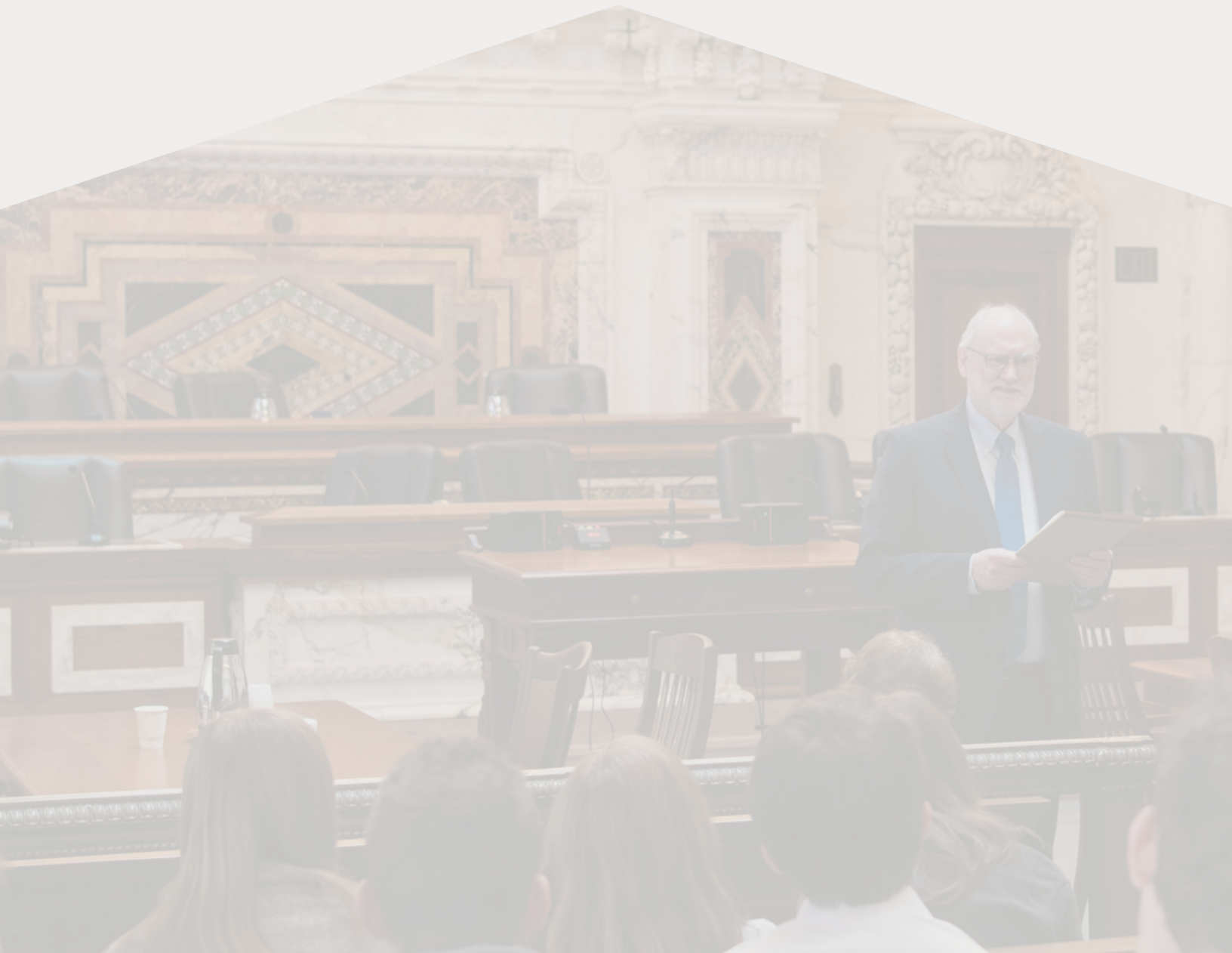




UNITED STATES COURTS FOR THE NINTH CIRCUIT

2019 • ANNUAL • REPORT



The Office of the Circuit Executive would like to acknowledge the following for their contributions to the 2019 Ninth Circuit Annual Report:

*The Honorable Sidney R. Thomas, Chief Judge, U.S. Court of Appeals for the Ninth Circuit
The Honorable Mary H. Murguia, Circuit Judge, U.S. Court of Appeals for the Ninth Circuit
Elizabeth A. Smith, Circuit Executive, Ninth Circuit
Molly C. Dwyer, Clerk of Court, U.S. Court of Appeals for the Ninth Circuit
Susan M. Spraul, Clerk, Ninth Circuit Bankruptcy Appellate Panel
Eric Wade, Circuit Librarian, U.S. Court of Appeals for the Ninth Circuit
Rhonda Langford Taylor, Chief Probation Officer, District of Alaska
Silvio Lugo, Chief Pretrial Services Officer, Northern District of California*

The 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.



The Judicial Council of the Ninth Circuit

Seated from left to right are Chief District Judge Phyllis J. Hamilton, Circuit Judge Mary H. Murguia, Chief Circuit Judge Sidney R. Thomas, Chief District Judge Virginia A. Phillips, Chief District Judge J. Michael Seabright. Standing from left to right are, Chief Probation Officer Rhonda Langford Taylor, Chief Pretrial Services Officer Silvio Lugo, Senior District Judge Ronald S.W. Lew, Magistrate Judge Michelle Hamilton Burns, District Court Clerk Sean McAvoy, District Judge Rosanna Malouf Peterson, BAP Clerk Susan Spraul, Circuit Executive Elizabeth A. Smith, and Senior Circuit Judge N. Randy Smith.

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Foreword

We began 2019 with the longest government shutdown in history, affecting millions of Americans. From the beginning, we were resolved to keep the courts open, and the machinery of justice operating. And we did that. Throughout the shutdown, our circuit, district, and bankruptcy courts kept functioning. The administration of justice in the West continued. During periods of adversity, the Ninth Circuit shines brightest, and this episode was no exception. I could not be more proud of the women and men with whom it is my privilege to serve, and of our dedicated and resourceful staff throughout the circuit. They all have my most profound thanks.



CHIEF JUDGE
SIDNEY R. THOMAS

The results of those collective efforts are documented in this 2019 Ninth Circuit Annual Report. It includes statistical workload summaries and also highlights events and activities involving and affecting the federal courts in the nine western states and two Pacific Island jurisdictions.

The United States Court of Appeals for the Ninth Circuit remains the nation's busiest federal appellate court. Our Court faced particular challenges with the volume of immigration cases. On a national basis, the Ninth Circuit received 2,699 new petitions for review of decisions by the Board of Immigration Appeals. Nonetheless, with our inventive case management techniques, we still made significant progress in reducing our pending caseload and case processing time. Indeed, over the past four years, we have reduced our median appellate case processing time by 28 percent.

In the 15 federal trial courts of the circuit, new case filings increased by 2.9 percent to 65,977 cases. Civil filings were up by 4.4 percent while criminal filings brought by the government were down 2 percent. However, the Circuit's federal public defenders and community defenders saw an increased demand for representation of financially eligible individuals charged with crimes in the federal justice system with new

case openings up 5.3 percent. Civil cases comprise 76.6 percent of the total caseload of the district courts. Ending the eight-year trend of fewer bankruptcy filings, bankruptcy courts in the Ninth Circuit saw an increase of filings by 1.1 percent in fiscal year 2019.

I was pleased to return to Spokane, Washington, last July to host the 2019 Ninth Circuit Judicial Conference where, after a 14-year absence, we enjoyed being in one of the Circuit's beautiful northwestern locales with easy access to the famous Lake Coeur d'Alene in the District of Idaho. We welcomed the Honorable Elena Kagan for the first time as the Circuit's new Supreme Court Justice. In addition to presenting an excellent Conference, we took advantage of holding numerous committee meetings that support the Circuit's efforts to improve the administration of justice in the West.

Our Fairness Committee has been working on a study about sentencing disparities in the Ninth Circuit. We will hear more about the results of the study later this year. Our Wellness Committee continues its prominent work in the field of preventing and coping with disability and maintaining health. Our Space and Security Committee continues its space reduction initiatives and over the last six years, courts within the Ninth Circuit have released more than 370,000 square feet of space,

with a resulting annual rent savings of \$11.7 million. Our Information Technology Committee continued its work in cybersecurity and improving our electronic information systems. The Ninth Circuit and the Second Circuit continued their joint collaboration to develop an entirely new and modern appellate case filing and management system. The Jury Trial Improvement Committee has initiated a new Best Practices Report and started preliminary work on developing a circuit-wide Jury Summit. The Pacific Islands Committee continued to partner with the Pacific Judicial Council to deliver education programs for judges, administrators, and security personnel.

Our Circuit continues to emphasize and vigorously promote civics education and community outreach by our Courts and Community Committee. The Committee has organized a highly successful circuit-wide essay and video contest for high school students. Last fall, one of the highlights of the committee involved performing naturalization ceremonies at a Los Angeles Dodgers and a San Diego Padres baseball game. I am pleased that all of our courts are working with students and teachers to improve public understanding of, and confidence in, the Judicial Branch.

Following the 2019 circuit conference, the Ninth Circuit Pro Se Litigation Committee sponsored a two-day workshop with the ADR Committee on Effective Mediation Strategies with Pro Se Litigants. The workshop provided Mediation Skills Training for magistrate, bankruptcy, and Article III judges. Thirty-five judges participated in the training that was designed to enhance judges' success in settlement conferences through learning practical, time-tested mediation skills. Training faculty were highly experienced professional mediators from court ADR programs. The training used small group, experiential, hands-on learning modules. This is the second mediation skills training program the ADR Committee has sponsored at the Circuit Conference. The committee also offered webinars for pro se staff attorneys and judges on pro se case management, featuring Ninth Circuit Court of

Appeals staff attorneys. They revised Court of Appeals forms for pro se litigants in consultation with a "plain language" specialist. The forms are written using simplified language, sentence structure, and reading level adjustments. The Pro Se Litigation Committee designed a limited purpose pro bono counsel program for the Court of Appeals.

The Ninth Circuit welcomed seven new circuit judges in 2019: Bridget S. Bade, Daniel A. Bress, Patrick J. Bumatay, Daniel P. Collins, Danielle J. Hunsaker, Kenneth Kiyul Lee, and Eric D. Miller. The confirmation of Judge Bumatay in December filled all the vacancies in the circuit for a second time since April 2014, when Circuit Judge Michelle T. Friedland was confirmed. The court had 29 active judges until year's end, when Circuit Judge Jay S. Bybee assumed senior status on December 31. The Circuit welcomed two new district judges, Karin J. Immergut of the District of Oregon and Michael T. Liburdi of the District of Arizona; one new bankruptcy judge, Whitman L. Holt of the Eastern District of Washington; and 10 new magistrate judges, Maria S. Aguilera and Camille D. Bibbes of the District of Arizona; Daniel J. Albregts, Brenda Weksler, and Elayna J. Youchah of the District of Nevada; Kathleen L. DeSoto of the District of Montana; Allison H. Goddard of the Southern District of California; Michelle L. Peterson of the Western District of Washington; and Wes R. Porter and Rom A. Trader of the District of Hawaii.

Bankruptcy Judge Scott H. Gan of the District of Arizona and Bankruptcy Judge Laura S. Taylor of the Southern District of California, who has served as chief judge of the Ninth Circuit Bankruptcy Appellate Panel since July 2019, were reappointed to the BAP.


Members of the Magistrate Judges Executive Board assisted staff in the Administrative Office of the U.S. Courts engaged in research about utilization of magistrate judges, including providing feedback to the Judicial Services Office regarding the proposed magistrate judge case weight study. They also continue

to evaluate maximizing consent to magistrate jurisdiction where possible, including continuing education of the bar and public regarding the talented and qualified resources the magistrate judges provide to the Judiciary. They also circulated helpful materials to the group about managing the high volumes of Social Security cases. The Office of the Circuit Executive has made these materials available to courts throughout the Circuit.

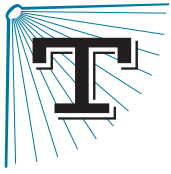
A number of our judges received honors during the year. A complete list is found in the report, but I want to highlight honors given to Circuit Judge M. Margaret McKeown and Circuit Judge Johnnie B. Rawlinson. Judge McKeown received the American Bar Association's prestigious John Marshall Award, August 9, during the association's annual meeting in San Francisco. The award, named for the famed U.S. chief justice, recognizes those who are dedicated to "extraordinary improvements" in the administration of justice in the areas of judicial independence, justice system reform, or public awareness of the justice system. Judge Rawlinson was celebrated for her achievements by The Women's Chamber of Commerce of Nevada during the 16th Annual ATHENA International Leadership Awards on September 27. She was the recipient of the Minority Lifetime Achievement Award recognizing her achievements as a "United States Circuit Judge of the Court of Appeals for the Ninth Circuit and a former United States District Judge of the United States District Court for the District of Nevada."

The Chief Justice of the Supreme Court of the State of Washington Mary Fairhurst was the 2019 recipient of the prestigious American Inns of Court's Ninth Circuit Professionalism Award during a special ceremony. Her acceptance was later screened to our Ninth Circuit Judicial Conference and received with acclaim by that audience. Norman C. Hile, senior counsel from the Eastern District of California, was selected to receive the Ninth Circuit's John P. Frank Award, which recognizes an outstanding lawyer practicing in the federal courts of the western United States. The award was presented at Ninth Circuit Judicial Conference's opening session on July 22.

The Ninth Circuit mourned the passing of Chief Judge Emeritus Procter R. Hug, Jr., who died on October 17. He was 88. A complete list of judges and esteemed colleagues the court family lost are found on page 18 of this report.

I congratulate all of our judges and staff for their outstanding contributions to the administration of justice, and I hope you find this report useful in providing information about the work of our federal courts. 

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 district and bankruptcy courts within its 15 judicial districts and associated administrative units that provide various services to the courts.

Judicial districts under the jurisdiction of 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 U.S. today.

Judges serving on the court of appeals 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. The Ninth Circuit Court of Appeals is authorized 29 judgeships and ended 2019 with one vacancy when Circuit Judge Jay S. Bybee assumed senior status on December 31. The Senate confirmed the nomination of Lawrence VanDyke on December 11 to fill Judge Bybee's seat. For most of the year, the district courts of the circuit were authorized 112 judgeships, 24 of which were vacant at year's end.

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, 20 senior circuit judges were at work for most of the year, sitting on motions and merits panels, submitting briefs, serving on circuit and national judicial committees, and performing a variety of administrative matters. In the district courts within the circuit, 68 senior judges were at work, hearing cases, presiding over procedural matters, serving on committees and conducting other business in 2019.

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 after the court conducts a performance review and considers public comment evaluations.

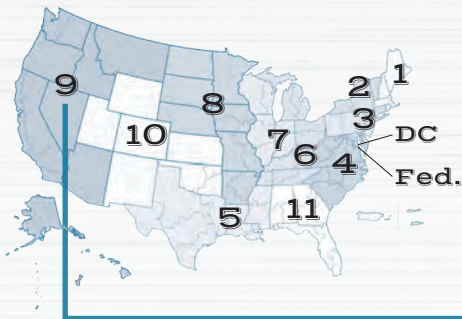
In 2019, bankruptcy courts in the Ninth Circuit were authorized 68 permanent and four temporary judgeships. The district courts were authorized 105 full-time and 6 part-time magistrate judges, and one combined position of part-time magistrate judge/clerk of court. Several courts also utilized recalled bankruptcy and recalled magistrate judges.

Overall, courts in the Ninth Circuit experienced increased caseloads in 2019. Unless otherwise noted, statistics in this report cover fiscal year 2019 ending September 30. □

SUPREME COURT

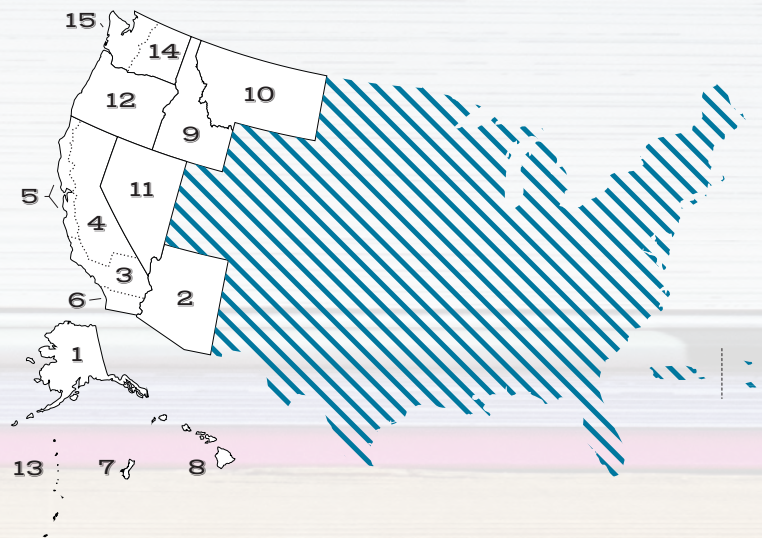
COURTS OF APPEALS

12 REGIONAL CIRCUITS + FEDERAL CIRCUIT



NINTH CIRCUIT

15 DISTRICTS



- | | | |
|-----------------------|-----------------------|-----------------------------|
| 1 Alaska | 6 Southern California | 11 Nevada |
| 2 Arizona | 7 Guam | 12 Oregon |
| 3 Central California | 8 Hawaii | 13 Northern Mariana Islands |
| 4 Eastern California | 9 Idaho | 14 Eastern Washington |
| 5 Northern California | 10 Montana | 15 Western Washington |

NINTH CIRCUIT ARTICLE III & ARTICLE I JUDGES

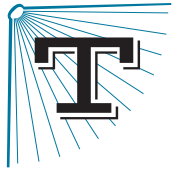
AUTHORIZED JUDGESHIPS AS OF DECEMBER 31, 2019

<u>Circuit Judges</u>	<u>District Judges</u>	<u>Bankruptcy Judges</u>	<u>Magistrate Judges</u>
29	112	68	106 Full-time
1 Vacancy*	24 Vacancies	1 Temporary	6 Part-time
			1 Combination†

*The Senate confirmed the nomination of Lawrence VanDyke on December 11 to fill vacancy created December 31, 2019, when Circuit Judge Jay S. Bybee assumed senior status.

†The District of Northern Mariana Islands is authorized a combined magistrate judge/clerk of court position.

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. Committee chairs submit reports to the council for each of the council meetings.

In 2019, new voting members of the Judicial Council of the Ninth Circuit were Circuit Judge Sandra S. Ikuta, Chief District Judge Phyllis J. Hamilton of the Northern District of California, and Senior District Judge Ronald S.W. Lew of the Central District of California. New observers in 2019 were Chief Bankruptcy Judge Frederick Corbit and District Court Clerk Sean McAvoy of the Eastern District of Washington; Bankruptcy Appellate Panel Clerk Susan M. Spraul of Pasadena, California; Chief Probation Officer Rhonda Langford Taylor of the District of Alaska; and Chief Pretrial Services Officer Silvio Lugo of the Northern District of California.

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 2019, there were 13 petitions for review filed, all of which were resolved by the judicial council.

Conference of Chief District Judges

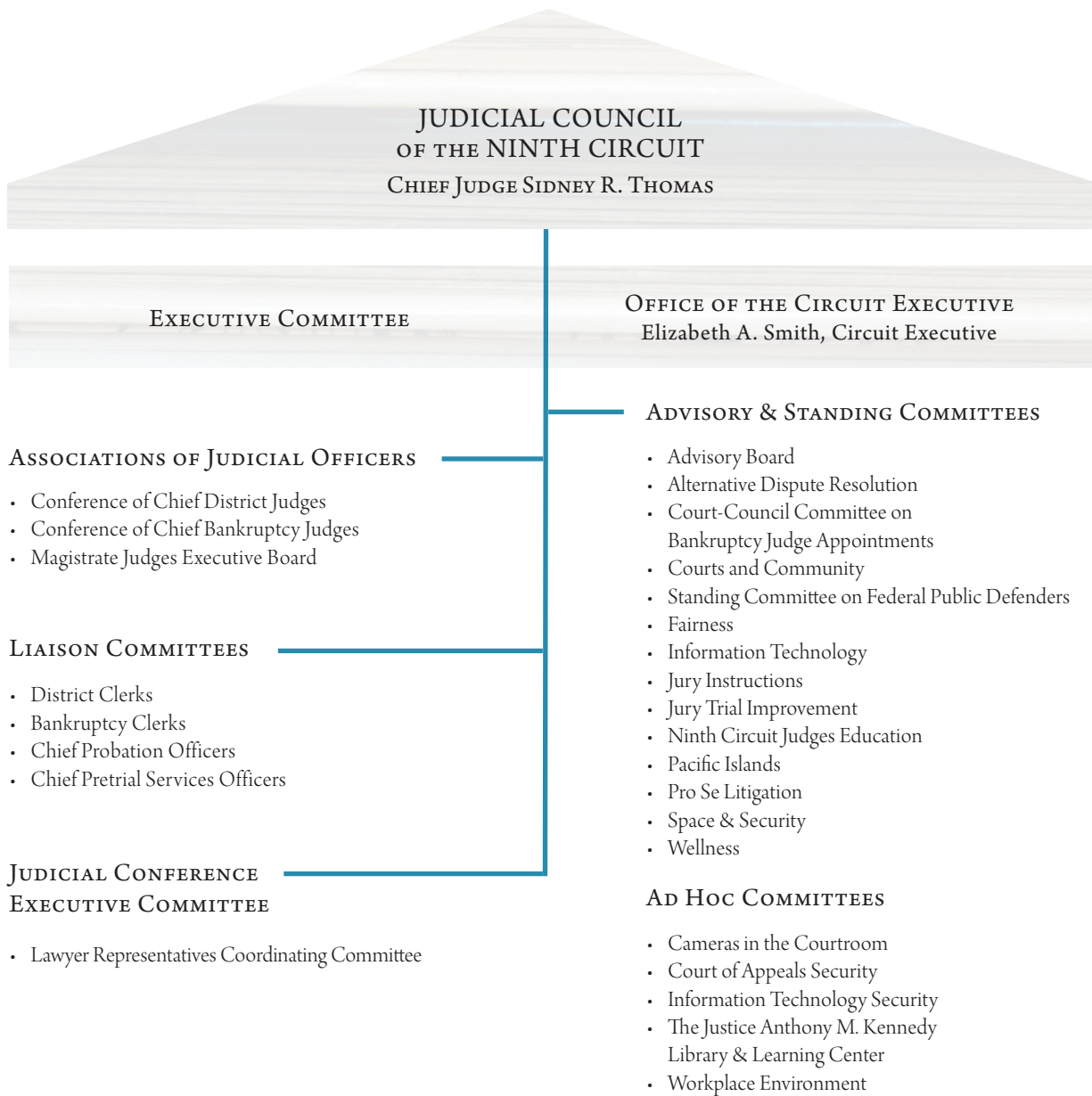
The Conference of Chief District Judges advises the Judicial Council of the Ninth Circuit regarding the administration of justice in the circuit's 15 district courts. The conference, which meets twice a year, is comprised of the chief district judges of each district. Chief District Judge Dana L. Christensen of the District of Montana served as chair of the conference in 2019. Chief District Judge Phyllis J. Hamilton of the Northern District of California succeeded him as chair.

Conference of Chief Bankruptcy Judges

The Conference of Chief Bankruptcy Judges advises the Judicial Council of the Ninth Circuit on the administration of 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 Gary A. Spraker of the District of Alaska chaired the conference in 2019. Chief Bankruptcy Judge Frederick Corbit of the Eastern District of Washington succeeded him as chair.

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. Magistrate Judge Michelle Hamilton Burns of the District of Arizona has served as chair of the board since July 2018.



Clerks of Court

Daily 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 ensure adequate judicial staff resources. The clerk of the 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 Office of the Clerk for the United States Court of Appeals for the Ninth Circuit, reviews Criminal Justice Act vouchers for cases that come before the court of appeals.

Associated Court Units

Ninth Circuit courts also rely on several critical court-related agencies to ensure the fair administration of justice. The district courts maintain oversight of U.S. Probation and U.S. 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 defenders or community defenders, who represent financially eligible defendants unable to afford private counsel. Such 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 22 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. Ninth Circuit 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. Librarians also produce a range of publications and guides to inform the court community and increase the efficiency of court researchers. Library resources are 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 judicial council. The circuit executive and her staff assist in identifying circuit-wide needs; conducting studies; developing and implementing policies; and providing training, public

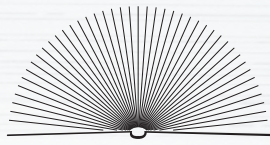
information and human resources support. Circuit executive staff also coordinates building and automation projects and advises the council on procedural and ethical matters. The Office of the Circuit Executive provides management and technical assistance to courts within the circuit upon request. It also administers the Ninth Circuit Judicial Conference.

Office of Workplace Relations

The Office of Workplace Relations serves as a resource and contact on workplace environment matters for the Ninth Circuit. Office staff implements the Employment Dispute Resolution Policy and all other related workplace policies and serves as a contact for employees who experience or witness workplace misconduct and wish to discuss or report such workplace misconduct. The office consults with judges, court unit executives, and staff on workplace environment issues and concerns and provides guidance on workplace environment policies and procedures. It also oversees the development and execution of training programs on workplace relations and conduct for judges and employees.

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 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**

NEW JUDGES

NEW CIRCUIT JUDGES



Bridget S. Bade was confirmed by the Senate on March 26, 2019, to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit. She received her judicial commission on April 1, 2019. Prior to her appointment, she had served as a U.S. magistrate judge for the District of Arizona since 2012. From 2006 to 2012, Judge Bade served as an assistant U.S. attorney in the Office of the U.S. Attorney for the District of Arizona, where she worked in the civil and appellate divisions. She engaged in private practice as a shareholder at Beshears Wallwork Bellamy and as a special counsel at Steptoe & Johnson from 1995 to 2006. Judge Bade received her B.A., summa cum laude, from Arizona State University in 1987 and her J.D., cum laude, in 1990 from ASU Law, where she was a writing instructor and served as an articles editor on the Arizona State Law Journal. Following law school, she clerked for Circuit Judge Edith H. Jones of the U.S. Court of Appeals for the Fifth Circuit. Following her clerkship, she was selected for the Attorney General's Honor Program and began her career at the U.S. Department of Justice, where she worked in the Civil Division, Environmental Torts Section, from 1991 to 1995. Judge Bade served on the Ninth Circuit Courts and Community Committee, from 2015 to 2019, and was appointed to serve on the Ninth Circuit Jury Instructions Committee in 2019. She served on the Local Rules of Practice Advisory Committee for the District of Arizona from 2014 to 2019 and from 2009 to 2012. Judge Bade also served on the State Bar of Arizona Civil Practice and Procedure Committee from 1998 to 2013 and was a District of Arizona lawyer representative to the Ninth Circuit Judicial Conference prior to her appointment as a U.S. magistrate judge. Judge Bade maintains chambers in Phoenix.



Daniel A. Bress was confirmed by the Senate on July 9, 2019, to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit. He received his judicial commission on July 26, 2019. Judge Bress grew up in Hollister and Gilroy, California. He received his A.B. from Harvard College and his J.D. from the University of Virginia School of Law, where he served as editor-in-chief of the Virginia Law Review. After graduation, Judge Bress served as a law clerk to Circuit Judge J. Harvie Wilkinson III on the U.S. Court of Appeals for the Fourth Circuit, and to Justice Antonin Scalia of the U.S. Supreme Court. Judge Bress spent most of his career in private practice as a partner at Kirkland & Ellis LLP, where he practiced complex civil litigation at the appellate and trial levels. Judge Bress also served as an adjunct professor of law at the University of Virginia School of Law and the Columbus School of Law. He maintains chambers in San Francisco.



Patrick J. Bumatay was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on December 10, 2019 and received his judicial commission on December 12, 2019. Prior to his appointment to the bench, Judge Bumatay served as an assistant U.S. attorney in the Office of the U.S. Attorney for the Southern District of California, where he was a member of the Organized Crime and Drug Enforcement Task Forces and Appellate Sections. Judge Bumatay has served in various positions at the U.S. Department of Justice, including in the Office of the Attorney General from 2018 to 2019, the Office of the Deputy Attorney General from 2017 to 2018, the Office of the Associate Attorney General from 2008 to 2009, and the Office of Legal Policy from 2007 to 2008. He received his B.A., cum laude, from Yale University in 2000 and his J.D. from Harvard Law School in 2006. Judge Bumatay clerked for Circuit Judge Timothy Tymkovich of the U.S. Court of Appeals for the 10th Circuit and District Judge Sandra L. Townes of the U.S. District Court for the Eastern District of New York. He maintains chambers in San Diego, California.



Daniel P. Collins was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on May 21, 2019 and received his judicial commission the following day. Prior to coming onto the bench, Judge Collins served

as an associate deputy attorney general in the U.S. Department of Justice from 2001 to 2003. Previously, he was an adjunct professor at Loyola Law School in 2018, 2017, 1998 and 1997. Judge Collins engaged in private practice in Los Angeles from 2003 to 2019 and from 1996 to 2001. He was an assistant U.S. attorney in the Office of the U.S. Attorney for the Central District of California from 1992 to 1996. Judge Collins received his A.B. from Harvard College in 1985 and his J.D. from Stanford Law School in 1988. He maintains chambers in Pasadena, California.



Danielle J. Hunsaker was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on November 6, 2019 and received her judicial commission on November 12, 2019. Judge Hunsaker was born and

raised in Oregon. Immediately before her appointment to the federal bench, she was a trial judge on the Washington County Circuit Court in Hillsboro, Oregon. While on the state bench, Judge Hunsaker handled criminal, civil, and probate cases and served in leadership as the chief civil judge and the presiding judge. Judge Hunsaker graduated from the University of Idaho College of Law, magna cum laude, and served on the Idaho Law Review. She clerked for Circuit Judge Paul J. Kelly, Jr., of the U.S. Court of Appeals for the 10th Circuit, District Judge Michael W. Mosman of the U.S. District Court for the District of Oregon, and Circuit Judge Diarmuid F. O'Scannlain of the U.S. Court of Appeals for the Ninth Circuit. Judge Hunsaker had a civil litigation practice in Portland at Stoel Rives LLP and Larkins Vacura Kayser, LLP, where she was a partner. She also was an adjunct professor at Lewis & Clark Law School teaching advanced civil procedure and litigation skills. She maintains chambers in Portland, Oregon.



Kenneth Kiyul Lee was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on May 15, 2019, becoming the nation's first Article III judge born in the Republic of Korea. He received his judicial commission

on June 12, 2019. Prior to his appointment, Judge Lee was a partner at the law firm of Jenner & Block in Los Angeles, where he handled a wide variety of complex litigation matters and had a robust pro bono practice. Judge Lee previously served as an associate counsel to President George W. Bush and as special counsel to Senator Arlen Specter, then-chair of the Senate Judiciary Committee. He started his legal career as an associate at Wachtell, Lipton, Rosen & Katz in New York. Judge Lee graduated from Cornell University, summa cum laude, in 1997 and from Harvard Law School, magna cum laude, in 2000. Following law school, he clerked for Circuit Judge Emilio M. Garza of the U.S. Court of Appeals for the Fifth Circuit from 2000 to 2001. Judge Lee maintains chambers in San Diego, California.



Eric D. Miller was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on February 26, 2019 and received his judicial commission on March 4, 2019. Prior to his appointment, Judge Miller was

in private practice in Seattle, where he also served as a part-time lecturer at the University of Washington School of Law. He previously served as an assistant to the solicitor general of the United States, as deputy general counsel of the Federal Communications Commission, as an attorney on the appellate staff of the Civil Division of the U.S. Department of Justice, and as an attorney-adviser in the Office of Legal Counsel of the U.S. Department of Justice. Judge Miller received his A.B. from Harvard University and his J.D. from the University of Chicago Law School. Following law school, he served as a law clerk to Circuit Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit and to Associate Justice Clarence Thomas of the U.S. Supreme Court. Judge Miller maintains chambers in Seattle, Washington.

NEW JUDGES CONTINUED

NEW DISTRICT JUDGES



Karin J. Immergut was confirmed by the Senate to serve as a district judge for the United States District Court for the District of Oregon on July 31, 2019 and received her judicial commission on August 5, 2019. Prior to her appointment to the federal

bench, Judge Immergut had served as judge of the Oregon Circuit Court in Multnomah County since 2009. Previously, she served as the assistant U.S. attorney then the U.S. attorney for the District of Oregon, from 2001 to 2003 and from 2003 to 2009, respectively. Judge Immergut was the deputy district attorney in the Drug Unit and Fraud Section, Multnomah County, from 1996 to 1998 and from 1998 to 2001, respectively. She was an associate independent counsel in the Office of Independent Counsel Kenneth Starr in 1998. Judge Immergut engaged in private practice in Burlington, Vermont, from 1994 to 1996. Before that, she served from 1988 to 1994 in the Office of the U.S. Attorney for the Central District of California, where she held the positions of assistant U.S. attorney, deputy chief of the Narcotics Section, and chief of the Training Section. She engaged in private practice in Washington, D.C., from 1987 to 1988. Judge Immergut received her B.A. from Amherst College in 1982 and her J.D. from the University of California, Berkeley, School of Law, in 1987. She maintains chambers in Portland, Oregon.



Michael T. Liburdi was confirmed by the Senate to serve as a district judge for the United States District Court for the District of Arizona on July 30, 2019 and received his judicial commission on August 5, 2019. Prior to his appointment to the bench,

Judge Liburdi served as general counsel for Governor Douglas A. Ducey of Arizona from 2015 to 2018. He has served as an adjunct professor at Arizona State University, Sandra Day O'Connor College of Law, since 2010. Judge Liburdi was a litigation staff attorney for the Federal Election Commission in 2008. He engaged in private practice in Phoenix, Arizona, from

2018 to 2019, from 2008 to 2015, and from 2003 to 2008. Judge Liburdi received his B.S. from Arizona State University in 1998 and his J.D. from Arizona State University College of Law, now Sandra Day O'Connor College of Law, in 2002. He maintains chambers in Phoenix

NEW BANKRUPTCY JUDGE



Whitman L. Holt was appointed as a bankruptcy judge for the United States Bankruptcy Court for the Eastern District of Washington on November 1, 2019. Prior to his appointment, Judge Holt had been a partner with the Los Angeles law firm

of Klee, Tuchin, Bogdanoff & Stern LLP since 2010. Previously, he was an associate attorney with the law firm of Stutman, Treister & Glatt P.C., also in L.A. He has participated as a speaker, lecturer, or panelist at more than 50 legal education programs throughout the country, is a co-author of an academic book and series of commentaries about bankruptcy and the U.S. Supreme Court, and regularly counseled and represented consumer bankruptcy organizations on a pro bono basis. In 2015, Judge Holt was elected as a conferee of the National Bankruptcy Conference, an invitation-only organization. Judge Holt received his bachelor's degree, magna cum laude, from Bates College in Lewiston, Maine, in 2002. He received his J.D., cum laude, in 2005 from Harvard Law School, where he served as an editor of the Harvard Journal of Law & Public Policy. He maintains chambers in Yakima.

NEW MAGISTRATE JUDGES



Daniel J. Albregts was appointed as a magistrate judge for the United States District Court for the District of Nevada on August 5, 2019. Prior to his appointment, Judge Albregts was in private practice for 26 years handling civil and criminal matters in state and

federal court. He handled all types of criminal cases, including death penalty cases, large complex, multi-defendant criminal cases, and was lead counsel in some of

the largest white-collar criminal cases ever prosecuted in Southern Nevada. Judge Albregts was lead attorney in over 125 jury trials in state and federal court and argued cases before the Nevada Supreme Court and the Ninth Circuit Court of Appeals. Prior to private practice, Judge Albregts served as an assistant deputy public defender for the Office of the Federal Public Defender for the District of Nevada from 1990 to 1993 and as a deputy assistant public defender for the Colorado Public Defender's Office from 1987 to 1990. Judge Albregts served as the lawyer representative to the U.S. District Court for the District of Nevada, 2001-2003 and 2017-2019; as the Criminal Justice Act lawyer representative, 1999-2008; and as a member of the National eVoucher Working Group for the Administrative Office of the U.S. Courts, 2015-2019. Judge Albregts served on the Southern Nevada State Bar Disciplinary Committee from 1995 to 2004 and as its vice chairman from 1999 to 2004. Judge Albregts received his undergraduate degree in history and political science in 1984 and his J.D. in 1987, both from the University of Wisconsin, Madison. He maintains chambers in Las Vegas.



Maria S. Aguilera was appointed as a magistrate judge for the United States District Court for the District of Arizona on April 1, 2019. Prior to her appointment, Judge Aguilera had served as a judge pro tempore in Marana Municipal in Marana, Arizona,

since 2018. Previously, she engaged in private practice as a sole practitioner at the Davila Law Office, P.C., where her practice focused on representing individuals charged with criminal offenses. Many of her clients were indigent defendants charged with serious felony offenses and class one misdemeanors. She represented clients in U.S. District Court, Pima County Superior Court, Maricopa County Superior Court, and courts of limited jurisdiction throughout the State of Arizona. In addition to managing her law practice, Judge Aguilera was an active member of the Federal Bar Association, she was the district court liaison for the Criminal Justice Act Attorneys, she served as a mentor to young children in the Lawyer's for Literacy Program and the Courts are Us summer program. Before that, Judge Aguilera worked at the Office of the U.S. Attorney for the District of Arizona for seven years until

2005 and at the Office of the Federal Public for the District of Arizona before joining the U.S. Attorney's Office. Born and raised in Tucson, Arizona, Judge Aguilera received her undergraduate degree from the University of Arizona in 1990 and her J.D. from the University of Arizona College of Law in 1993. After law school, Judge Aguilera worked as a deputy county attorney at the Pima County Attorney's Office for three years. She maintains chambers in Tucson.



Camille D. Bibles was appointed as a magistrate judge for the United States District Court for the District of Arizona on February 6, 2019. She is the sole federal judge in Flagstaff, Arizona. Northern Arizona is home for over a dozen Native American

tribes and a multitude of internationally popular public lands including Grand Canyon National Park. Prior to coming onto the bench, Judge Bibles served as the lead attorney managing the Flagstaff Division of the Office of the U.S. Attorney for the District of Arizona. After graduating from law school at the College of William and Mary in 1987, Judge Bibles began her career with the Coconino County Attorney's Office in Northern Arizona. Her skill in convicting violent criminals, especially murderers, led to her being the first prosecutor in Arizona, and one of the first in the U.S., to present DNA evidence to a jury. In 1998, Judge Bibles became a member of the U.S. Attorney's Office for the District of Arizona. In 2002, she took a leave of absence to take a position at the International Criminal Tribunal (ICTY) for the former Yugoslavia as a war crimes prosecutor. Returning to the U.S. Attorney's Office in Arizona in 2004, Judge Bibles focused on prosecuting hostage-taking cases in Phoenix before moving to the Flagstaff Division, where she continued to prosecute a wide variety of cases. Judge Bibles returned in 2012 to ICTY, where she was a senior trial attorney for the team prosecuting General Ratko Mladić. Judge Bibles maintains chambers in Flagstaff.

NEW JUDGES CONTINUED



Kathleen L. DeSoto was appointed as a magistrate judge for the United States District Court for the District of Montana on August 2, 2019. Prior to her appointment, Judge DeSoto was a partner at Garlington, Lohn & Robinson PLLP in Missoula,

Montana, where her practice focused on insurance defense and coverage, school liability litigation, legal malpractice litigation and federal criminal defense. Before entering private practice in 2001, she clerked for Chief District Judge Jack D. Shanstrom of the U.S. District Court for the District of Montana. Judge DeSoto received her B.A. from Santa Clara University in 1989 and attended graduate school in English literature at the University of Montana. She received her J.D. from the University of Montana School of Law in 1999. Judge DeSoto maintains chambers in Missoula.



Allison H. Goddard was appointed as a magistrate judge for the United States District Court for the Southern District of California on August 1, 2019. Prior to her appointment, she was of counsel to Patterson Law Group, LLC, where her practice

focused on representing plaintiffs in complex litigation, including class actions and intellectual property litigation. She spent the first half of her legal career representing businesses in complex litigation as an associate at Cooley LLP and a partner at Jaczko Goddard LLP. Judge Goddard received her B.A. from Boston College in 1993, and her J.D. from the University of San Diego School of Law in 2000. She maintains chambers in San Diego.



Michelle L. Peterson was appointed as a magistrate judge for the United States District Court for the Western District of Washington on March 1, 2019. Prior to her appointment to the bench, Judge Peterson was of counsel at DLA Piper LLP, a partner in the

Seattle firm of Lane Powell, P.C., and a partner at Yarmuth Wilsdon Calfo, PLLC. She opened her own firm, Michelle Peterson Law PLLC, where her practice

focused on white collar criminal defense, government investigations, False Claims Act litigation, and commercial litigation. Judge Peterson has long been an active member of the federal bar. She served as a Western District of Washington U.S. District Court lawyer representative. She co-chaired the Local Rules Committee for the Western District of Washington Federal Bar Association. In that capacity, she also co-chaired a subcommittee on electronically stored information (“ESI”) that created the U.S. District Court for the Western District of Washington’s Model Agreement Regarding Discovery of Electronically Stored Information. Additionally, Judge Peterson was a member of the Federal Pro Bono Panel, a Criminal Justice Act panel attorney for the Federal Public Defender’s Office, and the Federal Bar Association liaison for the Western District of Washington’s Drug Reentry Alternative Model (DREAM). Judge Peterson has participated in a number of publications and speaking events, covering broad topics such as roving wiretaps, e-Discovery, and health care fraud. After her appointment, Judge Peterson served as the chair of the Criminal Local Rules Committee. She received her B.A. from Seattle Pacific University in 1997 and is a 2000 University of Minnesota Law School graduate. She maintains chambers in Seattle.



Wes R. Porter was appointed as a magistrate judge for the United States District Court for the District of Hawaii on May 8, 2019. He began his career as a trial counsel for the Judge Advocate General (JAG) Corps in the U.S. Navy stationed at Pearl Harbor.

He then worked as a special assistant U.S. attorney for the District of Hawaii handling civil matters filed against the United States. Judge Porter next served as an assistant U.S. attorney for the District of Hawaii, a senior trial attorney with the U.S. Department of Justice’s Criminal Division, Fraud Section, in Washington D.C., and an enforcement attorney at the U.S. Securities and Exchange Commission in its San Francisco Regional Office. Before his appointment, Judge Porter also served in academia, as a tenured law professor and the director of the Litigation Center, at Golden Gate University School of Law in San Francisco and as a visiting

professor at the University of Hawaii at Manoa William S. Richardson School of Law. He remains active in education and the community. Judge Porter maintains chambers in Honolulu.



Rom A. Trader was appointed a magistrate judge for the United States District Court for the District of Hawaii effective January 4, 2019. Prior to his appointment, he served as a state circuit court judge for about 10 years and was assigned to both the civil and criminal trial calendars. Prior to his judicial career, Judge Trader spent 20 years as a deputy prosecuting attorney. Judge Trader earned both his B.A. in economics in 1984 and his J.D. in 1987 from the University of Hawaii. Judge Trader maintains chambers in Honolulu.



Brenda Weksler was appointed as a magistrate judge for the United States District Court for the District of Nevada on May 1, 2019. Prior to her appointment to the bench, Judge Weksler served as an assistant federal public defender for the Office of the Federal Public Defender in the District of Nevada. Previously, she served as a judicial law-clerk to Chief Judge Kathy Hardcastle of the Eighth Judicial District Circuit Court of Nevada. Judge Weksler has a wide array of litigation experience in federal court representing indigent clients charged with various federal crimes. In addition to her substantial experience with evidentiary hearings she has tried numerous bench and jury trials. She has also represented her clients in the Ninth Circuit. She taught seminars on several topics across the country, including evidentiary and procedural issues, and was the trial training director for the Office of the Federal Public Defender in the District of Nevada from 2012 to 2019. Born in Buenos Aires, Judge Weksler moved to Las Vegas when she was 14 and has planted strong roots in Las Vegas. She is a member of several organizations geared to improving the practice of law and preserving access to justice, and has served on several boards, including the Clark County Bar, the Federal Bar Association, and the Federal Court Pro Bono Program. Judge Weksler received her degree in English with a

minor in philosophy from University of Las Vegas, Nevada, and graduated from Boyd School of Law at UNLV in 2002. She maintains chambers in Las Vegas.



Elayna J. Youchah was appointed as a magistrate judge for the United States District Court for the District of Nevada on August 6, 2019. She was a private civil litigator for approximately 25 years after completing a clerkship with Magistrate Judge Lawrence R. Leavitt in the U.S. District Court for the District of Nevada. Immediately prior to joining the bench, Judge Youchah was an equity partner with Jackson Lewis, where her practice focused on labor and employment law. During and before Judge Youchah spent many years in the civil practice of law, she has been a dedicated advocate for children through Guardian ad Litem, Court Appointed Special Advocates Office, and through the Children's Aid Program sponsored by the Legal Aid Center of Southern Nevada. Judge Youchah is also involved in animal rescue when time allows. Judge Youchah received an A.B., with distinction, from the University of Michigan in 1980, a master's degree in social work from the University of Washington in 1983, and graduated Order of the Coif from the University of Southern California School of Law in 1993. Among the positions Judge Youchah held as a social worker were director of the Wake County Juvenile Delinquency Project in Raleigh, North Carolina; foster home coordinator for Casey Family Programs, in Seattle; and social worker for the King County public defender office in Seattle, creating and coordinating alternative sentencing options for adjudicated juvenile offenders. Judge Youchah maintains chambers in Las Vegas.

SENIOR JUDGES



Circuit Judge Carlos T. Bea of the United States Court of Appeals for the Ninth Circuit was confirmed by the Senate on September 29, 2003, and received his judicial commission on October 1, 2003. Judge Bea assumed senior status on December 12, 2019.

Prior to his appointment to the federal bench, Judge Bea served as a judge of the Superior Court of California, County of San Francisco, from 1990 to 2003. Previously, he engaged in private practice in California for more than 30 years. Judge Bea received his B.A. from Stanford University in 1956 and his J.D. from Stanford Law School in 1958. He maintains chambers in San Francisco.



Circuit Judge Jay S. Bybee of the United States Court of Appeals for the Ninth Circuit was confirmed by the Senate on March 13, 2003, and received his judicial commission on March 21, 2003. He assumed senior status on December 31, 2019. Prior to

his appointment to the bench, he served as an assistant attorney general for the Office of Legal Counsel at the Department of Justice from 2001 to 2003. Judge Bybee began his career at the DOJ in 1984, first in the Office of Legal Policy and then in the Appellate Section of the Civil Division. He served at the White House as associate counsel to the president from 1989 to 1991. In 1999, he joined the founding faculty of the Williams S. Boyd School of Law at the University of Nevada, Las Vegas. Previously, he was a faculty member of the Paul M. Hebert Law Center at Louisiana State University. Judge Bybee received his B.A. from Brigham Young University in 1977 and his J.D. from the J. Reuben Clark Law School at Brigham Young University in 1980. Following law school, he served as a law clerk to Circuit Judge Donald Russell of the U.S. Court of Appeals for the Fourth Circuit and was an associate with Sidley & Austin. Judge Bybee maintains chambers in Las Vegas.



District Judge Morrison C. England, Jr., of the United States District Court for the Eastern District of California was confirmed by the Senate on August 1, 2002, and received his judicial commission the following day. He assumed senior

status on December 17, 2019. Prior to his appointment to the federal bench, Judge England served as a judge of the Superior Court of California, County of Sacramento, from 1996 to 2002. Previously, he engaged in private practice from 1983 to 1996. Judge England received his B.A. from the University of the Pacific in 1977 and his J.D. from the University of the Pacific, McGeorge School of Law in 1983. He joined the U.S. Army Reserve in 1988. Judge England maintains chambers in Sacramento.



District Judge Andrew J. Guilford of the United States District Court for the Central District of California was confirmed by the Senate on June 22, 2006, and received his judicial commission on June 26, 2006. He assumed senior status on July 5,

2019. Prior to his appointment to the bench, Judge Guilford engaged in private practice in Costa Mesa, California, from 1975 to 2006. He received his A.B. from the University of California, Los Angeles, in 1972, and his J.D. from UCLA School of Law in 1975. He maintains chambers in Los Angeles.



District Judge Barry Ted Moskowitz of the United States District Court for the Southern District of California was confirmed by the Senate on December 22, 1995, and received his judicial commission on December 26, 1995. He assumed

senior status on January 23, 2019. Prior to his appointment, Judge Moskowitz served as United States magistrate judge in the Southern District of California from 1986 to 1995. Previously, he was an assistant U.S. attorney for the Office of the U.S. Attorney in the Southern District of California from 1985 to 1986. He engaged in private practice in Wayne, New Jersey, from 1982 to 1985. Before that, he served as assistant U.S. attorney for the Office of the U.S. Attorney in the District of New Jersey from 1982 to 1985. Judge Moskowitz received his B.A. from Rutgers University in 1972 and his J.D. from Rutgers School of Law, Newark, in 1975. Following law school, he clerked at the U.S. Court of Appeals for the Third Circuit from 1975 to 1976. He maintains chambers in San Diego.

IN MEMORIAM



Bankruptcy Judge James N. Barr, 78, of the United States Bankruptcy Court for the Central District of California, died on June 8, 2019. Judge Barr was appointed as a bankruptcy judge for the Central District on January 12, 1987, and retired on May 1, 2006.

Prior to his appointment to the bench, Judge Barr served as a bankruptcy trustee in Orange County, California, while also serving as a judge pro tem in the Orange County Superior Court and as a court-appointed arbitrator for that court. Judge Barr received his bachelor's degree in political science from Illinois Wesleyan University in 1962. After graduating from college, he served in the Navy from 1962 to 1967, doing two tours in Vietnam as a navigator on seaplanes. After serving in the Navy, Judge Barr attended law school and received his J.D. from Illinois Institute of Technology's Chicago-Kent College of Law in 1971. Judge Barr is survived by his wife, Phyllis; his son, Jamie; his daughters, Renae and Michele; and beloved grandchildren.



Magistrate Judge Dennis J. Hubel, 71, of the United States District Court for the District of Oregon died on September 16, 2019. Judge Hubel was first appointed as a part-time magistrate judge on January 24, 1995, and was then appointed to a full-time

magistrate judge on January 1, 1998. He served in that capacity until his retirement in 2015 and continued to serve on recalled status. Prior to his appointment to the bench, Judge Hubel engaged in private practice as a partner at Karnopp Peterson in Bend, Oregon, from 1987 to 1995. Previously, he was a partner at Mitchell, Lang & Smith in Portland, Oregon, from 1976 to 1987. Judge Hubel attended Cornell University on a Navy ROTC scholarship and graduated, cum laude, from Lewis & Clark College, Northwestern School of Law. He served in the U.S. Navy aboard a nuclear submarine during the Vietnam War. Judge Hubel is survived by his wife, Marcia, and two children.



Senior Circuit Judge Procter R. Hug, Jr., 88, of the United States Court of Appeals for the Ninth Circuit, died on October 17, 2019. His death came less than four months after that of his wife, Barbara, to whom he was married for 65 years. Judge Hug was confirmed by

the Senate on September 15, 1977, and received his judicial commission the same day. He served as chief judge from 1996 to 2000 and assumed senior status on January 1, 2002. Prior to his appointment, he served as a civilian aide to the secretary of the U.S. Army in 1977. He was general counsel for the University of Nevada System from 1972 to 1976 and served as deputy attorney general for the State of Nevada. Judge Hug engaged in private practice in Reno, Nevada, from 1958 to 1977. He served as lieutenant in the U.S. Navy from 1954 to 1955. Judge Hug received his B.S. from the University of Nevada in 1953 and his LL.B. from Stanford Law School in 1958. He is survived by his son, Procter; daughters, Cheryl and Elyse; and eight grandchildren.



District Judge Garr M. King, 83, of the United States District Court for the District of Oregon died on February 5, 2019. Judge King was confirmed by the Senate on April 27, 1998, and received his judicial commission on April 30, 1998. He assumed senior

status in 2019. Prior to his appointment to the federal bench, Judge King engaged in private practice in Portland, Oregon, for more than 30 years. Previously, he served as deputy district attorney for Multnomah County in Oregon from 1963 to 1966. Judge King attended the University of Utah and earned his LL.B. from Northwestern School of Law, Lewis and Clark College, in 1963. He joined the U.S. Marine Corps in 1954. Judge King is survived by his wife, Mary Jo; his children, Mary, Mike, Matt, Jim, Meg, and John; and 13 grandchildren. His son, David, preceded him in death.



Bankruptcy Judge Lloyd M. King, 82, of the United States Bankruptcy Court for the District of Hawaii, died on October 17, 2019. Judge King was appointed as a bankruptcy judge for the District of Hawaii on August 1,

1992. Previously, he served as a bankruptcy judge from 1975 to 1992 in the Northern District of California, where he served as chief judge from 1986 to 1992. In 2002, he began working on recalled status in the districts of Hawaii, Delaware and Nevada. After more than four decades on the federal bench, Judge King retired in 2016. Judge King received his B.A. from the University of California, Los Angeles, in 1958 and his LL.B. from UC Berkeley, School of Law, in 1965. Following law school, Judge King engaged in private practice as a bankruptcy specialist in San Francisco from 1965 to 1975. He is survived by his wife Mollie; his children Leslie, Dennis, Alison, and Dean; his five grandchildren; and his four siblings, Lynne, Garry, Ginger and Michael.



Senior District Judge Manuel L. Real, 95, of the United States District Court for the Central District of California, died on June 26, 2019. Judge Real was confirmed by the Senate on October 20, 1966, and received his judicial commission on November 3, 1966. He

was one of the first district judges appointed by President Lyndon B. Johnson to the Central District of California. Judge Real also was the Central District's longest serving chief judge, who led his court from 1982 to 1993. Before assuming senior status on November 4, 2018, Judge Real was the longest serving active district judge in the United States, and in modern history in the U.S., having served 50 years as an active district judge. Prior to his appointment to the bench, he served as the U.S. attorney for the Southern District of California from 1964 to 1966. Judge Real engaged in private practice in San Pedro, California, from 1955 to 1964. Previously, he served as an assistant U.S. attorney for the Southern District of California from 1952 to 1955. Judge Real received his bachelor's degree

from the University of Southern California in 1948 and his LL.B. from Loyola Law School in 1951. He served in the U.S. Naval Reserve from 1943 to 1945. Judge Real is survived by his wife, Tao; his sons, Michael, Jay and Tim; and his daughter, Melanie.



Magistrate Judge Brian Quinn Robbins, 74, of the United States District Court for the Central District of California, died on June 7, 2019. Judge Robbins was appointed as a magistrate judge in 1994 and served in that capacity until 2002, when he

retired from the bench. Prior to his appointment, he had his own criminal defense practice in Los Angeles since 1987. Previously, he worked as a deputy federal public defender for the Central District from 1979 to 1987. He joined the Antitrust Division of the U.S. Department of Justice in 1975. Judge Robbins received his B.A. from the University of California, Los Angeles, in 1967 and his J.D. from the University of California, Berkeley School of Law in 1972. Following law school, he worked as an associate at the National Housing and Economic Development Law Project, where he litigated tenants' rights and rent control issues.



Senior District Judge Paul G. Rosenblatt, 91, of the United States District Court for the District of Arizona, died on October 6, 2019. Judge Rosenblatt was confirmed by the Senate on June 8, 1984, and received his judicial commission on

June 11, 1984. He assumed senior status on October 30, 2003. Prior to his appointment to the federal bench, Judge Rosenblatt served as the presiding judge of the Superior Court of Arizona, Division One, in Yavapai County, from 1973 to 1984. Previously, Judge Rosenblatt engaged in private practice in Prescott, Arizona, from 1971 to 1973. He worked for U.S. Representative Sam Steiger of Arizona from 1967 to 1972 and was the assistant attorney general for the State of Arizona from 1963 to 1966. Judge Rosenblatt received his A.B. from

IN MEMORIAM CONTINUED

the University of Arizona in 1958 and his J.D. from the University of Arizona College of Law (now James E. Rogers College of Law) in 1963. He is survived by his wife, Shannon, his two daughters and two grandsons.



District Judge George P. Schiavelli, 71, of the United States District Court for the Central District of California died on August 28, 2019. Judge Schiavelli was confirmed by the Senate on June 24, 2004, and received his judicial commission on July 8, 2004. His

service was terminated due to resignation in 2008. Prior to his appointment to the federal bench, Judge Schiavelli served as a judge of the Superior Court of California for the County of Los Angeles from 1994 to 2000.

Previously, he engaged in private practice in Los Angeles from 1974 to 2004. Judge Schiavelli received his A.B. from Stanford University in 1970 and his J.D. from the University of California at Los Angeles School of Law in 1974. He is survived by his wife, Holli, and his children, Peter and Olivia.

PROCTER R. HUG, JR. IN MEMORIAM

The Ninth Circuit Court of Appeals mourned the passing of Chief Judge Emeritus Procter R. Hug, Jr., who passed away on October 17, at the age of 88. His death came less than four months after that of his wife, Barbara, to whom he was married for 65 years.



Chief Judge Emeritus Procter R. Hug, Jr., photographed in 1990 by Circuit Judge Cynthia Holcomb Hall (1929-2011).

Judge Hug – Proc to his friends and colleagues – was nominated to the Ninth Circuit Court of Appeals by President Jimmy Carter on August 29, 1977 and was confirmed by the Senate the following month. He served as chief judge from 1996 to 2000, and assumed senior status in 2002, retiring from the bench in 2017. A beloved son of the state of Nevada, he sat on more than 7,000 appellate panels and authored more than 600 opinions during his tenure on the bench. Judge Hug was known and respected throughout the circuit and the nation for his staunch advocacy on behalf of the federal judiciary. The many tributes that Judge Hug received throughout his career and after his passing are testaments to the tremendous esteem in which he was held.

“I considered Proc as the kind of person, and the kind of leader, who made everyone around him better. His warmth, optimism, vision, intelligence, eloquence, quiet perseverance, and sense of humor made him one of the most effective chief judges that we have known – and he is in very competitive company,” said Chief Circuit Judge Sidney R. Thomas.

Ninth Circuit Judge Mary M. Schroeder, who succeeded Judge Hug as chief judge, said that he embodied dignity and elegance. “Judge Hug didn’t let anything faze him,” she said. “It was part of his bearing,” she added. Judge Schroeder noted what so many others have observed regarding his extraordinary effectiveness as chief judge, who fought diligently for judicial independence, and initiated advances in the areas of wellness and civics education, among other efforts. Judge Schroeder also commented about his optimistic outlook on humanity. “He always believed that people were fundamentally good,” she noted. “He didn’t believe in court rules because he thought that people had a good moral compass and wouldn’t violate (basic codes of conduct).”

Judge Hug’s son, Procter J. Hug – himself an accomplished attorney in Reno – remembers his dad as “a wonderful mentor and father who epitomized optimism, patience, kindness, and humility. He was the best role model and teacher a son could have. Dad touched many people during his exceptional life, none more deeply than his family. He was good and decent to the core, the finest man I have ever known.”

Ninth Circuit Court Judge Carlos Bea’s memory of Judge Hug dates back several decades. “Proc was in my class at Stanford,” Judge Bea recalled. “He was liked by all for his sunny disposition and respected for his great talents. This did not change when he reached the court. He truly believed in the value of collegiality.”

In a direct tribute to Judge Hug in 2002, his lifelong friend Ninth Circuit Judge Melvin Brunetti said, “what has stayed with me through all these years and what I have seen in you as a person, a lawyer, and a judge is your compassion for others and your desire, as it is popular to say today, to include everyone and to leave no one behind.”



Chief Judge Procter R. Hug, Jr., with 32 of the active and senior judges of the United States Court of Appeals for the Ninth Circuit. Photo taken in 2006.

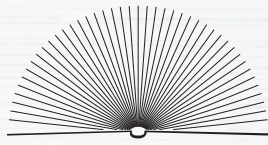
Judge Hug's superb reputation was well known throughout Nevada, where he had served as deputy state attorney general and general counsel for the University of Nevada System before joining the court. The state's former U.S. Senator, Harry Reid, paid tribute to him in 2002, as recorded in the Nevada Law Journal. "Chief Judge Hug is liked for his courteous and direct manner in questioning attorneys during oral argument," Senator Reid said. "He always asked his questions with a smile on his face, and was kind to all counsel, irrespective of his view regarding the disposition, or merits, of their cases. But above all, Chief Judge Hug should be recognized as the most effective advocate and defender that the Ninth Circuit has known in Washington."

Equally well appreciated by all who knew them was the partnership between Judge Hug and his wife, Barbara. Their marriage was not only remarkably long but also served as a model for others. As Chief Judge Thomas observed, "Proc and Barbara were the people we all hope

to be, and, in a greater sense, what we hope America is. They were not only among the best of their generation but among the best of any generation."

Prior to his work with the Nevada Attorney General's Office and the University of Nevada, Judge Hug made a name for himself as a successful litigator in private practice. Previously, he served as a lieutenant in the U.S. Navy in the 1950s. His very early years were also noteworthy: he was named Outstanding Boy at Sparks High School (while his wife – his high school sweetheart – was named Outstanding Girl a year later). He was student body president his senior year, a star hurdler, and a debate champion. He received his bachelor's degree from the University of Nevada and his law degree from Stanford Law School.

In addition to his son, Judge Hug is survived by his daughters, Cheryl Hug English and Elyse Hug Pasha, and eight grandchildren. 



**CIRCUIT
HIGHLIGHTS**

THE POWER ACT

The Pro Bono Work to Empower and Represent, or POWER Act was signed into law in September 2018 to aid in the fight against domestic abuse and sexual violence. The POWER Act mandates that each year for four years, starting in 2019, the chief judge of each judicial district across the country hold at least one event promoting pro bono legal services as a critical way to empower survivors of domestic violence, stalking, and sexual assault, engage citizens, and help lift victims out of the cycle of violence. The bill also requires that every two years, an event be held in areas with high numbers of Native Americans and Alaska Natives, with a focus on addressing these issues among Native populations.

Studies have shown that when abuse victims are represented by an attorney, their ability to break out of the cycle of violence increases dramatically. For example, one study found that 83 percent of victims represented by an attorney were able to obtain a protective order compared to just 32 percent of victims without an attorney.

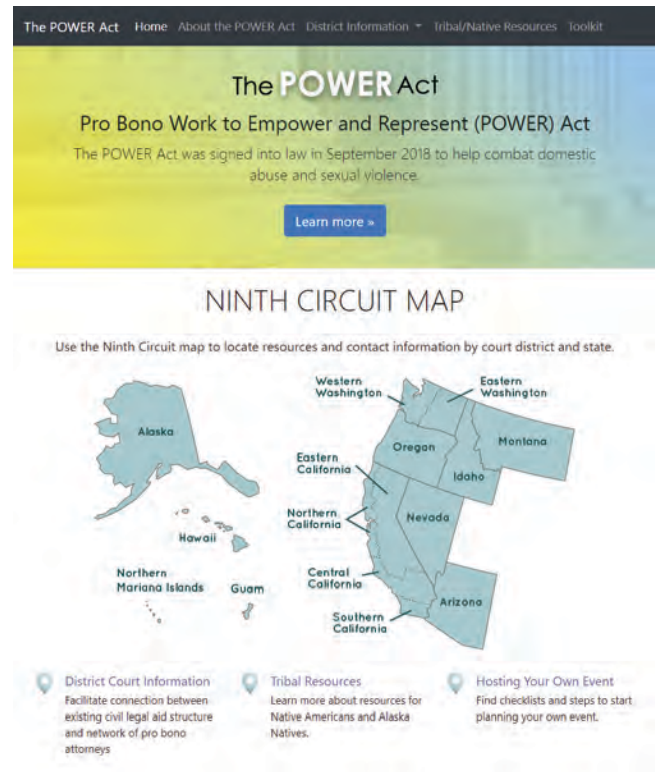
Background

The POWER Act was inspired by the pro bono summits Senator Dan Sullivan (R-AK) organized throughout the state while he was attorney general of Alaska working on the “Choose Respect” campaign.

As introduced and passed by the Senate in August 2017, the POWER Act’s unfunded mandates were originally placed on the Department of Justice and the U.S. attorneys. The bill was pending in the House of Representatives for almost one year. On July 17, 2018, without involving the federal judiciary, the House passed the bill with a floor amendment transferring the requirements to the federal judiciary. Despite the best efforts of individual judges and the Administrative Office of the United States Courts’ Office of Legislative Affairs, on August 15, 2018, the Senate passed the POWER Act and was signed into law by the president on September 4, 2018. The POWER Act expires, by its own terms, in 2023.

Concerns

Several concerns about the POWER Act were identified by the Administrative Office of the United States Courts (AO) and were conveyed to Senator Charles Grassley



(R-IA), chair of the Senate Committee on the Judiciary, by AO Director James C. Duff prior to the passage of the Act. A main concern was the overall effectiveness of the Act – since most domestic violence cases proceed in state court, there is rarely federal jurisdiction.

Another significant concern was whether the Act would violate a chief judge’s ethical obligations under the Code of Conduct for United States Judges (Code). The Judicial Conference of the U.S. Committee on Codes of Conduct opined that the Act’s requirements could potentially put chief judges in a position where they are required to engage in extrajudicial activities that promote the interests of a specific constituency, in violation of Canon 4 of the Code. The committee advised that it would be possible to comply with the requirements of the Act while minimizing the appearance of impropriety if chief judges held events that promoted a wide variety of pro bono opportunities and resources.

Lastly, no funding was allocated to assist with event costs – the Act requires that these events be funded through existing local court allotments.

Enactment

Despite little initial guidance, the districts within the Ninth Circuit, and conference organizers of the 2019 Ninth Circuit Judicial Conference, rallied to provide programs prior to the September 4, 2019, deadline for hosting the first event.

To assist with organizing events, the Office of the Circuit Executive created a website containing background and statistical information, as well as a toolkit and a repository for information on each district in the Ninth Circuit. The website provides tips and materials for organizing an event including sample flyers, press releases, guidance for social media and more. The site also contains information specific to Tribal/Native Resources.

Courts partnered with their local bar organizations, along with educators, tribal leaders, and various pro bono groups for a wide variety of POWER Act events. A few were held in conjunction with other programs, but most courts opted for a focused event. Many courts offered CLE credit and attendance ranged from 20 to 100 participants.

In Alaska, the court organized an event in conjunction with the Alaska Chapter of the Federal Bar Association's Annual Convention. Senator Sullivan provided welcome remarks, and among the presentations was a powerful first-hand account by a survivor and one of her pro bono attorneys. The district held another event the following month offering training sessions on legal representation and remedies for domestic violence, litigating Section 1983 cases, and best practices in working with vulnerable populations.


The District of Arizona utilized existing seminars and gatherings, including the Federal Bar Association's Civil Practice Seminar, the state bar's "Meet the Bench" day, and a CLE Meet & Greet session in conjunction with the Navajo and Apache County Bar Associations, as well as hosting a volunteer luncheon for attorneys who participate in its Pro Bono Volunteer program.

In the Northern Mariana Islands, the court provided a free CLE session with a specific focus on NMI's Temporary Restraining Order and Protection Laws. The

District of Guam offered up to three CLE credits for 12 presentations by various domestic violence service providers and advocacy groups.

In Washington State, the U.S. district court and the Ninth Circuit lawyer representatives organized a free half-day CLE attended by nearly 100 people from the legal and local communities from around the state. The CLE focused on the issue of Missing and Murdered Indigenous Women in the state. The day began with introductory remarks from Ninth Circuit Judge Morgan Christen, who introduced four separate panels consisting of subject matter experts including Professor Angela Riley, member of the Potawatomi Nation of Oklahoma and director of UCLA's Native Nations Law and Policy Center, and Abigail Echo-Hawk, an enrolled member of the Pawnee Nation of Oklahoma and chief research officer for the Seattle Indian Health Board. Other panelists included Chief Magistrate Judge Brian Tsuchida, of the Western District of Washington, along with District Judge Rosanna Malouf Peterson of the Eastern District of Washington, and Captain Monica Alexander (retired) of the Washington State Patrol Legislative Liaison. Associate Justice John Sledd of the Tulalip Tribes Court of Appeals discussed "Domestic Violence 101" on tribal lands for lawyer participants who looked for opportunities to contribute pro bono hours.

A general session program on "The POWER Act: The Western District of Washington's Compliance Program Focusing on Vanishing Native American Women and the Pro Bono Opportunities Advocated by the Alaska Legal Services Corporation" was presented during the 2019 Ninth Circuit Judicial Conference held July 22 in Spokane, Washington. Since the Ninth Circuit Judicial Conference is open to members of the bar, conference organizers decided that an education program about the POWER Act would be important to reach the circuit's attorney representatives whose assistance in developing pro bono programs for Native American women would be critical to the success of every district's POWER Act implementation.

While the POWER Act's mandate to the federal judiciary may have been misguided, the underlying goal is laudable, and our courts have risen to the challenge of seeking to educate attorneys on the value of providing pro bono assistance to a vulnerable segment of society. 

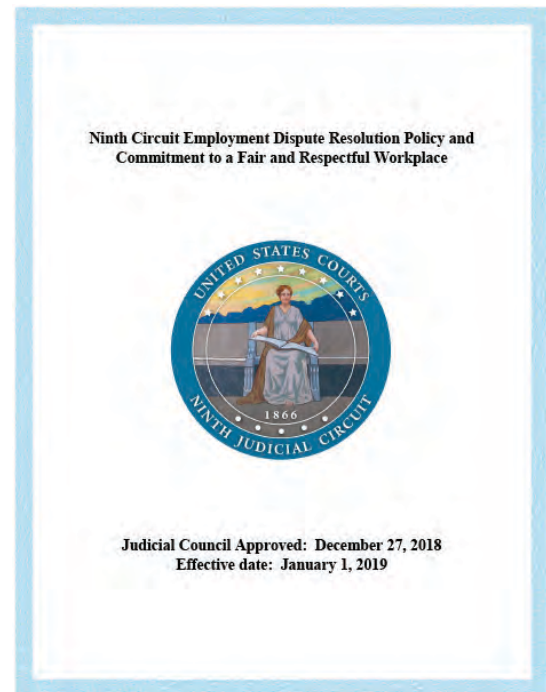
OFFICE OF WORKPLACE RELATIONS LEADS NINTH CIRCUIT'S WORKPLACE EFFORTS

In 2018, the Ninth Circuit established the position of director of workplace relations, which was one of the foremost recommendations put forward by the Ad Hoc Committee on Workplace Environment, which was appointed by Chief Judge Sidney R. Thomas in late 2017. The committee was created to review policies, procedures and practices aimed at maintaining a healthy working environment. The committee based its recommendation to establish a director of workplace relations position on input received from more than 3,000 current and former law clerks and other employees who responded to a questionnaire and participated in focus groups on the workplace environment. In November of 2018, Chief Judge Thomas announced the appointment of attorney Yohance Claude Edwards as the Ninth Circuit's director of workplace relations.

The Office of Workplace Relations leads the circuit's efforts to maintain a healthy and positive workplace environment. It is located at the James R. Browning United States Courthouse in San Francisco and is the first of its kind in the federal judiciary. The office has been fully operational since January 2019 with Mr. Edwards as director of workplace relations and a workplace relations specialist, Stella Huynh.

The Office of Workplace Relations oversees efforts to address discrimination, harassment, bullying, retaliation and other workplace matters for all employees throughout the circuit. The office is available to assist judges, leaders and staff in every unit in the circuit on workplace environment matters, including members of the court of appeals, district courts, bankruptcy courts, pretrial and probation offices and federal public defender offices. This assistance can take many forms, including confidential informal advice, trainings and presentations, assistance during complaint processes, and providing workplace related resources and referrals.

Contemporaneously with the opening of the Office of Workplace Relations, a significantly revised Employment Dispute Resolution (EDR) Policy went into effect for the circuit on January 1, 2019. The office works with judges and court units to implement the revised EDR Policy. The EDR Policy sets out the reporting and resolution options as well as the process through which employees can address workplace misconduct. The office serves as an avenue for employees to report workplace concerns and offers guidance about options that employees can use to resolve



workplace issues. The office also consults with judges and court unit executives on workplace environment and assists in informally or formally resolving workplace-related issues and concerns. The office frequently collaborates with EDR coordinators in each court unit, who also assist with the EDR process and are another avenue for employees to report and receive guidance about their options to address workplace concerns at the local level.

During its first year, some of the office's major goals included making its existence and function widely known throughout the circuit, hearing from and sharing information with key stakeholders, and being available to employees and leaders when needed. In early 2019, the office created external and internal webpages to provide workplace related information to the public and to judiciary employees. In addition, in 2019, Mr. Edwards spent significant time meeting with judges, leaders, and employees throughout the circuit. Mr. Edwards has provided trainings on the circuit's policies and

has presented on various workplace topics at judges' meetings, new judge orientation, court unit executive meetings and law clerk orientation. He also has traveled extensively to conduct trainings and speak to employees at district and bankruptcy courts, pretrial and probation offices, and federal public defender offices.

Providing enhanced support to EDR coordinators in their roles was another priority for the office in its first year. In the spring, the office conducted a needs assessment and webinar training for the EDR coordinators. The office also held a day and a half, in-person training attended by over 50 EDR coordinators in the fall of 2019. It was a priority for the circuit to provide this training for EDR coordinators because they are important local resources for employees facing a workplace issue. The training included how to conduct workplace investigations, how to have difficult conversations, how to conduct their own training for their court units, and an overview of the revised Ninth Circuit EDR Policy and the EDR process. Most significantly, the training also provided an opportunity for the EDR coordinators to network, share their experiences, and build relationships to work together collaboratively. Feedback from the EDR coordinators on the training was overwhelmingly positive.

The office continues to support the workplace environment committee in reviewing policies and procedures, developing new workplace initiatives, and evaluating the effectiveness of the workplace practices that are already in place. In June 2019, with the support of the office, the committee issued a report on the efforts it has taken to enhance the workplace environment for employees since the committee was established.

In July 2019, the committee launched the Law Clerk Resources Group, a new initiative to provide law clerks an additional workplace resource. It is comprised of a group of diverse former law clerks, who have clerked at different levels of state and federal courts and are currently employed in a variety of legal jobs, including in the private practice, government positions, and academia. The group can help current law clerks as they navigate their clerkships and provide mentoring. In addition, they serve as another avenue for law clerks to contact if they have concerns or are experiencing challenges and can act as a sounding board.

For law clerks in the court of appeals and district and bankruptcy courts, the circuit has implemented an exit survey to receive feedback. The exit survey provides separating law clerks an opportunity to comment and to offer suggestions on how to improve the circuit's workplace. Additionally, it provides the law clerks with an opportunity to report any workplace misconduct. The survey is voluntary, confidential, and anonymous. Information is only shared with circuit leadership and judges in the aggregate. All responses go to the Office of Workplace Relations. The survey has been a useful tool for the circuit, and some of the recommendations from law clerks exiting in 2019 have already been implemented.

The circuit's efforts to maintain a positive workplace is ongoing. The circuit continues to refine its policies and procedures and communicate information to employees in order to ensure that employees are aware of the support and resources available. More information about the Office of Workplace Relations is available on the circuit's website: <https://www.ca9.uscourts.gov/workplace>. □

NINTH CIRCUIT FEDERAL COURTS ENGAGE STUDENTS AND THE COMMUNITY WITH OUTREACH PROGRAMS

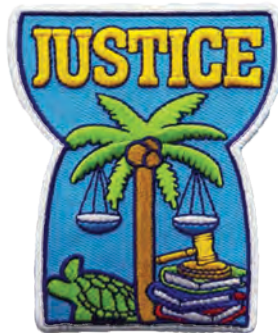
From Law Day activities to the Girl Scouts Justice Patch Program, federal courts throughout the Ninth Circuit have found creative ways to stay connected with the people and communities served by the courts. Whether it is something as simple as courthouse tours, or something as grand as ballpark naturalization ceremonies, judges, members of the bar, court staff and numerous volunteers come together to promote civics education in different ways.

The Girl Scout Troop 1085 program, established in the Central District of California, is a program that was inspired by an article about a Girl Scout troop for girls living in a New York shelter. Bankruptcy Judge Sandra R. Klein, of the Central District of California and Professor Laurie Levenson, of Loyola Law School, started a similar troop in Los Angeles. Girl Scout Troop 1085 is a troop for girls who are living at The Salvation Army Westwood Transitional Village, a 40-unit residential housing facility that provides support services for homeless families with children, including veterans with families. The housing facility was started by the late Ninth Circuit Judge Harry Pregerson,

who worked tirelessly to help build homeless shelters in some of the city's neediest areas. The establishment of the troop supports Judge Klein's previous work of encouraging Girl Scout Troops to visit her courthouse and earn civic badges through the Girl Scouts Justice Patch Program.

The Girl Scouts Justice Patch Program was designed to help young girls gain a greater understanding of the federal judicial system and how the federal courts operate. The Justice Patch Program was created after

Judge Klein discovered that, unlike the Boy Scouts, the Girl Scouts did not have a chance to earn a badge or patch by learning about the law and the legal profession. Girl Scouts who participate in the program have the opportunity to visit the Central District courthouse and tour Judge Klein's chambers. The program has expanded to the Districts of Guam and the Northern Mariana Islands.



The District Court of Guam held its inaugural Girl Scouts Justice Patch Program in May, and the District Court of the Northern Mariana Islands created the same program a few months later. At the 2018 Ninth Circuit Judicial Conference, civics outreach program participants from the District of Guam had been inspired to start the Girl Scouts Justice Patch Program after hearing Judge Klein talk about starting the program in her district. Chief District Judge Frances Tydingco-Gatewood, who had been one of the first "Girl Scout Greats" award recipients in 2012, was particularly excited by the prospect. The Girl Scouts toured the courthouse and met with women from



Girl Scouts Justice Patch in Central District of California, top, in District of Northern Mariana Islands, middle, and in District Guam, below. Professor Laurie Levenson, left, demonstrates to the girl scout troop how to properly apply an ACE bandage.



Students participating at the Eastern District of California's Open Doors to Justice Program.

all sectors of the judiciary and the legal field, including judges, law enforcement officers, attorneys and others. “I was proud to see many future leaders gain a deeper understanding and respect for the rule of law and the federal court system, including the role that judges and lawyers play in the administration of justice,” said Chief District Judge Tydingco-Gatewood. “The scouts learned the importance of civic responsibility particularly in our third branch of government.”

In the Northern Mariana Islands, the CNMI Superior Court joined the district court to host its first Justice Patch Program. Girl Scouts who attended saw presentations from an all-female panel of judges, law enforcement officials and lawyers. “It was a pleasure to host the young scouts at the courthouse,” said Chief District Judge Ramona Manglona. “It was a lot of fun to watch the eager girls interact with women in the various roles that comprise the justice system.” Chief District Judge Manglona added, “By having the girls speak directly with these professionals from our island community, I hope that they can see themselves in these roles in the future.”

Both districts plan to make the Justice Patch Program an annual event and hope other courts throughout the U.S. will be inspired to start their own.

In the Eastern District of California, more than 800 students from 17 high schools in the greater Sacramento area participated in the district’s Open Doors to Justice Program. The event was held March 7, 2019, at the Robert T. Matsui United States Courthouse in Sacramento. Students participated in mock trials, coached by judges and lawyers. They also visited The Justice Anthony M. Kennedy Library and Learning Center, which is housed in the Matsui courthouse. The district also piloted a “Trending Topics” program which was conceived as a “Teach In” for teachers to demonstrate that substantive topics can be developed for one-hour presentations at the court. “Presidential Emergency Declarations” was the topic presented in the Eastern District of California, where a law professor gave an overview and answered questions from teachers to weave more current civic topics into their curriculum. The program was then replicated at a local high school for all teachers. In addition, the partnership with the Ninth Judicial Circuit Historical Society has been beneficial in providing resources for teachers who are working on the Ninth Circuit Civics Contest.

Law Day is another event that courts throughout the Ninth Circuit and the federal judiciary celebrate in honor of the rule of law in a free society. Many courts facilitate themed panel discussions, provide court tours, hold mentor luncheons and Q&As. On February 21, 2019, over 50 students from New Designs Charter School high school and approximately the same number of volunteer judges, lawyers, legal professionals and externs visited the Richard H. Chambers U.S. Court of Appeals building in Pasadena, California. The Law Day celebration was organized by Judge Klein, who discussed “What is an ‘Unreasonable Search and Seizure’ in the Digital Age?” topic of the 2019 Ninth Circuit Civics Contest. Judge Klein welcomed the students and applauded them for their interest in the federal courts and the American judicial system. She acknowledged the judges and volunteers for



Judges, lawyers and other professionals joined high school students at the Richard H. Chambers U.S. Court of Appeals building in Pasadena, California, for a Law Day program.

participating and dedicating their time to meeting and mentoring the students. Los Angeles Superior Court Judge Eric C. Taylor joined the students and encouraged them to work hard because there is nothing stopping them from becoming a judge someday. Magistrate Judge Maria Audero engaged in a conversation with the students and shared her path to becoming a judge, while encouraging the students to explore possibilities of a career in law.

In Arizona, the 15th Annual Court Works program was held at the Sandra Day O'Connor U.S. Courthouse in Phoenix, Arizona, where nearly 340 eighth-grade students participated in a program designed to introduce the students to the judicial system. Each year, judges, attorneys, federal probation officers, courtroom staff and staff from U.S. Probation, U.S. Pretrial Services, and U.S. Marshals Service offices volunteer their time to provide an exceptional learning program for the students. Ninth Circuit Judge Mary H. Murguia founded the program with support from Arizona State University, Sandra Day O'Connor College of Law, and the U.S. District Court for the District of Arizona. Judge Murguia and all the volunteers hope that the program will inspire the students to remain in school and

perhaps explore legal studies to become future lawyers, legal professionals, law professors, and judges.

Naturalization ceremonies are conducted throughout the year by judges, who administer the Oath of Allegiance to naturalize U.S. citizenship applicants. The Southern District of California and the Central District of California partnered with the U.S. Citizenship and Immigration Services to naturalize applicants at the San Diego Padres and Los Angeles Dodgers stadiums. The events were part of a nationwide initiative by the federal courts to highlight Constitution Day and Citizenship Day, September 17. Senior District Judge Jeffrey T. Miller, of the U.S. District Court for the Southern District of California, administered the oath to 50 candidates from 40 countries before thousands of cheering fans in San Diego. Judge Klein did the same in Los Angeles, where 15 candidates from nine countries were naturalized by the pitcher's mound. Judge Klein described the experience of administering the oath in Dodgers Stadium as a "once-in-a-lifetime experience."

The First National Conference on Civic Education and the Federal Courts, hosted by the Second Circuit Court of Appeals, was attended by a team of judges and court


staff from the Ninth Circuit which strongly supports the Second Circuit's civic education efforts. Attendees from the Ninth Circuit were District Judge Kimberly J. Mueller of the Eastern District of California; Bankruptcy Judge Sandra R. Klein of the Central District of California; Kari Kelso, Ph.D., administrator for The Justice Anthony M. Kennedy Library and Learning Center; Rollins Emerson, Ninth Circuit archival specialist; and Daniella Garcia, Ninth Circuit librarian, based in the Robert E. Coyle Federal Building and U.S. Courthouse in Fresno, California. The group joined 138 judges, judiciary employees, representatives of civics education organizations, bar association leaders, law school deans and others in recognizing the importance of civics education and the great work federal appellate courts are engaging in around the country. Supreme Court Justices Stephen Breyer, Neil Gorsuch, and Sonia Sotomayor kicked off the conference by video to support this landmark event. Kelso shared how the Kennedy Learning Center was created and staffed to offer civic education programs within the Ninth Circuit, host exhibits and regional field trips. She discussed the Civics Passport program that other circuits can replicate and reported on the Teachers' Institutes established in the Districts of Montana and Eastern District of Washington. The group brainstormed on ideas for Constitution Day, classroom activities, court camps, teachers' institutes, student contests, financial literacy, historical reenactments, and circuit/district outreach committees' strategies and staffing.

The Ninth Circuit Civics Contest has been one of the key programs organized by the circuit's Courts and Community Committee. Many high school students participate for a chance to win monetary prizes and attend the Ninth Circuit Judicial Conference, where first-place winners in both the essay and video competitions have the opportunity to meet a Supreme Court justice, federal judges and members of the bar. The contest has been in effect for six years and has celebrated its fifth year as a circuit-wide contest. Winners of the 2019 Ninth Circuit Civics Contest were students from Alaska, Arizona, California, and Nevada. The theme of the contest was "The 4th Amendment in



First-place essay winner Natalie Fraser (center) from Alaska, joined left to right by home district judges: District of Alaska Judge Sharon L. Gleason, Chief Magistrate Judge Debora Smith and Chief District Judge Timothy M. Burgess; Ninth Circuit Judge Morgan Christen; and Senior District Judge H. Russel Holland.

the 21st Century – What is an ‘Unreasonable Search and Seizure’ in the Digital Age?” High school students were challenged to write an essay or produce a short video explaining how Congress and the federal courts have applied the 4th Amendment protections to electronic data services, particularly the cellphones upon which almost everyone relies. “We are very pleased that many students from all parts of the Ninth Circuit submitted hundreds of outstanding essays and videos, demonstrating an understanding of the importance of the 4th Amendment,” said District Judge Janis L. Sammartino of San Diego, chair of the Courts and Community Committee.

The Ninth Circuit and its federal courts continue to develop programs that will help students and communities gain a better understanding of the rule of law and the role it plays in American democracy. 

“COURT WORKS” STILL RUNNING STRONG

On November 1, 2019, nearly 340 eighth-grade students, many disadvantaged, filled 12 courtrooms and participated in a unique and memorable federal court experience, marking the 15th anniversary of the annual Court Works program held at the Sandra Day O'Connor United States Courthouse in Phoenix, Arizona. Court Works is a multi-partnership program designed to introduce eighth graders to the judicial system and provide the context for a future professional career in law. It also serves to bring the community to the courthouse.

Circuit Judge Mary H. Murguia, of the U.S. Court of Appeals for the Ninth Circuit, hosts the event with incredible support from the Arizona State University's Sandra Day O'Connor College of Law and the U.S. District Court for the District of Arizona. The success of this program is due in large part to the volunteers. Each year, nearly 60 attorneys and 20 courtroom staff members, many of whom are federal probation officers, volunteer their time. ASU law student directors provide exceptional leadership in coordinating the program. They handle local middle school recruitment and serve as point persons for the teachers. ASU law student volunteers also prepare the students by conducting school visits and assisting with their writing. Planning this annual event begins early and is a huge undertaking.

The Court Works program consists of students participating in mock trials in the morning, during which attorney volunteers are assigned to sit beside a “student attorney” or a “student judge” and help



Students in the courtroom, above, observe a mock trial, where students assume the role of attorney and judge. Deputy Ron Krause, of the U.S. Marshals Service for the District of Arizona, with his explosives detection K-9 partner, Joy, demonstrate their skills on prepared FedEx packages. Circuit Judge Mary H. Murguia, below, with the students who participated in the 15th Court Works program in Phoenix.



them with their role during the mock trial. The staff volunteers to help keep everything running smoothly and on time. Following the mock trial, the students gather in the Jury Assembly Room for a general assembly. Judge Murguia, as well as volunteers from U.S. Probation, U.S. Pretrial Services, and U.S. Marshals Service offices give short presentations on their role in the courthouse. Canine Deputy “Joy” is usually the star of the show! The goal is simple – to encourage the students to stay in school, to teach them the importance of the Constitution and civic engagement at an early age, and to possibly consider a career in the legal system. Judge Murguia recalls one of her most rewarding experiences occurred when her junior high government teacher organized a mock trial within the classroom. It was this experience that she recalls shaped her career and put her on the path to become a lawyer and a judge.

Judge Murguia, the founder of the Court Works program, now in its 15th year, stated, “What we learn about our government, public institutions, and democratic values during our adolescence helps us understand our role as active citizens when we become adults.” With that goal in mind, the Court Works program strives to give students from the most under-resourced communities the rare opportunity to not only learn about civics but also to practice civics. Judge Murguia believes the federal courts can play an important role in the lives of young students in the Phoenix community. “These students undertake this exercise inside a federal courthouse, which is one of the bedrock institutions of our republic. The hope is that exposing them to ideas about fairness, due process,

and justice will cause these eighth graders to imagine themselves as civically engaged adults who fully participate in our democracy,” Judge Murguia said.

When asked if this is what she envisioned for the community outreach program 15 years ago, Judge Murguia replied, “I wasn’t sure when we started whether the program would last a year or two. It was an experiment for the Arizona federal district court and the Arizona State University College of Law, which was later named the Sandra Day O’Connor College of Law. And, for the last ten years, we have enjoyed the support of the Ninth Circuit U.S. Court of Appeals.”

Judge Murguia noted, “The partnership with the Sandra Day O’Connor College of Law is fitting considering Justice O’Connor’s strong commitment to civic education. I couldn’t be more proud of the program and the law student, lawyer, and staff volunteers who enthusiastically contribute their valuable time every year.

The aim of the Court Works program is also to plant the seed of public legal service in the young minds of participating students. Judge Murguia added, “The vitality and strength of our justice system depends on its ability to recruit some of the brightest and most hard-working individuals from all corners of our society. As they grow older and decide what they want to spend their lives doing, my hope and that of all the volunteers, is that memories of the Court Works program will drive some of these students to, of course, stay in school, but to also perhaps pursue legal studies to become tomorrow’s legal professionals, lawyers, professors, and even judges.” □

NINTH CIRCUIT CIVICS CONTEST

Over 1,300 students submitted essays on the theme of the 4th Amendment addressing the question: “What is an Unreasonable Search and Seizure in the Digital Age?” All 15 districts participated with Central California leading the essay entrants and Nevada close behind. In a survey of participants, 94 percent heard about the contest from their teacher, which reminds us of the critical role played by the teaching community in reaching students. The top three winners for the essay contest came from Anchorage, Alaska; Phoenix, Arizona; and Arcadia, California; respectively.

Essay Winners

1st place – Natalie Fraser of West High School in Anchorage

2nd place – Kellen Vu of Arizona School for the Arts in Phoenix

3rd place – Jessica Chou of Arcadia High School in Arcadia

Video Submissions

Video submissions allow students to express their answer to the theme question in performances, interviews, discussions, and other creative contexts. In 2019, the circuit received 144 videos. A team from Sparks, Nevada, won first place. Second place in the video category was earned by a student from Palo Alto, California, and third place went to a team from the powerhouse high school in Arcadia, California, where the third-place essay winner also attends.

Video Winners

1st place – The team of Matthew Lovering, Colton Massic and Jason Mueller of Spanish Springs High School in Sparks

2nd place - Raveena Lele of Castilleja School in Palo Alto

3rd place – The team of Jessica Chou Maxwell Tong and Aaron Wu of Arcadia High School in Arcadia.




First-place essay and video contest winners, along with Eastern District of Washington winners, share smiles with Chief Circuit Judge Sidney R. Thomas and District Judge Janis L. Sammartino.

The Ninth Circuit Civics Contest is a project of the Courts and Community Committee chaired by District Judge Janis L. Sammartino of the Southern District of California.

Although open to all high school students, public, private, and home schooled, most entrants are juniors and seniors. The program sought and received increased participation through additional marketing and outreach to socio-economically impacted schools and those from diverse communities. Some districts work with their lawyer representatives and larger bar associations, community leaders, and local media to promote the contest, and some judges reach out directly to schools to share the information in conjunction with their on-going educational outreach.

Contests begin at the district level with three levels of winners rising to the circuit level where, in addition to any local prizes, the circuit awards scholarship prizes of \$2,000, \$1,000 and \$500 in both the written and video competitions. In addition, first-place winners along with a parent/guardian are invited to attend the Ninth Circuit Judicial Conference.

The first-place winners of the 2019 Ninth Circuit Civics Contest attended the 2019 Ninth Circuit Judicial Conference held in Spokane, Washington, where they met judges, court executives, and members of the bar. The students, along with their parents, attended the Civics Contest Reception, where they received their checks and certificates. Following the reception, the students attended the Opening Ceremony and were recognized and introduced to conference attendees. 

JUDGES AND MEMBERS OF THE BAR GATHER IN SPOKANE FOR JUDICIAL CONFERENCE

More than 900 attendees convened for the 2019 Ninth Circuit Judicial Conference held July 22-25, 2019, at the Spokane Convention Center in Spokane, Washington. The 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.

The conference provides first-rate educational programs and facilitates circuit governance through its numerous business meetings. Conferees include 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; federal defenders; U.S. attorneys; court executives and staff; and special guests.

Presenters and panelists at the conference include federal appellate, district, bankruptcy, and magistrate judges from the Ninth Circuit and elsewhere; well-known practitioners; members of academia; and leading scientists and researchers.

The conference was organized around the theme of “The Third Branch: 1919, 2019, and Beyond.” General sessions included programs about leadership issues in the law; how media coverage of the federal courts is shifting; legislation requiring federal district chief judges to promote pro bono services as a way to empower survivors of domestic violence; external efforts to undermine the public’s confidence in the judiciary; and the 100th anniversary of the passage of the 19th Amendment, granting women the right to vote.

The general session on “The POWER Act: The Western District of Washington’s Compliance Program Focusing



Chief Judge Sidney R. Thomas officially opens the 2019 Ninth Circuit Judicial Conference.

on Vanishing Native American Women and the Pro Bono Opportunities Advocated by the Alaska Legal Services Corporation” provided an overview of the POWER Act requirements. The Act mandates that the chief judge, or the chief judge’s designee, of each judicial district across the U.S. to hold at least one event “...promoting pro bono legal services to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors.” (P.L. 115-237) Program speakers included Chief District Judge Ricardo S. Martinez of the Western District of Washington; Sarah Deer, a citizen of the Muscogee (Creek) Nation of Oklahoma, lawyer, professor and MacArthur Fellow; and Nikole M. Nelson, executive director of Alaska Legal Services Corp. Cynthia B. Jones, Esq., a member of the Lawyer Representatives Coordinating Committee who had developed the Western District of Washington’s Power Act Program, introduced the panelists and was panel moderator.





The general session “Full Court Press: Where Journalism, the Judiciary and the Public Interest Collide” featured panel experts, who discussed what instant news and social media mean for the federal courts as the third, independent branch. Panelists discussed how the courts can make sure the public has accurate information about what courts do when federal trial and appellate courts are in the eye of the storm; and how lawyers can best respond, given their duties to clients and their stakes in maintaining the institutional health of the courts. District Judge Kimberly J. Mueller of the Eastern District of California introduced panel members Adam Liptak, Supreme Court correspondent for The New York Times; Zoe Tillman, legal reporter for BuzzFeed News; and Theodore J. Boutros, Jr., of Gibson, Dunn & Crutcher, LLP. Professor Mary-Rose Papandrea, of the University of North Carolina School of Law, served as moderator.

A special reception recognizing the winners of the 2019 Ninth Circuit Civics Contest took place prior to the Opening Ceremony. District Judge Janis L. Sammartino, chair of the Courts and Community Committee, introduced first-place essay winner, Natalie Fraser of Alaska, and first-place video winners, Matthew Lovering, Colton Massic and Jason Mueller of Nevada. The students wrote an essay and produced a winning video responding to the question, “The 4th Amendment in the 21st Century – What is an ‘Unreasonable Search and Seizure’ in the Digital Age?” The students, surrounded by their families, received their awards and certificates recognizing their accomplishments. They were thankful for the opportunity



Top: “Conversation with the Justice” program with participants (left to right): Magistrate Judge Autumn Spaeth, conference chair; Supreme Court Justice Elena Kagan; Jay B. McEntire, LRCC chair; and Circuit Judge John B. Owens, conference program chair.

Above: Sarah Deer, professor of Women, Gender and Sexuality Studies at the University of Kansas, School of Public Affairs and Administration, speaking during the “The POWER Act” program.

Previous Page: Attendees listening to moderator Mary-Rose Papandrea, of the University of North Carolina School of Law, speak to panelists during the program “Full Court Press: Where Journalism, the Judiciary and the Public Interest Collide.”



Natalie Fraser, first-place essay winner, reads her essay to the crowd assembled at the Ninth Circuit Civics Contest reception.

Circuit Judge Morgan Christen, left, listens to Senior Circuit Judge Dorothy W. Nelson speak during the "Women's Right to Vote in the West and Beyond 1919-2019" general session.



and were pleased to meet some of the judges and members of the bar, who helped promote the civics contest.

The Opening Ceremony began with a welcome from Conference Chair and Magistrate Judge Autumn D. Spaeth, of the Central District of California, who introduced the honor guards and led the recital of the Pledge of Allegiance during the presentation of colors. Judge Spaeth introduced Ninth Circuit Chief Judge Sidney R. Thomas, who informed the conferees that Justice Anthony M. Kennedy had planned to introduce Justice Elena Kagan as the circuit's new justice, but they both had to remain in D.C. due to the untimely death of Justice John Paul Stevens, who died on July 16, 2019. Chief Judge Thomas recalled when Justice Stevens joined the conference in 2002 and 2007. "He was a brilliant jurist, a warm and humble human being, and he treated our circuit very well," Chief Judge Thomas observed. Justice Kagan arrived in Spokane in time to participate in the Wednesday events and the "Conversation with the Justice" on the last day of the conference.

The "Leadership in the Law: Judges and Attorneys Taking the Lead" panel addressed topics such as ethical leadership, paradoxes of leadership, and strategies for effective leaders. Panel members

included Chief Judge Thomas, Chief Justice Tani Cantil-Sakauye of the California Supreme Court, and Director James C. Duff of the Administrative Office of the U.S. Courts. Circuit Judge Consuelo M. Callahan, who served as moderator, was introduced by Assistant U.S. Attorney Michelle Pettit after she provided the audience with an overview of the session.

Panel members of the “Hacking the Public’s Confidence in the Judiciary” session discussed the alarming trend involving external efforts and attempts to undermine the public’s confidence in the judiciary. Panelists included Harvey Rishikof, chair, ABA Standing Committee on Law and chair, National Security Advisory Committee; the Honorable Jeremy D. Fogel (retired), executive director of the Berkeley Judicial Institute; Elizabeth Rindskopf Parker, dean emerita, University of the Pacific, McGeorge School of Law; Suzanne Spaulding, senior advisor, International Security Program, and director, Defending Democratic Institutions Project, Center for Strategic and International Studies. Caroline Djang, Esq., introduced the panelists.

The “Women’s Right to Vote in the West and Beyond 1919-2019” general session discussed the historical event of the passage of the 19th Amendment through the lens of the Western states and its implications today. Panel members were Senior Circuit Judge Dorothy W. Nelson, Circuit Judge Morgan Christen, Professor Rebecca Mead of Northern Michigan University, and Elaine Weiss, journalist and author of “The Woman’s Hour.” Stephenie Foster, founding partner of Smash Strategies served as moderator.

The conferees were pleased to see Justice Elena Kagan during the “Conversation with the Justice” session. Chief Judge Thomas gave a warm welcome to Justice Kagan, who addressed the Ninth Circuit for the first time in her role as the circuit’s new justice, and then introduced Judge Spaeth, who began the conversation by asking Justice Kagan for her reminiscence about Justice Stevens. Justice Kagan described Justice Stevens as “a hero” to her. “It wasn’t about being whip smart to Justice Stevens. It was using all the talents, all the gifts he

had in service for the greater good, advancing the rule of law, doing equal justice, and he did that for a period of 35 years,” Justice Kagan noted. When asked about her clerkships with Judge Abner J. Mikva of the D.C. Circuit and Justice Thurgood Marshall, Justice Kagan described her clerkships with them as “an extraordinary personal experience” and one she learned a lot from. “Justice Marshall to me is sort of the embodiment of equal justice and that’s what he gave his entire life to advancing,” she added. Joining in the conversation were Circuit Judge John B. Owens, conference program chair, and John “Jay” B. McEntire, Esq., chair of the Ninth Circuit’s Lawyer Representatives Coordinating Committee.

Other thought-provoking programs that were covered during the conference included “Student Loan Crisis (or not);” “Millennials and The Judiciary – Who You Think They Are, Who They Really Are, and Why We Should Care;” “Behind the Bars – Transformation in the Bureau of Prisons;” and “Healthy Cognitive Functioning During the Aging Process.”

Breakout sessions gave circuit, district, bankruptcy, and magistrate judges, and members of the bar the opportunity to engage with each other and learn about evolving trends and issues affecting the administration of justice in the circuit. A joint Pro Se and Alternative Dispute Resolution Committee Workshop was held to learn about strategies for assisting self-represented litigants so that the litigants feel heard and respected, and to discuss what types of specialized programs federal courts should offer to facilitate ADR of civil cases with pro se litigants. A supplemental program on ADR training was held by invitation at the conclusion of the conference. The interactive training was designed to give judges time-tested mediation strategies for use in settlement conferences.

Chief Judge Thomas concluded the conference by thanking all who attended and acknowledging the tremendous work and planning done by the Conference Executive Committee and the staff of the Ninth Circuit Judicial Conference. □

WASHINGTON STATE CHIEF JUSTICE AND CALIFORNIA ATTORNEY RECEIVE NINTH CIRCUIT AWARDS

American Inns of Court Ninth Circuit Professionalism Award

Chief Justice Mary E. Fairhurst of the Washington State Supreme Court received the prestigious 2019 American Inns of Court Ninth Circuit Professionalism Award. The award was presented by Ninth Circuit Chief Judge Emerita Mary M. Schroeder during a special ceremony held June 24, 2019, at the William Kenzo Nakamura United States Courthouse in Seattle, Washington.

Gonzaga University in 1979. She has participated in many community activities, including serving as chair of the Washington State Civics Program since 2010 and working with the “We the People” program since 2005. She has been a member of the National Association of Women Judges since 2003 and has been a board member of the Thurston County Food Bank; the American Judicature Society, Washington Chapter; and the Girl Scouts, Pacific Peaks Council.



Chief Justice Mary E. Fairhurst, left, received the 2019 American Inns of Court Ninth Circuit Professionalism Award at a special ceremony in the William K. Nakamura United States Courthouse in Seattle, Washington. Ninth Circuit Chief Judge Emerita Mary M. Schroeder presided over the ceremony.

Chief Justice Fairhurst, who was honored for her dedication to access to justice issues and for her lifetime of public service, was elected justice of the Washington State Supreme Court in 2002. She was re-elected to a second term in 2008, serving in that capacity until January 2017, when she was elected chief justice of her court.

Prior to joining the Washington State Supreme Court, she worked in the Office of the Attorney General in Olympia, Washington, where she held the positions of division chief of the Revenue, Bankruptcy and Collections Division; division chief of the Revenue Division; assistant attorney general of the Criminal Justice Division; assistant attorney general of the Transportation & Public Construction Division; assistant to the attorney general in the Administrative Division; and assistant attorney general in the Revenue Division.

Chief Justice Fairhurst received her juris doctor, magna cum laude, from Gonzaga University School of Law in 1984, and her bachelor's degree, cum laude, from

Her numerous accolades include the 2019 Justice CZ Smith Trailblazer Award, Latina/o Bar Association of Washington; 2018 Woman of the Year Award, Seattle University School of Law Women's Law Caucus; First Place in public education category for production of “Myths and Misperceptions about the Washington Courts,” National Association of Telecommunications Officers and Advisors (government programming award); 2011 Distinguished Judicial Service Award, Gonzaga University Law School; and 2011 Judge William Nevins Award, Washington Judge's Foundation.

Chief Justice Fairhurst was nominated for the honor by Jessica A. Skelton, a partner at Pacifica Law Group LLC and her former law clerk.

In nominating Chief Justice Fairhurst, Ms. Skelton noted how Chief Justice Fairhurst “has worked tirelessly to educate citizens about the judiciary.” She added that the Chief Justice “is the type of person who is always looking

for opportunities to make a difference, whether in the judiciary, the legal profession, or the community at large.”

The American Inns of Court professionalism award is given annually in each of the federal circuits to “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.”



Attorney Norman C. Hile accepting the 2019 Ninth Circuit John P. Frank Award at the 2019 Ninth Circuit Judicial Conference in Spokane, Washington.

Ninth Circuit John P. Frank Award

Norman C. Hile, a Sacramento, California attorney, received the 2019 Ninth Circuit John P. Frank Award, which recognizes an outstanding lawyer practicing in the federal courts of the western United States. The award was presented on July 22, 2019, during the opening session of the 2019 Ninth Circuit Judicial Conference in Spokane, Washington.

Mr. Hile has been active for many years in professional activities in the United States Court of Appeals for the Ninth Circuit and in the Eastern District of California. He is senior counsel with the law firm of Orrick Herrington & Sutcliffe LLP. Previously Mr. Hile was a litigation partner in the firm for more than 30 years and was the founding partner and partner in charge of the firm’s Sacramento office for more than 20 years.

His practice focused on complex commercial litigation including antitrust, securities, environmental, and intellectual property disputes. He tried numerous cases in state and federal trial courts and represented clients in appeals to the federal circuit courts of appeals, the U.S. Supreme Court, the California Courts of Appeal and the California Supreme Court.

Mr. Hile served as an Eastern District of California lawyer representative to the Ninth Circuit Judicial Conference Executive Committee and as a member of the Ninth Circuit Advisory Board.

In the Eastern District of California, Mr. Hile served as the first chair of the Eastern District’s Judicial Advisory Board after serving as a member and chair of a committee formed to comply with the “Federal Courts Study Committee Implementation Act of 1990,” which was passed as part of the Civil Justice Reform Act. The Sacramento County Bar Association named Mr. Hile its “Pro Bono Attorney of the Year” in 2018 for his 15-year representation of death row inmate Kevin Cooper.

Mr. Hile received his law degree from Columbia Law School in 1973 and his B.A. in economics from Yale University in 1967. He served in the Army from 1968 to 1971, including a combat tour in Vietnam as an artillery forward observer. During his service, he was awarded the Purple Heart, the Bronze Star and 15 air medals for combat flying.

The John P. Frank Award, which was established in 2003 by the Judicial Council of the Ninth Circuit, recognizes 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.”

District Judge Kimberly J. Mueller, of the United States District Court for the Eastern District of California, nominated Mr. Hile for the Frank Award which she presented to him at the conference. □

AWARDS AND RECOGNITIONS

Ninth Circuit Court of Appeals

Circuit Judge Bridget S. Bade, Phoenix Chapter Annual Service Award for 2019, Federal Bar Association, Phoenix Chapter. Circuit Judge M. Margaret McKeown, 2019 John Marshall Award, American Bar Association, Judicial Division and the Standing Committee on the American Judicial System. Circuit Judge Jacqueline H. Nguyen, Alumni of the Year, UCLA School of Law. Circuit Judge Johnnie B. Rawlinson, Minority Lifetime Achievement Award, Women's Chamber of Commerce of Nevada.

District of Arizona

Senior District Judge David C. Bury, Judicial Excellence Award, Arizona Association of Defense Counsel and the Tucson Defense Bar. Senior District Judge Raner C. Collins, Community Service Award, Arizona Minority Bar Association, and Convocation Speaker, University of Arizona Law School Graduation. District Judge Steven P. Logan, Keynote Speaker, Hayzel B. Daniels Scholarship Awards Dinner, Arizona Black Bar Association. Senior District Judge Stephen M. McNamee, Judicial Civic Education Award, American Lawyers Alliance; Lifetime Achievement Award, University of Arizona James E. Rogers College of Law; and 50-Year Certificate, State Bar of Arizona. Senior District Judge Roslyn O. Silver, Gold n' Gavel 2019 Alumni Service Award and professorship named after Judge Silver, Arizona State University, Sandra Day O'Connor College of Law. Chief District Judge G. Murray Snow, Mark Santana Law-Related Education Award, Arizona Foundation for Legal Services & Education, and Judicial Integrity Award, Arizona Association for Justice. Senior District Judge Frank R. Zapata, Lifetime Achievement Award, William E. Morris Institute for Justice.

Central District of California

District Judge Michael W. Fitzgerald, Vanguard Award, Intellectual Property Section, California Lawyers Association, and Judge Fitzgerald was


Circuit Judge M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit was awarded the prestigious John Marshall Award by the American Bar Association.



The award is made by the ABA's Judicial Division and the Standing Committee on the American Judicial System. Judge McKeown received the award on August 9 during the ABA's annual meeting in San Francisco.

The John Marshall Award, named for the fourth U.S. Supreme Court justice, recognizes those who are dedicated to "extraordinary improvements" in the administration of justice in the areas of judicial independence, justice system reform, or public awareness of the justice system. Past recipients include retired Justices Sandra Day O'Connor and Anthony M. Kennedy of the U.S. Supreme Court, and then-Chief Justice Ronald M. George of the California Supreme Court. Judge McKeown is the first Ninth Circuit judge to receive the award.

"I can't think of a more deserving person to receive this award than Judge McKeown," said Chief Judge Sidney R. Thomas. "She exemplifies its purpose: a dedication to the pursuit of fair and equal justice, and the willingness to devote her energy and valuable time to bringing these issues to the forefront and moving them forward. She's making a tremendous impact in so many spheres both here in the U.S. and around the world."

Judge McKeown is internationally recognized for her work on judicial ethics, gender issues, and international rule of law, and has gathered numerous accolades acknowledging her ardent pursuit of access to justice and her impact on the judiciary. 

asked by the St. Thomas More Society to give the closing remarks at the 37th Annual Red Mass of the Archdiocese of Los Angeles. Magistrate Judge Shashi H. Kewalramani, Community Solidarity Award, South Asian Network. Bankruptcy Judge Sandra R. Klein, 2019 Woman of Distinction, Girl Scouts of Greater Los Angeles. Senior District Judge Consuelo B. Marshall, Johnnie L. Cochran, Jr., Public Service Award, Loyola Law School; and named a Pioneer during the Celebration of Pioneering Black Women Judges, Judicial Council of the California Association of Black Lawyers. Bankruptcy Judge Erithe A. Smith, Judge Karen L. Robinson Legal Excellence Award, Thurgood Marshall Bar Association. Senior District Judge Christina A. Snyder, The Hon. Carlos R. Moreno Judicial Excellence Award, Mexican American Bar Association of Los Angeles County, and The Alfred J. McCourtney Memorial, Trial Judge of the Year Award, Consumer Attorneys Association of Los Angeles. Chief Bankruptcy Judge Maureen A. Tighe, Access to Justice Award, San Fernando Valley Self-Help Center. District Judge Otis D. Wright, II, Distinguished Public Service Award, Los Angeles Intellectual Property Law Association.

Northern District of California

Chief District Judge Phyllis J. Hamilton, 2019 Crystal Gavel Award, California Association of Black Lawyers.

Southern District of California

Magistrate Judge Ruth Bermudez Montenegro, 2019 commencement speaker, San Diego State University-Imperial Valley; Legacy Award, MANA de Imperial Valley; and Ruby Award, Soroptimist International of El Centro. District Judge Dana M. Sabraw, 2019 Outstanding Jurist Award, San Diego County Bar Association; 2019 Annual Judicial Award, San Diego La Raza Lawyers Association; and 2019 La Mancha Humanitarian Award, Casa Cornelia Law Center. District Judge Janis L. Sammartino, Richard D. Huffman Judicial Civility Award, San Diego Chapter of the American Board of Trial Advocates.


District of Hawaii

Magistrate Judge Barry M. Kurren, Founders Award, Federal Magistrate Judges Association.

District of Nevada

District Judge Richard F. Boulware, Justice Nancy Becker Pro Bono Award for Judicial Excellence, Legal Aid Center of Southern Nevada.

District of Oregon

Senior District Judge Anna J. Brown, 2019 Lifetime Service Award, U.S. District Court of Oregon Historical Society and the 2019 Owen M. Panner Professionalism Award, Oregon State Bar Litigation Section. District Judge Michael McShane, Honorary Doctor of Laws Degree, Lewis and Clark Law School (received prior to delivering the commencement speech to the law school on May 18, 2019). 

2019 DIRECTOR'S AWARD PRESENTED FOR EXTRAORDINARY ACTIONS

Federal employees from the United States District Court for the Northern Mariana Islands and three U.S. probation officers from the District of Arizona received the Administrative Office of the U.S. Courts 2019 Director's Award, which "recognizes outstanding performance, innovation, and dedication by employees throughout the Judiciary each year."

The staff of the United States District Court for the District of Northern Mariana Islands were honored

for overcoming challenges they encountered during and after two destructive storms that struck Saipan and Yutu in 2015 and 2018, respectively. Office of the Clerk, judicial chambers, and Probation and Pretrial Services Office staff worked together to ensure that court operations continued despite the damages from the storms. Court staff worked with the U.S. Marshals Service and local agencies to ensure the court had access to diesel fuel for a generator that allowed the court to reopen and was "vital to reducing the humidity in



Top: Chief District Judge Ramona V. Manglona (first row, second from left) with award recipients (first row, from left) Michelle C. Macaranas, financial administrator; Bertha T. Camacho, docket clerk/procurement specialist; Francine P. Atalig, courtroom deputy; Amanda C. Hayes, chambers judicial administrator to the chief judge; Aiko D. Erungel, case processing clerk; Heather L. Kennedy, clerk of court/magistrate judge; (second row, from left) Daniel Isaac P. Brown, administrative support clerk; Mario G. Mendoza, information systems manager; Bernard E. Paraiso, systems and network administrator; William J. Bezzant, chief deputy clerk; and Timothy V. Wesley, systems specialist/jury administrator. Also honored, not pictured, were Walter M. Popen, architect/project manager; and Daria A. Campion, law clerk to the chief judge.

Left: (l-r) Juanette F. David-Atalig, probation officer assistant; Gregory F. Arriola, probation officer; and Fleurette A. Inos, administrative assistant.



Above: (l-r) Winter Martinez, supervisory probation officer; Cory Clever and Jordan Gaiser, senior U.S. probation officers.

the building to prevent dangerous and damaging mold growth,” said Chief District Judge Ramona V. Manglona. “Their swift action avoided what would’ve been a disastrous mold infection,” after Typhoon Soudelor in 2015, according to a nominating letter from Judge Manglona. “They endured two major typhoons, yet continued to operate the court with minimal disruption, under extraordinary emotional and physical stress,” Judge Manglona added. “The employees of the District Court for the Northern Marianas exemplified Marianas Strong

(the mantra of the island after Super Typhoon Yutu),” Judge Manglona wrote. “We are incredibly fortunate to work with these brave, compassionate, and steadfast employees.”

Three United States probation officers from the District of Arizona, turned emergency firefighters during a “normal” field supervision trip, were honored for risking their personal safety to prevent a fire from destroying the homes of Havasupai residents. On March 18, 2019, Cory Clever and Jordan Gaiser, senior U.S. probation officers, and Winter Martinez, supervisory U.S. probation officer, hiked 11 miles into the base of the Grand Canyon, where Clever, who is based in Flagstaff, supervised part of his caseload. Gaiser and Martinez, who are both based in Tucson, joined Clever to familiarize themselves with the remote area and Havasupai population. The trio noticed smoke shortly after midnight and “saw a nearby home fully engulfed in flames, with a fire that threatened the surrounding area, structures, and community,” according to a nominating letter written by Anne M. Richey and Sharie Lutt, assistant deputy chief probation officers. The officers quickly took on the roles of emergency firefighters with only a single shovel and a local fire hose available. “Our three officers quickly recognized there was no fire department or emergency response team nearby and sprang into action to contain and fight the fire themselves, without proper safety gear,” Richey and Lutt wrote. “They acted as a team with courage and resiliency out of concern for the safety of others and with the knowledge there was no safe retreat out of the canyon.” The fire was extinguished by 2:30 a.m. “Their experience on this trip serves as a reminder that no field contact is ever normal,” and “great challenges can be mastered with passionate and dedicated teamwork,” the letter concluded. □

NINTH CIRCUIT LIBRARY SYSTEM REMAINS INTEGRAL IN THE ADMINISTRATION OF JUSTICE

When the federal judiciary first envisioned circuit library systems in the late 1970s, the goal was to reduce the duplication of subscriptions to law books and create centralized libraries to house the books, with librarians to organize and provide access to them. In 2019, the Ninth Circuit Library system is now recognized primarily for the services the librarians provide and no longer for rooms full of books.

As the judiciary has increased its focus on the role of the courts in civics education, Ninth Circuit librarians have correspondingly added support for civics education to the services they provide. In May, the library formed a civics education committee to develop material and exhibits for use throughout the circuit and is exploring interactive touch screen technology for displays of civics-related content.

Two members of the committee, Fresno librarian Daniella Garcia (committee chair) and Ninth Circuit archivist Rollins Emerson, attended the National Conference on Civics Education and the Federal Courts hosted by the Second Circuit in October. Ms. Garcia also regularly supports the civics efforts of the Fresno Division of the Eastern District of California, helping to organize and speaking at the annual teachers' institute, creating material for judges' presentations to high school classes, and

evaluating the civics contest essay entries. In 2019, Mr. Emerson established "Experiencing Justice," a program in the James R. Browning United States Courthouse in San Francisco, bringing high school students into the courthouse to watch oral arguments and meet with the panel judges.

Another member of the committee, Anchorage librarian Anna Russell, partnered with the District of Alaska's outreach coordinator to host its 2019 civics contest in conjunction with the 2019 Ninth Circuit Civics Contest. Ms. Russell was honored in April by the American Association of Law Libraries which selected her to receive the 2019 Emerging Leader Award.

For several years, the Ninth Circuit has been spending more for access to online information resources than it does for library print subscriptions. This is all the more remarkable for the fact that the two largest legal information systems – Westlaw and Lexis/Nexis – are provided under national contracts paid centrally by the Administrative Office of the U.S. Courts in Washington. The result of this shift is that judges, law clerks and other researchers have access to exponentially greater amounts of information which, at the same time, means that finding the required information is much more difficult.




Librarians throughout the Ninth Circuit convened in Fresno, California, for the Ninth Circuit Librarians' Conference held May 7-8, 2019

Librarians are now spending more time helping judges navigate these resources, coordinating and providing training, and developing and publishing research guides which direct researchers to the information they require. In 2019, librarians provided approximately 240 training sessions reaching over 1,200 judges, law clerks, and court staff. In response to the shift in the provision of information resources, former Honolulu branch librarian Shannon Lashbrook was reassigned to the position of digital services librarian.

With the shift away from hard copy books, court librarians have also recognized that large libraries designed 30 or more years ago are no longer an appropriate use of the judiciary's rented space. The courts have released library space back to the General Services Administration (GSA), reprogrammed space for other court uses, or remodeled libraries to meet other needs. Although libraries represent less than 4 percent of the judiciary's overall space inventory, libraries represented 12 percent of all space returned to the GSA as part of the national rent reduction effort. In 2019, the Ninth Circuit completed a remodel of the Portland library in Oregon which included the creation of a conference and training facility. An Integrated Workplace Initiative space reduction in Boise, Idaho, included the creation of a smaller library. Library

space in Honolulu was repurposed to build out chambers for a new judge, and similar projects were in the planning stages for the libraries in Phoenix and Tucson, Arizona. Ninth Circuit librarians also publish a variety of current legal awareness services, both of a general nature and others geared toward constituencies such as the bankruptcy and alternative dispute resolution communities. At the close of 2019, Santa Ana librarian Sandy Li, working with Ninth Circuit IT Committee chair Magistrate Judge Steve Kim of the Central District of California, was developing a biweekly newsletter of articles for all judges and court staff with an interest in information technology.

The Judicial Conference of the United States approved a national library program for the courts in 1980 and, although Ninth Circuit libraries no longer operate as they did 40 years ago, libraries and especially librarians remain a vital part of the administration of justice in the circuit. In addition to the efforts described above, in 2019 Ninth Circuit librarians responded to over 11,000 requests for reference and research assistance, primarily related to active cases. The library staff look forward to another 40 years of service to the judges and courts of the Ninth Circuit. 

ADMINISTRATIVE APPOINTMENTS IN 2019

David L. Anderson, United States attorney,
Northern District of California (January 1, 2019)

Michael G. Bailey, United States attorney,
District of Arizona (May 23, 2019)


Robert S. Brewer, Jr., United States attorney,
Southern District of California (January 1, 2019)

Jennifer Gamble, acting clerk of court, United States
District Court, District of Alaska (August 6, 2019)

Amy M. Karlin, acting federal public defender,
Central District of California (October 1, 2019)

Melinda G. McQuivey, United States chief
probation officer, Eastern District of California
(September 16, 2019)

Brian T. Moran, United States attorney, Western
District of Washington (January 1, 2019)

Nicholas A. Trutanich, United States attorney,
District of Nevada (January 1, 2019) 

NINTH CIRCUIT ORIENTATION BRINGS LARGEST GROUP OF JUDGES TOGETHER



Twenty-four new judges, appointed since the last New Judges Orientation was held in 2016, attended the orientation in 2019 at the James R. Browning United States Courthouse in San Francisco. The group of judges is pictured at the Great Hall with Chief Circuit Judge Sidney R. Thomas, seated at the center, and Circuit Executive Elizabeth A. Smith, standing third row from left.

The annual Ninth Circuit New Judges Orientation, “Now That You’re Part of the Ninth Circuit...What You Should Know,” had not been presented since 2016. On May 30-31, 24 recently appointed judges from throughout the circuit came together at the James R. Browning United States Courthouse in San Francisco to participate in the program. The Magistrate Judges Executive Board resumed their long-established mentorship program for 16 magistrate judges on the afternoon of May 29. This traditional breakout session is designed to be an informal exchange of ideas and information about what members of the Magistrate Judges Executive Board wished they had known when they first started their judicial careers.

The Office of the Circuit Executive prepares the orientation to assist newly appointed judicial officers learn about available services, acquire understanding of court governance at a national, circuit, and local level, and briefs them about the current issues the circuit is facing. The judges meet in smaller breakout groups to discuss issues of specific relevance to their positions as circuit judge, district judge, bankruptcy judge, or magistrate judge. General session topics are presented by judges from throughout the Ninth Circuit who are involved in leading Ninth Circuit Judicial Council committees. Topics range from a better understanding of the operations of the Ninth Circuit Court of Appeals

to presentations about managing high-profile cases; ethical considerations and guidelines for judges and judicial staff; workplace culture; and the effects of implicit bias on judicial decision making. After a very full day, the judges and their guests are invited to enjoy a reception in the Redwood Room. One of the highlights of the reception involves the opportunity to go on a docent tour and learn about the fascinating history of the Browning Courthouse, considered one of the most beautiful public buildings in America.


On the final day of the program, there are presentations about the circuit’s wellness programs and members of the Bankruptcy Judges Education Committee spend the remainder of the morning with the new bankruptcy judges. The circuit judges meet with Ninth Circuit Court of Appeals staff, and the district and magistrate judges discuss various aspects of case management, jury voir dire and trial management, and issues dealing with the Criminal Justice Act. Throughout the two-day program, it is gratifying to see the enthusiasm and camaraderie developing among many of the judges in attendance. Subsequent evaluations validate the importance of meeting with peers to compare notes and discuss issues of mutual concern after being on the bench for a while. In addition, the opportunity to learn from other judges throughout the Ninth Circuit is invaluable. □

NINTH CIRCUIT WELCOMES NEW LAW CLERKS DURING ORIENTATION PROGRAM



The United States Court of Appeals for the Ninth Circuit held its annual New Law Clerk Orientation Program at the James R. Browning United States Courthouse. The program held September 24-25, 2019, introduced incoming law clerks to the works of the Ninth Circuit Court of Appeals led by Chief Judge Sidney R. Thomas, who made welcoming remarks. Circuit Judge Jay S. Bybee, who appeared by video, introduced Clerk of Court Molly Dwyer and Circuit Executive Elizabeth A. Smith. They discussed the work of the Ninth Circuit and services provided by the Ninth Circuit's Office of the Circuit Executive. The law clerks had the opportunity to hear Supreme Court Justice Elena Kagan in a conversation with Chief Judge Thomas later in the day. Jeffrey P. Minear, counselor to Chief Justice John G. Roberts, Jr., and executive director of the Supreme Court Fellows Program, provided an overview of the program. The two-day orientation included judges and court leadership, who presented on mediation, information technology, legal topics, appellate jurisdiction, en banc procedures, and library services. Chief Judge Thomas, Circuit Judge Morgan Christen, and former law clerks discussed the work environment in chambers—conflict, stress, and other challenges that may arise. Circuit Judge Susan Graber and Lisa Fitzgerald, Office of Staff Attorneys director, gave a presentation on “Making the Most of Your Words – Effective Writing Tips for Clerks.” Circuit Judge Richard A. Paez moderated the panel on “Wisdom From the



Trial Court: A Conversation with Northern District Judges.” Panelists were Chief District Judge Phyllis J. Hamilton, District Judge Haywood S. Gilliam, Jr., and Magistrate Judge Donna M. Ryu. Circuit Judge Mary H. Murguia presented on “Ethics & the Code,” while Yohance Edwards, director of the Office of Workplace Relations, gave an overview on the work and services provided by his office in preventing and resolving workplace issues and Employment Dispute Resolution related matters. 



New law clerks, top left, packed the library atrium at the James R. Browning U.S. Courthouse for an orientation. The law clerks were welcomed by Chief Judge Sidney R. Thomas, top right, with Supreme Court Justice Elena Kagan, who made remarks during the program. Panelists, bottom, from left, Magistrate Judge Donna M. Ryu, District Judge Haywood S. Gilliam, Jr., and Chief District Judge Phyllis J. Hamilton. Circuit Judge Richard A. Paez, far right, moderated the panel on “Wisdom from the Trial Court: A Conversation with Northern District Judges.”

NINTH CIRCUIT JUDICIAL ASSISTANTS CONVENE FOR TRAINING IN SAN FRANCISCO

The Ninth Circuit Court of Appeals held a two-day training for Ninth Circuit judicial assistants September 24-25, 2019, at the James R. Browning United States Courthouse in San Francisco. Circuit Judge Mary H. Murguia and Circuit Executive Elizabeth A. Smith made welcoming remarks and introductions. Supreme Court Justice Elena Kagan, the Ninth Circuit's justice, met with the judicial assistants during the conversation segment with Chief Judge Sidney R. Thomas. Among topics discussed during the training were IT training and security issues, human resources, workplace issues and conflict resolution, and travel regulations and procedures. The judicial assistants also met with key court staff responsible for the day-to-day operations of the court. The training concluded with an optional tour of the courthouse. □



Circuit Judge Mary H. Murguia speaking with judicial assistants assembled for the two-day training.

NORTHERN CALIFORNIA BAR LUNCHEON



Circuit Judge Stephen Reinhardt's daughter, Dana, thanked the attendees as she shared fond memories of her father.

The Federal Bar Association, Northern District of California Chapter, held its 41st annual Ninth Circuit luncheon on March 26, 2019, in San Francisco, California. Chief District Judge Phyllis J. Hamilton, of the Northern District of California, welcomed the attendees and introduced Ninth Circuit Chief Judge Sidney R. Thomas. Chief Judge Thomas spoke and remembered Senior Circuit Judge Harry Pregerson and Circuit Judge Stephen Reinhardt, two remarkable jurists the Ninth Circuit Court of Appeals has lost since the FBA Northern District of California Chapter last convened. A video tribute was shown to the attendees and was followed by remarks by Circuit Judge Kim McLane Wardlaw. Judge Reinhardt's daughter, Dana Reinhardt, attended and spoke at the luncheon. □

PACIFIC ISLANDS COMMITTEE CONTINUES TO DEVELOP LEGAL EDUCATION PROGRAMS AND TRAININGS

The mission of the Ninth Circuit's Pacific Islands Committee is to help 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. Working almost exclusively with the state-level courts of these jurisdictions, the committee develops and presents a variety of judicial education and court professional training programs using grants from the U.S. Department of the Interior. The committee also collaborates with the Pacific Judicial Council, an organization of judicial officers from several island nations.

The funding for training in the Federated States of Micronesia, the Republic of the Marshall Islands was established by the Compact of Free Association (2003) and funded through 2023 to promote the development of the people of the Trust Territory toward self-government or independence as appropriate to the particular circumstances of the Trust Territory, its inhabitants and the freely expressed wishes of the people concerned. A companion technical assistance grant has been offered to provide judicial training in Palau, American Samoa, Northern Marianas Islands and Guam.

The Pacific Islands Committee assists in the development and delivery of professional legal education throughout the territories and freely associated states of Micronesia, Palau, and the Marshall Islands. In 2019, the committee provided two week-long sessions at the Pacific Islands Legal Institute. The institute is designed to provide each program as an intensive week-long instruction for non-legally trained judges. Some of the courses include judicial writing training, leadership training for court clerks, and court interpreter training, as well as judicial conferences for the judiciaries of the Marshall Islands and Micronesia. Additionally, the Pacific Islands Committee sponsored more than 20 scholarships for island judges to attend specialized training programs outside of their island jurisdictions. Many of those programs are offered by the National Judicial College in Reno, Nevada.

As the final years of the current Department of the Interior training grants near, the goal is to balance the ongoing training needs of these diverse judiciaries and lead them to a level where they will be able to develop their own programs that will promote self-governance and independence. □



Front row, l-r: Chief Justice Katherine Maraman, Guam Supreme Court; Presiding Judge Alberto Lamorena III, Superior Court of Guam; Ninth Circuit Judge M. Margaret McKeown; Chief Justice Camillo Noket, Chuuk State Supreme Court, President, Pacific Judicial Council; with attendees at the Biennial Conference.



WITH NINTH CIRCUIT HELP, FEDERAL COURTS PURSUE SPACE AND FACILITIES PROJECTS IN THE WESTERN STATES

The Office of the Circuit Executive for the Ninth Circuit helps manage space and facilities projects undertaken by federal courts throughout the western United States and Pacific Islands. A staff of professional project planners and architects assists in feasibility studies, design development, contracting, construction management, and occupancy planning. Projects range from major new construction of large courthouses to small office renovations.

Over the last year, a major focus for the office has been the design and construction of new chambers for the 10 new circuit judges confirmed in 2018 and 2019. The new chambers include space in existing courthouses and in new leased locations, and are located in Honolulu, Idaho Falls, Phoenix, Seattle, Carlsbad, San Francisco, Pasadena, Portland, San Diego, and Reno.

One noteworthy project under construction in 2019 was a new courthouse in Saipan for the United States District Court for the District of the Northern Mariana Islands. The three-story, 35,696-square-foot courthouse will include a courtroom, chambers for two judges and a jury assembly room. It also will house offices for U.S. Probation, the U.S. Attorney, the U.S. Marshals Service and the Federal Protective Service.

Designed to meet modern federal judicial standards and security requirements, the new courthouse is expected to better withstand extreme storms that regularly pummel the island. The design also incorporates innovative lighting and landscaping, energy efficient fixtures and wastewater technologies projected to realize future cost savings and conserve resources.

Following a ground-breaking in December 2017, construction has progressed steadily through 2018 and 2019. The courthouse is scheduled for completion in spring 2020.

Projects completed in 2019 included a \$10 million courthouse modernization project for the mechanical systems in the Robert F. Peckham Federal Building and U.S. Courthouse in San Jose, California. The project also included improvements to the courtrooms in the

building, a venue for the U.S. District Court for the Northern District of California. Also completed in 2019 was the modernization of elevators at the William Kenzo Nakamura United States Courthouse in Seattle, Washington, a venue for the U.S. Court of Appeals for the Ninth Circuit.

New construction projects getting underway in 2019 included a project for two new district judge chambers and one new district courtroom in the Evo A. DeConcini Federal Courthouse in Tucson, Arizona, and a major expansion project at the James M. Carter and Judith N. Keep U.S. Courthouse in San Diego to provide four new magistrate judge chambers and two district courtrooms, as well as space for the clerk's office. A second major project is now under development for Carter-Keep to accommodate future additional senior district judges and magistrate judges.

Over the last year, the Ninth Circuit continued to pursue space-saving projects that will significantly reduce the rent paid to the General Services Administration, which acts as the landlord for federal buildings. The projects completed or under construction in 2019 included the following:

- Renovation of the ground floor space in the Edward J. Schwartz U.S. Courthouse in San Diego to accommodate the U.S. Probation Office for the Southern District of California. The project led to the release of approximately 18,500 square feet of leased space. A related project to relocate the grand jury suites to the Schwartz Courthouse will also result in space savings.
- Realignment of the clerk's office and the circuit library in the James A. McClure Federal Building and Courthouse in Boise, Idaho. The project resulted in the release of approximately 8,900 square feet of space.
- Reduction in the space allocated to the U.S. Bankruptcy Court for the Central District of California in Riverside to allow for relocation of a U.S. Probation Office to the courthouse from leased space in San Bernardino.



COURTHOUSE UNDER CONSTRUCTION:

United States District Courthouse
District of the Northern Mariana Islands
Saipan


Gross Square Footage: 35,696
Completion Date: Spring 2020

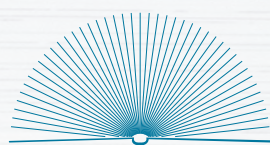


- Space reduction for the U.S. Bankruptcy Court for the Eastern District of California in Modesto to allow for the relocation of the Modesto U.S. Probation Office to the same location.
- Relocation of the Los Angeles U.S. Probation Office from the old U.S. Courthouse at 312 North Spring Street to the 300 North Los Angeles Street Federal Building. That project will lead to a space reduction of more than 12,000 square feet.
- Realignment of the District Clerk's Office in the Central District of California in multiple locations leading to a net space reduction of 9,055 square feet.
- Space reduction for the Bankruptcy Clerk's Office in Yakima, Washington, resulting in the release of 1,956 square feet.

Over the last six years, courts within the Ninth Circuit have released more than 370,000 square feet of space, with a resulting annual rent savings of \$11.7 million.

In 2019, the circuit also continued multi-year planning efforts for new courthouses and major renovation projects. A significant milestone last year was completion of a GSA feasibility study for a new courthouse in Anchorage, Alaska. Based on the findings of that study, the circuit will be seeking approval from the Judicial Conference of the U.S. to add the project to the judiciary's Courthouse Project Priority List, which prioritizes new courthouse projects to be submitted to Congress for funding.

In addition, funding has been sought for a major renovation project for the Tacoma Union Station Courthouse in Washington State to address structural concerns and aging building systems. Work also started on the development of a renovation project for the Richard H. Chambers U.S. Court of Appeals Building in Pasadena to address similar issues. 



**WORK
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COURT OF APPEALS CONTINUES TO IMPROVE PROCESSING TIMES AS PENDING CASES DECLINE

The United States Court of Appeals for the Ninth Circuit continued to improve its case processing times and reduce its pending caseload in fiscal year 2019. The improvements resulted from a continued downturn in new filings and a slight reduction in pending cases.

Appellate Caseload Profile, FY 2018-2019

Caseload Measure	2018	2019	Change 2018-19
Filings	10,566	10,106	-4.4%
Terminations	11,753	10,210	-13.1%
¹ Pending Cases	11,374	11,270	-0.9%

¹2018 Pending cases revised.

New appeals filed with the Ninth Circuit numbered 10,106 in FY 2019, down 4.4 percent from the prior fiscal year. Appellate filings nationwide numbered 48,486, down 1.6 percent overall. Seven of the 12 geographic circuits reported declines ranging from 1.1 to 12.2 percent. The Ninth Circuit continued to be the nation's busiest federal appellate court, accounting for 21 percent of all new appeals nationally.

The Ninth Circuit disposed of 10,210 cases in FY 2019, down 13.1 percent. Eight of the 12 geographic circuits reported reductions in terminations. The court's pending caseload was reduced by 0.9 percent to 11,270 cases from 11,374.

Breakdown of New Appeals

Of the new filings, about 28.4 percent of all new appeals in the Ninth Circuit involved immigration and other agency matters, while 44.4 percent of new filings were pro se cases (those involving at least one self-represented litigant).

Ninth Circuit district courts, which serve as trial courts in the federal judicial system, accounted for 62.4 percent of new filings in FY 2019. The district courts generated 6,301 new appeals, down 3.7 percent from the prior fiscal year. Of the total, 5,168 were civil appeals and 1,133 were criminal appeals. Prisoner petitions involving habeas corpus, capital habeas corpus, civil rights, prison

conditions and other matters accounted for 34 percent of all new civil appeals from the district courts.

Among the 15 district courts of the circuit, the four California courts produced 55.1 percent of new civil appeals and 52.4 percent of new criminal appeals. The Central District of California, the busiest court in the circuit, generated 1,492 civil and criminal appeals, down 15.8 percent from the prior fiscal year.

Of the 1,133 new criminal cases, 25.2 percent were related to drug offenses, and 14.5 percent were immigration offenses. The court reported 286 drug offenses and 164 immigration offenses. The court received 161 appeals involving property offenses, 78.8 percent of them related to fraud. The court received 170 appeals for offenses involving firearms and explosives, of which 50 were alleged to have committed during a violent or drug-trafficking offense. Also reported were 111 appeals involving sex offenses and 86 for violent offenses.

Appeals of decisions by the Board of Immigration Appeals, or BIA, and other executive branch agencies continue to make up a substantial portion of the court's caseload. Appeals of agency decisions declined by 5.1 percent to 2,869 cases in FY 2019. The BIA accounted for 94.1 percent of agency appeals and 26.7 of the court's total new filings. The Ninth Circuit had 52.8 percent of the total BIA appeals filed nationally in FY 2019.

Original proceedings and miscellaneous applications commenced in FY 2019 numbered 775, down from 802 the prior fiscal year. The bulk of original proceedings cases involved second or successive habeas corpus petitions, 443, and mandamus appeals, 191.

Terminations and Pending Cases

The Ninth Circuit terminated 10,210 cases in FY 2019, down 13.1 percent from the prior year. The total includes 5,067 civil and 1,288 criminal appeals originating in the district courts and 2,702 appeals of agency decisions.

Of the total case terminations, 6,968 cases, or 68.2 percent, were decided on the merits, while 3,242

were terminated on procedural grounds. In addition, 364 cases were terminated on the merits through consolidation. Of the merits decisions, 1,385 came after oral argument, down 19 percent, and 5,219 after submission on the briefs, down 8.2 percent from the prior year. Excluding consolidated cases, total merit terminations included 1,623 prisoner cases, 879 criminal cases and 1,509 administrative agency appeals.

In FY 2019, cases terminated on the merits that were affirmed or enforced, which includes appeals affirmed in part and reversed in part, numbered 4,362; 574 reversed, 65 remanded, and 763 dismissed. The court's overall reversal rate was 9.3 percent, compared to a national average of 8.2 percent. The reversal rate was 11.3 percent for criminal cases; 18.4 percent for civil cases involving the federal government and 16.3 for non-government civil cases; and 5.3 percent for administrative agency

Ninth Circuit Court of Appeals En Banc Ballots, FY 2015-2019

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
2019	817	24	14	10
2018	955	17	8	9
2017	874	22	11	11
2016	810	33	19	14
2015	796	30	16	14

Filings, Terminations and Pending Cases by Nature of Proceeding, FY 2018-2019

Type of Appeal	2018 Filings	2019 Filings	Change 2018-19	% of Circuit Total	2018 Terminations	2019 Terminations	Change 2018-19	2018 Pending	2019 Pending	Change 2018-19
Civil										
U.S. Prisoner Petitions	587	442	-24.7%	4.4%	487	631	29.6%	587	398	-32.2%
Private Prisoner Petitions	1,853	1,809	-2.4%	17.9%	2,087	1,652	-20.8%	1,068	1,227	14.9%
Other U.S. Civil	620	628	1.3%	6.2%	748	597	-20.2%	635	667	5.0%
Other Private Civil	2,244	2,289	2.0%	22.6%	2,828	2,187	-22.7%	2,233	2,333	4.5%
Criminal	1,240	1,133	-8.6%	11.2%	1,375	1,288	-6.3%	1,391	1,236	-11.1%
Other										
Bankruptcy	197	161	-18.3%	1.6%	291	159	-45.4%	172	174	1.2%
Administrative Agency Appeals	3,023	2,869	-5.1%	28.4%	3,142	2,702	-14.0%	4,924	5,089	3.4%
Original Proceedings and Miscellaneous Applications	802	775	-3.4%	7.7%	795	994	25.0%	365	146	-60.0%
Circuit Total	10,566	10,106	-4.4%		11,753	10,210	-13.1%	11,375	11,270	-0.9%
National Appellate Total	49,276	48,486	-1.6%		50,428	47,889	-5.0%	38,232	38,837	1.6%
Ninth Circuit as % of National Total	21.4%	20.8%	-0.6%		23.3%	21.3%	-2.0%	29.8%	29.0%	-0.7%

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.

cases. Percent reversed are not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.

In FY 2019, judicial panels produced 464 published opinions and 6,910 unpublished opinions.

The court's pending caseload was slightly reduced in FY 2019. Pending cases numbered 11,270, down .9 percent from FY 2018 and 9.4 percent from FY 2017. Of the pending caseload in FY 2019, 45.2 percent involved administrative appeals; 26.6 percent government and non-government civil matters; 14.4 percent prisoner petitions; and 10.9 percent criminal matters. Of the pending caseload, 36.4 percent had been pending less than six months, 21.4 percent pending six to 12 months, and 42.2 percent pending for more than 12 months.

Median Time Intervals

Median time intervals measure how long it takes for cases decided on the merits to proceed through the appellate process. In the Ninth Circuit in FY 2019, the median time interval from filing of a notice of appeal to final disposition was 10.8 months, down from 11.7 months in FY 2018 and 13 months in FY 2017. The time interval from the filing of a case in a lower court to a final disposition was 33.2 months, up from 32.7

Sources of Appeals, Original Proceedings, and Miscellaneous Applications Commenced, FY 2019

District	Commenced	% of Total
Alaska	106	1.0%
Arizona	716	7.1%
C. Calif.	1,492	14.8%
E. Calif.	709	7.0%
N. Calif.	778	7.7%
S. Calif.	463	4.6%
Guam	7	0.1%
Hawaii	129	1.3%
Idaho	125	1.2%
Montana	217	2.1%
Nevada	635	6.3%
Northern Mariana Islands	8	0.1%
Oregon	337	3.3%
E. Wash.	135	1.3%
W. Wash.	444	4.4%
Bankruptcy	161	1.6%
Administrative Agencies, Total	2,869	28.4%
IRS	42	0.4%
NLRB	36	0.4%
BIA	2,699	26.7%
Other Administrative Agencies	92	0.9%
Original Proceedings and Miscellaneous Applications	775	7.7%
Circuit Total	10,106	

Median Time Intervals in Months for Cases Terminated on the Merit, FY 2018-2019

By Stage of Appeal	Number of Months			
	Ninth Circuit		National	
	2018	2019	2018	2019
¹ From Filing of Notice of Appeal or Docket Date to Filing of Appellee's Last Brief	8.8	9.0	5.7	5.6
From Filing of Appellee's Last Brief to Oral Argument or Submission on Briefs	9.6	9.3	4.1	4.1
From Oral Argument to Last Opinion or Final Order	1.2	1.2	2.1	2.2
From Submission on Briefs to Last Opinion or Final Order	0.2	0.2	0.4	0.4
¹ From Filing of Notice of Appeal or Docket Date to Last Opinion or Final Order	11.7	10.8	8.7	8.8
From Filing in Lower Court to Last Opinion or Final Order in Appeals Court	32.7	33.2	28.7	29.3

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.

months in FY 2018. The national median time intervals in FY 2019 were 8.8 months from notice of appeal to final disposition by a circuit court of appeals and 29.3 months from the filing of a case in a lower court to final disposition by a circuit court.

Once an appeal was fully briefed, Ninth Circuit judges decide all types of cases fairly quickly. In FY 2019, just as in 2018, the median time interval for panel decisions was 1.2 months for a case in which oral argument was held and about six 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 2019, new appeals by pro se litigants numbered 4,490, down 6.4 percent from the prior fiscal year. Pro se litigants accounted for 44.4 percent of all appeals opened during FY 2019. Pro se appeals involving federal and state prisoner petitions numbered 1,860. Pro se appeals involving agency appeals numbered 857, making up 19.1 percent of all new pro se filings.

The court terminated 4,339 pro se appeals in FY 2019, down 15.8 percent from the prior year. Of that number, 2,811 were terminated on the merits after oral argument, submissions on the briefs, or by consolidation. Prisoner petitions and agency appeals 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 of law or other legal questions of exceptional importance. During the fiscal year, the court received 817 petitions seeking en banc review. Active judges of the court voted on 24 en banc requests, granting en banc review in 14 cases. The court issued eight en banc decisions in FY 2019.

During the calendar year, 10 en banc courts were convened. Oral arguments were heard in nine cases and one case was submitted on the briefs.

Death Penalty Cases

The court ended calendar year 2019 with 87 pending death penalty appeals resulting from crimes in four states: California, 42 cases; Arizona, 31; Nevada 12; and Idaho, 2. Within the circuit, another 649 death penalty cases were pending in federal trial courts and state supreme courts. There were 963 prisoners on death row. Since 1976, there have been 75 executions by states within the circuit.

Contributions by Active, Senior and Visiting Judges

The court ended FY 2019 with 28 active circuit judges and 19 senior circuit judges. Of the 6,604 written opinions, excluding consolidations, issued by the court in FY 2019, 54.4 percent were authored by active circuit judges, 38.4 percent by senior judges, and 7.2 percent by visiting judges sitting by designation. 

DISTRICT COURTS SEE SLIGHT DECREASE IN CRIMINAL FILINGS AND INCREASE IN CIVIL 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 combined caseload for the 15 district courts within the Ninth Circuit increased in fiscal year 2019. Total new civil and criminal filings numbered 65,977, up 2.9 percent from FY 2018. Total cases terminated was

61,332, up 4.4 percent while total pending cases were up 7.3 percent to 67,855. The circuit accounted for 17.7 percent of all filings nationwide, which totaled 372,906.

Criminal Caseload and Defendants

District courts in the Ninth Circuit reported a slight decrease in criminal filings, down 2 percent with 15,439 cases. Criminal cases terminated during the year numbered 14,889, up 2.4 percent. The courts' combined pending criminal caseload was 14,749, up 3.5 percent.

U.S. District Courts - Criminal Felony Defendants Commenced (Excluding Transfers), by Offense and District, FY 2018-2019

	AK	AZ	C. Calif.	E. Calif.	N. Calif.	S. Calif.	GU	HI	ID	MT	NV	NMI	OR	E. Wash.	W. Wash.	Total 2018	Total 2019	Change 2018-19
Violent Offenses																		
Homicide	0	34	13	0	0	0	0	1	1	4	2	0	0	2	3	74	60	-18.9%
Robbery	3	8	17	1	8	13	0	4	3	0	5	0	20	0	2	112	84	-25.0%
Assault	0	118	18	5	2	32	0	0	16	39	6	0	7	16	7	426	266	-37.6%
Other	7	43	32	3	11	7	1	3	8	7	2	0	15	6	3	186	148	-20.4%
Property Offenses																		
Burglary, Larceny & Theft	1	16	67	8	16	12	6	1	8	5	3	0	7	6	10	376	166	-55.9%
Embezzlement	3	7	14	1	2	1	0	0	2	7	2	1	1	2	5	55	48	-12.7%
Fraud	13	99	359	65	99	329	4	27	37	21	26	10	52	31	37	1,423	1,209	-15.0%
Forgery & Counterfeiting	0	1	13	0	9	1	2	2	3	0	0	0	3	1	0	65	35	-46.2%
Other	0	0	3	3	7	1	0	0	0	1	0	0	2	1	1	66	19	-71.2%
Drug Offenses																		
Marijuana	8	101	18	30	18	35	0	0	7	4	0	0	7	2	1	944	231	-75.5%
All Other Drugs	57	685	573	236	217	2,056	27	97	128	157	122	4	242	101	137	4,177	4,839	15.8%
Firearms and Explosives Offenses	77	175	151	93	159	43	7	18	73	90	144	0	116	46	57	1,268	1,249	-1.5%
Sex Offenses	20	92	34	24	32	37	4	10	35	46	19	0	48	32	26	532	459	-13.7%
Justice System Offenses	1	33	13	2	16	33	2	5	2	1	3	0	11	4	10	204	136	-33.3%
Immigration Offenses																		
Improper Reentry by Alien	1	3,309	140	38	30	1,558	0	7	79	19	90	0	118	120	40	5,934	5,549	-6.5%
Other	0	640	21	3	4	1,483	0	1	11	2	0	2	0	5	2	1,856	2,174	17.1%
General Offenses	5	36	56	14	10	23	0	14	9	6	6	1	25	2	6	317	213	-32.8%
Regulatory Offenses	8	59	37	6	12	50	0	10	1	0	3	0	5	4	3	258	198	-23.3%
Traffic Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	324	0	-100.0%
All Offenses Total	204	5,456	1,579	532	652	5,714	53	200	423	409	433	18	679	381	350	18,597	17,083	-8.1%

Seven of the 15 district courts in the nine western states that comprise the Ninth Circuit reported fewer criminal filings in FY 2019. The biggest decrease was in the Western District of Washington, down 22.6 percent, while the largest percentage increase was in the District of Guam, up 40.5 percent, though that numerical increase was only from 37 in FY 2018 to 52 in FY 2019. The District of Arizona, a border court, reported the most criminal filings in the Ninth Circuit in FY 2019 with 5,350 new filings, up 7.9 percent.

The Southern District of California, also a border court, had the second most criminal filings with 5,092 new

cases reported, however, total filings for the district was down 8.2 percent in FY 2019. The Ninth Circuit accounted for 20.6 percent of the new criminal filings nationally, which numbered 75,029.

In the Ninth Circuit, the total number of defendants involved in criminal cases was 18,385, up 1.3 percent from FY 2018. The majority of the defendants were charged with felony offenses. Defendants charged with drug offenses numbered 5,070. They accounted for 27.6 percent of total criminal defendants in the circuit. Of the total drug offenses, 231 involved marijuana and 4,839 involved all other drug offenses.

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	2019 Total	2018 Total	Change 2018-19	Civil	Criminal	Supervision Hearings	2019 Total
Alaska	3	127	102	0.1	229	239	-4.4%	139	70	1.7	218
Arizona	13	471	319	9.8	800	685	16.8%	625	447	122.2	1,195
C. Calif.	28	591	88	2.6	681	627	8.6%	537	64	31.4	632
E. Calif.	6	592	133	4.7	730	855	-14.6%	688	93	50.3	831
N. Calif.	14	525	70	3.6	599	622	-3.7%	474	49	44.8	568
S. Calif.	13	193	432	8.1	634	640	-0.9%	194	451	99.2	744
Hawaii	4	158	79	3.4	240	203	18.2%	165	54	38.0	257
Idaho	2	252	282	4.3	538	550	-2.2%	266	215	51.5	532
Montana	3	163	206	10.6	380	410	-7.3%	184	137	90.7	412
Nevada	7	382	80	4.6	467	496	-5.8%	408	63	42.4	513
Oregon	6	282	160	6.7	449	434	3.5%	339	116	84.2	539
E. Wash.	4	173	113	12.4	298	306	-2.6%	246	99	145.5	490
W. Wash.	7	384	74	3.7	462	479	-3.5%	445	105	42.4	592
Circuit Total	110	4,293	2,138	74.6	6,507	6,546	-0.6%	4,710	1,963	844.3	7,523
Circuit Mean	-	330	164	5.7	501	504	-0.7%	362	151	64.9	579
Circuit Median	-	282	113	4.6	467	496	-5.8%	339	99	50.3	539
National Mean	-	329	158	4.4	549	477	15.1%	370	133	45.7	492
National Total	673	381	150	3.9	535	513	4.3%	416	137	41.2	594

Note: Case weights are based on the 2015 district court case weighting system approved by the Judicial Conference of the United States for use after December 2015. Data for the territorial courts are not included. 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 criminal cases filed as felonies or Class A misdemeanors but includes only those defendants in criminal cases filed as petty offenses that were assigned to district judges rather than magistrate judges. Remands and reopens for criminal defendants are excluded. This table includes trials conducted by district and appellate judges only; all trials conducted by magistrate judges are excluded. Sentencing hearings are excluded. Due to rounding, subtotals may not equal totals.

U.S. District Courts - Total Criminal and Civil Cases Filed, Terminated and Pending, FY 2018-2019

Caseload Measure	2018	2019	Change 2018-2019
Civil Filings	48,389	50,538	4.4%
Criminal Filings	15,759	15,439	-2.0%
Total Filings	64,148	65,977	2.9%
Civil Terminations	44,200	46,443	5.1%
Criminal Terminations	14,536	14,889	2.4%
Total Terminations	58,736	61,332	4.4%
¹ Pending Civil Cases	49,011	53,106	8.4%
Pending Criminal Cases	14,245	14,749	3.5%
¹ Total Pending Cases	63,256	67,855	7.3%
¹ Civil Case Termination Index (in months)	13.31	13.72	3.1%
Criminal Case Termination Index (in months)	11.76	11.89	1.1%
¹ Overall Case Termination Index	12.92	13.28	2.8%
Median Time Intervals in Months from Filing to Disposition			
Civil Cases	6.9	7.2	4.3%
Criminal Defendants	5.2	5.6	7.7%
Civil Cases National Average	9.2	10.8	17.4%
Criminal Defendants National Average	6.6	6.7	1.5%

Note: Median time interval from filing to disposition of civil cases terminated excludes land condemnations, prisoner petitions, deportation reviews, recovery of overpayments and enforcement of judgments. Includes cases filed in previous years as consolidated cases that thereafter were severed into individual cases. For fiscal years prior to 2001, the data included recovery of overpayments and enforcement of judgments. Median computed only for 10 or more cases. Median time interval from filing to disposition for criminal defendants 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. Median computed only for 10 or more defendants. Beginning March 2012, the median time interval is computed from the proceeding dates 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 data for previous periods.

¹2018 Total pending civil cases and total pending cases revised.

Criminal defendants charged with immigration offenses numbered 7,723, down slightly by .9 percent in FY 2019. Immigration offenses accounted for 42 percent of all criminal defendants. Of the total, 5,549 defendants were charged with improper reentry into the United States.

The Southern District of California had the largest numbers of defendants charged with immigration and drug offenses. The district reported 3,041 defendants charged with immigration offenses, down 20.4 percent from FY 2018. Defendants charged with drug offenses increased by 29.7 percent to 2,091 cases. The Southern District of California had 39.4 percent of all defendants charged with immigration offenses and 41.2 percent of all defendants with drug offenses in the circuit.

Ninth Circuit district courts reported 1,477 defendants charged with property offenses, down 25.6 percent. Under this category, defendants charged with fraud were most numerous, totaling 1,209, followed by burglary, larceny or theft, 166; forgery and counterfeiting, 35; embezzlement, 48; and 19 for other property offenses.

In the Ninth Circuit, defendants charged with firearms and explosives offenses numbered 1,249. Total number of defendants charged with violent offenses, which includes homicide, robbery, assault and other violent offenses, was 558, down 30.1 percent in FY 2019.

Total pending criminal caseload numbered 14,749, up 3.5 percent from FY 2018. Ten of the 15 district courts in the circuit reported increased pending criminal caseload.

Civil Caseload

During FY 2019, Ninth Circuit district courts reported more new civil filings and terminated more cases, ending the year with higher pending caseloads. New civil filings rose by 4.4 percent to 50,538. Case terminations numbered 46,443, up 5.1 percent from FY 2018. Pending caseload was 53,106, up 8.4 percent. Civil matters accounted for 76.6 percent of total caseloads in the district courts.

New private civil cases numbered 42,974 and accounted for 85 percent of all new civil filings in the Ninth Circuit. Major categories of new private civil filings were civil rights, 9,783 cases; personal injury, 8,934; prisoner petitions, 8,726; contracts cases, 4,117; intellectual property, 2,470; and labor matters, 2,172.

The U.S. was a party to 7,564 new civil filings, accounting for 15 percent of the total new civil caseload in Ninth Circuit district courts. Among the matters involving the government, Social Security cases were most numerous, 4,050, or 53.5 percent of the total U.S. civil cases in the Ninth Circuit. Prisoner petitions followed with 1,232 cases, or 16.3 percent. Other categories were tort actions, 389 cases; civil rights, 309 cases; and forfeitures and penalties, 198 cases.


Prisoner petitions totaled 9,958, or 19.7 percent of all new civil filings. About 90.3 percent of all prisoner petitions were initially filed pro se. The federal trial courts in Arizona and California had the most prisoner petitions.

New civil filings increased in eight of the 15 district courts of the Ninth Circuit. The Central District of California, which ranked first in number of civil cases filed in the circuit and third in the nation, reported 15,514 cases, a slight increase of 1.2 percent from the prior fiscal year. The District of Arizona reported the largest increase with 8,252 new civil cases, up 48.3

percent. The Eastern District of Washington was up 19.8 percent with 1,238 new civil cases. Among the seven districts with fewer cases, the Eastern District of California showed the biggest decline with 4,221 new civil cases, down 16.3 percent.

Case Processing Times

Case processing times in the district courts of the Ninth Circuit were up slightly from the prior fiscal year but better than the national median time. The median time from filing to disposition of all civil cases terminated was 7.2 months compared to 6.9 months the prior fiscal year. The national median time was 10.8 months compared to 9.2 months in FY 2018.

Many criminal cases are disposed of either through a guilty plea or dismissal of the charges. In the Ninth Circuit, the median time from filing to disposition was 5.5 months for pleas and 5.6 months for dismissals. Median times for criminal defendants who went to trial improved to 10.2 months from 12.8 months in FY 2019 for a bench trial before a judge and 16.9 from 19.4 months for a jury trial in FY 2019. The median time for all dispositions was 5.6 months. 

BANKRUPTCY COURTS SEE SLIGHT INCREASE IN FILINGS

The majority of the bankruptcy courts in the Ninth Circuit experienced an increase in new filings in fiscal year 2019, ending an eight-year trend of decline that began in 2011.

New bankruptcy filings in the circuit numbered 125,347, up 1.1 percent from the prior year when filings were 123,956. Filings nationwide were up slightly by .4 percent to 776,674 from 773,375 in FY 2018.

Of the 15 judicial districts in the Ninth Circuit, 13 are served by a bankruptcy court—district judges preside over bankruptcy cases in the Districts of Guam and the Northern Mariana Islands. Eleven of the 15 districts reported an increase in filings in FY 2019.

Numerically, the bankruptcy court in the District of Nevada reported the highest increase in fiscal year 2019 with 9,962 overall cases, up by 704 cases from the prior fiscal year. The District of Arizona followed with 16,950 total cases, up by 694 cases and the Central District of California with 37,911 total cases, up by 568 cases from FY 2018. Districts that reported an increase in total cases also include the Eastern District of California, up by 280 cases; the District of Hawaii, up by 147 cases; the District of Oregon, up by 79 cases; the District of Montana, up by 68 cases; the District of Guam up by 40 cases; the District of Idaho, up by 37 cases; the Southern District of California, up by 5 cases; and the District of Northern Mariana Islands, up by 2 cases.

Districts that reported fewer filings in fiscal year 2019 are the District of Alaska, Northern District of California, Eastern District of Washington and the Western District of Washington. The Northern District of California, which has divisional offices in Oakland, San Francisco, San Jose and Santa Rosa, had 8,234 new filings, down 5.2 percent from FY 2018. The District of Alaska had 426 filings, down 5.8 percent; the Eastern District of Washington had 3,500 new filings, down 2.9 percent; and the Western District of Washington had 9,343 new filings, down 6.5 percent from the prior fiscal year.

New bankruptcy filings by nonbusiness filers make up most of the new bankruptcy cases reported in the Ninth Circuit for fiscal year 2019. Total nationwide nonbusiness

filings, which involves individual debtors numbered 753,764 or 97 percent of all new bankruptcy filings in the U.S. Total nonbusiness filings in the circuit were up by 16.1 percent to 121,020 new filings, accounting for 96.5 percent of all new filings in the circuit.

New business and nonbusiness Chapter 7 filings were most numerous in the Ninth Circuit, where filings numbered 96,194 or 20 percent of all Chapter 7 filings in the nation and 76.7 percent of all new filings in the circuit.

Chapter 13 filings, which allow individuals with regular income to develop a plan to repay all or part of their debts, numbered 286,027 nationally. In the Ninth Circuit, new Chapter 13 filings totaled 28,008 or 22.3 percent of all bankruptcy filings in the circuit. Chapters 11 and 15 filings made up the remainder.

Pro Se Bankruptcy Filings

Bankruptcy cases filed by parties who do not have legal counsel are pro se filers, whose cases result in frequent dismissals because they often are not familiar or lack

Ninth Circuit Bankruptcy Courts, FY 2018-2019

District	2018 Total Filings	2019 Total Filings	Change 2018-19
Alaska	452	426	-5.8%
Arizona	16,256	16,950	4.3%
C. Calif.	37,343	37,911	1.5%
E. Calif.	14,843	15,123	1.9%
N. Calif.	8,684	8,234	-5.2%
S. Calif.	7,990	7,995	0.1%
Guam	130	170	30.8%
Hawaii	1,503	1,650	9.8%
Idaho	3,709	3,746	1.0%
Montana	1,279	1,347	5.3%
Nevada	9,258	9,962	7.6%
¹ N. Mariana Is.	2	4	-
Oregon	8,907	8,986	0.9%
E. Wash.	3,605	3,500	-2.9%
W. Wash.	9,995	9,343	-6.5%
Circuit Total	123,956	125,347	1.1%

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

understanding of the law and legal procedures. In general, pro se filers require more staff time to process their cases.

Bankruptcy filings by pro se debtors in the Ninth Circuit decreased slightly by 1.1 percent to 16,567 in fiscal year 2019. Pro se filers accounted for 13.2 percent of all bankruptcy filings in the circuit in FY 2019. The Central District of California, which ranked second with the most bankruptcy cases in the nation, reported the highest number of pro se bankruptcy cases nationwide with 5,871 new filings and accounted for 34.5 percent of all pro se bankruptcy filings in the circuit.

The District of Arizona ranked fourth nationwide with 3,149 pro se filings, up 6.1 percent from the prior fiscal

Business and Nonbusiness Bankruptcy Cases Commenced, by Chapter of the U.S. Bankruptcy Code, FY 2018-2019

² Predominant Nature of Debt	2018	2019	Change 2018-19
Business Filings			
Chapter 7	3,081	3,191	3.6%
Chapter 11	825	692	-16.1%
Chapter 12	42	65	54.8%
Chapter 13	420	376	-10.5%
Nonbusiness Filings			
Chapter 7	90,882	93,003	2.3%
Chapter 11	390	385	-1.3%
Chapter 13	28,309	27,632	-2.4%
² Total	123,949	125,344	1.1%
Terminations	133,837	128,218	-4.2%
¹ Pending Cases	118,662	115,795	-2.4%

NOTE: Due to differences among districts in reporting intra-district transfers, the total provided above for cases pending at the end of the last reporting period 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. The United States territorial courts assume the jurisdiction of the U.S. bankruptcy courts within their respective territories, which do not have separate bankruptcy courts.

¹2018 pending cases revised

²The following filings are not reflected in the total business and nonbusiness bankruptcy cases commenced for fiscal years 2018 and 2019:

Fiscal Year 2018: Arizona (Chapter 15=1), Central Calif. (Chapter 15=3), Eastern Calif. (Chapter 9=2), Montana (Chapter 15=1)

Fiscal Year 2019: Northern Calif. (Chapter 15=3)

year. Filings in the Eastern District of California were up by 1.4 percent to 2,260 and the District of Nevada up by 7.7 percent to 1,128 cases. An increase in pro se filers also were reported in the districts of Southern California, Idaho, Montana, Oregon, Eastern Washington, Western Washington, and Northern Mariana Islands.


Termination and Pending Cases

In the Ninth Circuit, bankruptcy cases terminated totaled 128,218 or 16.3 percent of the 788,667 bankruptcy cases closed nationwide in fiscal year 2019.

The Central District of California terminated 38,239 cases or 29.8 percent of all cases closed in the circuit. The District of Arizona had 16,021 cases closed or 12.5 percent; the Eastern District of California had 15,450 cases closed or 12 percent; the Northern District of California had 10,387 cases closed or 8.1 percent; and the Western District of Washington had 10,126 cases closed or 7.9 percent. The districts of Alaska, Southern California, Guam, Hawaii, Idaho, Montana, Nevada, Northern Mariana Islands, Oregon, and Eastern Washington made up the remaining 37,995 cases terminated in the circuit.

Pending cases in the circuit were reduced to 115,795, or down by 2.4 percent, in fiscal year 2019 compared to FY 2018. The Central District of California had 26,869 pending cases, down 1.2 percent; the District of Arizona with 19,493 cases, up 5 percent; the Northern District of California with 12,598 cases, down 14.6 percent; and the Eastern District of California with 12,194 cases, down 2.6 percent. Total pending cases nationwide numbered 1,015,179, down 1.2 percent from FY 2018.

Reappointment

Judges of the United States Court of Appeals for the Ninth Circuit reappointed Bankruptcy Judge Theodor C. Albert of the Central District of California to a second 14-year term which commenced on June 1, 2019. 

BANKRUPTCY APPELLATE PANEL CONTINUES TO EXPERIENCE HIGH PRO SE CASELOAD

The Ninth Circuit Bankruptcy Appellate Panel, or BAP, received fewer new filings in fiscal year 2019; however, 51 percent of overall filings were from pro se parties, up 2 percent from the prior fiscal year.

The BAP, which operates under the authority of the Judicial Council of the Ninth Circuit, is designated to hear appeals of decisions made by the bankruptcy courts of the circuit. All district courts within the Ninth Circuit have issued general orders providing for the automatic referral of bankruptcy appeals to the BAP for disposition. However, if any party files a timely election to have the appeal heard by a district court, the appeal is transferred according to the consent rule.

The BAP is authorized seven bankruptcy judges, who serve seven-year terms and may be reappointed to an additional three-year term. With the reduced filings and an effort to reduce cost, one seat on the BAP has been left vacant intentionally since 2001. In their appellate capacity, BAP judges are precluded from hearing matters arising from their own districts.

New Filings

New bankruptcy appeals numbered 564 for the fiscal year 2019, a decrease of 10 percent from fiscal year 2018. The BAP

handled 48 percent of all bankruptcy appeals, and the district courts handled 52 percent.

Dispositions

The BAP disposed of 350 appeals, down 10 percent from fiscal year 2018. Of those, 129 appeals were merits terminations. Oral argument was held in 101 appeals, and 28 appeals were submitted on briefs. The BAP published 14 opinions, 11 percent of merits decisions.



Pictured from left are Bankruptcy Judge Scott H. Gan of the District of Arizona, Chief Bankruptcy Judge Laura S. Taylor of the Southern District of California, Chief Bankruptcy Judge Gary A. Spraker of the District of Alaska, Chief Bankruptcy Judge Robert J. Faris of the District of Hawaii, Bankruptcy Judge Julia W. Brand of the Central District of California, and Bankruptcy Judge William J. Lafferty, III, of the Northern District of California.

Ninth Circuit Bankruptcy Appeal Filings, FY 2017-2019

Year	Bankruptcy Appeals Total	Raw Bankruptcy Appeals Received by BAP ¹	Net Bankruptcy Appeals BAP ²	Net Bankruptcy Appeals District Court ³	Election Rate ⁴	Percentage of Appeals Heard by BAP
FY 2017	733	425	354	379	52%	48%
FY 2018	623	374	301	322	52%	48%
FY 2019	564	330	272	292	52%	48%

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 appeal heard in district court.

New Bankruptcy Appeal Filings, FY 2018-2019

District	Bankruptcy Appellate Panel	District Court ¹	Total
Alaska	0	1	1
Arizona	25	19	44
C. Calif.	112	122	234
E. Calif.	19	11	30
N. Calif.	36	44	80
S. Calif.	23	22	45
Hawaii	9	22	31
Idaho	3	6	9
Montana	4	4	8
Nevada	24	17	41
Oregon	7	7	14
E. Wash.	1	2	3
W. Wash.	9	15	24
Total	272 (48%)	292 (52%)	564

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. The numbers for bankruptcy appeals to the BAP are calculated based on data from AOUSC Tables 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.

The reversal rate was 8 percent. The percentage of cases either reversed or remanded was 12 percent. The median time for an appeal decided on the merits was 9 months. Of the remaining 221 closed cases, 3 were terminated by consolidation and 58 were transferred to the district courts after appellee elections or in the interest of justice. The balance of 160 closed appeals were terminated on procedural grounds, such as lack of prosecution, lack of jurisdiction, or voluntary dismissal. At the end of fiscal year 2019, the BAP had 151 appeals pending, down 12 percent from the end of FY 2018.

Pro Se Appeals

The BAP continued to experience a large pro se case load. The year began with a pro se caseload of 46 percent of pending appeals. Pro se parties filed 51 percent of new appeals. By year's end, 48 percent of pending appeals were filed by pro se parties.


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 2019, second-level appeals filed numbered 154, a decrease of 21 percent compared to FY 2018. Of these, 69 were appeals from decisions by the BAP and 85 were from decisions by the district courts. Thus, of the 350 appeals that were disposed of by the BAP, roughly 80 percent were fully resolved, with only 20 percent seeking second-level review.

New BAP Chief Judge and New BAP Judge

In July 2019, Bankruptcy Judge Laura S. Taylor of the Southern District of California succeeded Bankruptcy Judge Frank L. Kurtz of the Eastern District of Washington as chief judge of the BAP. Judge Kurtz completed a six-year BAP term on September 30, 2019, which included service as the BAP's chief judge from August 2017 through July 2019. He retired from the bench October 31, 2019. Bankruptcy Judge Scott H. Gan of the District of Arizona was appointed to a seven-year term to replace Judge Kurtz on the BAP.

Oral Arguments

The BAP traveled to seven different cities during the year, holding oral arguments in Las Vegas, Pasadena, Phoenix, Portland, Sacramento, San Francisco, and Seattle. 

MAGISTRATE JUDGES SEE INCREASED WORKLOAD

Appointed under Article I of the United States Constitution, magistrate judges are selected by the district judges of their judicial district. They are appointed to an eight-year term, may be reappointed, and may serve as recalled magistrate judges. The Judicial Conference of the U.S., the judicial councils of the circuits, and the director of the Administrative Office of the U.S. Courts determine the number of magistrate judge positions based on recommendations made by the respective district courts.

Magistrate judges make significant contributions to the work of the federal trial courts. They contribute to the work of district judges in a variety of judicial matters including issuing search and arrest warrants, conducting settlement conferences in civil cases, handling petty offenses and taking felony pleas. Magistrate judges conduct preliminary proceedings, decide trial jurisdiction matters, review prisoner petitions and perform other duties. They may preside over civil trials with consent of the parties.

In fiscal year 2019, there were 106 full-time magistrate judges and six part-time magistrate judges, and one magistrate judge/clerk of court, along with 23 recalled magistrate judges, who served 11 district courts of the Ninth Circuit. They disposed of 300,712 civil and criminal matters, up 8.9 percent, in FY 2019.

The largest category of matters presided over by magistrate judges is felony preliminary proceedings, which include complaints, initial appearances, search warrants, arraignments, detention hearings, arrest warrants, preliminary hearings, summonses, bail reviews, forfeitures, Nebbia hearings, attorney appointments, and material witness hearings. Magistrate judges disposed of 129,782 felony preliminary proceedings, up 7.6 percent from the prior fiscal year.

Additional duties related to criminal matters rose to 11.6 percent with 49,265 matters disposed of in FY 2019. Non-dispositive and dispositive motions, pretrial conferences, probation and supervised release revocation hearings, guilty plea and evidentiary proceedings, motion hearings, reentry/drug court

proceedings, writs, and mental competency proceedings fall under this category. Non-dispositive motions were up 28.4 percent from 17,077 to 21,927, and dispositive motions were up 34 percent, from 253 to 339, in FY 2019.

Additional duties involving civil matters decreased slightly by .6 percent from 51,044 to 50,722. This category includes non-dispositive motions/grants of in forma pauperis, or IFP, status, other pretrial conferences, settlement conferences/mediations, other civil dispositive motions, evidentiary proceedings, Social Security appeals, special master references, summary jury/other ADR/early neutral evaluations, motion hearings, and fee applications.

Trial jurisdiction cases, which include Class A misdemeanor and petty offenses, totaled 42,724, up 22.1 percent. Petty offenses increased by 23.7 percent from 33,696 to 41,668, while Class A misdemeanors were down 18.3 percent, from 1,292 to 1,056, in FY 2019.

Civil consent cases, in which a magistrate judge presides at the consent of the parties, were up by 6.9 percent from 4,873 to 5,211. A majority of cases under this category were disposed of without trial.

Prisoner petitions were up 2.3 percent. The bulk of the work under this category involves civil rights prisoner petitions, up 5.4 percent. State habeas prisoner petitions were down 3 percent in FY 2019.


New Magistrate Judges and Governance

Ten new full-time magistrate judges were appointed in 2019. Magistrate judges appointed were Maria S. Aguilera and Camille D. Bibles of the District of Arizona; Allison H. Goddard of the Southern District of California; Wes R. Porter and Rom A. Trader of the District of Hawaii; Kathleen L. DeSoto of the District of Montana; Daniel J. Albregts, Brenda Weksler, and Elayna J. Youchah of the District of Nevada; and Michelle L. Peterson of the Western District of Washington.

Matters Disposed of by Ninth Circuit Magistrate Judges, FY 2018-2019

Activity	2018	2019	Percent Change 2018-19
Total Matters	276,194	300,712	8.9%
Felony Preliminary Proceedings	120,624	129,782	7.6%
Search Warrants	21,102	21,385	1.3%
Arrest Warrants	9,609	9,246	-3.8%
Summonses	1,084	1,149	6.0%
*Complaints	19,987	25,222	26.2%
Initial Appearances	23,879	24,552	2.8%
Preliminary Hearings	7,148	7,913	10.7%
Arraignments	16,295	16,877	3.6%
Detention Hearings	14,410	15,594	8.2%
Bail Reviews/Forfeitures/Nebbia Hearings	1,978	2,247	13.6%
¹ Other	5,132	5,597	9.1%
Trial Jurisdiction Defendants	34,988	42,724	22.1%
Class A Misdemeanor	1,292	1,056	-18.3%
Petty Offense	33,696	41,668	23.7%
Civil Consent Cases	4,873	5,211	6.9%
Without Trial	4,823	5,165	7.1%
Jury Trial	40	34	-15.0%
Bench Trial	10	12	20.0%
Additional Duties			
Criminal	44,139	49,265	11.6%
Non-Dispositive Motions	17,077	21,927	28.4%
Dispositive Motions	253	339	34.0%
Evidentiary Proceedings	127	119	-6.3%
Pretrial Conferences	10,865	12,074	11.1%
Probation and Supervised Release	1,906	1,897	-0.5%
Revocation Hearings			
Guilty Plea Proceedings	9,560	9,405	-1.6%
² Other	4,351	3,504	-19.5%
Civil	51,044	50,722	-0.6%
Settlement Conferences/Mediations	2,957	2,994	1.3%
Other Pretrial Conferences	4,179	4,131	-1.1%
³ Non-Dispositive Motions/Grants of IFP Status	38,064	37,421	-1.7%
Other Civil Dispositive Motions	2,568	2,625	2.2%
Evidentiary Proceedings	135	114	-15.6%
Social Security Appeals	494	586	18.6%
Special Master References	0	0	-
⁴ Other	2,647	2,851	7.7%
Prisoner Petitions	6,728	6,884	2.3%
State Habeas	2,266	2,197	-3.0%
Federal Habeas	344	348	1.2%
Civil Rights	4,104	4,324	5.4%
Evidentiary Proceedings	14	15	7.1%
Miscellaneous Matters	13,798	16,124	0.0%

Educational Program

The Magistrate Judges Education Committee, chaired by Chief Magistrate Judge Kenneth J. Mansfield of the District of Hawaii, organized a supplemental program for judges and lawyers who attended the 2019 Ninth Circuit Judicial Conference. The program, “GDPR and the Law of Data Privacy,” focused on how the European Union’s General Data Protection Regulation will impact the law of data privacy, including civil and criminal case discovery. Panel experts, who provided an overview of the GDPR and discussed data privacy, include James C. Francis IV, distinguished lecturer at CUNY Law School and former magistrate judge for the Southern District of New York; Ruth Hauswirth, special counsel and director of litigation and e-Discovery at Cooley; Jonathan Palmer, vice president and deputy general counsel for litigation at Microsoft Corporation; and Lee Tien, senior staff attorney and Adams Chair for Internet Rights at Electronic Frontier Foundation. 

^{*}New “Complaints” category previously not included. Fiscal year 2018 for this category added to reflect percent change.

¹Includes attorney appointment hearings and material witness hearings.

²Includes mental competency proceedings, motion hearings, reentry/drug court proceedings and writs.

³In 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.

⁴Includes summary jury/other ADR/early neutral evaluations, motion hearings and fee applications.

CASELOADS RISE FOR FEDERAL DEFENDERS AND COMMUNITY DEFENDERS

The Office of the Federal Public Defender was created by Congress to fulfill the constitutional requirement that financially eligible individuals be guaranteed the right to representation by counsel. Criminal defendants facing prosecution in federal courts are provided with legal representation at no cost. Congress provides funds to the Defender Services Division of the Administrative Office of the United States Courts for this purpose.

Federal public defender offices, which are staffed by federal judiciary employees, and community defender organizations, which are nonprofit organizations staffed

by nongovernment employees, 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 the courts of appeals select and appoint the federal public defender for a renewable four-year term. In the Ninth Circuit, FPD applicants are evaluated by both a local screening committee and the court's Standing Committee on Federal Public

Ninth Circuit Federal Defender Organizations: Cases Opened, Closed and Pending, FY 2015-2019

Cases	2015	2016	2017	2018	2019	Change 2018-2019
Opened	27,465	31,897	26,727	34,641	36,468	5.3%
Closed	24,720	28,092	28,689	36,755	34,603	-5.9%
¹ Pending	11,766	15,383	13,380	11,261	13,093	16.3%

¹2018 Pending cases revised.

Federal Defender Organizations: Summary of Representations by District, FY 2018-2019

District	Opened 2018	Opened 2019	Change 2018-19	Closed 2018	Closed 2019	Change 2018-19	Pending 2019
Alaska	357	352	-1.4%	526	323	-38.6%	264
Arizona	9,441	10,828	14.7%	9,365	11,004	17.5%	1,525
C. Calif.	3,830	3,515	-8.2%	4,700	3,315	-29.5%	2,569
E. Calif.	1,252	1,260	0.6%	1,216	1,247	2.5%	689
N. Calif.	1,729	2,057	19.0%	1,757	1,913	8.9%	698
¹ S. Calif.	10,909	11,458	5.0%	12,146	9,983	-17.8%	3,272
Guam	142	208	46.5%	138	215	55.8%	54
Hawaii	359	366	1.9%	330	359	8.8%	168
¹ Idaho	385	382	-0.8%	399	369	-7.5%	220
¹ Montana	829	834	0.6%	852	817	-4.1%	279
Nevada	1,112	1,032	-7.2%	1,049	915	-12.8%	1,175
Oregon	1,842	1,821	-1.1%	1,722	1,924	11.7%	1,284
¹ E. Wash.	1,058	1,002	-5.3%	1,093	946	-13.4%	419
W. Wash.	1,396	1,353	-3.1%	1,462	1,273	-12.9%	477
Circuit Total	34,641	36,468	5.3%	36,755	34,603	-5.9%	13,093
National Total	148,158	162,362	9.6%	156,205	152,545	-2.3%	59,767
Circuit Total as % of National Total	23.4%	22.5%	-0.9%	23.5%	22.7%	-0.8%	21.9%

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, and parole revocation representations.

Defenders, applying Equal Opportunity guidelines. The court makes its initial appointment after a nationwide recruitment and the use of its local screening committee. An incumbent federal 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. Community defenders are appointed by members of the board of directors in their organization, and their performance are reviewed periodically.

Federal defenders and community defenders in the Ninth Circuit opened 36,468 cases, up 5.3 percent in fiscal year 2019. Total cases opened nationwide numbered 162,362, up 9.6 percent in FY 2019.

Federal defenders and community defenders in seven districts reported higher caseloads in FY 2019. Numerically, the Office of the Federal Public Defender in the District of Arizona had the highest increase, up 14.7 percent from 9,441 to 10,828 cases. FPD offices that reported an increase in new cases in FY 2019 include the Southern District of California, up 5 percent from 10,909 to 11,458 cases; Northern District of California, up 19 percent from 1,729 to 2,057 cases; District of Guam, up 46.5 percent from 142 to 208 cases; Eastern District of California, up by 8 cases from 1,252; District of Hawaii, up by 7 cases from 359; and the District of Montana, up by 5 cases from 829.

FPD offices and community defender organizations that reported fewer new cases in fiscal year 2019 include the Central District of California, down 8.2 percent from 3,830 to 3,515; District of Nevada, down 7.2 percent from 1,112 to 1,032; Eastern District of Washington, down 5.3 percent from 1,058 to 1,002; Western District of Washington, down 3.1 percent from 1,396 to 1,353; District of Oregon, down 1.1 percent from 1,842 to 1,821; District of Alaska, down by 5 cases from 357; and District of Idaho, down by 3 cases from 385.

Federal defenders and community defenders in the circuit closed 34,603 cases, down 5.9 percent, while pending cases were up 16.3 percent from 11,261 to

13,093 cases in FY 2019. Cases closed nationwide totaled 152,545, down 2.3 percent, while pending caseload nationwide also increased with 59,767 cases, up 19.3 percent in FY 2019.

Federal defenders in six districts reported closing more cases in FY 2019. Numerically, the FPD Office in the District of Arizona had the highest number of cases closed, up 17.5 percent from 9,365 to 11,004 cases. FPD offices that reported closing more cases in FY 2019 include the Northern District of California, up 8.9 percent from 1,757 to 1,913 cases; District of Oregon, up 11.7 percent from 1,722 to 1,924 cases; District of Guam, up 55.8 percent from 138 to 215 cases; Eastern District of California, up 2.5 percent from 1,216 to 1,247 cases; and District of Hawaii, up 8.8 percent from 330 to 359 cases.

Transitions

Judges of the United States Court of Appeals for the Ninth Circuit reappointed Federal Public Defender Hilary Lee Potashner for the Central District of California effective June 30, 2019. FPD Potashner returned to private practice, and the judges then appointed Amy M. Karlin as interim FPD effective October 1, 2019. FPD Rene L. Valladares for the District of Nevada was reappointed effective August 3, 2019, and FPD John T. Gorman for the District of Guam also was reappointed effective October 8, 2019. □

PROBATION OFFICES KEEP UP WITH WORKLOAD WHILE ENGAGING IN CIVICS AND COMMUNITY OUTREACH

United States probation officers provide services that protect the community, help the federal courts ensure the fair administration of justice, and investigate and supervise persons charged with or convicted of crimes.

Presentence Reports

Probation officers investigate relevant facts about defendants; assess those facts for the purposes of sentencing; apply the appropriate guidelines, statutes, and policy statements; and provide clear, concise and objective reports that will assist the sentencing judges in determining appropriate sentences.

Standard guideline presentence reports are generally prepared in felony and Class A misdemeanor cases for which the U.S. Sentencing Commission has promulgated a guideline.

In the Ninth Circuit, probation officers completed 13,477 presentence investigations which included preparing 13,215 presentence guideline and nonguideline reports in fiscal year 2019, a 12.9 percent increase from the prior fiscal year. The circuit accounted for 18.4 percent of the national total of 73,337 submitted presentence reports.

Ninth Circuit Federal Probation System: Persons Under Post-Conviction Supervision, FY 2018-2019

Persons Under Supervision	2018	2019	Change 2018-19
¹ From Courts	3,122	2,999	-3.9%
² From Institutions	19,418	19,652	1.2%
Total	22,540	22,651	0.5%

¹Includes conditional release, probation, and the former categories known as judge probation and magistrate judge probation.

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

Ninth Circuit Federal Probation System: Persons Under Post-Conviction Supervision by District, FY 2018-2019

District	From Courts	Referred by Institutions			Persons Under Supervision, 2018	Persons Under Supervision, 2019	Change 2018-2019
	¹ Probation	Supervised Release	² Parole	³ BOP Custody			
Alaska	36	270	0	1	329	307	-6.7%
Arizona	816	3,051	11	0	3,837	3,878	1.1%
C. Calif.	650	4,693	17	0	5,306	5,360	1.0%
E. Calif.	175	1,712	10	1	1,955	1,898	-2.9%
N. Calif.	286	1,541	5	0	1,990	1,832	-7.9%
S. Calif.	299	2,950	13	0	3,051	3,262	6.9%
Guam	36	100	1	0	147	137	-6.8%
Hawaii	33	466	5	18	582	522	-10.3%
Idaho	87	533	1	2	611	623	2.0%
Montana	90	754	1	3	861	848	-1.5%
Nevada	146	1,005	6	1	1,140	1,158	1.6%
N. Mariana Is.	1	15	0	0	17	16	-5.9%
Oregon	171	872	10	1	1,042	1,054	1.2%
E. Wash.	49	608	2	1	605	660	9.1%
W. Wash.	124	952	20	0	1,067	1,096	2.7%
Circuit Total	2,999	19,522	102	28	22,540	22,651	0.5%

¹Includes conditional release, probation, and the former categories known as judge probation and magistrate judge probation.

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

³BOP (Bureau of Prisons)

Persons Under Post-Conviction Supervision

Probation officers supervise persons who are conditionally released to the community by the U.S. district courts or paroling authorities on probation, parole, or supervised release in accordance with evidence-based practices. The desired outcomes of supervision are the execution of the sentence, reduction of reoffending, and protection of the community from offenses committed by persons under supervision during the period of supervision and beyond.

The period of supervision is an opportunity for persons under supervision to develop the skills and motivation to become and remain lawful, eventually without the oversight and support of the justice system. Therefore, the goal for each person under supervision is lawful self-management. Probation officers manage and reduce the risks posed by those under supervision through monitoring, restrictions, and interventions.

To assist persons under supervision comply with conditions of supervision and lawful self-management, probation officers deliver or refer persons for the following services: substance abuse treatment; mental health treatment; sex offender treatment; medical care; employment assistance; vocational training; literacy and training programs; and cognitive behavioral interventions.

Probation officers in the Ninth Circuit were supervising 22,651 persons at the end of FY 2019, a .49 percent increase from the prior fiscal year. The circuit accounted for 17.6 percent of the national total of 128,904 persons under supervision at the end of FY 2019.

Among the persons under supervision at end of FY 2019, 2,999 were on probation, 19,522 were on supervised release, 102 were on parole, and 28 adhered to the Bureau of Prisons custody standards.

Revocations and Early Terminations

Ninth Circuit cases that were revoked and closed after post-conviction supervision totaled 3,550 in FY 2019,

a 3.14 percent decrease from the previous fiscal year. Of these revocations, 188 were probation sentences, 3,352 were supervised release terms, and 10 were parole cases. The Ninth Circuit accounted for 20.54 percent of the 17,280 cases revoked nationally, a 1.3 percent increase from the previous fiscal year.

In fiscal year 2019, there were 1,481 cases terminated early in the Ninth Circuit compared to the 8,485 cases terminated early nationally.



Southern District of California probation staff participate in the annual "Shop with a Cop" program.

Civics Engagement and Outreach

In addition to the work probation officers perform, many probation offices are involved in civics engagement and outreach in their communities. These opportunities assist the probation offices develop relationships in the community, educate people about U.S. probation, and promote staff wellness.


Several districts participated in civics and outreach activities including the districts of Alaska, Arizona, Central California, Southern California, Hawaii, Montana, and Oregon. Civics and outreach activities included conducting presentations on U.S. Probation and Pretrial Services for classes in justice and legal studies, working with the Anchorage Reentry Coalition,

and collecting food to help stock the Children's Lunchbox Pantry Program in the District of Alaska.

In the District of Arizona, "Second Chance" activities were held which included a re-entry job fair, community forum, and recognition of employers of re-entering persons. The officers also participated in the Law Enforcement Torch Run to benefit the Special Olympics, as well as activities as the "9/11 Stair Climb" and a "Fallen Officer 5K."

In California, the Central District's Substance Abuse Treatment and Reentry (STAR) and Conviction and Sentence Alternatives (CASA) teams volunteered at the Midnight Mission to serve lunch to the homeless population on Skid Row. The officers participated in the annual "Battle of the Badges" blood drive, which began more than 10 years ago by one of their officers, while the Southern District probation staff participated in "Shop with a Cop" in San Diego, which benefited underrepresented children from across the county. In addition, the Southern District participated in the "Law Enforcement Guacamole Bowl Challenge" which raised money for "Sports for Exceptional Athletes" organization.

The probation office in the District of Hawaii participated in the "Law Enforcement Torch Run" and "Tip-A-Cop" to raise money for the Special Olympics. The District of Montana's probation office participated in the "Polar Plunge" at Lake Elmo in Billings and "U.S. Frozzzation" to also raise money for the Special Olympics. Officers also visited local high schools and conducted presentations on federal probation and the federal courts. Staff in the Great Falls Division volunteered to serve on the Cascade County Mental Health Advisory Group to assist local criminal justice agencies to address mental health issues and look for alternatives to incarceration for people facing mental illness.

The probation office in the District of Oregon hosted a holiday event for their clients' children at the Oregon Museum of Science and Industry, where the children toured the museum, participated in cookie decorating, ornament making, and face painting events. Prior to the event, the children sent in gift ideas to the probation office where volunteers throughout the courthouse purchased the gifts. 

PRETRIAL SERVICES OFFICES WORKLOAD INCREASES

Defendants Under Pretrial Supervision

Working with individuals who are presumed innocent until proven guilty, United States pretrial services officers within the federal judiciary carry out the important work of balancing the civil liberties of persons under supervision with protecting community safety. In the Ninth Circuit, they do so by focusing their efforts on those individuals who present the greatest risks and needs, including those who suffer from mental illness and drug dependency.

Pretrial services officers assist the court by investigating defendants charged with federal crimes, recommending whether to release or detain them, and supervise those individuals who are released to the community while pending the outcome of their case. Using the least restrictive supervision strategies and interventions, pretrial services officers monitor defendant compliance with court ordered conditions of release, attempt to minimize the likelihood of re-arrest, and increase the likelihood defendants make all required court appearances.

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 individuals who are deemed appropriate and accepted into the program.

Pretrial Services Cases Activated in Ninth Circuit Courts, FY 2018-2019

Caseload Measure	2018	2019	Change 2018-2019
Reports	31,612	32,077	1.5%
Interviews	8,526	9,452	10.9%
Cases Activated	32,004	32,846	2.6%

Case Activations

In fiscal year 2019, pretrial services offices in the Ninth Circuit reported 32,846 new case activations, an increase of 2.6 percent from 32,004 new case activations in fiscal year 2018. New case activations nationwide totaled 108,163, up 8.7 percent from the prior year. The Ninth Circuit continues to rank first nationally in cases activated, accounting for 30.4 percent of total new cases.

Pretrial Bail Reports, Supervision

Over the course of the fiscal year, pretrial services officers in the Ninth Circuit conducted 9,452 pretrial bail interviews, representing 28.8 percent of all cases activated. They prepared 31,613 written pre-bail reports and 464 post-bail reports during fiscal year 2019. Bail reports were prepared in 97.7 percent of the cases activated.

Excluding immigration cases, officers made recommendations for initial pretrial release to the courts in 54.9 percent of cases. Assistant U.S. attorneys in the circuit recommended pretrial release in 45.3 percent of cases in fiscal year 2019.

During the fiscal year, 6,053 defendants were received for supervision, up 15.5 percent from 5,242 in fiscal year 2018. Of these individuals, 4,475 were received for regular supervision; 1,491 were supervised on a courtesy basis from another district or circuit; and 87 were pretrial diversion cases, which include courtesy supervision of diversion cases.

Detention Summary

In fiscal year 2019, the Ninth Circuit detained 28,434 defendants, a 6.9 percent increase from fiscal year 2018. Defendants detained in the circuit represented 23.1 percent of all defendants detained nationally. During the fiscal year, 81.5 percent of all defendants received in the circuit were detained and never released. Excluding immigration cases, 64.3 percent of defendants were detained and never released. Excluding all illegal alien cases, the circuit had a release rate of 50.4 percent. Defendants in the circuit were detained an average of 214 days. The U.S.-Mexico border courts in the districts of Arizona and Southern District of California continued to report the highest number of defendants detained. The District of Arizona detained 11,448 defendants, a 24.4 percent increase from fiscal year 2018, while the Southern District of California detained 8,265 defendants, an 8 percent reduction from the prior fiscal year. The Ninth Circuit accounted for 19.6 percent of total days that defendants were incarcerated nationally.

Violations

Of the 12,095 cases in release status in FY 2019, cases with violations numbered 1,941, a 14.5 percent increase from the prior fiscal year. They included 33 violations due to felony re-arrests, 40 violations resulting from misdemeanor re-arrests, and 253 for failure to appear. There were 1,806 technical violations for noncompliance with court ordered conditions of release, such as positive urine tests for illegal substances, violation of location monitoring conditions, possession of contraband, and failure to report to a supervising officer.

Evidence-Based Practices for Pretrial Services

Evidence-based practices are those that have been found through research to enhance overall desired outcomes. The desired outcomes of the pretrial services functions are to reasonably assure defendants do not pose either a risk of non-appearance or danger to the community.

To accomplish this, a proven evidence-based practice in pretrial services is to use a validated risk assessment tool.

Pretrial Services Offices in the Ninth Circuit have incorporated the Pretrial Services Risk Assessment (PTRA) into its business practices. The PTRA is an objective instrument that provides a consistent and valid method of predicting risk of failure to appear, new criminal arrests, 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. Defendants with lower PTRA scores are less likely to fail to appear, sustain a new arrest, or commit a new offense while on pretrial release. An evidence-based approach directs resources to be more effectively utilized by focusing on defendants with higher

Pretrial Workload, FY 2018-2019

District	Defendant Contact		Written Reports		No Reports Made	Total Cases Activated 2018	Total Cases Activated 2019	Change 2018-2019
	Interviewed	¹ Not Interviewed	² Prebail	Postbail				
Alaska	43	145	184	1	3	233	188	-19.3%
Arizona	2,227	14,702	16,740	110	79	16,010	16,929	5.7%
C. Calif.	1,675	361	2,011	9	16	1,846	2,036	10.3%
E. Calif.	367	262	619	2	8	686	629	-8.3%
N. Calif.	514	311	575	243	7	670	825	23.1%
S. Calif.	2,701	5,970	8,173	59	439	8,851	8,671	-2.0%
Guam	52	11	62	0	1	45	63	40.0%
Hawaii	167	66	205	1	27	233	233	0.0%
Idaho	210	218	359	0	69	425	428	0.7%
Montana	268	166	427	1	6	436	434	-0.5%
Nevada	417	167	582	0	2	648	584	-9.9%
N. Mariana Is.	16	0	16	0	0	15	16	6.7%
Oregon	343	229	555	6	11	568	572	0.7%
E. Wash.	192	238	349	1	80	431	430	-0.2%
W. Wash.	260	548	756	31	21	907	808	-10.9%
Circuit Total	9,452	23,394	31,613	464	769	32,004	32,846	2.6%
National Total	51,710	47,784	92,840	2,602	4,052	99,494	108,163	8.7%
Circuit % of National	18.3%	49.0%	34.1%	17.8%	19.0%	32.2%	30.4%	-1.8%

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."

PTRA scores, namely defendants who pose higher risks of non-appearance and/or danger to the community. It also directs that only limited resources should be targeted toward defendants lower on the risk spectrum.

Another evidence-based practice that continues to be 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 defendants to effect long-term behavior change. The techniques have 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 Alaska, Arizona, Central California, Northern California, Southern California, Guam, Hawaii, Nevada, Eastern Washington, and Western Washington have introduced and incorporated STARR, at various stages into their business practices.


Specialty Courts and Pre-entry Programs

In fiscal year 2019, a number of pretrial services offices in the Ninth Circuit continued to be involved in innovative specialty courts. These programs provide rehabilitative services to higher risk defendants while giving them a chance to have their cases dismissed or sentences reduced upon successful completion of supervision. The design of many of these programs involves a collaborative approach to problem solving to respond to the unique needs of program participants. Judicial officers and key court stakeholders are typically involved with these programs. Programs in the Ninth Circuit include the Veteran's Treatment Court 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; the Conviction Alternatives Program (now the Alternatives to Incarceration Program), a post-guilty plea alternative to incarceration programs with an emphasis on defendants with a substance use disorder in the Northern District of California; a pre-adjudication felony program in the Western District of Washington; a pre-adjudication felony program with an emphasis on defendants with a substance use disorder in

the District of Nevada; the Arizona Veterans Program in the District of Arizona, a diversionary and post-sentence program that assists military veterans; the ICAN Program, a post-guilty plea diversion program that offers wrap around services to high-risk defendants in the District of Arizona; the Court Assisted Pretrial Supervision Program, which offers specialized supervision and programming for high-risk individuals through court involvement in the District of Oregon; and Better Choices Court in the Eastern District of California, a judge-involved 12-month program utilized as an alternative to detention.

"Pre-entry" educational programs in the Ninth Circuit are offered to defendants awaiting sentencing. These programs include Prison and Beyond in the District of Oregon, The Compass in the District of Nevada, Keys to Successful Incarceration, or KTSI, in the Central District of California, Keys to Success in the Northern District of California, Successful Tips for Entering the Pretrial/Prison/Probation System, or STEPS, in the District of Arizona, Kapilipono in the District of Hawaii, and a general BOP educational program in the Eastern District of California. These programs are designed to educate defendants 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. Pre-entry programs help establish a solid foundation for future success and complement the post-conviction re-entry efforts.

Community Outreach

Pretrial services officers in the Ninth Circuit periodically participate in community outreach and civic engagement. One such example is in the Northern District of California where pretrial services officers partner with the court and key stakeholders to educate international visitors in the legal field on the federal criminal justice process. In fiscal year 2019, the Northern District of California hosted a delegation of Dutch and Mexican law professors and students. Pretrial services officers provided the delegations a history and overview of the federal bail system, provided resources, and answered questions pertaining to its practices. Pretrial Services officers in the Northern District of California also presented at local high schools to educate students on bail practices and the role of the pretrial services officer in the fair administration of justice. 

Juror Utilization, FY 2018-2019

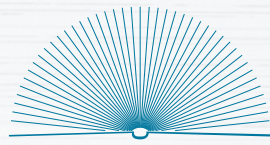
District	Grand Juries Impaneled, 2019	Petit Juries Selected, 2019	¹ Percent Not Selected or Challenged		
			2018	2019	Change 2018-2019
Alaska	2	11	24.7	32.3	7.6
Arizona	15	60	29.8	28.4	-1.4
C. Calif.	28	149	43.0	50.5	7.5
E. Calif.	8	59	34.6	35.8	1.2
N. Calif.	6	55	26.0	57.0	31.0
S. Calif.	6	88	42.1	41.4	-0.7
Guam	2	3	80.5	70.9	-9.6
Hawaii	4	15	37.9	56.4	18.5
Idaho	6	19	35.4	23.0	-12.4
Montana	7	18	29.6	30.2	0.6
Nevada	6	28	32.5	23.9	-8.6
N. Mariana Is.	2	1	11.1	6.8	-4.3
Oregon	8	32	24.2	30.2	6.0
E. Wash.	6	13	24.1	37.0	12.9
W. Wash.	4	21	31.4	28.3	-3.1
Circuit Total	110	572	***	***	
Circuit Average	7.3	38.1	33.8	36.8	3.0
National Total	750	3,718	***	***	
National Average	8.0	39.6	37.5	38.6	1.1

Note: This table includes data on jury selection days only. Data on juror service after the selection day are not included. Due to rounding, percentages may not total 100 percent.

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

Interpreter Usage by District Courts, FY 2018-2019

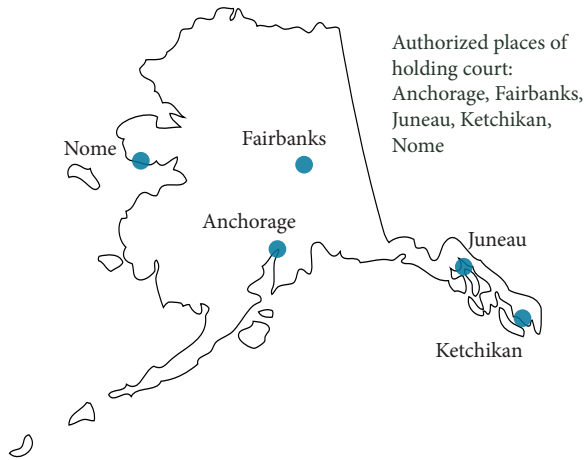
Language	AK	AZ	CAC	CAE	CAN	CAS	GU	HI	ID	MT	NV	NMI	OR	WAE	WAW	2018 Total	2019 Total	Change 2018-19
Arabic	0	36	17	8	3	20	0	0	2	0	0	0	0	0	14	60	100	66.7%
Armenian	0	0	68	7	0	6	0	0	0	0	0	0	2	0	0	106	83	-21.7%
Cantonese	0	4	28	0	32	19	0	6	0	0	4	0	5	0	10	136	108	-20.6%
Farsi	0	0	8	5	4	16	0	0	0	0	3	0	0	0	0	17	36	111.8%
Japanese	0	0	0	0	2	0	1	0	0	0	6	0	0	0	2	7	11	57.1%
Korean	0	0	75	2	8	5	0	10	0	0	0	0	3	0	4	116	107	-7.8%
Mandarin	0	23	99	75	72	189	8	2	0	0	13	0	24	0	3	455	508	11.6%
Navajo (Certified)	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	-
Navajo (Non-Certified)	0	55	0	0	0	0	0	0	0	0	0	0	0	0	0	34	55	61.8%
Russian	0	2	33	11	26	11	0	0	0	0	0	0	6	0	18	89	107	20.2%
Sign (American)	0	17	0	0	8	1	0	0	4	0	0	0	14	4	0	86	48	-44.2%
Sign (Mexican)	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30	-
Spanish Staff	0	58,770	1,084	994	305	33,228	0	0	0	0	465	0	458	145	0	56,572	95,449	68.7%
Spanish (Certified)	28	8,808	1,309	837	678	3,165	0	5	247	12	205	0	218	477	454	9,934	16,443	65.5%
Spanish (Non-Certified)	0	0	0	0	0	0	2	39	77	73	42	0	1	0	0	210	234	11.4%
Tagalog	12	0	7	1	6	0	0	0	0	0	0	0	0	0	1	14	27	92.9%
Vietnamese	0	0	16	0	24	16	0	0	0	0	19	0	10	0	7	109	92	-15.6%
All Others	3	719	79	74	61	860	7	23	0	3	49	0	26	27	26	844	1,957	131.9%
Total	43	68,439	2,853	2,014	1,229	37,536	18	85	330	88	806	0	767	653	539	68,789	115,400	67.8%



**DISTRICT
CASELOADS**

DISTRICT CASELOADS

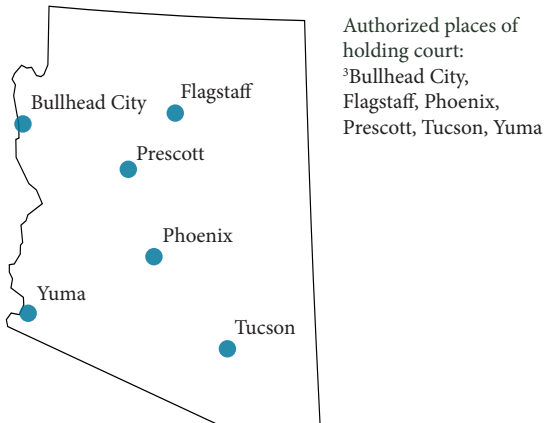
District of Alaska



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	556	605	8.8%	202
Terminations	536	631	17.7%	210
¹ Pending	672	647	-3.7%	216
Bankruptcy Court				
Filings	452	426	-5.8%	213
Terminations	477	441	-7.5%	221
Pending	345	330	-4.3%	165
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
3	2	2	2	

¹2018 total pending cases revised.

District of Arizona



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	10,519	13,602	29.3%	1,046
Terminations	7,985	10,154	27.2%	781
¹ Pending	10,445	13,838	32.5%	1,064
Bankruptcy Court				
Filings	16,256	16,950	4.3%	2,421
Terminations	16,187	16,021	-1.0%	2,289
Pending	18,564	19,493	5.0%	2,785
Authorized Judgeships				
² District	Bankruptcy	Magistrate		
		Full-time	Part-time	
13	7	14	1	

¹2018 total pending cases revised.

²Includes one authorized temporary judgeship.

³Bullhead City applies only to the bankruptcy court.

Central District of California



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	16,505	16,652	0.9%	595
Terminations	15,023	16,243	8.1%	580
¹ Pending	13,332	13,725	2.9%	490
Bankruptcy Court				
Filings	37,343	37,911	1.5%	1,648
Terminations	40,790	38,239	-6.3%	1,663
Pending	27,195	26,869	-1.2%	1,168
Authorized Judgeships				
² District	³ Bankruptcy	Magistrate		
		Full-time	Part-time	
28	23	24	1	

¹2018 total pending cases revised.

²Includes one authorized temporary judgeship.

³Includes two authorized temporary judgeships.

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

Eastern District of California



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	5,483	4,608	-16.0%	768
Terminations	5,231	4,771	-8.8%	795
Pending	7,419	7,255	-2.2%	1,209
Bankruptcy Court				
Filings	14,843	15,123	1.9%	2,160
Terminations	15,922	15,450	-3.0%	2,207
¹ Pending	12,521	12,194	-2.6%	1,742
Authorized Judgeships				
District	² Bankruptcy	Magistrate		
		Full-time	Part-time	
6	7	12	0	

¹2018 total pending cases revised.

²Includes one authorized temporary judgeship.

³Modesto applies only to the bankruptcy court, and Yosemite applies only to the district court.

DISTRICT CASELOADS CONTINUED

Northern District of California



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	8,199	8,408	2.5%	601
Terminations	7,050	7,250	2.8%	518
¹ Pending	9,901	11,040	11.5%	789
Bankruptcy Court				
Filings	8,684	8,234	-5.2%	915
Terminations	10,984	10,387	-5.4%	1,154
Pending	14,749	12,598	-14.6%	1,400
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
14	9	12	0	

¹2018 total pending cases revised.

²Eureka applies only to the district court.

³Santa Rosa applies only to the bankruptcy court.

Southern District of California



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	8,612	7,852	-8.8%	604
Terminations	8,669	7,710	-11.1%	593
¹ Pending	5,229	5,368	2.7%	413
Bankruptcy Court				
Filings	7,990	7,995	0.1%	1,999
Terminations	8,567	8,298	-3.1%	2,075
¹ Pending	6,359	6,056	-4.8%	1,514
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
13	4	12	0	

¹2018 total pending cases revised.

²El Centro applies only to the district court.

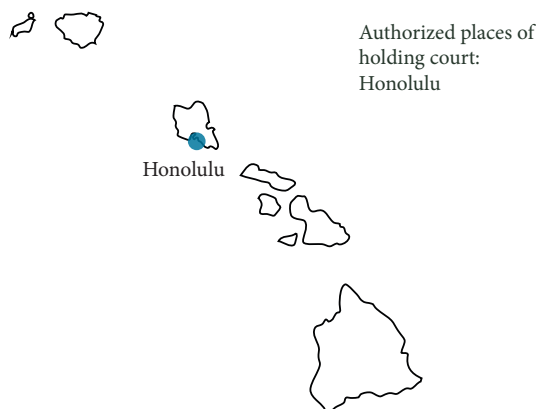
District of Guam



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	91	204	124.2%	204
Terminations	98	101	3.1%	101
Pending	253	374	47.8%	374
Bankruptcy Court				
Filings	130	170	30.8%	385
Terminations	148	174	17.6%	271
Pending	143	139	-2.8%	327
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
1	0	1	0	

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

District of Hawaii



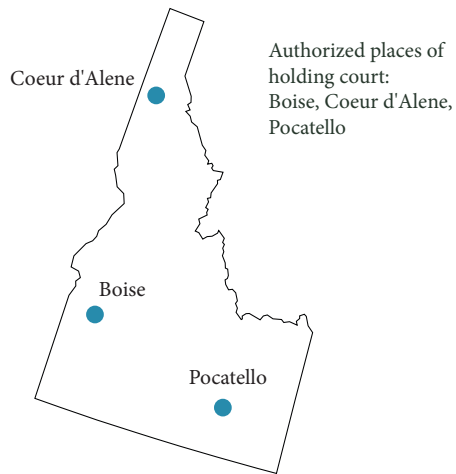
Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	672	850	26.5%	213
Terminations	762	784	2.9%	196
¹ Pending	877	951	8.4%	238
Bankruptcy Court				
Filings	1,503	1,650	9.8%	1,650
Terminations	1,510	1,760	16.6%	1,760
Pending	2,043	1,933	-5.4%	1,933
Authorized Judgeships				
² District	Bankruptcy	Magistrate		
		Full-time	Part-time	
4	1	3	0	

¹2018 total pending cases revised.

²Includes one temporary judgeship.

DISTRICT CASELOADS CONTINUED

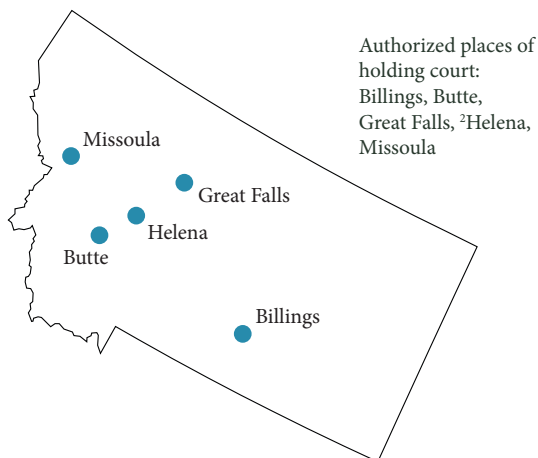
District of Idaho



Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	931	922	-1.0%	461
Terminations	998	889	-10.9%	445
¹ Pending	1,006	1,038	3.2%	519
Bankruptcy Court				
Filings	3,709	3,746	1.0%	1,873
Terminations	3,823	3,652	-4.5%	1,826
Pending	2,860	2,954	3.3%	1,477
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
2	2	2	0	

¹2018 total pending cases revised.

District of Montana

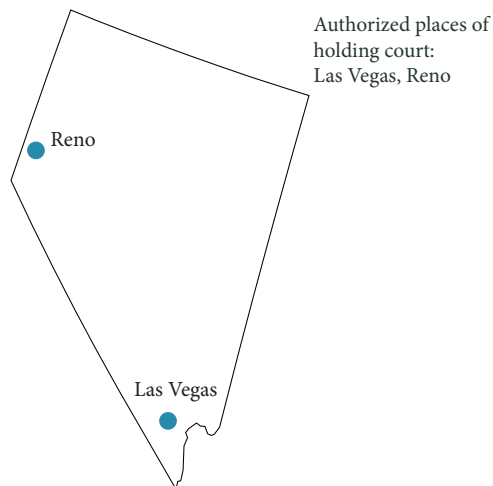


Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	1,069	910	-14.9%	303
Terminations	1,100	919	-16.5%	306
¹ Pending	978	972	-0.6%	324
Bankruptcy Court				
Filings	1,279	1,347	5.3%	1,347
Terminations	1,442	1,220	-15.4%	1,220
¹ Pending	1,466	1,593	8.7%	1,593
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
3	1	3	0	

¹2018 total pending cases revised.

²Helena applies only to the district court.

District of Nevada

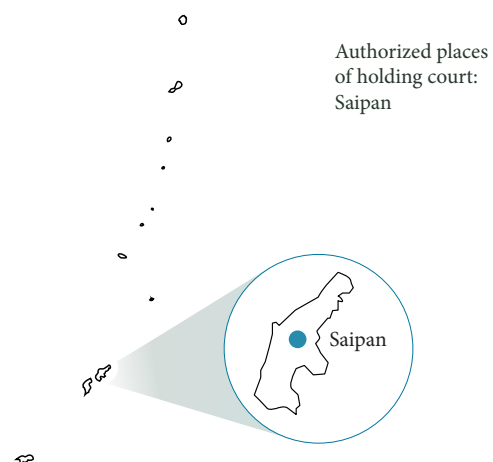


Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	3,457	3,312	-4.2%	473
Terminations	3,735	3,926	5.1%	561
¹ Pending	5,479	4,884	-10.9%	698
Bankruptcy Court				
Filings	9,258	9,962	7.6%	2,491
Terminations	9,588	9,865	2.9%	2,466
¹ Pending	7,638	7,735	1.3%	1,934
Authorized Judgeships				
District	² Bankruptcy	Magistrate		
		Full-time	Part-time	
7	4	7	0	

¹2018 total pending cases revised.

²Includes one authorized temporary judgeship.

District of Northern Mariana Islands



Caseload Measure	2018	2019	² Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	45	40	-11.1%	40
Terminations	62	42	-32.3%	42
¹ Pending	64	63	-1.6%	63
Bankruptcy Court				
Filings	2	4	-	2
Terminations	4	4	-	1
Pending	4	4	-	1
Authorized Judgeships				
District	Bankruptcy	Magistrate		³ Combination
		Full-time	Part-time	
1	0	3	0	1

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

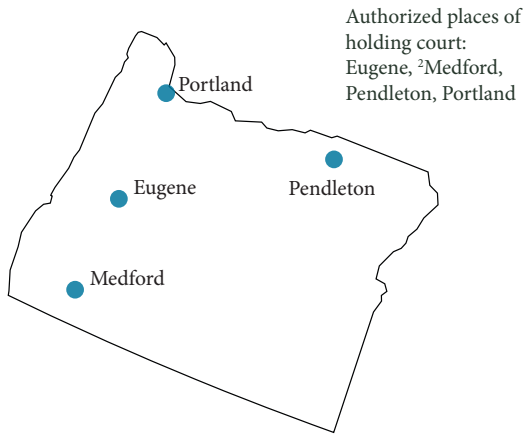
¹2018 total pending cases revised.

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

³Heather Kennedy holds the combined position of magistrate judge/clerk of court.

DISTRICT CASELOADS CONTINUED

District of Oregon

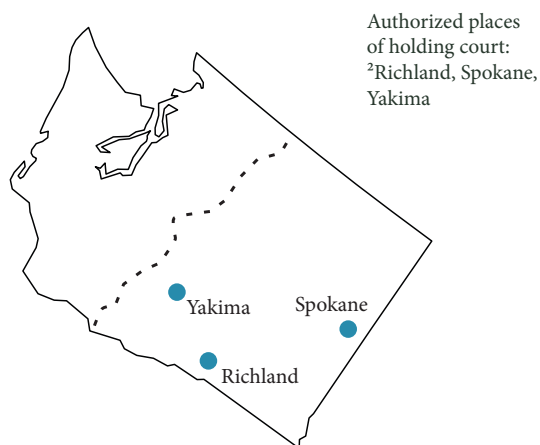


Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	2,731	2,608	-4.5%	435
Terminations	2,449	2,580	5.3%	430
¹ Pending	3,041	3,054	0.4%	509
Bankruptcy Court				
Filings	8,907	8,986	0.9%	1,797
Terminations	9,409	9,107	-3.2%	1,821
¹ Pending	9,170	9,049	-1.3%	1,810
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
6	5	6	1	

¹2018 total pending cases revised.

²Medford applies only to the district court.

Eastern District of Washington

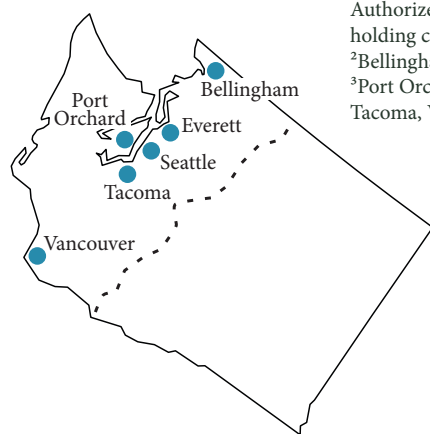


Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	1,371	1,552	13.2%	388
Terminations	1,279	1,517	18.6%	379
¹ Pending	1,140	1,172	2.8%	293
Bankruptcy Court				
Filings	3,605	3,500	-2.9%	1,750
Terminations	3,819	3,474	-9.0%	1,737
Pending	3,814	3,840	0.7%	1,920
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
4	2	2	0	

¹2018 total pending cases revised.

²Richland applies only to the district court.

Western District of Washington



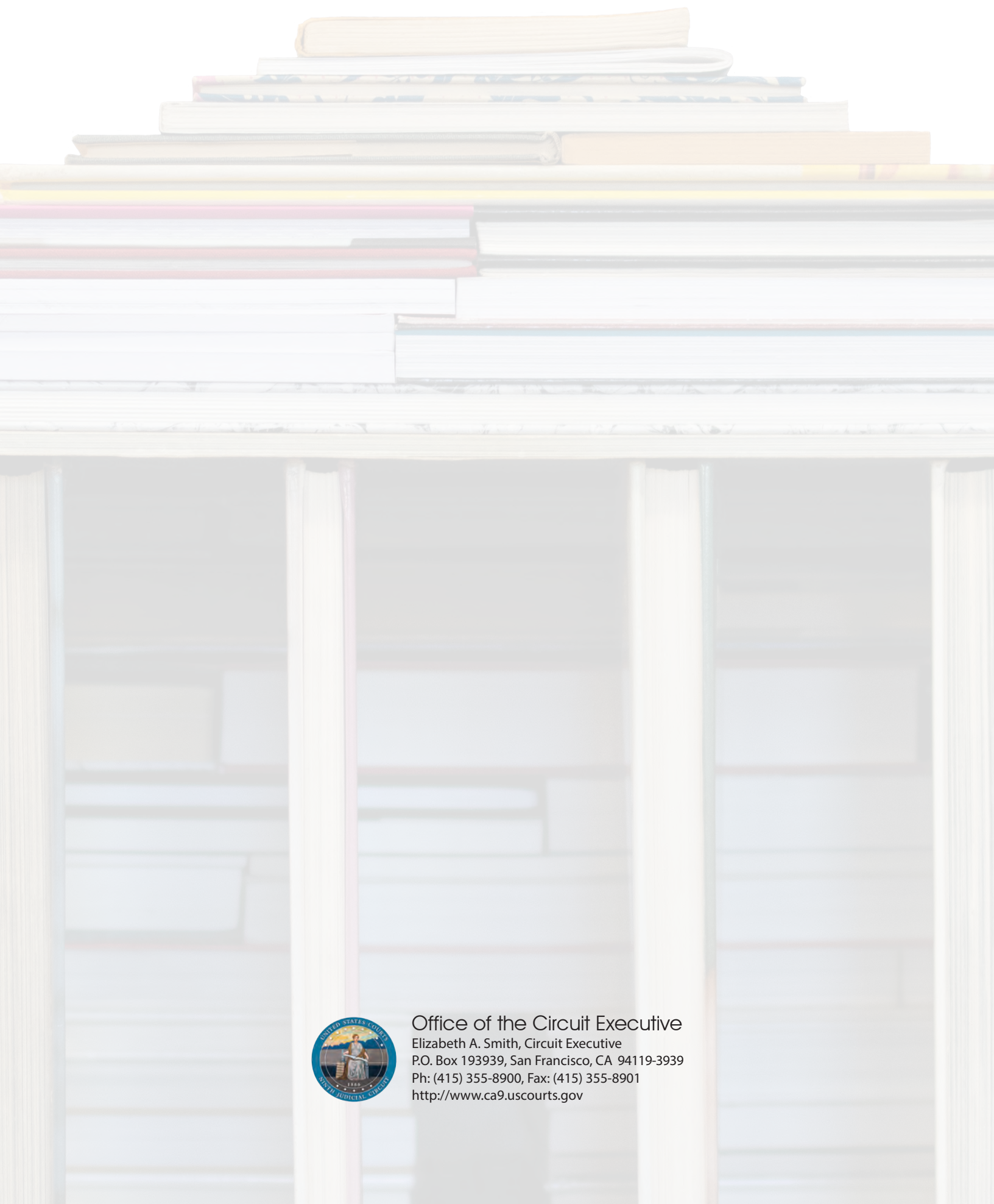
Authorized places of holding court:
²Bellingham, ³Everett,
³Port Orchard, Seattle, Tacoma, Vancouver

Caseload Measure	2018	2019	Change 2018-19	Per Judgeship Unweighted, 2019
District Court				
Filings	3,907	3,852	-1.4%	550
Terminations	3,759	3,815	1.5%	545
¹ Pending	3,420	3,474	1.6%	496
Bankruptcy Court				
Filings	9,995	9,343	-6.5%	1,869
Terminations	11,167	10,126	-9.3%	2,025
¹ Pending	11,791	11,008	-6.6%	2,202
Authorized Judgeships				
District	Bankruptcy	Magistrate		
		Full-time	Part-time	
7	5	6	1	

¹2018 total pending cases revised.

²Bellingham applies only to the district court.

³Everett and Port Orchard apply only to the bankruptcy court.



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