remarks, Chief Judge Marsha J. Pechman of the Western District of Washington likened pro se law clerks to Klondike era miners who “waded through the muck and water to find those few nuggets of gold.”

“Because you are panning for gold,” Judge Pechman explained, “You are panning for those rights that have not been vindicated. You’re panning for those issues that have not been brought to the forefront. You’re panning for an opportunity for those who do not have opportunity to be heard.”

Magistrate Judge James P. Donohue of the Western District of Washington, the committee's outgoing chair, presided over the program. Judge Donohue stepped down after eight years of service on the committee, the last five as chair. During Judge Donohue's tenure, the committee sponsored multiple conferences, established its own website and newsletter, and conducted webinars and other online training.

Magistrate Judge Charles R. Pyle of the District of Arizona, the new chair of the committee, is the driving force behind a new effort, the Ninth Circuit Prisoner

Litigation Summit, which will be held in November 2015 in Sacramento, California. The summit will be a collaborative effort among the Ninth Circuit, the Federal Judicial Center, the Association of State Correctional Administrators, the National Institute of Corrections, the National Association of Attorneys General and the Defense Research Institute. More than 200 participants are anticipated.

The Ninth Circuit ADR Committee is assisting us in planning the alternative dispute resolution and prisoner reentry portions of the program. ■

2014 NINTH CIRCUIT NEW JUDGES ORIENTATION



Seated from left are Magistrate Judge Jill Burkhardt, Circuit Judge John B. Owens, Chief Judge Alex Kozinski, Circuit Judge Michelle T. Friedland, and Bankruptcy Judge Madeleine C. Wanslee. Standing in second row from left are Magistrate Judge Alka Sagar, District Judge Diane J. Humetewa, District Judges Beverly Reid O'Connell, Beth Labson Freeman, and Stanley Bastian; and Bankruptcy Judge Eddward P. Ballinger. Standing in third row from left are Bankruptcy Judge Frederick Corbit, Magistrate Judge John T. Rodgers, Bankruptcy Judges Brenda K. Martin and Laurel E. Davis, and Magistrate Judge and Clerk of Court Heather Kennedy. Standing in back row from left are Bankruptcy Judge August B. Landis, Magistrate Judge Douglas F. McCormick, and District Judges William H. Orrick, III, Richard Boulware, and Vince Chhabria. ■

A BUSY YEAR FOR PACIFIC ISLANDS COMMITTEE

Pacific Islands Committee works to improve the administration of justice in the United States territories of Guam and American Samoa, the Commonwealth of the Northern Mariana Islands, the republics of Palau and the Marshall Islands, and the Federated States of Micronesia. The committee partners with the state-level courts of these jurisdictions to develop and present a variety of judicial education and court professional training programs using grants from the U.S. Department of the Interior. The committee also collaborates on special projects with the Pacific Judicial Council, an organization made up of judicial officers from a number of island nations.

2014 was a particularly busy year for the committee. In March, committee members traveled to New Zealand to participate in the 21st Pacific Judicial Conference, a gathering of the chief justices from island jurisdictions in the north and South Pacific Ocean. Senior District Judge Consuelo B. Marshall of the Central District of California, who chairs the committee, along with Ninth Circuit Judge Richard R. Clifton and Chief District Judge Frances Marie Tydingco-Gatewood of the District of Guam made presentations at the conference.

The Ninth Circuit contracted with the University of Hawaii's Richardson School of Law to organize and conduct the third Pacific Islands Legal Institute for island judges not having prior legal training. Fifteen judges attended the seminar, which was held July 21-25, 2014, at the law school campus in Honolulu.

Late in the year, at the request of the chief justice of the Supreme Court of Palau, the committee helped train the



Senior District Judge Consuelo B. Marshall, above, third from left, pose with the judges in front of the Hawaii Supreme Court. The judges, pictured left, attended the seminar held at the law school in Honolulu.

Palau bench and bar on the interpretation and implementation of the new criminal code enacted by the Palau legislature in 2014. Judge Marshall, then-U.S. Attorney André Birotte, Jr., who was subsequently appointed a district judge on the Central District of California bench, and Sean Kennedy, the former federal public defender for the Central District, participated in the training.

Two committee members also undertook individual projects. Ninth Circuit Senior Judge Mary M. Schroeder sought funding for domestic violence programs in Kosrae, one of the Federated States of Micronesia. Ninth Circuit Senior Judge J. Clifford Wallace, who served as chair and/or member of the committee from 2000 to 2007, has helped secure nearly \$500,000 in annual grants, which make the educational programs possible. ■



COURTS EXCEL IN COMMUNITY OUTREACH EFFORTS

Judges and staff of the federal courts are committed to community outreach, regularly engaging in programs and activities for the public at large and students in particular. In addition to the Ninth Circuit Courts and Community Committee, several judicial districts in the circuit have outreach committees working closely with bar associations, law schools and other partners to organize events. The circuit is also home to the Justice Anthony M. Kennedy Library and Learning Center, a resource for educators, which is located in the Robert T. Matsui United States Courthouse in Sacramento, California. Several noteworthy Ninth Circuit programs are discussed below.

Students Rise to the CourtWorks Challenge

The Arizona federal bench and bar chalked up another successful CourtWorks program in November at the Sandra Day O'Connor United States Courthouse in Phoenix. The annual event, now in its 10th year, helps students learn about constitutional principles, the judicial process and careers in the legal field.



The morning program included re-enactment of an actual court case in mock trials with students assuming the roles of judges, jurors, prosecutors, defense attorneys, defendants and witnesses. The case involved the discovery of drugs in a student's purse and focused on the application of the Fourth and Sixth amendments of



Pictured above are some of the students who visited the Sandra Day O'Connor U.S. Courthouse during CourtWorks, a program co-founded by Circuit Judge Mary H. Murguia, left. Students above participated in a mock trial and listened to various presentations throughout the day.

the Constitution. The students later heard from representatives of the U.S. Marshals Service and the court's probation and pretrial services offices.

Judge Mary H. Murguia of the U.S. Court of Appeals for the Ninth Circuit, who has chambers in the courthouse, wrapped up the event with remarks stressing the importance of education and recalling the challenges she and her six siblings faced while growing up in a poor neighborhood of Kansas City, Kansas.



Chief District Judge Barry Ted Moskowitz and District Judge Janis L. Sammartino pose with students visiting the Southern District of California courthouse.

Judge Murguia co-founded CourtWorks after being appointed to the U.S. District Court in Arizona in 2000 and has remained active in the program even after being elevated to the appellate court in 2010. CourtWorks has grown considerably over the years with the support of the district court, the bar and the Sandra Day O'Connor School of Law at Arizona State University. Nearly 400 eighth-graders from six schools participated in the 2014 event.

Central District Welcomes Junior State Members

The United States Bankruptcy Court for the Central District of California hosted an engaging Law Day program in May for a group of bright and enthusiastic high school students from the greater Los Angeles area.

Approximately 80 students from Junior State of America participated in the event at the Edward R. Roybal Federal Building in downtown Los Angeles. Junior State is a nonprofit, nonpartisan organization that encourages students who are interested in politics, government, foreign affairs, the law and education to become active and informed citizens.

Organized around the theme, "American Democracy and the Rule of Law: Why Every Vote Matters," the Law Day celebration began with mock trials involving criminal

charges brought in a texting-while-driving case. The program also included a segment on financial literacy and a Jobs Panel, featuring speakers from the district and bankruptcy courts, the Bureau of Prisons, and the offices of the United States Attorney, Federal Public Defender, U.S. Trustee, the Pretrial Services and Probation, U.S. Marshals Service, and Federal Protective Services.

One of the highlights was a "Power Lunch," during which judges, lawyers and other professionals shared lunch with the students and discussed the law and the legal profession. The luncheon included discussion of significant events in our nation's history regarding voting and voting rights; remarks by guest speaker, Professor Laurie Levenson of Loyola Law School; and a spirited game of "Legal Jeopardy," which is played like the Jeopardy! game but with legal categories, such as the "Bill of Rights" and "Who's Who in the Courtroom."

Court, Law School Host Teachers Institutes in Seattle

Judges and staff of the United States District Court for the Western District of Washington were busy over the summer with outreach efforts to teachers in the greater Seattle area. The court held its third Judicial Institute for High School Teachers in June and its third annual iCivics Institute for Middle and High School

Teachers in July. Both programs were held at the federal courthouse in Seattle.

The judicial and iCivics institutes were developed in collaboration with the Seattle University School of Law. The judicial institute focused on the U.S. Constitution, the federal judiciary, Supreme Court decisions, issues involving civil rights and state and federal criminal law. The iCivics institute helped teachers become proficient in the games and lesson plans available at www.iCivics.org, a website promoted by retired Justice Sandra Day O'Connor of the U.S. Supreme Court.

Thirty teachers from throughout Western Washington participated in each program. The judicial institute featured Mary Beth Tinker, the plaintiff in Tinker v. Des Moines School District, a 1969 case in which the U.S. Supreme Court ruled that public school students do not shed their free speech rights at the school house door. The iCivics institute featured Margaret Fisher, a law-related education expert, who helped to translate the legal content into lessons available for use in the classroom.

Judges, attorneys, law enforcement officers, and other professionals participated in both programs. Teachers earned continuing education credit for participating in the program.

Court Welcomes Youngest Citizens

On April 11, 2014, the United States District Court for the Southern District of California hosted a

naturalization celebration at the new United States Courthouse Annex in San Diego for 15 children ages 6-12. Chief District Judge Barry Ted Moskowitz and District Judge Janis L. Sammartino welcomed the children on behalf of the court.

In attendance were Congresswoman Susan A. Davis and representatives from the offices of Senator Dianne Feinstein, Senator Barbara Boxer, Congressman Darrell Issa and Congressman Scott Peters, and from the U.S. Citizenship and Immigration Services. The Old Town Academy Choir, led by Mr. Anthony Kaneaster, performed several patriotic songs for the occasion. The children received their certificates commemorating the event after taking their Oath of Allegiance. The event proved to be a moving and memorable experience for everyone who joined in the celebration.

Ninth Circuit Celebrates Constitution Day

Federal courts in the Ninth Circuit joined in the celebration of Constitution Day on September 17, 2014. Judges and court staff participated in naturalization ceremonies in Alaska, the Central, Eastern and Southern districts of California, and the District of Hawaii, while the Western District of Washington welcomed a visit by students. The Administrative Office of the United States Courts is promoting the 2015 Constitution Day celebration, hoping every federal court in the nation will hold some form of observance. ■

KENNEDY LIBRARY PROGRAM



The Sacramento Federal Judicial Library and Learning Center Foundation hosted its first Summer Teacher Institute held in June 2014 at The Justice Anthony M. Kennedy Library and Learning Center in the Robert T. Matsui United States Courthouse in Sacramento, California. Teachers have since arranged special visits to the courthouse and the learning center as a result of the teacher institute. ■



JUDGES RECEIVING AWARDS

Ninth Circuit Court of Appeals:

Senior Circuit Judge Arthur L. Alarcón, Outstanding Jurist Award, Los Angeles County Bar Association; Circuit Judge Consuelo M. Callahan, Professionalism Award for the Ninth Circuit, American Inns of Court; Circuit Judge Michael Daly Hawkins, Inductee, Arizona Veterans Hall of Fame

District of Arizona:

Bankruptcy Judge Redfield T. Baum, Sr., Alumnus of the Year, Arizona State University, Sandra Day O'Connor College of Law

Central District of California:

District Judge Andrew J. Guilford, Judicial Excellence Award, Orange County Asian American Bar Association; Chief Bankruptcy Judge Sheri Bluebond, Calvin Ashland Judge of the Year Award, Central District Consumer Bankruptcy Attorneys' Association

Eastern District of California:

Chief District Judge Morrison C. England, Jr., Judge of the Year, American Board of Trial Advocates, Sacramento Chapter; District Judge Kimberly J. Mueller, Frances Newell Carr Achievement Award, Women Lawyers of Sacramento; Senior District Judge Lawrence J. O'Neill, Alumnus of the Year Award, University of California, Hastings College of the Law; Magistrate Judge Allison Claire, Founders' Award, Sacramento's LGBT Bar Association

Northern District of California:

Senior District Judge Sandra B. Armstrong, Trailblazer's Award, Oakland Black Officers Association, Inductee, Distinguished Knight Castlemont High School Alumni Hall of Fame, Honoree, Black History Month Award, and Honoree, Empire Mock Trial; Senior District Judge Charles R. Breyer, Federal Judge of the Year, San Francisco Trial Lawyers Association; District Judge Beth L. Freeman, Elinor Falvey Award, San Mateo County Bar Association, Women Lawyers Section

District of Hawaii:

Chief Bankruptcy Judge Robert J. Faris, admitted to the American College of Bankruptcy

District of Idaho:

Chief Magistrate Judge Candy Wagahoff Dale, 2014 Justice for All Award, Diversity Section Group, Idaho State Bar

District of Oregon:

Magistrate Judge Mark D. Clarke, Owen M. Panner Professionalism Award, Oregon State Bar Association, Litigation Section, and Oregon Trial Lawyers Association; District Judge Michael J. McShane, Lewis and Clark Law School Distinguished Honorary Graduate Award, Lewis and Clark Law School; District Judge Michael H. Simon, Lewis and Clark Law School Distinguished Honorary Graduate Award, Lewis and Clark Law School

Western District of Washington:

District Judge Richard A. Jones, Amicus Award, Black Law Student Association, Seattle University School of Law; Senior District Judge Thomas S. Zilly, 2014 William L. Dwyer Outstanding Jurist Award, King County Bar Association; Bankruptcy Judge Karen A. Overstreet, honored by Federal Bar Association of the Western District of Washington for 20 years of judicial service

ADMINISTRATIVE CHANGES



Edward “Eddy” Emmons is the bankruptcy court clerk for the U.S. Bankruptcy Court for the Northern District of California. Prior to his appointment on February 24, 2014, he had served as the acting clerk of court for the district since February 3, 2014. Mr. Emmons has worked in the

Northern District of California for 19 years and had been the chief deputy clerk since June 2003. He began his career in the judiciary as a docket clerk for the U.S. District Court, Northern District of California.



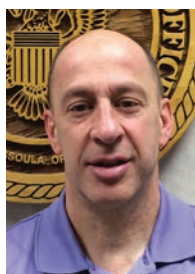
Michael Filipovic was appointed the new federal public defender for the Western District of Washington on March 1, 2014. He joined the Office of the Federal Public Defender in 1990 and had served as first assistant federal public defender since 2004.

He worked previously as a defender for the Public Defender Association in King County, Washington, and as a public defender in the Office of the Illinois Appellate Defender from 1978 to 1981. Mr. Filipovic received his B.A. from the University of Illinois, Chicago, in 1974 and his J.D. from Illinois Institute of Technology, Chicago-Kent College of Law, in 1977.



Lisa Christina Hay was appointed the acting federal public defender for the District of Oregon on October 1, 2014. She joined the Office of the Federal Public Defender in 1998 and was named an assistant federal public defender in 2002. Prior to federal service, Ms. Hay worked as an

associate at law firms in San Francisco, Boston and Portland, Oregon. She received her B.A. in 1985 from Yale University, graduating summa cum laude, and her J.D. in 1991 from Harvard Law School, graduating magna cum laude and serving as the editor of the Harvard Law Review from 1989 to 1991. After law school, she clerked for Judges Robert E. Keeton and Patti B. Saris of the U.S. District Court for the District of Massachusetts.



Tom Holter was appointed the chief probation officer for the District of Montana on November 1, 2014. He served as the deputy chief from 2011 to 2014, as a supervisor from 2004 to 2011, and as a senior drug alcohol treatment specialist from 1996 to 2004. Mr. Holter began his career as

a probation officer in 1989 in the Western District of Washington, then transferred to the District of Montana in 1990. He received a B.S. in business administration from Montana Tech in 1985 and a master's of education from Montana State University in 1987.



John P. Morrill was appointed the district court clerk for the U.S. District Court for the Southern District of California on April 29, 2014. He had served as the acting clerk of court for the district since December 2013. Mr. Morrill has worked in the Southern District of

California for more than 20 years and was named chief deputy of operations in 2005. He earned his B.A. in political science and his master's degree in public administration from San Diego State University. Prior to federal service, he worked for the Washington State House of Representatives in Olympia, Washington.



Hilary Lee Potashner was appointed the acting federal public defender for the Central District of California on September 14, 2014. She joined the Office of the Federal Public Defender in 2001, was promoted to a supervising defender in 2007 and became the office's chief deputy in

2012. Ms. Potashner worked previously as a deputy public defender in the San Diego County Public Defender's Office from 1993 to 2000. She received her B.A. from Duke University in 1989 and her J.D. in 1993 from the University of California, Hastings College of the Law, where she received the Hastings Public Interest Law Foundation grant in 1991. ■



SPACE &
FACILITIES

COURTHOUSE DEDICATION HONORS MEMORY OF SLAIN JUDGE

Elect officials, civic leaders and most of Arizona's federal judges were among a crowd of more than 400 people who gathered in Yuma for the dedication of the John M. Roll United States Courthouse. The building is named for the late chief judge of the U.S. District Court for the District of Arizona, who was among six people slain in a mass shooting in Tucson in 2011.

Held April 24, 2014, some 40 members of the Roll family attended the dedication, including Maureen Roll, the widow of the late judge, and the couple's sons, Robert, Christopher and Patrick Roll, who took the podium to conclude the program. Robert, the eldest, made remarks, remembering his father as a deeply religious man, devoted to his family and dedicated to his work.

A large contingent of Arizona federal judges, led by the court's current chief judge, the Honorable Raner C. Collins, attended the dedication ceremony. Chief Judge Collins, who was among the speakers, described Judge Roll as the driving force behind the Yuma courthouse project, recognizing the need for additional resources to handle the border court's heavy criminal caseload.



Courthouse, below, named and dedicated as the John M. Roll U.S. Courthouse, after the late Chief Judge Roll, pictured above.



Gabrielle Giffords, the former Congresswoman who was the target of the attack that occurred on January 8, 2011, at a Tucson shopping center, was a surprise addition to the program. Giffords, who survived a



grievous head wound, has retired from political office and founded an organization that seeks to balance gun rights with community safety.

U.S. Senators John McCain and Jeff Flake, Rep. Raul M. Grijalva and Rep. Ron Barber, Giffords' former aide who succeeded her in office, and Yuma Mayor Doug Nicholls also shared the podium, while Ruth Cox, regional administrator for the General Services Administration served as master of ceremonies.

"I cannot imagine a greater example of character or selflessness than Chief Judge Roll," Senator McCain said, adding that the courthouse will stand as a fitting tribute.

Soon after Judge Roll's death, the Senate unanimously approved naming the Yuma courthouse in his honor. President Obama signed the measure into law on February 17, 2011.

Opened for occupancy in late 2013, the two-story, 56,800-square-foot courthouse houses two courtrooms, jury rooms and judges' chambers along with space for offices of the bankruptcy and district courts, Probation and Pretrial Services, and the U.S. Marshals Service. It was built at a cost of \$33.4 million on a prominent site along the Colorado River, near Yuma's major state and local government buildings.

Designed "green," the courthouse makes extensive use of solar power gathered by an expansive canopy of photovoltaic panels at the front of the building. Locally-obtained Arizona sandstone was used in the building, which also features a two-story glass lobby.



Former Congresswoman Gabrielle Giffords, pictured top left, and Chief District Judge Raner C. Collins, pictured top right, were among the speakers at the dedication ceremony. Senator Jeff Flake, pictured above right, was joined by Senator John McCain, who co-sponsored the bill renaming the courthouse after Chief Judge Roll.

Visitors to the courthouse will find inside a bronze bust of Judge Roll by Arizona artist Nicholas Burke. Immediately outside the main entrance is a public art installation entitled “Lion Dandies,” a sculpture consisting of metal orbs created by artist John Bisbee using iron railroad nails to reflect on Yuma’s railroad history. ■



REMEMBERING THE LOMA PRIETA EARTHQUAKE



Judges and court staff of the Ninth Circuit Court of Appeals gathered in the fall to observe the 25th anniversary of the Loma Prieta Earthquake, which struck the San Francisco Bay Area on October 17, 1989, at exactly 5:04 p.m. While no casualties were reported among judicial employees, the Ninth Circuit's headquarters building was severely damaged, forcing evacuation of the historic structure. Judges and court staff were relocated to multiple locations in downtown San Francisco and court operations continued uninterrupted. Leased space in the Rincon Center served as the court's temporary headquarters for about six years. The historic courthouse officially reopened on October 17, 1996, after a \$91-million restoration project. The 25th anniversary observance drew a good crowd, which included several former employees. Remarks were made by Ninth Circuit Judges Sidney R. Thomas and Carlos T. Bea, Court of Appeals and Circuit Executive Cathy Catterson and Clerk of Court Molly Dwyer. A four-panel exhibit produced by court staff was on display. ■

COURTHOUSES UNDER CONSTRUCTION

U.S. Courthouse in Los Angeles, California



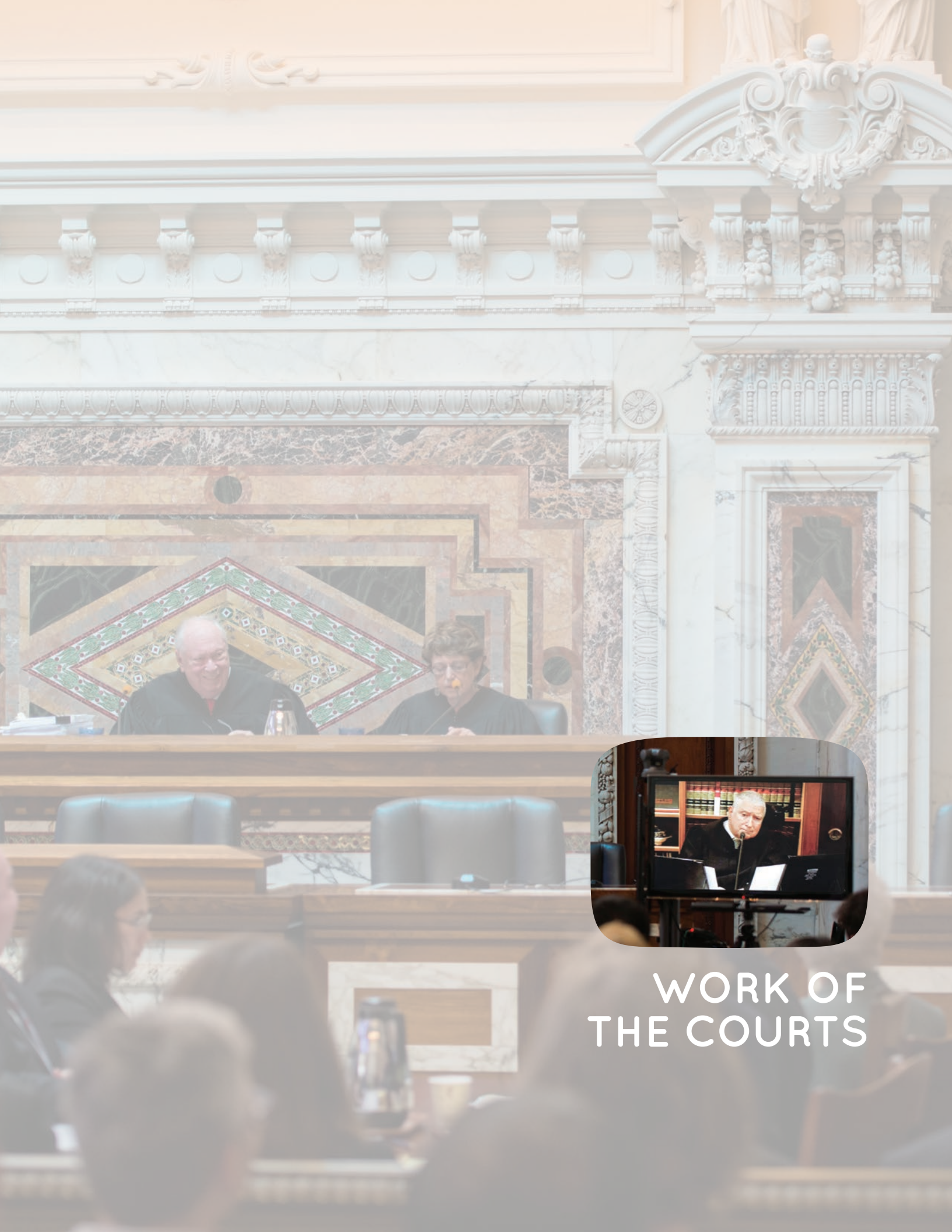
Gross Square Footage: 600,000
Design/Build Team:
Clark Construction & SOM
Occupancy Date: March 2016

U.S. Courthouse in McKinleyville, California



Gross Square Footage: 23,000
Owner/Developer: Eureka Skyline 26 Partners
Occupancy Date: January 2015





WORK OF
THE COURTS

COURT OF APPEALS REDUCES BACKLOG AND PROCESSING TIME

The United States Court of Appeals for the Ninth Circuit continues to be the nation's busiest federal appellate court. In fiscal year 2014, the court received fewer appeals and reduced its pending caseload and the time needed to process decisions in merits cases.

1 APPELLATE CASELOAD PROFILE, 2013-2014

Caseload Measure	2013	2014	Change 2013-14
Filings	12,826	12,061	-6.0%
Terminations	12,779	12,493	-2.2%
¹ Pending Cases	14,300	13,868	-3.0%

¹2013 pending cases revised.

New appeals filed with the Ninth Circuit numbered 12,061 in FY 2014, down 6 percent from the prior fiscal year. The Ninth Circuit had 21.9 percent of all new appeals nationally, the most of any circuit. Appellate filings nationwide numbered 54,988, down 2.6 percent overall. Nine circuits reported fewer filings, led by the First Circuit with 9.9 percent fewer new appeals. New filings were up in three circuits led by a 6 percent increase in the Fifth Circuit.

The Ninth Circuit disposed of 12,493 cases in FY 2014, down 2.2 percent. The court's pending caseload was reduced by 3 percent to 13,868 cases.

Breakdown of New Appeals

Immigration matters and appeals brought by inmates in state or federal prisons within the circuit constituted two-thirds of the new filings, while more than half of all new appeals were brought by litigants who were not represented by a lawyer.

District courts, which serve as trial courts in the federal judicial system, accounted for 60.9 percent of new filings in FY 2014. District courts generated 7,346 new appeals, down 5.3 percent from the prior year. Of the total, 5,768 were civil appeals and 1,578 were criminal appeals. Prisoner petitions involving habeas corpus, capital habeas corpus, civil rights, prison conditions and other matters accounted for 48.1 percent of all new civil appeals from the district courts. The U.S. government was a plaintiff or defendant in 1,173 new civil appeals, 15.9 percent of the total new cases commenced.

The four district courts in California accounted for 61.4 percent of the new civil appeals and 52.4 percent of new criminal appeals. The Central District of California, the busiest court in the circuit, generated 2,068 new appeals, down 11 percent from the prior year. The Eastern District of California had the next largest number of new appeals with 844, down 10.3 percent. Nine district courts generated fewer appeals than the prior year.

Of 1,578 new criminal appeals, 50.8 percent were related to drug and immigration offenses. The court reported 407 appeals involving drug offenses and 395 for immigration offenses. Of the 247 appeals involving property offenses, 216 were related to fraud. The court also received 133 appeals for offenses involving firearms and explosives, 112 for sex offenses and 85 for violent offenses.

A substantial portion of the court's caseload consists of appeals of decisions by executive branch agencies, primarily the Board of Immigration Appeals, or BIA. Appeals of agency decisions, which had risen the past two fiscal years, were down 12.3 percent in FY 2014. Of 3,555 appeals of agency decisions received, 3,419 involved the BIA. The BIA cases constituted 28.3 percent of the court's new filings. The Ninth Circuit had 57.1 percent of the total BIA appeals filed nationally in FY 2014.

Original proceedings commenced in FY 2014 numbered 931, up 25.9 percent from the prior year. The bulk of original proceedings cases involved second or successive habeas corpus petitions and mandamus appeals.

2 FILINGS, TERMINATIONS AND PENDING CASES BY APPEAL TYPE, 2013-2014

Type of Appeal	Filings 2013	Filings 2014	Change 2013-14	% of Circuit Total	Terminations 2013	Terminations 2014	Change 2013-14	Pending 2013	Pending 2014	Change 2013-14
Civil										
U.S. Prisoner Petitions	549	511	-6.9%	4.2%	584	550	-5.8%	343	302	-12.0%
Private Prisoner Petitions	2,519	2,265	-10.1%	18.8%	2,936	2,650	-9.7%	2,116	1,718	-18.8%
Other U.S. Civil	634	662	4.4%	5.5%	567	491	-13.4%	726	895	23.3%
Other Private Civil	2,389	2,330	-2.5%	19.3%	2,099	2,226	6.1%	2,913	3,003	3.1%
Criminal	1,669	1,578	-5.5%	13.1%	1,608	1,699	5.7%	1,846	1,720	-6.8%
Other										
Bankruptcy	273	229	-16.1%	1.9%	206	209	1.5%	299	316	5.7%
Administrative Appeals	4,054	3,555	-12.3%	29.5%	4,041	3,837	-5.0%	5,870	5,589	-4.8%
Original Proceedings	739	931	26.0%	7.7%	738	831	12.6%	157	325	107.0%
Circuit Total	12,826	12,061	-6.0%		12,779	12,493	-2.2%	14,270	13,868	-2.8%
National Appellate Total	56,475	54,988	-2.6%		58,393	55,216	-5.4%	41,670	41,751	0.2%
Ninth Circuit as % of National Total	22.7%	21.9%	0.8%		21.9%	22.6%	-0.7%	34.2%	33.2%	-1.0%

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

Terminations and Pending Cases

The court terminated 12,493 cases in FY 2014, down 2.2 percent from the prior year. Of the total, 7,515 cases were terminated on the merits: 1,530 after oral argument, 5,692 after submission on the briefs, and 293 by consolidation. Merit terminations included 2,383 prisoner cases, 1,299 criminal cases and 1,552 administrative agency appeals. Another 4,978 cases were terminated on procedural grounds by judges and court staff. For the year, judicial panels produced 565 published opinions and 6,657 unpublished opinions and memorandum dispositions.

Among cases terminated on the merits in FY 2014, 4,448 were affirmed or enforced, while 1,068 cases were dismissed, reversed, remanded or disposed of by other means. Another 1,706 cases were rejected on the basis of denial of a certificate of appealability. The court's overall reversal rate was 9.5 percent, compared to a national average of 7.2 percent. By category, reversal rates were 13.5 percent in criminal matters;

16.6 percent in private civil matters; 13.5 percent in cases involving inmates in federal correctional facilities and 3.7 percent for inmates in state correctional facilities; and 9.5 percent in administrative agency appeals.

The court's pending cases numbered 13,868, down 3 percent from the prior year. Among the pending cases, 40.3 percent involved administrative appeals; 28.1 percent civil matters; 14.6 percent prisoner petitions; and 12.4 percent criminal matters. Of the pending caseload, 33.8 percent had been pending less than 6 months, 20.4 percent pending 6 to 12 months, and 45.7 percent for more than 12 months.

Median Time Intervals

Median time intervals, which measure how long it takes for cases decided on the merits to proceed through the appellate process, continued to improve in FY 2014. The median time interval from filing of a notice of appeal to final disposition of all cases was 12.4 months, down from

13.3 months. The court has reduced the median time interval by 5 months over the last four fiscal years.

The median time interval from the filing of a case in a lower court to final appellate disposition was 32.6 months, down slightly from FY 2013. The national median time intervals in FY 2014 were 8.5 months from notice of appeal to final disposition by a circuit court of appeals, and 28 months from the filing of a case in a lower court to final disposition by a circuit court.

In appeals of BIA decisions, the median time interval from the date of docketing the case to filing of opinion or final order was 21.5 months.

For bankruptcy cases, the median time interval for docketing to decision was 20.4 months. The national median time intervals were 13.7 months for BIA cases and 12.3 months for bankruptcy appeals.

Once an appeal was fully briefed, Ninth Circuit judges decides all types of cases fairly quickly. In FY 2014, the median time interval for panel decisions was 1.1 months for a case in which oral arguments were heard, and a matter of days for cases submitted on briefs.

Pro Se Filings and Terminations

Pro se appeals involve at least one party who is not represented by counsel. In FY 2014, new appeals by pro se litigants numbered 6,020, down 9.2 percent from the prior year. Pro se litigants accounted for 49.9 percent of all appeals opened during the year. Prisoner petitions, 2,426, and agency appeals, 1,539, made up 65.8 percent of the new pro se cases. The majority of pro se appeals, 3,654 cases, involved decisions of the district courts of the circuit.

The court terminated 6,455 pro se appeals in FY 2014, down 7 percent from the prior year. Of that number, 2,706 were closed on procedural grounds, while 3,749 were terminated on the merits after oral argument,

3 MEDIAN TIME INTERVALS IN MONTHS FOR MERIT TERMINATIONS OF APPEALS, 2013-2014

By Stage of Appeal	Number of Months			
	Ninth Circuit		National	
	2013	2014	2013	2014
¹ From Filing of Notice of Appeal or Docket Date to Filing of Appellee's Last Brief	8.2	8.4	5.8	5.8
From Filing of Appellee's Last Brief to Oral Argument or Submission on Brief	8.7	12.0	4.1	3.8
From Oral Argument to Last Opinion or Final Order	1.2	1.1	2.1	2.1
From Submission on Brief to Last Opinion or Final Order	0.1	0.2	0.4	0.4
¹ From Filing of Notice of Appeal or Docket Date to Last Opinion or Final Order	13.3	12.4	9.0	8.5
From Filing in Lower Court to Last Opinion or Final Order in Appeals Court	32.9	32.6	28.3	28.0

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous applications not included previously. Cases terminated include appeals, original proceedings, and miscellaneous applications. ¹Docket date is used when computing the median time intervals for original proceedings, miscellaneous applications, and appeals from administrative agencies.

submission on the briefs, or by consolidation. Prisoner petitions, 2,781, and agency appeals, 1,579, made up the bulk of the terminations.

En Banc Cases

En banc courts, which consist of 11 judges rather than three, are convened quarterly to resolve intra-circuit conflicts or other legal questions of exceptional importance. In FY 2014, 17 en banc courts were convened, each hearing one case. During the fiscal year, the court received 785 petitions seeking en banc review. Active judges of the court voted on 37 en banc requests, granting en banc review in 17 cases. En banc decisions issued by the court in FY 2014 numbered 17.

Death Penalty Cases

The court ended calendar year 2014 with 98 pending death penalty cases from five states. Arizona and California each had 38 pending death penalty cases. There were 16 pending cases in Nevada, four in Idaho and two in Washington. Within the circuit, another 712 death penalty cases are pending in federal trial courts and state supreme courts. Since 1976, there have been 75 executions by states within the circuit.

Contributions by Active, Senior and Visiting Judges

The court ended FY 2014 with 29 active circuit judges and 16 senior circuit judges. During the year, active circuit judges authored the opinions in 63.3 percent of all cases terminated on the merits, up slightly from prior year. Senior judges of the circuit authored opinions in 32.5 percent of the merits cases, while visiting judges authored opinions in the remaining 4.3 percent. Over the course of the year, 58 judges sat on the court by designation, including active and senior district judges from the Ninth Circuit and circuit judges and district judges from other circuits.

In addition to sitting on panels, senior circuit judges served on screening and motions panels and various administrative court committees. ■

4 SOURCE OF APPEALS AND ORIGINAL PROCEEDINGS COMMENCED, 2014

District	Appeals	% of Total
Alaska	68	0.6%
Arizona	788	6.5%
C. Calif.	2,068	17.1%
E. Calif.	844	7.0%
N. Calif.	861	7.1%
S. Calif.	598	5.0%
Guam	13	0.2%
Hawaii	145	1.2%
Idaho	138	1.1%
Montana	239	2.0%
Nevada	585	4.9%
Northern Mariana Islands	11	0.1%
Oregon	415	3.4%
E. Wash.	127	1.1%
W. Wash.	446	3.7%
Bankruptcy	229	1.9%
Administrative Agencies, Total	3,555	29.5%
IRS	50	0.4%
NLRB	21	0.2%
BIA	3,419	28.3%
Other Administrative Agencies	65	0.5%
Original Proceedings	931	7.0%
Circuit Totals	12,061	

Note: Administrative agency appeals of decisions by the Immigration and Naturalization Service (INS) are now shown as appeals of decisions by the Board of Immigration Appeals (BIA). Appeals of decisions by the U.S. Tax Court are shown as Internal Revenue Service (IRS) appeals. Beginning March 2014, data include miscellaneous cases not included previously.

5 NINTH CIRCUIT COURT OF APPEALS EN BANC BALLOTS, 2010-2014

Year	Petitions Filed for Rehearing En Banc	En Banc Ballots Sent	Grants of Rehearing En Banc Following A Vote	Denials of Rehearing En Banc Following A Vote
2014	37	17	20	15
2013	32	17	15	14
2012	33	19	14	14
2011	¹ 28	13	14	34
2010	58	24	34	22

¹En banc call withdrawn in one case.

DISTRICT COURTS SEE SIGNIFICANT DECLINE IN CRIMINAL FILINGS

United States district courts serve as the trial courts in the federal judicial system and have jurisdiction to consider civil and criminal matters and other types of cases. A district court operates in each of the 94 judicial districts in the nation. The 15 district courts in the Ninth Circuit ranked second in the nation in total number of new cases reported for FY 2014.

Ninth Circuit district courts during the year numbered 14,946, down 12.4 percent, while the total pending caseload decreased by 6.6 percent to 12,624 cases.

Thirteen of 15 district courts in the circuit reported fewer criminal cases in fiscal year 2014. The Ninth Circuit as a whole accounted for 22.1 percent of the

New filings in Ninth Circuit district courts were down slightly overall as a result of a significant drop in new criminal cases. Total new filings in Ninth Circuit district courts numbered 60,991 cases, a 1.1 percent reduction from the prior fiscal year. Ninth Circuit district courts accounted for 17 percent of the 358,032 new cases filed nationwide. District courts in the Fourth Circuit ranked first in total number of filings, 61,347 new cases, while Fifth Circuit trial courts ranked third with 43,975 new cases in FY 2014.

Criminal Caseload and Defendants

Beginning in FY 2012, data on criminal cases commenced by offense and district are no longer published by the Administrative Office of the U.S. Courts. Data on criminal defendants commenced by offense continues to be used because it takes into account that a single case may have multiple defendants.

Consistent with an overall drop in new criminal cases nationally, district courts of the Ninth Circuit reported 13,859 new criminal filings, down 14.1 percent from FY 2013. The most significant declines nationally and in the circuit were found in immigration- and drug-related cases. Criminal cases terminated by

6 U.S. DISTRICT COURTS - TOTAL CRIMINAL AND CIVIL CASES FILED, TERMINATED AND PENDING, 2013-2014

Caseload Measure	2013	2014	¹ Change 2013-2014
Civil Filings	45,531	47,132	3.5%
Criminal Filings	16,136	13,859	-14.1%
Total Filings	61,667	60,991	-1.1%
Civil Terminations	46,628	47,928	2.8%
Criminal Terminations	17,070	14,946	-12.4%
Total Terminations	63,698	62,874	-1.3%
² Pending Civil Cases	38,825	38,029	-2.1%
Pending Criminal Cases	13,513	12,624	-6.6%
² Total Pending Cases	52,338	50,653	-3.2%
Civil Case Termination Index (in months)	10.00	9.52	-4.8%
Criminal Case Termination Index (in months)	9.50	10.14	6.7%
² Overall Case Termination Index	9.86	9.67	-1.9%
Median Months (from filing to disposition) Civil Cases	7.30	7.20	-1.4%
Median Months (from filing to disposition) Criminal Felony Defendants	5.20	5.60	7.7%
Median Months National Total (from filing to disposition) Civil Cases	8.50	8.30	-2.4%
Median Months National Total (from filing to disposition) Criminal Felony Defendants	6.80	7.00	2.9%

Note: Criminal cases commenced includes all cases filed as felonies or Class A misdemeanors but includes only those cases filed as petty offenses that were assigned to district judges rather than magistrate judges. Pending totals for criminal cases exclude cases in which the only defendants pending in such cases had been fugitives more than 12 months before the end of the period indicated. Beginning in March 2012, the median time interval is computed from the proceeding date for a defendant (e.g., the date an indictment or information was filed) to the date on which the defendant was found not guilty or was sentenced. Previously, the median time interval was computed beginning with the defendant's filing date. Therefore, data for March 2012 and thereafter are not comparable to data for previous periods. Excludes land condemnation, prisoner petitions, deportation reviews, recovery of overpayments and enforcement of judgments. Median computed only for 10 or more defendants.

¹Percent change not computed when fewer than 10 cases reported for the previous period.

²2013 total pending civil cases and total pending cases revised

total criminal filings nationwide, which numbered 62,722, down 9 percent from FY 2013.

In the Ninth Circuit, criminal defendants numbered 17,676, down 14.3 percent from prior fiscal year. Most defendants, 14,564 were charged with felony offenses. Defendants charged with drug offenses made up 38.1 percent of total criminal defendants in the circuit, up compared to FY 2013. Of the 6,740 total drug

offenses, 3,069 involved marijuana and 3,671 involved all other drug offenses.

Criminal defendants charged with immigration offenses numbered 5,553, down compared to FY 2013. Immigration offenses constituted 31.4 percent of all criminal defendants in the circuit. Of the total, 4,375 defendants were charged with improper reentry into the country.

7 U.S. DISTRICT COURTS - CRIMINAL DEFENDANTS COMMENCED BY OFFENSE AND DISTRICT, 2013-2014

	AK	AZ	C. Calif.	E. Calif.	N. Calif.	S. Calif.	GU	HI	ID	MT	NMI	NV	OR	E.	W. Wash.	Total 2013	Total 2014	Change 2013-14
Violent Offenses																		
Homicide	0	26	0	2	0	0	0	0	2	10	0	2	0	1	1	61	44	-27.9%
Robbery	3	15	27	4	13	16	0	2	2	1	0	20	16	4	4	148	127	-14.2%
Assault	4	96	8	3	8	28	0	4	16	28	0	8	16	6	29	245	254	3.7%
Other	1	33	7	4	27	0	0	5	5	24	0	10	3	18	0	142	137	-3.5%
Property Offenses																		
Burglary, Larceny & Theft	7	34	43	24	29	13	25	8	2	22	0	19	33	7	115	462	381	-17.5%
Embezzlement	1	17	8	1	2	4	1	3	3	24	0	2	6	4	10	95	86	-9.5%
Fraud	9	312	323	109	124	387	10	35	22	29	8	63	77	28	57	1,794	1,593	-11.2%
Forgery & Counterfeiting	3	12	22	13	12	4	4	8	2	3	0	1	9	4	7	85	104	22.4%
Other	0	0	2	2	5	1	0	0	4	0	0	1	0	0	9	26	24	-7.7%
Drug Offenses																		
Marijuana	9	2,696	34	68	26	121	0	9	5	15	0	0	21	5	60	3,455	3,069	-11.2%
All Other Drugs	63	421	403	207	174	1,350	36	129	91	129	10	122	215	133	188	4,138	3,671	-11.3%
Firearms and Explosives Offenses	29	127	79	73	132	57	2	8	35	63	1	90	101	72	59	959	928	-3.2%
Sex Offenses	13	87	50	71	11	54	4	4	17	57	0	61	45	29	34	631	537	-14.9%
Justice System Offenses	4	55	16	8	20	34	0	2	3	6	2	5	18	4	7	150	184	22.7%
Immigration Offenses																		
Improper Reentry by Alien	1	2,293	186	113	84	1,279	0	5	55	4	0	96	123	63	73	5,697	4,375	-23.2%
Other	0	401	11	0	1	742	2	2	7	0	4	1	0	4	3	1,320	1,178	-10.8%
General Offenses	2	44	50	6	32	89	0	29	2	8	0	15	11	2	31	400	321	-19.8%
Regulatory Offenses	19	72	55	14	31	83	0	23	4	3	1	11	16	7	23	405	362	-10.6%
Traffic Offenses	3	1	0	8	26	0	3	1	0	0	0	0	0	1	214	381	257	-32.5%
All Offenses Total	171	6,742	1,324	730	757	4,262	87	277	277	426	26	527	710	392	924	20,594	17,632	-14.4%

Note: This table includes defendants in all cases filed as felonies or Class A misdemeanors but includes only those defendants in cases filed as petty offenses that were assigned to district judges rather than magistrate judges.

The Ninth Circuit's two districts on the U.S.-Mexico border reported high numbers of defendants charged with immigration and drug offenses. Defendants charged with drug offenses in the District of Arizona numbered 3,117. The district had 46.2 percent of all defendants charged with drug offenses in the circuit. Defendants charged with immigration offenses in Arizona numbered 2,694 and accounted for 48.5 percent of the circuit total. The Southern District of California reported 1,471 defendants charged with drug offenses, accounting for 21.8 percent of the circuit total, and 2,021 charged with immigration offenses, or 32.1 percent of the circuit total.

District courts reported 2,188 defendants charged with property offenses. Under this category, defendants charged with fraud were most numerous, totaling 1,593, followed by burglary, larceny or theft, 381; forgery and counterfeiting, 104; embezzlement, 86; and 24 for other property offenses.

Defendants charged with firearms and explosive offenses numbered 928, while violent offenses, including homicide, robbery, assault, and other violent offenses numbered 562.

District courts saw a 6.6 percent decline in pending criminal caseloads with 12 out of the 15 districts reporting fewer pending criminal cases in fiscal year 2014.

8 U.S. DISTRICT COURTS - WEIGHTED AND UNWEIGHTED FILINGS PER AUTHORIZED JUDGESHIP

District	Authorized Judgeships	Weighted Filings Per Judgeship						Unweighted Filings Per Judgeship			
		Civil	Criminal	Supervision Hearings	2014 Total	2013 Total	Change 2013-2014	Civil	Criminal	Supervision Hearings	2014 Total
Alaska	3	104	53	1.15	158	189	-19.6%	96	58	8.00	162
Arizona	13	445	281	15.87	742	644	15.2%	527	516	113.31	1,156
C. Calif.	28	617	42	4.51	664	652	1.8%	502	47	31.82	581
E. Calif.	6	858	108	8.05	974	920	5.9%	793	121	57.33	971
N. Calif.	14	541	48	4.41	593	618	-4.0%	403	54	31.43	488
S. Calif.	13	275	218	15.38	508	566	-10.2%	234	327	108.92	670
Hawaii	4	209	70	6.73	286	298	-4.0%	164	70	46.25	280
Idaho	2	308	132	6.00	446	484	-7.9%	269	139	42.00	450
Montana	3	246	145	7.97	399	385	3.6%	260	140	50.67	451
Nevada	7	430	70	4.79	505	557	-9.3%	386	75	33.14	494
Oregon	6	381	107	8.87	497	517	-3.9%	351	119	63.66	533
E. Wash.	4	161	96	20.61	278	354	-21.5%	176	98	146.50	421
W. Wash.	7	467	76	6.25	549	634	-13.4%	441	133	43.86	618
Circuit Total	110	5,042	1,446	110.59	6,599	6,818	-3.2%	4,602	1,897	776.89	7,275
Circuit Mean	—	388	111	8.51	508	524	-3.2%	354	146	59.76	560
Circuit Median	—	381	96	6.73	505	557	-9.3%	351	119	46.25	494
National Mean	—	409	98	5.84	513	531	-3.5%	410	120	39.07	569
National Total	673	434	94	5.41	533	545	-2.2%	411	120	36.74	568

Note: Case weights are based on the 2003-2004 district court case weighting study conducted by the Federal Judicial Center. This table excludes civil cases arising by reopening, remand, or transfer to the district by the order of the Judicial Panel on Multidistrict Litigation. This table includes defendants in all felony and Class A misdemeanor cases but include only those petty offense defendants whose cases have been assigned to district judges. Remands and reopens for criminal defendants are excluded. This table excludes data for the territorial courts. Data are reported for supervised release and probation hearings (both evidentiary and non-evidentiary) previously not presented in this table. Data are obtained from the monthly reports of trials and other court activities conducted by resident and visiting judges. Due to rounding, subtotals for weighted and unweighted civil, criminal, and revocation filings may not equal totals for weighted and unweighted filings.

Civil Caseload

District courts in the Ninth Circuit saw a 3.5 increase in new civil filings in fiscal year 2014, reporting 47,132 new cases. Civil matters accounted for 77.3 percent of the district courts' total caseload. Civil filings increased nationally by 3.8 percent over the prior fiscal year.

District courts in the Ninth Circuit closed 47,928 civil cases, up 2.8 percent, and ended the fiscal year with fewer pending civil cases, 38,029, down 2.1 percent.

Private civil cases, which numbered 38,666, accounted for 82 percent of all new civil filings in FY 2014. Within this category, prisoner petitions were most numerous, numbering 12,110, up 31.6 from the prior year. Prisoner petitions accounted for 31.3 percent of all new private civil cases.

Other major categories of new private civil filings include civil rights, 6,477 cases, up 10.5 percent; contracts, 3,889, down 7.9 percent; other personal injury, 2,761, down 16.1 percent; intellectual property suits, 2,688, down 11.6 percent; labor suits, 2,513, down 10.4 percent; and real property suits, 1,987, down 48 percent.

Civil cases in which the U.S. government was a party numbered 8,466, accounting for 18 percent all civil filings. The government acted as a plaintiff in 1,484 cases and as a defendant in 6,982 cases. Among matters involving the government, social security cases were most numerous, 3,835, up 7.2 percent and accounted for 45.3 percent of the total U.S. civil cases. Other major categories were prisoner petitions 1,605 cases or 19 percent, and contracts, 735 cases or 8.7 percent.

Six districts saw increased civil filings in fiscal year 2014. Filings in the District of Arizona, which reported the largest increase, rose by 54.7 percent to 6,960 new cases. Civil filings were up in the Eastern District of California, by 4.3 percent to 4,880 new cases; the Southern District of California, by 2.6 percent to 3,439 cases; the District of Montana, by 21.4 percent to 795

cases; the District of Hawaii, by 0.4 percent to 710 cases; and the District of the Northern Mariana Islands, by 3.4 percent to 30 cases.

The Central District of California, which had the highest civil caseload in the circuit and second in the nation, reported 14,567 filings, down 1.1 percent from FY 2013. Other districts with fewer filings include Alaska, Guam, Northern California, Idaho, Nevada, Oregon, Eastern Washington and Western Washington.

District courts in the Ninth Circuit reported 47,928 civil cases terminated, an increase of 2.8 percent from the prior fiscal year. Civil case terminations nationwide increased by 1.3 percent to 258,477. Pending civil cases were down 2.1 percent to 38,029 in the circuit, while pending civil cases nationwide rose by 12.3 percent to 337,302.

Case Processing Times

Case processing times in the district courts of the Ninth Circuit improved in FY 2014. The Case Termination Index, which computes how long it would take to clear the pending caseload if the current termination rate remained constant, was 9.67 months compared to 9.87 months the prior fiscal year. (The termination rate for FY 2013, previously reported as 9.59 months, was revised due to revised total pending cases as reported in the FY 2013 statistical tables published by the Administrative Office of the U.S. Courts.)

The median time from filing to disposition of civil cases terminated in the Ninth Circuit decreased to 7.2 months compared to the prior fiscal year, while the national median decreased to 8.3 months in FY 2014.

For criminal defendants, the median time from filing to disposition in the Ninth Circuit was 5.6 months compared to 5.2 months in FY 2013. The national median time was 7 months, up from 6.8 months the prior fiscal year. ■

BANKRUPTCY FILINGS CONTINUE STEEP DECLINE

Bankruptcy filings continued to decline nationally in fiscal year 2014. Total filings numbered 963,739, down 13 percent from the 1.1 million bankruptcy filings reported in FY 2013. It was the lowest number of bankruptcy filings for any 12-month period since 2007.

The 15 districts within the Ninth Circuit reported 185,829 new cases, down 21.8 percent from fiscal year 2013. It was the fourth consecutive year in which new filings in the circuit declined.

All 15 districts in the Ninth Circuit reported fewer filings. Bankruptcy courts in California reported the largest decreases percentage-wise. The Northern District of California, which includes San Francisco, Oakland and San Jose, reported 15,430 filings, down 29.4 percent. The Eastern District of California, which includes Sacramento, Fresno and the Central Valley, reported 22,383 filings, down 27.1 percent. The Southern District of California, which takes in San Diego and Imperial counties, opened 10,992 new cases, down 20.4 percent. The Central District of California, which serves Los Angeles and six other populous Southern California counties, reported 60,545 filings, down 26.9 percent. The Central District continues to claim the busiest bankruptcy court in the nation.

Significant declines reported elsewhere in the circuit included the Western District of Washington, which serves Seattle and Tacoma, had 17,380 new filings, down 15.1 percent, and the District of Arizona, which had 20,907 filings, down 13.1 percent.

Among the nine western states within the Ninth Circuit, Nevada had the highest bankruptcy filings per capita, 4.22 per 1,000 residents. The state had the seventh highest per capita filing rate in the nation.

Chapter 7 cases, which provide for the sale of a debtor's nonexempt property and the distribution of the proceeds to creditors, were

most numerous throughout the circuit. Chapter 7 filings numbered 148,082 or 79.7 percent of all new filings in the circuit. Chapter 13 filings, which enable individuals with regular income to develop a plan to repay all or part of their debts, numbered 35,971 or 19.4 percent of the circuit total. Chapters 11 and 12 filings made up the remainder. Nonbusiness filings involving individual debtors accounted for 96.5 percent of all new cases.

Pro Se Bankruptcy Filings

The Ninth Circuit reported the highest number of new bankruptcy filings by people not represented by legal counsel. Total bankruptcy cases by pro se filers in the circuit numbered 30,419, or 16.4 percent of the total filings. Some courts have established self-help centers for pro se filers, who are unfamiliar with bankruptcy law and court procedures. Courts also are urging their local bars to assist by providing pro bono representation for some cases.

9 BUSINESS AND NONBUSINESS BANKRUPTCY CASES COMMENCED, BY CHAPTER OF THE U.S. BANKRUPTCY CODE, 2013-2014

Caseload Measure	2013	2014	Change 2013-2014
Filings			
Business Chapter 7	5,885	4,640	-21.2%
Business Chapter 11	1,522	1,188	-21.9%
Business Chapter 12	69	62	-10.1%
Business Chapter 13	627	528	-15.8%
Nonbusiness Chapter 7	181,606	143,442	-21.0%
Nonbusiness Chapter 11	660	517	-21.7%
Nonbusiness Chapter 13	47,359	35,443	-25.2%
Total	237,728	185,820	-21.8%
Terminations	274,593	217,764	-20.7%
¹ Pending Cases	244,003	212,072	-13.1%

¹2013 pending cases revised

Note: Section 101 of the U.S. Bankruptcy Code defines consumer (nonbusiness) debt as that incurred by an individual primarily for a personal, family, or household purpose. If the debtor is a corporation or partnership, or if debt related to operation of a business predominates, the nature of the debt is business.

These figures include the following cases not reflected elsewhere:

Fiscal Year 2013

Alaska (Chapter 15 = 11); Arizona (Chapter 15 = 4); Central Calif. (Chapter 15 = 1); Northern Calif. (Chapter 9 = 1, Chapter 15 = 1); Southern Calif. (Chapter 15 = 1); Guam (Chapter 15 = 1); Western Wash. (Chapter 15 = 2)

Fiscal Year 2014

Central Calif. (Chapter 15 = 1); Northern Calif. (Chapter 9 = 1); Southern Calif. (Chapter 15 = 1); Nevada (Chapter 15 = 5); Western Wash. (Chapter 15 = 1)

10 NINTH CIRCUIT BANKRUPTCY COURTS, 2013-2014

District	Total Filings 2013	Total Filings 2014	Change 2013-2014
Alaska	638	458	-28.2%
Arizona	24,046	20,907	-13.1%
C. Calif.	82,861	60,545	-26.9%
E. Calif.	30,685	22,383	-27.1%
N. Calif.	21,841	15,430	-29.4%
S. Calif.	13,816	10,992	-20.4%
Guam	159	147	-7.5%
Hawaii	2,313	1,805	-22.0%
Idaho	5,643	4,976	-11.8%
Montana	1,851	1,625	-12.2%
Nevada	14,483	11,676	-19.4%
¹ N. Mariana Is.	7	5	-
Oregon	13,677	12,660	-7.4%
E. Wash.	5,253	4,840	-7.9%
W. Wash.	20,477	17,380	-15.1%
Circuit Total	237,750	185,829	-21.8%

Note: Due to differences among districts in reporting intra-district transfers, the total provided above for cases pending on September 30, 2014, may not equal the number obtained by adding totals for cases pending at the end of the prior period plus cases filed during the current period, then subtracting cases terminated during the current period.
¹Percent change not computed when fewer than 10 cases reported for the previous period.

Pro se filings in the Central District of California numbered 14,050, accounting for 46.2 percent of pro se filings in the Ninth Circuit. The Ninth Circuit, in turn, accounted for 36 percent of pro se filings nationwide.

Also reporting large numbers of pro se bankruptcy filings were the District of Arizona, 4,358 or 14.3 percent of all pro se filings in the Ninth Circuit; the Eastern District of California, 3,609 or 12 percent; and the Northern District of California, 2,502 or 8.2 percent.

Terminations and Pending Cases

Bankruptcy courts in the Ninth Circuit terminated 217,764 cases or 19.8 percent of the 1,099,666 cases terminated nationwide. The Central District of California terminated 66,508 cases or 30.5 percent of all cases closed in the circuit. The District of Arizona followed with 27,469 or 12.6 percent; the Eastern

District of California, 26,528 or 12.2 percent; the Northern District of California, 19,884 cases or 9.1 percent; the Western District of Washington, 19,183 cases or 8.8 percent; the District of Nevada, 15,553 cases or 7.1 percent; District of Oregon, 15,135 cases or 7 percent; and the Southern District of California, 11,747 cases or 5.4 percent.

Pending cases reported by bankruptcy courts in the circuit declined by 13.3 percent to 212,072 and made up of 15.2 percent of pending cases nationwide which totaled 1,399,496. The Central District of California saw its pending caseload decrease by 10.9 percent to 48,605 cases. The District of Arizona reported 30,994 pending cases, down 17.5 percent; the Northern District of California, 29,686, down 13.1 percent; and the Eastern District of California, 25,522, down 14 percent.

Appointments, Transitions

In 2014, the U.S. Court of Appeals for the Ninth Circuit appointed five new bankruptcy judges. The new judges were Madeleine C. Wanslee, Brenda K. Martin, Paul Sala and Scott H. Gan, in Arizona; and Scott H. Yun in the Central District of California.

Three bankruptcy judges were elevated to chief bankruptcy judges in 2014. Elevated as chief were Judges Daniel P. Collins of the District of Arizona, Frederick Corbit of the Eastern District of Washington, and Brian D. Lynch of the Western District of Washington.

The U.S. Court of Appeals for the Ninth Circuit reappointed two bankruptcy judges in 2014. Reappointed to another 14-year term were Judges Ralph B. Kirscher of the District of Montana and Barry Russell of the Central District of California. Judge Russell is the longest-serving active bankruptcy judge in the nation.

Ninth Circuit bankruptcy courts also rely on recalled bankruptcy judges who are appointed on a temporary basis with the approval of the Judicial Council of the Ninth Circuit. There were 13 recalled bankruptcy judges who served in seven districts in 2014. ■

PARTIES TURN TO BAP TO RESOLVE HALF OF ALL BANKRUPTCY APPEALS

The Ninth Circuit Bankruptcy Appellate Panel, or BAP, operates under the authority of the Judicial Council of the Ninth Circuit. It is authorized seven bankruptcy judges, who serve seven-year terms and may be reappointed to an additional three-year term. In 2003, one seat on the BAP was left vacant intentionally due to a reduced workload that year. Although its workload has fluctuated, including a substantial increase in new filings between 2008 and 2011, the BAP continues to operate with six judges to reduce costs. In their appellate capacity, BAP judges are precluded from hearing matters arising from their own districts.

All district courts within the Ninth Circuit have issued general orders providing for the automatic referral of

bankruptcy appeals to the BAP for disposition. If a party files a timely election to have the appeal heard by a district court, the appeal is transferred according to the consent rule.

New Filings

In fiscal year 2014, new bankruptcy appeals filed numbered 976, an increase of 4 percent from FY 2013. The BAP handled 51 percent of all bankruptcy appeals, and the district courts handled 49 percent. Historically, the percentage of appeals that the BAP has handled has ranged between 49 percent and 60 percent. After three years of double-digit growth, total annual filings peaked in 2011.



The BAP consists of, from left, Randall L. Dunn of the District of Oregon, chief judge of the BAP; Chief Bankruptcy Judge Laura S. Taylor of the Southern District of California, Chief Bankruptcy Judge Frank L. Kurtz of the Eastern District of Washington, Bankruptcy Judge Jim D. Pappas of the District of Idaho, Bankruptcy Judge Meredith A. Jury of the Central District of California, and Chief Bankruptcy Judge Ralph B. Kirscher of the District of Montana.

11 NEW BANKRUPTCY APPEAL FILINGS, 2014

District	Bankruptcy Appellate Panel	District Court ¹	Total
Alaska	3	2	5
Arizona	36	47	83
C. Calif.	256	294	460
E. Calif.	38	22	60
N. Calif.	64	75	139
S. Calif.	24	17	41
Hawaii	4	11	15
Idaho	5	13	18
Montana	3	9	12
Nevada	44	46	90
Oregon	10	8	18
E. Wash.	3	2	5
W. Wash.	7	23	30
Total	497 (51%)	479 (49%)	976

¹The numbers for bankruptcy appeals to the district courts are taken directly from a statistical caseload table prepared by the Administrative Office of the United States Courts ("AOUSC Table B-23"). The numbers for bankruptcy appeals to the BAP are calculated based on data from AOUSC Table B-23, and on data from the BAP's CM/ECF docketing system. The district court numbers include all appeals in which a timely election was made to have the appeal heard in the district court (both appellant and appellee elections) as well as other cases transferred in the interest of justice. The BAP numbers exclude all such appeals.

Dispositions

The BAP disposed of 639 appeals in fiscal year 2014, down 6 percent from the prior fiscal year. Of those, 178 appeals were merits terminations. Oral argument was held in 142 appeals, and 36 appeals were submitted on briefs. Of the 178 merits decisions, 31 were published opinions. The reversal rate was 12 percent. The median time for an appeal decided on the merits was 10.8 months.

Of the remaining 461 closed cases, 14 were terminated by consolidation and 130 were transferred to the district courts after appellee elections or in the interest of justice. The balance of 317 closed appeals were terminated on procedural grounds, such as lack of prosecution, lack of jurisdiction, or voluntary dismissal. Appeals pending before the BAP totaled 283 in fiscal year 2014, down 4 percent from FY 2013.

Appeals to the Ninth Circuit

Appeals from a bankruptcy decision of either the BAP or a district court may be filed with the court of appeals for second-level appellate review. In fiscal year 2014, second-level appeals filed numbered 227, and of these, 80 were appeals from decisions by the BAP and 147 were from decisions by the district courts. Thus, of the 639 appeals that were disposed of by the BAP, roughly 87 percent were fully resolved, with only about 13 percent seeking second-level review.

12 NINTH CIRCUIT BANKRUPTCY APPEAL FILINGS, 2012-2014

Year	Appeals Total	Raw Appeals Received by BAP	² Net Appeals BAP	³ Net Appeals District Court	⁴ Election Rate	Percentage of Appeals Heard by BAP
FY 2012	1,015	712	590	425	42%	58%
FY 2013	944	650	538	406	43%	57%
FY 2014	976	627	497	479	49%	51%

¹Number of new appellate filings received and opened as new case files at the BAP Clerk's Office. This figure includes some appeals where an appellee files an election and the appeal thereafter is transferred to district court. (Where a timely election is made by an appellant, the bankruptcy court generally bypasses the BAP and refers the appeal directly to the district court.)

²The number of raw bankruptcy appeals received by BAP less the number of appeals transferred from BAP to district court by election or other transfer.

³Includes the number of all bankruptcy appeals received by district court either referred directly from the bankruptcy court or transferred from the BAP.

⁴Percentage of bankruptcy appeals where one or more parties timely elected to have their appeals heard in district court.

BAP Use of Pro Tem Judges

The BAP continued to use bankruptcy judges from throughout the Ninth Circuit on a pro tem basis to assist with its large caseload. In fiscal year 2014, the BAP used 7 pro tem appointments, including 6 newly appointed bankruptcy judges, to assist with oral arguments and merits decisions. The BAP reached out to the Ninth Circuit's newly appointed bankruptcy judges to provide them the opportunity to review trial work from the appellate perspective.

BAP Outreach

The BAP continued its efforts to reach out to future and current bankruptcy attorneys throughout the Ninth Circuit in 2014. In January 2014, the BAP held oral arguments at the Sandra Day O'Connor College of Law at Arizona State University in Tempe, Arizona. In July 2014, in conjunction with oral arguments in San Francisco, BAP judges participated in a continuing legal education program with the Commercial Law and Bankruptcy Section of the Bar Association of San Francisco. ■

MAGISTRATE JUDGES WORK INVALUABLE TO NINTH CIRCUIT

Magistrate judges are appointed under Article I of the Constitution. Selected by the district judges of their judicial district, magistrate judges are appointed to an eight-year term and may be reappointed. They also may serve as recalled magistrate judges.

Magistrate judges make invaluable contributions to the work of the federal trial courts. They assist district judges in a variety of judicial matters with duties ranging from handling petty offenses to taking felony pleas. Magistrate judges conduct preliminary proceedings, decide trial jurisdiction matters, review prisoner petitions and perform other duties. They may also preside over civil trials with consent of the parties.

In 2014, the 15 district courts of the Ninth Circuit were served by 94 full-time and 8 part-time magistrate judges along with 19 recalled magistrate judges. They disposed of a combined 233,866 judicial matters during the year. Their dispositions were down 7.8 percent from fiscal year 2013.

Preliminary proceedings, the largest category of matters presided over by magistrate judges, include arraignments, initial appearances, detention hearings and warrants for searches and arrests. Preliminary proceedings in fiscal year 2014 numbered 84,863, down 9.5 percent from FY 2013. In this category, only summonses showed an increase in FY 2014, totaling 1,169, up 4.5 percent. Initial appearances were down 10.1 percent to 20,980; arraignments were down 15.2 percent to 14,672; and search warrants were down 3.8 percent to 14,402.

Additional duties related to criminal matters totaled 39,758 down 14.4 percent from FY 2013. Among matters included in this category are non-dispositive and dispositive motions, pretrial conferences, hearings on probation revocations and supervised release, and guilty plea proceedings. Non-dispositive motions numbered 15,390, down 3.6 percent from FY 2013.

Additional duties related to civil matters totaled 47,554 down 3.2 percent from prior fiscal year. The bulk of this category included non-dispositive motions/grants of in forma pauperis, or IFP, status, pretrial conferences and settlement conferences.

Trial jurisdiction cases, which include Class A misdemeanors and petty offenses, numbered 36,427, down 3.6 percent from FY 2013. Petty offenses were down 4 percent to 33,533 while Class A misdemeanors were slightly up .2 percent to 2,894.

Civil consent cases, in which a magistrate judge presides at the consent of the parties, rose by 8.1 percent to 5,146. The great majority of cases were disposed of without trial.

Prisoner petitions numbered 5,672, down 15.8 percent from the prior fiscal year. State habeas and civil rights petitions made up the bulk of this work.

New Magistrate Judges and Governance

Five new full-time magistrate judges were seated in 2014. They were John Z. Boyle, Eric J. Markovich and Eileen Willett, appointed to the District of Arizona; Jill L. Burkhardt of the Southern District of California; and Kenly Kiya Kato of the Central District of California. Chief Magistrate Judge Deborah M. Smith of the District of Alaska succeeded Chief Magistrate Judge Candy W. Dale of the District of Idaho as chair of the Magistrate Judges Executive Board. Judge Smith serves as an official observer at meetings of the Judicial Council of the Ninth Circuit. Her term began in 2014. Appointed to the board in 2014 were Magistrate Judges Ronald E. Bush of the District of Idaho, James P. Donohue of the Western District of Washington, Barry M. Kurren of the District of Hawaii, and John T. Rodgers of the Eastern District of Washington.

New magistrate judges attending the New Judges Orientation held May 21-22, 2014, at the James R. Browning U.S. Courthouse in San Francisco, had the opportunity to meet the Magistrate Judges Executive

13 MATTERS DISPOSED OF BY NINTH CIRCUIT MAGISTRATE JUDGES, 2013-2014

Activity	2013	2014	Percent Change 2013-2014
Total Matters	253,748	233,866	-7.8%
Preliminary Proceedings	93,783	84,863	-9.5%
Search Warrants	14,971	14,402	-3.8%
Arrest Warrants	7,651	6,916	-9.6%
Summonses	1,119	1,169	4.5%
Initial Appearances	23,341	20,980	-10.1%
Preliminary Hearings	7,307	7,016	-4.0%
Arraignments	17,306	14,672	-15.2%
Detention Hearings	14,489	13,009	-10.2%
Bail Reviews/Forfeitures/Nebbia Hearings	1,788	1,661	-7.1%
Other	5,811	5,038	-13.3%
Trial Jurisdiction Cases	37,804	36,427	-3.6%
Class A Misdemeanors	2,889	2,894	0.2%
Petty Offenses	34,915	33,533	-4.0%
Civil Consent Cases	4,760	5,146	8.1%
Without Trial	4,693	5,069	8.0%
Jury Trial	51	58	13.7%
Nonjury Trial	16	19	18.8%
Additional Duties			
Criminal	46,465	39,758	-14.4%
Non-Dispositive Motions	15,967	15,390	-3.6%
Dispositive Motions	219	231	5.5%
Evidentiary Proceedings	139	170	22.3%
Pretrial Conferences	15,879	11,160	-29.7%
Probation and Supervised Release Revocation Hearings	1,933	1,594	-17.5%
Guilty Plea Proceedings	9,669	8,456	-12.5%
Other	2,659	2,757	3.7%
Civil	49,102	47,554	-3.2%
Settlement Conferences/Mediations	2,977	2,959	-0.6%
Other Pretrial Conferences	4,095	4,016	-1.9%
¹ Non-Dispositive Motions/Grants of IFP Status	35,974	34,595	-3.8%
Other Civil Dispositive Motions	2,195	2,133	-2.8%
Evidentiary Proceedings	86	124	44.2%
Social Security	719	908	26.3%
Special Master References	2	1	-50.0%
Other	3,054	2,818	-7.7%
Prisoner Petitions	6,734	5,672	-15.8%
State Habeas	2,973	2,468	-17.0%
Federal Habeas	355	356	0.3%
Civil Rights	3,383	2,827	-16.4%
Evidentiary Proceedings	23	21	-8.7%
Miscellaneous Matters	15,100	14,446	-4.3%

Board. During an informal session, board members offered guidance and encouragement, and shared their knowledge in dealing with complex matters.

Educational Program

The Magistrate Judges Education Committee, chaired by Magistrate Judge Brian A. Tsuchida of the Western District of Washington, presented a supplemental program at the 2014 Ninth Circuit Judicial Conference. Held July 2014 in Monterey, California, the program, “Breaking Bad: Myths, New Science, Treatment and, Perhaps, Jurisprudence on Substance Abuse,” focused on the neuroscience and treatment of drug addiction to help judges better understand the complexity of this disorder. ■

¹In 2013, magistrate judge workload statistics were produced using a new software program that recalculated the statistics for 2013 and for previous years. In some categories, the statistics provided in the report differ from the ones displayed in those categories in previous reports. Non-dispositive motions/grants of IFP status category includes prisoner cases, social security cases and other civil cases.

CASELOADS DECLINE FOR MOST FEDERAL PUBLIC DEFENDER OFFICES

Congress created the Office of the Federal Public Defender to fulfill the constitutional requirement that indigents charged with federal crimes be provided with professional legal representation at no cost. Congress funds public defender and community defender offices through the Defender Services Division of the Administrative Office of the United States Courts.

Community defender organizations are non-profit defense counsel organizations staffed by non-

government employees, while public defender offices are federal units staffed by federal judiciary employees. Both types of organizations are staffed with experienced federal criminal law practitioners who provide a consistently high level of representation. Federal public defender representations include criminal defense and appeals, court-directed prisoner and witness representations, bail/pre-sentencing, supervised release, and probation and parole revocation hearings.

By statute, judges of a court of appeals select and appoint federal public defenders to four-year terms. The court makes its initial appointment after a nationwide recruitment and the use of a local screening committee. A federal

14 NINTH CIRCUIT FEDERAL DEFENDER ORGANIZATIONS: CASES OPENED, CLOSED AND PENDING, 2010-2014

Cases	2010	2011	2012	2013	2014	Change 2013-2014
Opened	31,691	33,929	33,664	32,539	28,055	-13.8%
Closed	31,508	33,733	33,376	33,192	28,951	-12.8%
Pending	10,753	10,950	11,236	10,120	9,076	-10.3%

15 FEDERAL DEFENDER ORGANIZATIONS: SUMMARY OF REPRESENTATIONS BY DISTRICT, 2013-2014

District	Opened 2013	Opened 2014	Change 2013-2014	Closed 2013	Closed 2014	Change 2013-2014	Pending 2014
Alaska	347	319	-8.1%	312	267	-14.4%	175
Arizona	12,085	9,044	-25.2%	11,681	9,281	-20.5%	1,034
C. Calif.	3,441	3,116	-9.4%	3,256	3,221	-1.1%	1,740
E. Calif.	1,744	1,541	-11.6%	1,822	1,552	-14.8%	702
N. Calif.	1,944	1,998	2.8%	1,880	2,138	13.7%	515
¹ S. Calif.	6,636	5,858	-11.7%	7,692	6,308	-18.0%	2,015
Guam	114	113	-0.9%	107	127	18.7%	68
Hawaii	483	448	-7.2%	622	438	-29.6%	332
¹ Idaho	279	271	-2.9%	286	288	0.7%	120
¹ Montana	629	694	10.3%	617	665	7.8%	251
Nevada	1,064	1,013	-4.8%	1,061	995	-6.2%	706
Oregon	1,337	1,405	5.1%	1,484	1,322	-10.9%	736
¹ E. Wash.	1,025	857	-16.4%	977	882	-9.7%	331
W. Wash.	1,411	1,378	-2.3%	1,395	1,467	5.2%	351
Circuit Total	32,539	28,055	-13.8%	33,192	28,951	-12.8%	9,076
National Total	138,039	118,862	-13.9%	140,260	122,802	-12.4%	45,228
Circuit Total as % of National Total	23.6%	23.6%	0.0%	23.7%	23.6%	-0.1%	20.1%

¹Community Defender Organizations

Note: Eastern Washington and Idaho are combined into one organization, and Northern Mariana Islands is not served by a defender organization. Other representations include court-directed prisoner, bail/presentment, witness, probation revocation, supervised release, and parole revocation representations.

public defender may be reappointed if the court concludes that he or she is performing in a highly satisfactory manner based upon a broad survey and performance evaluation process.

In fiscal year 2014, federal public defenders in the Ninth Circuit opened 28,055 new cases, down 13.8 percent from the prior fiscal year.

Offices of federal public defenders in 11 districts reported reduced caseloads in FY 2014. Federal defenders in the District of Arizona experienced the sharpest decline, down 25.2 percent to 9,044 cases. Also reporting fewer cases opened are the Southern District of California, down 11.7 percent to 5,858; Central District of California, down 9.4 percent to 3,116; Eastern District of California, down 11.6 percent to 1,541; Western District of Washington, down 2.3 percent to 1,378; District of Nevada, down 4.8 percent to 1,013; Eastern District of Washington, down 16.4 percent to 857; District of Hawaii, down 7.2 percent to 448; District of Alaska, down 8.1 percent to 319; District of Idaho, down 2.9 percent to 271; and the District of Guam, down .9 percent to 113.

Elsewhere in the circuit, federal defenders in three districts reported an increase in new cases. The District of Montana had the biggest increase, reporting 694 cases, up 10.3 percent.

Other offices with higher caseload were the District of Oregon, 1,405 cases, up 5.1 percent and the Northern District of California, up 2.8 percent to 1,998.

Federal public defenders closed 28,951 cases, down 12.8 percent from the prior fiscal year, while pending caseloads decreased by 10.3 percent to 9,076 cases.

Offices of federal public defenders in nine districts reported fewer cases closed in FY 2014. The District of Arizona which had the largest number of cases closed with 9,281 cases, down 20.5 percent. The Southern District of California followed with 6,308 cases closed, down 18 percent; the Central District of California, 3,221 cases, down 1.1 percent; the Eastern District of California, 1,552 cases, down 14.8 percent; the District of Oregon, 1,322 cases, down 10.9 percent; the District of Nevada, 995 cases, down 6.2 percent; the Eastern District of Washington, 882 cases, down 9.7 percent; the District of Hawaii, 438 cases, down 29.6 percent; and the District of Alaska, 267, down 14.4 percent.

New cases opened nationally declined by 13.9 percent to 118,862 in FY 2014. Cases closed nationally numbered 122,802, down 12.4 percent. The pending caseload nationally totaled 40,822, down by 9.2 percent.

Transitions

Michael Filipovic took office on March 1, 2014, as the new federal public defender for the Western District of Washington following the retirement of veteran FPD Thomas W. Hillier, II. Hilary Lee Potashner assumed the leadership post as acting federal public defender for the Central District of California on September 15, 2014. Lisa Christina Hay took office as acting FPD for the District of Oregon on October 1, 2014, following the retirement of FPD Steven Wax, who served the district for 31 years. ■

PROBATION OFFICERS WORKLOAD INCREASE

United States probation officers prepare presentence reports on convicted defendants and supervise offenders who have been placed on probation, supervised release, civilian and military parole, or conditional release. Probation officers perform these duties in various settings, from courthouses in major cities to one-person offices in rural areas.

Presentence Reports

Probation officers investigate the offense conduct and the defendant’s personal background. They identify applicable guidelines and policy statements, and calculate the defendant’s offense level and criminal history category. They report the resulting sentencing range, and identify factors relevant to the appropriate sentence.

Presentence reports assist a judge in sentencing convicted defendants.

Standard guideline presentence reports are generally prepared in felony and Class A misdemeanor cases for which the U.S. Sentencing Commission has promulgated guidelines. In the Ninth Circuit, probation officers prepared 13,300 guideline presentence reports in FY 2014, down 11.3 percent from the prior year. The circuit accounted for 19.7 percent of the national total of 67,433 submitted guideline presentence reports.

Post-Conviction Supervision of Offenders

Probation officers supervise persons who are released to the community after serving prison sentences or placed on probation supervision by the court. They assist supervised individuals by directing them to services, including substance abuse, mental health, and sex offender treatment; medical care; employment assistance; literacy and training programs; and cognitive-behavioral treatment therapies to foster long-term positive changes to reduce recidivism. By using both controlling and correctional strategies, officers work diligently to protect

the community, while promoting long-term change in the offender population.

Probation officers in the Ninth Circuit supervised 22,807 persons in FY 2014, up slightly from the prior fiscal year. The circuit accounted for 17.2 percent of the national total of 132,858 persons under supervision.

Among those under supervision, 3,534 were on probation, 19,125 were on supervised release, 133 persons were on parole, and 15 individuals adhered to Bureau of Prisons custody standards.

16 NINTH CIRCUIT FEDERAL PROBATION SYSTEM: PERSONS UNDER POST-CONVICTION SUPERVISION, 2013-2014

Persons Under Supervision	2013	2014	Change 2013-2014
¹ From Courts	3,667	3,534	-3.6%
² From Institutions	18,367	19,273	4.9%

¹Includes judge and magistrate judge probation.

²Includes parole, special parole, mandatory release, and military parole.

Offenders with convictions for drugs, property, firearms/weapons, and violent offenses are the largest group of persons under supervision in the Ninth Circuit. These offenders numbered 18,711, accounting for 82 percent of persons under supervision in the Ninth Circuit.

Revocations and Early Terminations

Ninth Circuit cases that were revoked and closed after post-conviction supervision numbered 3,181, down 5.2 percent from FY 2013. Of the revocations, 187 were from probation sentences, 2,984 were from supervised release terms, and 10 were from parole cases. The Ninth Circuit had 21.5 percent of the 14,766 cases revoked nationally. The national revocation rate for FY 2014 was 27.2 percent, while the Ninth Circuit’s revocation rate was 31.5 percent.

Since 2002, the Judicial Conference of the United States Committee on Criminal Law has encouraged officers to identify offenders who qualify for early termination.

When conditions of supervision have been met, and the offender does not pose a foreseeable risk to the public or an individual, the probation officer may request the sentencing judge to consider early termination. For FY 2014, there were 7,437 cases terminated early, resulting in a savings to the judiciary of over \$32.4 million. For the Ninth Circuit, there were 1,259 early terminations, resulting in a savings of over \$5.3 million.

Evidence-Based Practices

United States probation officers seek to reduce recidivism by using “evidence-based practices” to make informed decisions about the supervision risks offenders may pose. The process known as Post-Conviction Risk Assessment, or PCRA, is undertaken to improve post-conviction supervision. PCRA helps direct allocation of resources, directing attention and services to the highest risk offenders.

Along with this risk/needs assessment tool, evidence-based practices include the use of low-risk supervision caseloads and reentry programs, which include reentry courts, workforce development activities, and cognitive behavioral therapy programs. Furthermore, to enhance the bond and strengthen offender success, techniques such as Motivational Interviewing (MI) and STARR (Strategic Techniques Aimed at Reducing Re-arrest program) have been implemented. These areas focus on skills most helpful to an officer in trying to change offender behavior.

The utilization of Second Chance Act funding has allowed districts to connect with much needed services in allowing individuals under supervision in becoming successful. Some examples of funding use include:

employment/training programs, financial literacy classes, availability of transitional housing, and more.

Challenges

Since sequestration in FY 2013, probation and pretrial services offices have been working well under budget to ensure no disruption in court services and/or no compromise to community safety. Probation and pretrial services offices are now beginning to build themselves up, but there is still concern regarding a new funding formula which will be released in FY 2016.

In addition, space continues to be a challenge with all district courts with the mandated release of space to reduce the amount of rent accrued by the courts. A final challenge is the number of retroactive drug cases being released pursuant to federal sentencing guidelines Amendment 782 beginning November 2015, as well as facilitating the successful reentry of these inmates into the community. The Bureau of Prisons continues to push for home detention of its lower-risk inmates, but only a small number have been tested within the Ninth Circuit.

One positive is that the new funding formula will include Second Chance Act in law enforcement budgets, thus future funding will be historically reciprocated. This will allow districts to better utilize funding for reentry services and community safety.

Transitions

Thomas Holter was appointed chief probation officer for the District of Montana on November 3, 2014. ■

17 NINTH CIRCUIT FEDERAL PROBATION SYSTEM: PERSONS UNDER POST-CONVICTION SUPERVISION BY DISTRICT, 2013-2014

	From Courts	⁴ Referred by Institutions					
District	¹ Probation	Supervised Release	² Parole	³ BOP Custody	Persons Under Supervision, 2013	Persons Under Supervision, 2014	Change 2013-2014
Alaska	77	272	0	3	349	352	0.9%
Arizona	666	3,333	13	2	3,773	4,014	6.4%
C. Calif.	796	4,815	31	0	5,556	5,642	1.5%
E. Calif.	186	1,480	17	0	1,709	1,683	-1.5%
N. Calif.	342	1,483	11	0	1,738	1,836	5.6%
S. Calif.	294	2,300	15	0	2,547	2,609	2.4%
Guam	60	107	2	1	152	170	11.8%
Hawaii	121	654	3	0	768	778	1.3%
Idaho	106	422	7	0	508	535	5.3%
Montana	104	746	3	6	787	859	9.1%
Nevada	228	919	6	0	1,088	1,153	6.0%
N. Mariana Is.	9	26	0	3	37	38	2.7%
Oregon	238	881	11	0	1,103	1,130	2.4%
E. Wash	98	547	1	0	557	646	16.0%
W. Wash.	209	1,140	13	0	1,362	1,362	0.0%
Circuit Total	3,534	19,125	133	15	22,034	22,807	3.5%

¹Includes judge and magistrate judge probation.

²Includes parole, special parole, mandatory release, and military parole.

³BOP (Bureau of Prisons)

PRETRIAL SERVICES OFFICERS USE VARIOUS METHODS TO IMPROVE SUPERVISION

United States pretrial services officers have significant roles in the federal judicial system. In the Ninth Circuit, pretrial services officers contribute to the fair administration of justice, protect their communities, and seek to bring about positive, long-term change to individuals under supervision.

Pretrial services officers investigate defendants charged with federal crimes, recommend to the court whether to release or detain them, and supervise those who are released to the community while awaiting trial. While the defendant is presumed innocent until proven guilty, pretrial services officers must balance this presumption with the reality that some persons, if not detained before their trial, are likely to flee or to pose a danger to the community or to certain persons through criminal activity.

Pretrial services officers also conduct pretrial diversion investigations and prepare written reports about a diversion candidate's suitability for the Office of the U.S. Attorney's Pretrial Diversion Program. They are responsible for supervision of diverted defendants who are deemed appropriate and accepted into the program.

Case Activations

Pretrial services offices in the Ninth Circuit continue to rank first nationally in new cases activated. In fiscal year 2014, case activations in the circuit numbered 37,264, a decrease of 3.7 percent from FY 2013. New case activations nationwide totaled 99,355, down 8 percent from the prior year. The Ninth Circuit accounts for 37.5 percent of all case activations.

Pretrial Bail Reports, Supervision

Pretrial services officers in the Ninth Circuit prepared 36,438 written pre-bail reports and 480 post-bail reports over the course of the fiscal year. Bail reports were prepared in 99.1 percent of the cases activated. Officers conducted 8,541 pretrial bail interviews.

Excluding immigration cases, officers made recommendations for initial pretrial release to the court in 40.5 percent of cases. Assistant U.S. attorneys in the circuit recommended release in 33.2 percent of these cases during this period.

During FY 2014, a total of 5,017 defendants were received for supervision which was down 11.9 percent from 5,693 in FY 2013. Of these, 3,596 were received for regular supervision; 1,263 were supervised on a courtesy basis from another district or circuit; and 158 were on pretrial diversion caseloads which includes courtesy supervision of diversion cases.

18 PRETRIAL SERVICES CASES ACTIVATED IN NINTH CIRCUIT COURTS, 2013-2014

Caseload Measure	2013	2014	Change 2013-2014
Reports	38,277	36,918	-3.6%
Interviews	9,671	8,541	-11.7%
Cases Activated	38,690	37,264	-3.7%

Note: Total pretrial services cases activated includes complaints, indictment/information, material witness, superseding, and other cases, and includes data reported for previous periods as "transfers received."

Detention Summary

In the Ninth Circuit, judicial officers detained a total of 26,025 defendants in FY 2014, the highest in the nation. Defendants were detained an average of 206 days. The U.S.-Mexico border courts in the districts of Arizona and Southern District of California reported the highest numbers of defendants detained. Total number of defendants detained in the Arizona district was 10,264, while defendants detained in the Southern District of California numbered 6,813. The Ninth Circuit accounted for 21.3 percent of the total days of defendant incarceration nationally.

Violations

Of 11,292 cases in release status, cases with violations reported to the court numbered 1,281. They included

79 violations due to felony re-arrests, 83 violations resulting from misdemeanor re-arrests, 23 for “other” re-arrest violations, and 119 for failure to appear. Technical violations, including positive urine tests for illegal substances, violation of location monitoring conditions, possession of contraband, and failure to report to a supervising pretrial services officer, accounted for the remaining violations.

Evidence-Based Practices

Pretrial Services Offices in the Ninth Circuit have incorporated the Pretrial Services Risk Assessment, or PTRA, into its businesses practices. The PTRA is an objective instrument that provides a consistent and valid method of predicting risk of failure to appear, new criminal arrest and revocations due to technical violations. Pretrial services officers are using this tool to improve their ability to assess risks and make

informed recommendations to the court on release or detention. The PTRA has also been used as a tool to assess the level of supervision appropriate for defendants released on pretrial supervision.

Another evidence-based practice being implemented in the Ninth Circuit is Staff Training Aimed at Reducing Re-Arrest, or STARR. Use of STARR communication techniques improve the quality of the interaction between the officer and defendant to effect long-term behavioral change. The techniques have a cognitive behavioral foundation with the premise that thinking controls behavior. STARR training has been provided by the Probation and Pretrial Services Office of the Administrative Office of the U.S. Courts. It is an extensive training program requiring ongoing coaching and assessment of officers’ use of STARR skills. The districts of Arizona, Central California, Guam, Hawaii, and Eastern Washington have

19 PRETRIAL WORKLOAD, 2013-2014

Defendant Contact		Written Reports						
District	Interviewed	¹ Not Interviewed	² Pre-bail	Post-bail	No Reports Made	Total Cases Activated 2013	Total Cases Activated 2014	Change 2013-2014
Alaska	67	84	151	0	0	223	151	-32.3%
Arizona	1,784	22,217	23,926	45	30	22,984	24,001	4.4%
C. Calif.	1,095	508	1,584	7	12	2,124	1,603	-24.5%
E. Calif.	375	432	780	22	5	1,084	807	-25.6%
N. Calif.	439	497	625	304	7	916	936	2.2%
S. Calif.	2,987	3,007	5,902	35	57	6,851	5,994	-12.5%
Guam	70	21	85	0	6	88	91	3.4%
Hawaii	250	49	293	1	5	374	299	-20.1%
Idaho	109	173	207	3	72	364	282	-22.5%
Montana	173	264	430	1	6	417	437	4.8%
Nevada	394	284	670	2	6	806	678	-15.9%
N. Mariana Is.	21	2	22	0	1	27	23	-14.8%
Oregon	276	386	652	3	7	690	662	-4.1%
E. Wash	167	245	275	10	127	602	412	-31.6%
W. Wash.	334	554	836	47	5	1,140	888	-22.1%
Circuit Total	8,541	28,723	36,438	480	346	38,690	37,264	-3.7%
National Total	58,222	48,601	93,598	2,552	3,205	108,002	99,355	-8.0%
Circuit % of National	14.7%	59.1%	38.9%	18.8%	10.8%	35.8%	37.5%	1.7%

Note: This table includes data for the District of Columbia and includes transfers received.

¹Includes cases in which interviews were refused, includes defendants not available for interview, and includes transfer-received cases in which defendants were interviewed in other districts.

²Includes prebail reports both with recommendations and without, and includes types of reports categorized in previous periods as “other reports.”

introduced and incorporated STARR, at various stages, into their business practices.

Specialty Courts and Pre-entry Programs

In FY 2014, several pretrial services offices in the Ninth Circuit were involved in innovative specialty courts. These programs permit defendants to have their cases dismissed or sentences reduced upon successful completion of supervision. Programs in the Ninth Circuit include the Alternative to Prison Solution diversion program in the Southern District of California; the Conviction and Sentencing Alternatives Program, a presentence and post-conviction diversion program in the Central District of California; and the Veterans Court in Arizona, a diversionary and post-sentence program that assists military veterans.

There are also “pre-entry” programs throughout the Ninth Circuit designed to educate defendants awaiting sentencing and their family members about Bureau of Prisons services and general rules to help reduce the level of stress and anxiety of going to prison. Notably, the District of Nevada started The Compass which also includes a presentation by an ex-offender to share prison experiences with the group. These programs establish a strong foundation for future success and compliment the post-conviction reentry efforts. ■

JUROR UTILIZATION

20 JUROR UTILIZATION, 2013-2014

			¹ Petit Juror Utilization Rate Percent Not Selected or Challenged		
District	Grand Juries Empaneled, 2013	Petit Juries Selected, 2014	2013	2014	Change 2013-2014
Alaska	2	16	32.9	36.1	3.2
Arizona	15	81	30.3	27.5	-2.8
C. Calif.	30	165	47.4	36.2	-11.2
E. Calif.	10	74	42.5	39.6	-2.9
N. Calif.	9	75	38.2	39.8	1.6
S. Calif.	8	95	38.1	38.7	0.6
Guam	2	1	74.7	64.6	-10.1
Hawaii	3	13	33.5	46.6	13.1
Idaho	6	12	20.0	44.0	24.0
Montana	6	39	34.8	34.2	-0.6
Nevada	4	45	30.1	33.9	3.8
N. Mariana Is.	1	5	71.7	55.2	-16.5
Oregon	12	47	39.0	20.3	-18.7
E. Wash.	4	24	26.6	33.4	6.8
W. Wash.	4	47	31.0	31.3	0.3
Circuit Total	116	739	—	—	—
Circuit Average	15	92	39.4	38.8	-0.6
National Total	763	4,278	—	—	—
National Average	8	45	37.5	37.4	-0.1

Note: This table includes data on jury selection days only. Data on juror service after the selection day are not included.

¹Jurors who completed pre-screening questionnaires or were in the courtroom during the conducting of voir dire but were not selected or challenged. Other jurors not selected or challenged who were not called to the courtroom or otherwise did not participate in the actual voir dire.

COURT INTERPRETERS

21 INTERPRETER USAGE BY DISTRICT COURTS, 2014

Language	AK	AZ	CAC	CAE	CAN	CAS	GU	HI	ID	MT	NV	NMI	OR	WAE	WAW	2013 Total	2014 Total	Change 2013-14
Arabic	0	8	20	4	3	7	0	0	0	0	1	0	4	0	3	46	50	8.7%
Armenian	0	0	168	15	0	0	0	0	0	0	2	0	0	0	1	171	186	8.8%
Cantonese	0	1	31	64	84	7	0	1	1	0	6	0	5	0	25	361	225	-37.7%
Farsi	0	1	25	0	13	7	0	0	0	0	1	0	0	0	0	68	47	-30.9%
Japanese	0	0	11	0	11	1	0	5	0	0	0	0	0	0	6	32	34	6.3%
Korean	15	0	104	10	0	19	13	58	0	0	14	0	0	0	16	285	249	-12.6%
Mandarin	0	17	170	16	46	14	13	10	0	0	52	0	34	4	8	301	384	27.6%
Navajo (Certified)	0	29	0	0	0	0	0	0	0	0	0	0	0	0	0	74	29	-60.8%
Navajo (Non-Certified)	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	16	8	-50.0%
Russian	0	0	33	114	7	19	2	0	3	0	18	0	0	0	11	198	207	4.5%
Sign (American)	0	4	13	5	0	2	0	0	1	0	1	0	1	3	18	30	48	60.0%
Sign (Mexican)	0	3	0	0	0		0	0	0	0	0	0	0	0	0	6	3	-50.0%
Spanish Staff	20	56,338	1,586	762	283	16,605	0	0	0	0	354	0	480	0	0	85,747	76,428	-10.9%
Spanish (Certified)	2	6,710	1,333	1,340	855	666	0	11	154	14	285	0	243	517	697	15,831	12,827	-19.0%
Spanish (Non-Certified)	0	0	0	0	5	0	3	53	134	31	108	0	32	48	3	521	417	-20.0%
Tagalog	3	0	8	0	37	0	11	8	0	0	0	0	0	0	0	60	67	11.7%
Vietnamese	3	1	28	12	82	13	0	4	0	0	0	0	9	3	60	233	215	-7.7%
All Others	9	430	107	136	37	153	0	4	1	1	25	0	12	6	48	942	969	2.9%
Total	52	63,550	3,637	2,478	1,463	17,513	42	154	294	46	867	0	820	581	896	104,922	92,393	-11.9%

DISTRICT CASELOADS

DISTRICT OF ALASKA

Authorized places of holding court: Anchorage, Fairbanks, Juneau, Ketchikan, Nome

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	3
Filings	471	450	-4.5%	150	Bankruptcy	2
Terminations	496	413	-16.7%	138	Magistrate	
¹ Pending	499	538	7.8%	179	Full-time	2
Bankruptcy Court					Part-time	3
Filings	638	458	-28.2%	229		
Terminations	723	557	-23.0%	279		
Pending	682	583	-14.5%	292		

¹2013 total pending cases revised.

DISTRICT OF ARIZONA

Authorized places of holding court: ³Bullhead City, Flagstaff, Kingman, Phoenix, Prescott, Tucson, Yuma

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					² District	13
Filings	9,777	12,210	24.9%	939	Bankruptcy	7
Terminations	9,887	12,304	24.4%	946	Magistrate	
¹ Pending	5,233	5,164	-1.3%	397	Full-time	14
Bankruptcy Court					Part-time	1
Filings	24,046	20,907	-13.1%	2,987		
Terminations	28,595	27,469	-3.9%	3,924		
Pending	37,556	30,994	-17.5%	4,428		

¹2013 total pending cases revised.

²Includes one authorized temporary judgeship.

³Bullhead City and Kingman apply only to the bankruptcy court.

CENTRAL DISTRICT OF CALIFORNIA

Authorized places of holding court: Los Angeles, Riverside, ⁴San Fernando Valley, Santa Ana, ⁴Santa Barbara

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					² District	28
Filings	15,798	15,390	-2.6%	550	Bankruptcy	24
Terminations	16,393	15,695	-4.3%	561	Magistrate	
¹ Pending	12,277	11,952	-2.6%	427	Full-time	24
Bankruptcy Court					Part-time	1
Filings	82,861	60,545	-26.9%	2,523		
Terminations	96,424	66,508	-31.0%	2,771		
¹ Pending	54,561	48,605	-10.9%	2,025		

¹2013 total pending cases revised.

²Includes one authorized temporary judgeship.

³Includes three authorized temporary judgeships.

⁴San Fernando Valley and Santa Barbara apply only to the bankruptcy court.

EASTERN DISTRICT OF CALIFORNIA

Authorized places of holding court: Bakersfield, Fresno, ³Modesto, Redding, Sacramento, Yosemite National Park

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					² District	6
Filings	5,456	5,424	-0.6%	904	Bankruptcy	7
Terminations	5,858	5,469	-6.6%	912	Magistrate	
¹ Pending	7,602	7,561	-0.5%	1,260	Full-time	12
Bankruptcy Court					Part-time	0
Filings	30,685	22,383	-27.1%	3,198		
Terminations	35,146	26,528	-24.5%	3,790		
¹ Pending	29,667	25,522	-14.0%	3,646		

¹2013 total pending cases revised.

²Includes one authorized temporary judgeship.

³Modesto applies only to bankruptcy court.

NORTHERN DISTRICT OF CALIFORNIA

Authorized places of holding court: Eureka, Oakland, Salinas, San Francisco, San Jose, Santa Rosa

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	14
Filings	6,854	6,431	-6.2%	459	Bankruptcy	9
Terminations	7,272	6,864	-5.6%	490	Magistrate	
¹ Pending	6,526	6,102	-6.5%	436	Full-time	11
Bankruptcy Court					Part-time	0
Filings	21,841	15,430	-29.4%	1,714		
Terminations	24,455	19,884	-18.7%	2,209		
¹ Pending	34,142	29,686	-13.1%	3,298		

¹2013 total pending cases revised.

SOUTHERN DISTRICT OF CALIFORNIA

Authorized places of holding court: ²El Centro, San Diego

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	13
Filings	8,190	7,138	-12.8%	549	Bankruptcy	4
Terminations	8,594	7,184	-16.4%	553	Magistrate	
¹ Pending	5,315	5,367	1.0%	413	Full-time	11
Bankruptcy Court					Part-time	0
Filings	13,816	10,992	-20.4%	2,748		
Terminations	15,212	11,747	-22.8%	2,937		
Pending	11,761	11,006	-6.4%	2,752		

¹2013 total pending cases revised.

²El Centro applies only to the district court.

DISTRICT OF GUAM

Authorized place of holding court: Hagatna

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	1
Filings	106	83	-21.7%	83	Bankruptcy	0
Terminations	113	128	13.3%	128	Magistrate	
Pending	161	122	-24.2%	122	Full-time	1
Bankruptcy Court					Part-time	0
Filings	159	147	-7.5%	385		
Terminations	170	143	-15.9%	271		
Pending	161	165	2.5%	327		

Note: The chief district judge in Guam also handles all bankruptcy cases.

DISTRICT OF HAWAII

Authorized place of holding court: Honolulu

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					² District	4
Filings	968	921	-4.9%	230	Bankruptcy	1
Terminations	1,085	1,037	-4.4%	259	Magistrate	
¹ Pending	1,049	948	-9.6%	237	Full-time	3
Bankruptcy Court					Part-time	1
Filings	2,313	1,805	-22.0%	1,805		
Terminations	2,307	1,920	-16.8%	1,920		
Pending	2,738	2,623	-4.2%	2,623		

¹2013 total pending cases revised.

²Includes one temporary judgeship.

DISTRICT OF IDAHO

Authorized places of holding court: Boise, Coeur d'Alene, Moscow, Pocatello, ¹Twin Falls

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	2
Filings	850	781	-8.1%	391	Bankruptcy	2
Terminations	937	780	-16.8%	390	Magistrate	
¹ Pending	980	976	-0.4%	488	Full-time	2
Bankruptcy Court					Part-time	0
Filings	5,643	4,976	-11.8%	2,488		
Terminations	7,033	5,947	-15.4%	2,974		
Pending	4,996	4,025	-19.4%	2,013		

¹Twin Falls applies only to the bankruptcy court.

DISTRICT OF MONTANA

Authorized places of holding court: Billings, Butte, Great Falls, Helena, Missoula

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	3
Filings	973	1,126	15.7%	375	Bankruptcy	1
Terminations	1,019	1,065	4.5%	355	Magistrate	
Pending	800	873	9.1%	291	Full-time	3
Bankruptcy Court					Part-time	1
Filings	1,851	1,625	-12.2%	1,625		
Terminations	2,302	2,017	-12.4%	2,017		
Pending	2,867	2,475	-13.7%	2,475		

DISTRICT OF NEVADA

Authorized places of holding court: Carson City, Elko, Ely, Las Vegas, Lovelock, Reno

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	7
Filings	3,485	3,204	-8.1%	458	² Bankruptcy	4
Terminations	3,276	3,281	0.2%	469	Magistrate	
¹ Pending	4,147	4,078	-1.7%	583	Full-time	7
Bankruptcy Court					Part-time	0
Filings	14,483	11,676	-19.4%	2,919		
Terminations	18,829	15,553	-17.4%	3,888		
¹ Pending	20,188	16,311	-19.2%	4,078		

¹2013 total pending cases revised.

²Includes one authorized temporary judgeship.

DISTRICT OF NORTHERN MARIANA ISLANDS

Authorized place of holding court: Saipan

Caseload Measure	2013	2014	² Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	1
Filings	45	52	15.6%	52	Bankruptcy	0
Terminations	60	54	-10.0%	54	Magistrate	
¹ Pending	94	92	-2.1%	92	Full-time	0
Bankruptcy Court					Part-time	0
Filings	7	5	-	1	³ Combination	1
Terminations	12	4	-66.7%	0		
¹ Pending	10	11	10.0%	1		

Note: The chief district judge in Northern Mariana Islands also handles all bankruptcy cases.

¹2013 total pending cases revised.

²Percent change not computed when fewer than 10 cases reported for the previous period.

³Heather Kennedy serves as magistrate judge and clerk of court.

DISTRICT OF OREGON

Authorized places of holding court: ²Bend, ²Coos Bay, Coquille, Eugene, Klamath Falls, Medford, Pendleton, Portland, ²Redmond, ²Roseburg, ²Salem

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	6
Filings	2,924	2,698	-7.7%	450	Bankruptcy	5
Terminations	2,909	2,985	2.6%	498	Magistrate	
¹ Pending	2,905	2,619	-9.8%	437	Full-time	6
Bankruptcy Court					Part-time	1
Filings	13,677	12,660	-7.4%	2,532		
Terminations	15,203	15,135	-0.4%	3,027		
Pending	18,319	15,842	-13.5%	3,168		

¹2013 total pending cases revised.

²Bend, Coos Bay, Redmond, Roseburg, and Salem apply only to the bankruptcy court.

EASTERN DISTRICT OF WASHINGTON

Authorized places of holding court: ²Richland, Spokane, ²Walla Walla, Yakima

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	4
Filings	1,236	1,088	-12.0%	272	Bankruptcy	2
Terminations	1,292	1,266	-2.0%	317	Magistrate	
¹ Pending	1,121	963	-14.1%	241	Full-time	2
Bankruptcy Court					Part-time	0
Filings	5,253	4,840	-7.9%	2,420		
Terminations	5,584	5,169	-7.4%	2,585		
¹ Pending	5,410	5,081	-6.1%	2,541		

¹2013 total pending cases revised.

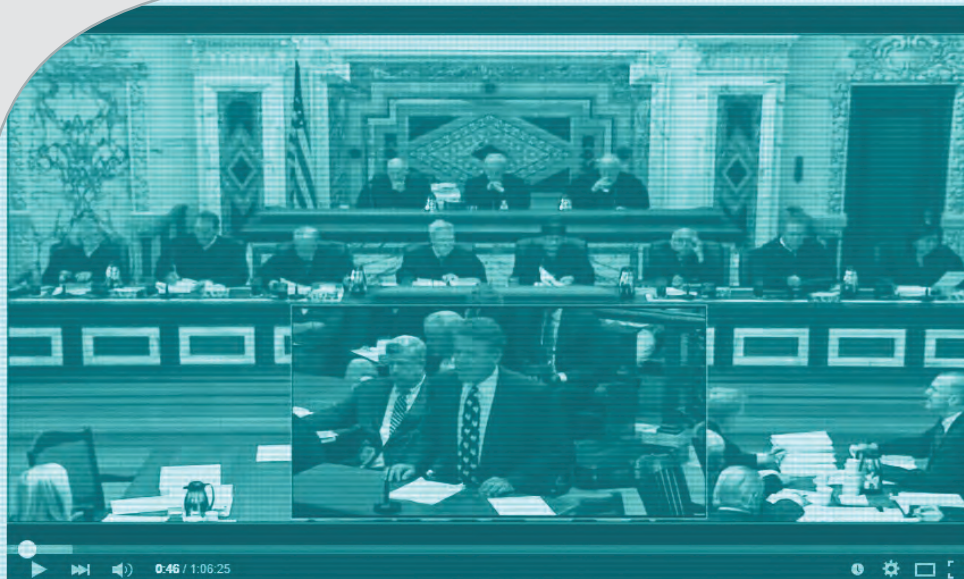
²Richland and Walla Walla apply only to the district court.

WESTERN DISTRICT OF WASHINGTON

Authorized places of holding court: Bellingham, Seattle, Tacoma, Vancouver

Caseload Measure	2013	2014	Change 2013-2014	Per Judgeship Unweighted 2014	Authorized Judgeships	
District Court					District	7
Filings	4,534	3,995	-11.9%	571	Bankruptcy	5
Terminations	4,507	4,349	-3.5%	621	Magistrate	
¹ Pending	3,629	3,298	-9.1%	471	Full-time	5
Bankruptcy Court					Part-time	2
Filings	20,477	17,380	-15.1%	3,476		
Terminations	22,598	19,183	-15.1%	3,837		
¹ Pending	20,945	19,143	-8.6%	3,829		

¹2013 total pending cases revised.



En Banc Court 10-17803 10-17878 Big Lagoon Rancheria v. State of California



United States Court of Appeals for the Ninth Circ...

Subscribe

167

Share

Copy

More

1,125

Like

Dislike

Streamed live on Sep 17, 2014

The State of California appeals the district court's summary judgment in favor of Big Lagoon Rancheria- determining that the State violated the Indian Gaming Regulatory Act by failing to negotiate in good faith for a tribal-state gaming compact.

SHOW MORE

Comments

Comments are disabled for this video.

Up Next

Autoplay



11-50311 United States v. Maloney
by United States Court of Appeals for the Ninth Circuit
13,068 views



12-15144 San Luis & Delta-Mendota Water v. Pacific Coast Federation etc.
by United States Court of Appeals for the Ninth Circuit
1,103 views



09-56786 Cuellar De Osorio v. Mayorkas
by United States Court of Appeals for the Ninth Circuit
1,955 views



En Banc Court 12-36026 Aircraft Service Int'l v. Working Washington
by United States Court of Appeals for the Ninth Circuit
689 views



11-17484 State of Arizona v ASARCO LLC
by United States Court of Appeals for the Ninth Circuit
401 views



12-15969 Mark Munns v. John F. Kerry
by United States Court of Appeals for the Ninth Circuit
266 views



En Banc Court 09-71491 Roberto Maldonado v. Eric Holder, Jr.
by United States Court of Appeals for the Ninth Circuit
387 views



Perfecting Your Appeal - A Criminal Case
by United States Court of Appeals for the Ninth Circuit
2,154 views



1:00 PM Monday September 8th, 2014 San Francisco Courtroom One
by United States Court of Appeals for the Ninth Circuit
17,551 views



10-73215, 11-71124 Sama Abdisalan v. Eric Holder, Jr.
by United States Court of Appeals for the Ninth Circuit
418 views



13-56132 Johnny Baca v. Derron
by United States Court of Appeals for the Ninth Circuit
29,179 views

To view current and archived oral arguments, visit the Ninth Circuit Court of Appeals YouTube page: <https://www.youtube.com/user/9thcirc/videos>



Office of the Circuit Executive
Cathy A. Catterson, Circuit & Court of Appeals Executive
P.O. Box 193939, San Francisco, CA 94119-3939
Ph: (415) 355-8800, Fax: (415) 355-8901
<http://www.ca9.uscourts.gov>