

The Office of the Circuit Executive would like to acknowledge the following for their contributions to the 2022 Ninth Circuit Annual Report:

The Honorable Mary H. Murguia, Chief Judge, U.S. Court of Appeals for the Ninth Circuit
The Honorable Frances Tydingco-Gatewood, Chief District Judge, District Court of Guam
The Honorable Theodor C. Albert, Chief Bankruptcy Judge, U.S. Bankruptcy Court, Central District of
California

The Honorable Joseph M. Meier, Chief Bankruptcy Judge, U.S. Bankruptcy Court, District of Idaho
The Honorable Debora Kristensen Grasham, Magistrate Judge, U.S. District Court, District of Idaho
The Honorable Eric Markovich, Magistrate Judge, U.S. District Court, District of Arizona
The Honorable Raymond E. Patricco, Jr., Magistrate Judge, U.S. District Court, District of Idaho
Molly C. Dwyer, Clerk of Court, U.S. Court of Appeals for the Ninth Circuit
Susan Y. Soong, Circuit Executive, Office of the Circuit Executive, U.S. Courts for the Ninth Circuit
Melissa Aubin, Clerk of Court, U.S. District Court, District of Oregon
Kiry Gray, District Court Executive and Clerk of Court, U.S. District Court, Central District of California
Susan M. Spraul, Clerk, Ninth Circuit Bankruptcy Appellate Panel
Michael Williams, Clerk of Court, U.S. Bankruptcy Court, Southern District of California
Melinda (Mindy) McQuivey, Chief U.S. Probation Officer, Eastern District of California
Denise Jansen, Chief U.S. Pretrial Services Officer, District of Nevada
Jon M. Sands, Federal Public Defender, Office of the FPD, District of Arizona
Stephen M. Liacouras, Chief Circuit Mediator, U.S. Court of Appeals for the Ninth Circuit

Jodi L. Kruger, Circuit Librarian, U.S. Court of Appeals for the Ninth Circuit

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*

Chief Circuit Judge Mary H. Murguia Senior Circuit Judge Michael Daly Hawkins Circuit Judge Morgan Christen Circuit Judge Michelle T. Friedland Circuit Judge Eric D. Miller Circuit Judge Jacqueline H. Nguyen Chief District Judge Philip S. Gutierrez (CAC) Chief District Judge Brian Morris (MT) Chief District Judge Miranda M. Du (NV) Chief District G. Murray Snow (AZ) Senior District Judge Timothy Burgess (NV)
District Judge Leslie E. Kobayashi (NV)
Chief District Judge Sharon L. Gleason (AK)
Chief Bankruptcy Judge Benjamin P. Hursh (MT)
Magistrate Judge Heather L. Kennedy (NMI)
District Court Clerk Stephen W. Kenyon (ID)
Bankruptcy Court Clerk Eddy Emmons (CAN)
Chief Probation Officer Melinda G. McQuivey (CAE)
Chief Pretrial Services Officer Denise J. Jansen (NV)

Table of Contents

36

37

39

Law Clerk Orientation Convenes in Person

Ninth Circuit Continues to Lead: Creation of Ad Hoc Committee on Tribal and Native Relations

District Courts Throughout the Ninth Circuit

Present POWER Act Events

Ninth Circuit Overview			Circuit Highlights continued		
1	Message from the Chief	41	Emotional Quotient Pilot Results Drive Expansion		
4	Ninth Circuit Overview		of Program		
6	Judicial Council, Advisory Groups & Administration	44	Ninth Circuit Mediation Office		
Judicial Transitions		46	Veterans Treatment Court Provides Second Chance to Offenders		
9	New Judges	49	New Criminal Justice Act Unit Supports		
17	Senior Judges		Independence of Defense Function		
20	In Memoriam	Spac	Space and Security		
21	In Memoriam: Circuit Judge Alfred T. Goodwin	-	•		
Circuit Highlights		50	Ninth Circuit Space and Facilities Staff Assist Federal Courts with Space and Facilities Projects in		
22	Demystifying the Courts: Idaho Journalists Institute Promotes Understanding of the Courts and the Judiciary		the Western States		
		52	Ribbon-Cutting Ceremony Held for New Courthouse in Northern Mariana Islands		
23	Technology Experts, Court Executives and Judges	Wor	Work of the Courts		
	Hold First In-Person IT Conference in 3 Years	53	Court of Appeals Maintains Processing Times as Pending Cases Decline		
24	First Ninth Circuit Conference Since 2019	33			
	Enlightens, Probes, Presents Special Guests	57	District Courts Overall Filings Decrease Slightly		
26	Ninth Circuit, Special Guests Celebrate Civics Contest Winners		Bankruptcy Filings Continue to Decline		
27	Administrative Changes	64	BAP Continues to Navigate the Pandemic While		
28	Awards and Recognition		Reducing Pending Pro Se Appeals		
31	Judge M. Margaret McKeown Receives Prestigious	66	Magistrate Judges Persevere During COVID-19		
31	2022 Professionalism Award	68	Federal Defenders Now Seeing Clients in Person		
32	Whether On-Site or Online, the Library Provides World-Class Research Services	70	Probation Adjusts to "New Normal"		
		77	Juror Utilization		
34	Ninth Circuit Appoints New Circuit Librarian	78	Interpreter Usage by District Courts		
35	Ninth Circuit Continues Workplace Environment Efforts	79	District Caseloads		

Message from the Chief

The 2022 Ninth Circuit Annual Report profiles federal courts in the nine most western states, including Alaska, Hawaii, the Commonwealth of the Northern Mariana Islands and the U.S. Territory of Guam.

As chief judge, I am increasingly inspired by the collective work of judges and committee members to ensure the informed administration of justice throughout the Ninth Circuit. My perspective as chief is further informed by the amount of time I devote to a variety of administrative duties. I chair two judicial policymaking bodies: the Executive Committee of the Ninth Circuit Court of Appeals and the Judicial Council of the Ninth Circuit. I also represent the Ninth Circuit at biannual meetings of the Judicial Conference of the United States (JCUS), the judiciary's national governing body. As chief judge I also preside when an 11-judge en banc court is convened to resolve cases posing intra-circuit legal conflicts or to consider other matters deemed to be of exceptional importance.

There is much work to be done to maintain a strong and independent judiciary. As we continue to work diligently on the tasks before us, I encourage us all to remain steadfast in our commitment to promote the public's trust and confidence in the courts as a fair and impartial institution.

This report provides detailed statistical summaries of the work done by judges and judiciary staff in 2022 and highlights important events and trends in our courts. Our court of appeals

continued to be the nation's busiest federal appellate court, accounting for 20.5% of all new appeals nationally, with 8,559 appeals, down 9.8% from fiscal year 2021. There were 52,246 new filings in our district courts, down 11% from FY 2021. Bankruptcy filings in the circuit numbered 58,740, down 24.5% from the previous year. This is the third year of a significant drop of filings in all the bankruptcy courts throughout the circuit, representative of a national trend.

Despite the continued challenges presented by the ongoing restrictions imposed by the pandemic; I am pleased to report that the Court of Appeals for the Ninth Circuit continued to account for over 20% of the entire federal appellate caseload in the nation.

Additionally, the steady pace of judicial appointments continued through December. We extend a warm welcome to new judges appointed in 2022-Circuit Judges Gabriel P. Sanchez, Holly A. Thomas, Roopali H. Desai and Salvador Mendoza, Jr.; District Judges John H. Chun, Jacqueline Scott Corley, Ana Isabel de Alba, Maame Ewusi-Mensah Frimpong, Sherilyn Peace Garnett, Robert S. Huie, Ruth Bermudez Montenegro, Cristina D. Silva, Fred W. Slaughter, Sunshine S. Sykes, Trina L. Thompson and Anne Rachel Traum; Bankruptcy Judges Ronald A. Clifford, III, and Magdalena Reyes Bordeaux; and Magistrate Judges Jeffrey J. Armistead, Christopher D. Baker, Lisa J. Cisneros, Craig S. Denney, Alexander C. Ekstrom, Debora Kristensen Grasham, David D. Leshner and Lupe Rodriguez, Jr. Their photos



Chief Judge Mary H. Murguia

and biographies are available starting on page 9 of this report. The Senate adjourned in December 2022 with one circuit judge nominee, Anthony Devos Johnstone, waiting for a Senate confirmation vote.

District Judge David G. Campbell,
District of Arizona, was appointed
by Supreme Court Chief Justice John
G. Roberts, Jr., as chair of the JCUS
Committee on International Judicial
Relations, effective Oct. 1, 2022.
The committee is one of the 25 JCUS
standing committees, that includes
the Advisory Committee on Appellate
Rules that Ninth Circuit Judge Jay S.
Bybee continues to chair.

The Ninth Circuit's Fairness Committee resumed their efforts to increase law clerk and magistrate judge diversity. Their efforts continue to focus on fairness issues in the administration of justice by identifying and examining current recruitment and selection practices for law clerks and magistrate judges throughout the circuit. To that end, the committee's Law Clerk Diversity Subcommittee recorded a video with former law clerks discussing their experiences and their perspectives on the value of a clerkship. Also, the Magistrate Judge Diversity Subcommittee collected magistrate judge applicant demographic information in four California districts. They are in the process of reviewing and analyzing the data to inform discussions for future improvements to the magistrate judge recruitment process.

The Space and Facilities Unit in the Office of the Circuit Executive for the Ninth Circuit helps court units to plan and manage facilities projects in more than a hundred federal and leased properties across our circuit. The Space and Facilities staff continues to work with court units to identify projects leading to reductions in the circuit's annual rental/lease agreements totaling approximately \$250 million. Over the last decade, these efforts have resulted in savings of more than \$13 million annually. Space reduction opportunities are anticipated in several districts in the coming years. Construction of new chambers for circuit judges recently confirmed has been the focus of the space and facilities staff in 2022, while also supporting security initiatives for new construction projects.

Our Information Technology
Committee continued their work
in cybersecurity and improving
electronic information systems.
One effort focused on protecting
judges' personally identifiable
information using a subscription
service. Additionally, a new effort was
launched to identify potential vendors
for a national agreement to enhance
cybersecurity. Lastly, the first in-person
technology conference in three years
was held in Phoenix, with over 300
attendees from both the Seventh and
Ninth circuits.

The Trial Improvement Committee presented a very successful 2022 Jury Summit in April at the Sandra Day O'Connor Courthouse in Phoenix. The summit—typically held every three years but delayed an additional year due

to the pandemic—is an opportunity for judges, jury administrators, clerks of court, and other experts to come together to network and observe presentations on jury and trial-related issues. Presentations included a variety of topics: Jury Instructions, Jury Questionnaires in the Digital Age, Dealing with Sensitive Issues in Jury Selection, the Future of Video in Civil Trials, Developments in Jury Trials, and the Psychology of Learning, among others.

With an expanded scope that now includes bench trials and other evidentiary proceedings as part of its jurisdiction, in August 2022 the Judicial Council of the Ninth Circuit approved for the committee to include the first bankruptcy judge member. Arizona Bankruptcy Judge Daniel P. Collins was appointed to this role in September 2022. He brings a bankruptcy perspective to the committee and will assist in identifying resources to provide additional outreach and trial assistance to the circuit's bankruptcy judges.

The Pacific Islands Committee continues to partner with the Pacific Judicial Council to deliver educational programs for judges, court administrators, and security personnel. With travel restrictions lifted, the islands resumed in-person programming. One important effort throughout the Pacific islands is the Emotional Quotient, or EQ, Training sponsored by the Ninth Circuit and occurring in the primary grades through high schools and community education centers. Read more about this unique effort on page 41 of this report.

While schools operated virtually, the Public Information and Community Outreach (PICO) Committee continued with its innovative outreach efforts for civics education and community engagement. I am pleased to report that the 2022 Ninth Circuit Civics Contest for high school students asking about "The First Amendment and the Schoolhouse Gate: Students' Free Speech Rights" was a great success. We awarded prizes ranging from \$1,000 to \$3,000. Circuitlevel first-place essay winner, Kevin Guo, from the Northern District of California, and District of Montana's first-place essay winner, Rebecca Smillie, attended the 2022 Ninth Circuit Judicial Conference in Big Sky, Montana, where I was privileged to meet them in person. The awardees participated in a panel discussion with Circuit Judge Ryan D. Nelson, Bankruptcy Judge Sandra R. Klein, and Magistrate Judge Autumn D. Spaeth. They also met Supreme Court Justice Elena Kagan, AO Director Roslynn R. Mauskopf, and many other distinguished members of the bench and bar. The link to the discussion is available at https://youtu.be/ IFSN23PWSi8.

In addition, PICO wrapped up a year-long media education program enhancing circuit and district websites with materials helpful to the media, including answers to frequently asked questions and links directing media personnel to useful web pages.

This year, over two dozen judges were recognized for their exceptional service, leadership and commitment to our system of justice. Awards ranged from nationally recognized law school awards to local awards celebrating the success and commitment to public service by hometown judges. See page 28 for a complete listing of awards.

The Appellate Lawyer Representatives conducted several meetings throughout the year and provided the opportunity for circuit judges to learn about key practice-related issues. I am grateful to the Ninth Circuit's Lawyer Representatives Coordinating Committee and lawyer volunteers circuit-wide for their commitment to providing meaningful pro bono service. Their generosity makes a significant difference in the lives of veterans, elders, asylum seekers, and women and children. See page 46 for details on the Veterans' Treatment Court in the Southern District of California and page 39 for details on Pro Bono Work to Empower and Represent (POWER) Act activities around the Ninth Circuit in 2022.

I hope you find the information included in this report to be a helpful resource on the work of our federal courts. Unless otherwise noted, statistics in this report cover fiscal year 2022 ending September 30.

Finally, I commend all our judges and staff for their unwavering commitment and daily contributions to the administration of justice in the West. I offer my profound thanks to all of them for their dedication and diligence and look forward to our continued work together over the next several years.

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.

The Ninth Circuit encompasses Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington state, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. It includes the U.S. Court of Appeals for the Ninth Circuit and the federal trial and bankruptcy courts in the 15 judicial districts within the circuit. The establishment of the Ninth Circuit in 1866 began the development of the federal judicial system for the western United States. It continues to be the busiest and largest federal circuit in the nation.

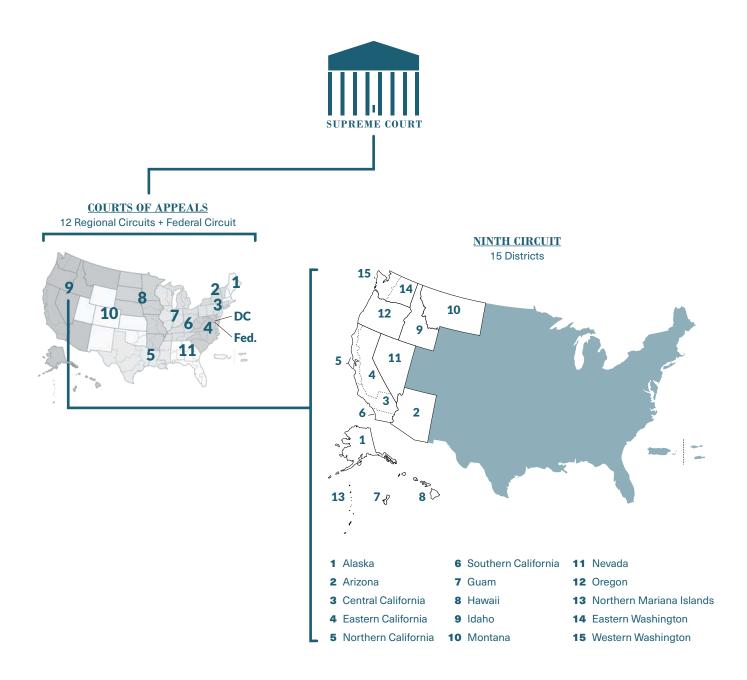
Judges serving on the court of appeals and district courts are known as Article III judges, a reference to the article in the Constitution establishing the federal judiciary. Nominated by the president and confirmed by the U.S. Senate, Article III judges serve lifetime appointments upon good behavior. The Ninth Circuit Court of Appeals is authorized 29 judgeships and ended calendar year 2022 with all its authorized judgeships filled. The district courts were authorized 112 judgeships, 17 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, 23 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, 80 senior judges were at work, hearing cases, presiding over procedural matters, serving on committees and conducting other business in CY 2022.

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 2022, bankruptcy courts in the Ninth Circuit were authorized 68 permanent and one temporary judgeship. The district courts were authorized 106 full-time and six part-time magistrate judges, and one combined position of part-time magistrate judge/clerk of court. Several courts also have recalled bankruptcy and recalled magistrate judges, who are retired but consented to return to the bench for a specified period of time to provide assistance when courts are experiencing an increase in workload.

The Ninth Circuit Court of Appeals saw a decrease in its caseload overall. Two district courts reported increased filings, while all bankruptcy courts in the circuit reported fewer filings in 2022. Unless otherwise noted, statistics in this report cover fiscal year 2022 ending September 30.



Ninth Circuit Article III & Article I Judges

Authorized Judgeships as of December 31, 2022

Circuit Judges	District Judges	Bankruptcy Judges	Magistrate Judges
29	112	68 Permanent	106 Full-time
	19 Vacancies	1 Temporary	6 Part-time
			1 Combination*

^{*} The District of Northern Mariana Islands is authorized a combined magistrate judge/clerk of court position.

Judicial Council, Advisory Groups & 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.

In 2022, the Judicial Council of the Ninth Circuit had three new voting members and seven new observers. New voting members are Circuit Judge Jacqueline H. Nguyen, Chief District Judge G. Murray Snow of the District of Arizona and Senior District Judge Timothy M. Burgess of the District of Alaska. New observers are Chief Bankruptcy Judge Benjamin P. Hursh of the District of Montana, District Court Clerk Steve W. Kenyon of the District of Idaho, Bankruptcy Court Clerk Edward

J. Emmons of the Northern District of California, Chief Probation Officer Melinda G. McQuivey of the Eastern District of California and Chief Pretrial Services Officer Denise J. Jansen of the District of Nevada.

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 2022, there were 14 petitions for review, eight of which were resolved by the judicial council at year's end.

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 Timothy M. Burgess of the District of Alaska served as chair of the conference until Dec. 31, 2021. Chief District Judge G. Murray Snow of the District of Arizona succeeded Judge Burgess as chair on Jan. 1, 2022.

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 two to three times 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 Ronald H. Sargis, of the Eastern District of California, chaired the conference in 2022. Chief Bankruptcy Judge Benjamin P. Hursh of the District of Montana succeeded Judge Sargis 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/Clerk of Court Heather L. Kennedy of the District of Northern Mariana Islands has served as chair of the board since October 2021.

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 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. Federal public defender offices are staffed by federal judiciary employees, and community defender organizations are nonprofit organizations staffed by nongovernment employees. By statute, judges of the courts of appeals select and appoint the federal public defender, while community defenders are appointed by members of the board of directors in their organization. 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.

Judicial Council of the Ninth Circuit

Chief Judge Mary H. Murguia

Office of the Executive Circuit Executive Committee Susan Y. Soong Circuit Executive **Judicial Officers** Liaison Associations Groups Conference of Chief District Court Clerks **District Judges Bankruptcy Court Clerks** Conference of Chief Bankruptcy Judges Magistrate Judges Education **Executive Board Committees Judicial Conference** Executive Standing Ninth Circuit Education **Committees** Bankruptcy Judges Education Magistrate Judges **Advisory Board** Education **Court-Council Committee** Pacific Islands on Bankruptcy Lawyer Representatives Appointments Coordinating Criminal Law Fairness

- Federal Public Defenders
- Information Technology
- **Judicial Security**
- Jury Instructions
- **Public Information and** Community Outreach
- Space & Facilities
- **Trial Improvement**
- Wellness
- Workplace Environment

Ad Hoc Committees

- Tribal and Native Relations
- Cameras in the Courtroom
- Conflict Screening
- Jury Trial Procedures Manual

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 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. They 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 education programming, public information and human resources support. Circuit executive staff also coordinates building and information technology 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 on workplace environment matters for the Ninth Circuit. The office implements and provides guidance on the Employment Dispute Resolution (EDR) Policy and all other related workplace policies. Office staff serves as a contact for employees who experience or witness workplace misconduct and wish to discuss or report such workplace misconduct. The office also consults with judges, court unit executives and staff on workplace environment issues

and concerns and provides support and expert advice on diversity, equity and inclusion matters. The office 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: Circuit Judges



Roopali H. Desai was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on Aug. 4, 2022, and received her judicial commission on Oct. 3, 2022. She is the first person of South Asian descent appointed to the Ninth Circuit. Prior to her selection, Judge Desai

was a partner at Coppersmith Brockelman PLC in Phoenix, where she had practiced law since 2007. Previously, she was an associate at Lewis & Roca in Phoenix from 2006 to 2007. Judge Desai received her B.A. from the University of Arizona Honors College in 2000; her master's degree in public health from the University of Arizona, Mel and Enid Zuckerman College of Public Health, in 2001; and her J.D. from the University of Arizona, James E. Rogers College of Law, in 2005. While in law school, she was a legal intern for the Office of the Federal Public Defender in the District of Arizona. Following law school, she clerked for then Chief Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit from 2005 to 2006. Judge Desai maintains chambers in Phoenix.



Salvador Mendoza, Jr., was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on Sept. 13, 2022, and received his judicial commission on Sept. 15, 2022. He was the first Hispanic judge from Washington State appointed to the Ninth Circuit. Before his

appointment to the appellate bench, he had served as a U.S. district judge for the Eastern District of Washington since 2014. Prior becoming a federal judge, Judge Mendoza had served as a Washington Superior Court judge for Benton and Franklin counties since 2013. Before his nomination to the bench, he practiced law as a solo practitioner in various law partnerships starting in1999. Judge Mendoza served as a lawyer representative to the Ninth Circuit Judicial Conference from 2010 to 2013. He also previously served as

a judge pro tempore in various district, municipal and juvenile courts in Benton and Franklin counties. He was a deputy prosecuting attorney in the Franklin County Prosecutor's Office, from 1998 to 1999, and was an assistant attorney general in the Office of the Attorney General for Washington State, from 1997 to 1998. Judge Mendoza received his B.A. from the University of Washington in 1994 and his J.D. from the University of California, Los Angeles, School of Law in 1997. He maintains chambers in Richland.



Gabriel P. Sanchez was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on Jan. 12, 2022, and received his judicial commission on Jan. 24, 2022. Prior to his appointment to the federal bench, Judge Sanchez was appointed by Governor Edmund

G. Brown, Jr., as an associate justice on the California Court of Appeal, First Appellate District, in 2018. Before joining the bench, he served as deputy legal affairs secretary for the Office of Governor Edmund G. Brown, Jr., from 2012 to 2018. Judge Sanchez played an instrumental role in the drafting and implementation of the landmark Public Safety and Rehabilitation Act of 2016 and its enabling regulations. From 2011 to 2012, he served as the deputy attorney general for the California Department of Justice. Judge Sanchez was an associate, from 2008 to 2011 and from 2006 to 2007, for Munger, Tolles & Olson LLP in the San Francisco and Los Angeles offices, respectively, where he litigated a wide range of civil matters at the trial and appellate levels. Judge Sanchez received his B.A. in 1998 from Yale University, where he was a Mellon-Bouchet Fellow, from 1996 to 1998, and graduated cum laude with distinction in two majors. He was a Fulbright Scholar in 1999 in Buenos Aires, Argentina, where he surveyed and wrote on presidential electoral campaign politics. He received his master's degree in philosophy from Cambridge University in 2000 and his J.D. from Yale Law School in 2005. Following law school, he clerked for Circuit Judge Richard A. Paez of the U.S. Court of Appeals for the Ninth Circuit from 2005 to 2006. Judge Sanchez maintains chambers in San Francisco.

Circuit Judges continued



Holly A. Thomas was confirmed by the Senate to serve as a circuit judge for the United States Court of Appeals for the Ninth Circuit on Jan. 20, 2022, and received her judicial commission on Jan. 24, 2022. Prior to her selection,, Judge Thomas was appointed by Governor Edmund G. Brown, Jr., as a judge on the California

Superior Court for the County of Los Angeles in 2018. From 2016 to 2018, she was the deputy director of executive programs at the California Department of Fair Employment and Housing, the nation's largest state civil rights agency. She was appointed to that position by Governor Brown in 2016. From 2015 to 2016, Judge

Thomas served as a special counsel to the solicitor general at the New York State Attorney General's Office. Prior to that, she spent five years as a senior attorney in the Appellate Section of the Civil Rights Division at the U.S. Department of Justice. From 2005 to 2010, she was assistant counsel at the NAACP Legal Defense and Educational Fund, Inc., where she was an Arthur Liman Fellow from 2005 to 2006. Judge Thomas received her bachelor's degree, with honors and distinction, in political science and African and African American studies from Stanford University in 2000; and her J.D. in 2004 from Yale Law School, where she was an essays editor of the Yale Law Journal. Following law school, she served as a law clerk for Circuit Judge Kim McLane Wardlaw of the U.S. Court of Appeals for the Ninth Circuit from 2004 to 2005. Judge Thomas maintains chambers in Pasadena.

District Judges



John H. Chun was confirmed by the Senate to serve as a district judge for the United States District Court for the Western District of Washington on March 23, 2022, and received his judicial commission on March 30, 2022. He was the first Asian American man appointed as a district judge on the court. Prior to

his appointment to the federal bench, Judge Chun was a judge for the Washington State Court of Appeals, Division One, since 2018. He ran unopposed to retain his seat in November 2019. From 2014 to 2018, he was a judge at King County Superior Court judge in Seattle. Judge Chun engaged in private practice in Seattle as a member at Summit Law Group from 2006 to 2013; as a partner at Preston, Gates, Ellis, LLP (now K&L Gates LLP) from 2005 to 2006; and as an associate then partner at Mundt MacGregor LLP in Seattle from 1995 to 2001 and from 2002 to 2005, respectively. He was an adjunct professor at Seattle University School of Law from 2002 to 2005. Judge Chun received his B.A. from Columbia University in 1991 and his J.D. in 1994 from Cornell Law School, where he was a note editor for the Cornell Law Review. Following law school, he served as a law clerk to Circuit Judge Eugene A. Wright of the U.S. Court of Appeals for the Ninth Circuit from 1994 to 1995. He maintains chambers in Seattle.



Jacqueline Scott Corley was confirmed by the Senate to serve as a district judge for the United States District Court for the Northern District of California on March 17, 2022, and received her judicial commission on March 30, 2022. Previously, she had been a magistrate judge in the Northern District of California since

2011. Prior to her appointment to the bench, she was a partner at Kerr & Wagstaffe LLP in San Francisco as a civil litigator with an emphasis on federal practice. From 1998 to 2009, Judge Corley served as a career law clerk to District Judge Charles R. Breyer of the U.S. District Court for the Northern District of California. She received her undergraduate degree from the University of California, Berkeley, and her J.D. from Harvard Law School, where she was an editor and articles chair of the Harvard Law Review. Upon graduation, she served as a law clerk to the District Judge Robert E. Keeton of the U.S. District Court for the District of Massachusetts. She then practiced complex commercial litigation and white-collar criminal defense at Goodwin, Procter LLP in Boston and was a litigation associate at Coblentz, Patch, Duffy & Bass LLP in San Francisco before joining Judge Breyer in 1998. Judge Corley maintains chambers in San Francisco.



Ana Isabel de Alba was confirmed by the Senate to serve as a district judge for the United States District Court for the Eastern District of California on June 21, 2022, and received her judicial commission on July 7, 2022. She is the first Latina appointed to the court. Prior to her appointment to the federal bench, Judge de Alba

had served as a California Superior Court judge in Fresno County since 2018. She was an adjunct professor for the San Joaquin College of Law in Clovis, California, in 2021. She engaged in private practice as a partner, from 2013 to 2018, and an associate, from 2007 to 2013, at Lang Richet & Patch, where her practice focused on employment, business, tort and construction litigation. Judge de Alba received her B.A., with highest honors, from the UC Berkeley, in 2002, and her J.D. from the UC Berkeley School of Law in 2007. She maintains chambers in Fresno.



Maame Ewusi-Mensah
Frimpong was confirmed by the
Senate to serve as a district judge
for the United States District Court
for the Central District of California
on Dec. 17, 2021, and received her
judicial commission on Feb. 7,
2022. Before her appointment to
the federal bench, Judge Frimpong
had served as a California Superior

Court judge in Los Angeles County since 2016. Prior to joining the bench, she worked for Millennium Challenge Corporation in Washington, D.C., where she held the positions of corporate secretary, general counsel and vice president from 2015 to 2016. Previously, Judge Frimpong worked for the U.S. Department of Justice in D.C., where she was counselor to the attorney general, 2014-2015; principal deputy associate attorney general, 2014; deputy assistant attorney general, Consumer Protection, 2012-2014; acting deputy assistant attorney general, Consumer Protection, 2011-2012; acting deputy assistant attorney general, Torts, 2012; counsel to the assistant attorney general, Civil Division, 2009-2011; and a trial attorney, National Courts Section, 2007-2009. Judge Frimpong was an associate at the law firm of Morrison & Foerster, LLP, in San Francisco from 2002 to 2007. She received her B.A., magna cum laude, from Harvard College in 1997 and her J.D. from Yale Law School in 2001. Following law

school, she clerked for Circuit Judge Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit from 2001 to 2002. Judge Frimpong maintains chambers in Los Angeles.



Sherilyn Peace Garnett was confirmed by the Senate to serve as a district judge for the United States District Court for the Central District of California on April 27, 2022, and received her judicial commission on June 24, 2022. Prior to her appointment to the federal bench, Judge Garnett had served as a California Superior

Court judge in Los Angeles County since 2014. In 2016, she was a justice pro tem for the California Court of Appeal, Second Appellate District. Before her appointment to the bench, she worked in the Office of the U.S. Attorney for the Central District of California, where she served as chief and deputy chief of the General Crimes Section in 2014 and from 2011 to 2014, respectively; as a domestic terrorism coordinator of the National Security Section from 2008 to 2011; and as an assistant U.S. attorney from 2001 to 2008. Judge Garnett was a lecturer in law at the University of Southern California, Gould School of Law, from 2008 to 2010. She engaged in private practice in Los Angeles and Chicago from 1999 to 2000 and from 1995 to 1998, respectively. Judge Garnett received her B.A., with honors, from the University of California, Riverside, in 1991 and her J.D. from Harvard Law School in 1995. She clerked for District Judge Barry Ted Moskowitz of the U.S. District Court for the Southern District of California from 1998 to 1999. Judge Garnett maintains chambers in Los Angeles.



Robert S. Huie was confirmed by the Senate to serve as a district judge for the United States District Court for the Southern District of California on June 9, 2022, and received his judicial commission on June 14, 2022. Before his appointment, Judge Huie had served as of counsel since 2020 with Jones Day in San Diego, where he

was a member of the firm's Investigations and White Collar Defense Practice Group. He was also the chair of the San Diego office's Diversity, Inclusion and Advancement Committee and served as the office's pro bono coordinator. Previously, he

served as an assistant U.S. attorney from 2008 to 2020 in the Office of the U.S. Attorney for the Southern District of California, where he was deputy chief of the Major Frauds and Public Corruption Section. Judge Huie worked for the U.S. Department of Justice, Criminal Division, Office of Overseas Prosecutorial Development, Assistance & Training, as a diplomat and legal advisor at U.S. Embassies in North Africa and Eastern Europe from 2015 to 2018, focusing on counterterrorism matters. He was in private practice as an associate at Latham & Watkins LLP in San Diego and as an associate at Wiggin & Dana LLP in New Haven, Connecticut, from 2004 to 2008 and from 2002 to 2003, respectively. Judge Huie received his B.A. from Calvin College in 1998 and his J.D. from Yale Law School in 2002. He clerked for Circuit Judge José A. Cabranes of the U.S. Court of Appeals for the Second Circuit from 2003 to 2004. Judge Huie maintains chambers in San Diego.



Ruth Bermudez Montenegro

was confirmed by the Senate to serve as a district judge for the United States District Court for the Southern District of California on March 22, 2022, and received her judicial commission on March 30, 2022. Judge Montenegro had served as the sole U.S. magistrate judge for the Southern District of California in

Imperial County since 2018. Before joining the federal bench, she served as a California Superior Court judge in Imperial County, where she was the first Latina judge in the history of the county. Previously, she was a family support commissioner for the Imperial County Superior Court, where she was the first female to serve in that capacity. Judge Montenegro was the assistant county counsel for the Office of County Counsel, Imperial County, from 2011 to 2012. She worked for the El Centro Elementary School District as assistant superintendent for human resources/administrative services and counsel from 2002 to 2011. She was director of human resources and counsel for the Imperial Community College District from 2000 to 2002. Judge Montenegro served as deputy county counsel IV for the Office of County Counsel, Imperial County, in 2000. She

was also an attorney at Horton, Knox, Carter & Foote, LLP from 1993 to 2000. Judge Montenegro received her B.A., summa cum laude, from Clarion University of Pennsylvania in 1989 and her J.D. in 1992 from the UCLA School of Law, where she was elected president of the UCLA Graduate Student Association. She maintains chambers in San Diego.



Cristina D. Silva was confirmed by the Senate to serve as a district judge for the United States District Court for the District of Nevada on March 23, 2022, and received her judicial commission on April 7, 2022. Judge Silva is the second Latina Article III judge on the U.S. District Court for the District of Nevada and only the third Hispanic

Article III judge to serve on that court. Before her appointment to the federal bench, Judge Silva had served as a state judge for the Eighth Judicial District Court of Nevada starting in 2019. From 2011 to 2019, she was an assistant U.S. attorney for the District of Nevada, where she was deputy chief of the Organized Crime Strike Task Force, from 2013 to 2018, and chief of the Criminal Division from 2018 to 2019. Judge Silva was an assistant state attorney in Miami Dade State Attorney's Office, Miami, Florida, from 2007 to 2010, when she was named assistant chief of litigation for the Domestic Violence Unit in that office. She was a legal extern at Ayuda, Inc., in Washington, D.C., in 2007 and a legal intern at the Legal Momentum Immigrant Women's Program in New York City in 2006. She was a dean's fellow at American University Washington College of Law in Washington, D.C., from 2005 to 2007, and an intern in summer 2006 in the chambers of Circuit Judge Vanessa Ruiz (Ret.), District of Columbia Court of Appeals. Judge Silva was director of programs and outreach for the National Association of Women Judges, from 2003 to 2004, then a consultant, from 2004 to 2005. From 2001 to 2003, she was a development associate at the Association of Reproductive Health Professionals (now defunct). Judge Silva received her B.A. from Wellesley College in 2001 and her J.D. from the American University Washington College of Law in 2007. She maintains chambers in Las Vegas.



Fred W. Slaughter was confirmed by the Senate to serve as a district judge for the United States District Court for the Central District of California on March 17, 2022, and received his judicial commission on April 19, 2022. Before joining the federal bench, Judge Slaughter had served as a judge of the California Superior Court in Orange County

since 2014. From 2002 to 2014, Judge Slaughter served as an assistant U.S. attorney in the criminal sections of three federal districts in the Ninth Circuit: the Central District of California from 2010 to 2014 and from 2004 to 2008; the District of Oregon from 2008 to 2010; and the District of Arizona from 2002 to 2004. While working in the Central District of California, Judge Slaughter was the coordinator of Project Safe Neighborhoods, from 2004 to 2006, and deputy chief for the Santa Ana Branch Office from 2012 to 2013. From 2000 to 2002, Judge Slaughter was deputy city attorney for the Los Angeles City Attorney's Office. Previously, Judge Slaughter served as a law clerk for the Los Angeles City Attorney's Office's criminal and airport divisions in 1999. Judge Slaughter received his B.A. from the University of California, Los Angeles, in 1996 and a J.D. from UCLA School of Law in 1999. He maintains chambers in Santa Ana.



Sunshine S. Sykes was confirmed by the Senate to serve as a district judge for the United States District Court for the Central District of California on May 18, 2022, and received her judicial commission on June 14, 2022. Judge Sykes had served as a California Superior Court judge in Riverside County since 2013. Before her appointment

to the bench, she worked in the Office of County Counsel, Riverside County, where she served as deputy county counsel from 2005 to 2013. From 2003 to 2005, she was a contract attorney for the Juvenile Defense Panel in Murrieta, California. In 1998 and from 2000 to 2003, Judge Sykes worked at California Indian Legal Services, where she held the positions of administrative assistant, law clerk then staff attorney. Judge Sykes was a clinical program advocate for the East Palo Alto Community Law Project from 1999 to 2000. In 1999, she was law clerk for DNA Legal Services on the Navajo reservation. Judge Sykes received her B.A., with honors, from

Stanford University in 1997 and her J.D. from Stanford Law School in 2001. Judge Sykes maintains chambers in Riverside.



Trina L.Thompson was confirmed by the Senate to serve as a district judge for the United States District Court for the Northern District of California on May 18, 2022, and received her judicial commission on Aug. 5, 2022. Prior to her appointment to the federal bench, Judge Thompson was elected judge for the California

Superior Court in Alameda County in November 2002 and began her term in January 2003. Previously, she was juvenile court commissioner from 2001 to 2002 and was chair of the Alameda County Educational Task Force for the juvenile court. Before becoming a judge, she practiced law as a criminal defense attorney in her own law firm, The Law Offices of Trina Thompson-Stanley, in Oakland, California, from 1991 to 2000. Judge Thompson was an assistant public defender for the Alameda County Public Defender's Office in Oakland from 1987 to 1991 and was a law clerk for the office in 1986. She also served as vice president of the Association of African American California Judicial Officers, Inc., (AAACJO) from 2019 to 2021. Judge Thompson received her A.B. from UC Berkeley in 1983 and her J.D. from UC Berkeley School of Law in 1986. She had been an adjunct professor for UC Berkeley School of Law's Undergraduate Legal Studies Department since 2018 and a lecturer at UC Berkeley's Ethnic Studies Department from 2014 to 2021. Judge Thompson maintains chambers in San Francisco.



Anne Rachel Traum was confirmed by the Senate to serve as a district judge for the United States District Court for the District of Nevada on March 23, 2022, and received her judicial commission on April 7, 2022. Judge Traum had been a professor of law and associate dean for experiential legal education at the

University of Nevada, Las Vegas, William S. Boyd School of Law, where she had taught since 2008. At the law school, Judge Traum directed the Appellate Clinic, which she founded in 2009, and co-directed the Misdemeanor Clinic, which she co-founded in 2018. She served as special counsel

for the U.S. Department of Justice, Office for Access to Justice, in Washington, D.C., from 2015 to 2016. Before joining UNLV, Judge Traum served as an assistant federal public defender for the District of Nevada from 2002 to 2008. She was an assistant U.S. attorney in the Office of the U.S. Attorney for the District of Nevada, Civil Division, from 2000 to 2002, and an attorney for the U.S. DOJ, Environmental and Natural Resources Division, in Washington, D.C., from 1998 to 2000. Judge Traum received her B.A., with honors, in history, from Brown University in 1991 and received her J.D., cum laude, from the University

of California, Hastings College of the Law, in 1996. Judge Traum served as an appellate lawyer representative for the U.S. Court of Appeals for the Ninth Circuit, from 2009 to 2011, and as a lawyer representative for the District of Nevada from 2013 to 2016. She had served on the Ninth Circuit's Pro Se Litigation Committee since 2015. Judge Traum was instrumental in establishing the Nevada Appellate Pro Bono Program in 2013 and chaired the Nevada Board of Indigent Defense Services from 2020 to 2021. Judge Traum maintains chambers in Reno.

Bankruptcy Judges



Ronald A. Clifford, III, was appointed United States bankruptcy judge for the U.S. Bankruptcy Court for the Central District of California on Feb. 1, 2022. Prior to joining the bench, Judge Clifford was a partner at a boutique bankruptcy and litigation firm in Orange County, California, where his practice focused on

bankruptcy, creditors' rights, commercial transactions and litigation. He represented dozens of officially appointed creditors' committees in Chapter 11 cases in 13 states, including Arizona, California, Connecticut, New York, Maryland, Massachusetts and Washington State. He represented Chapter 7 and Chapter 11 debtors and trustees. In his litigation practice, Judge Clifford represented companies as both plaintiffs and defendants in cases such as breach of contract, lien foreclosure, asset purchases and judgement enforcement. He was the sole owner of his own law firm from 2006 to 2007. Judge Clifford received his B.A. from California State University at Pomona in 2003 and his J.D., magna cum laude, in 2006 from Whittier Law School, where he was editor of the Whittier Law Review. While in law school, Judge Clifford was a fellow for the Center for Children's Rights, which included a clinic that served underprivileged children in a plethora of legal concerns. He maintains chambers in Santa Barbara.



Magdalena Reyes Bordeaux was appointed United States bankruptcy judge for the U.S. Bankruptcy Court for the Central District of California on Jan. 18, 2022. Prior to her appointment to the bench, Judge Reyes Bordeaux had served since 2012 as a senior supervising staff attorney at Public Counsel, where she supervised and

managed the firm's Debtor Assistance Project and advised fellow colleagues on bankruptcy and consumer law issues. She provided guidance to attorneys, pro bono program staff and judges on access to justice issues in the courts. Judge Reyes Bordeaux practiced bankruptcy law for over 20 years and worked extensively with the U.S. Bankruptcy Court for the Central District of California, the Office of the U.S. Trustee and private bankruptcy attorneys on bankruptcy matters affecting the courts. She served as a member of the Ninth Circuit Judicial Conference Executive Committee and was an adjunct professor of law at Loyola Law School. Judge Reyes Bordeaux received her B.A. from the University of California, Irvine, in 1993 and her J.D. in 1997 from the University of California, Los Angeles, School of Law, where she was co-founder and managing editor of the UCLA Journal of Law & Technology. She maintains chambers in Riverside.

Magistrate Judges



Jeffrey J. Armistead was appointed United States magistrate judge for the U.S. District Court for the District of Oregon on March 21, 2022. Before his appointment to the bench, Judge Armistead served the Oregon Court of Appeals for eight years as an appellate staff attorney and then as senior staff counsel. Prior to

joining the Oregon Court of Appeals, he was an attorney in the Trade Practices Division of the Office of General Counsel for the U.S. Department of Agriculture. He began his legal career as an associate with Cooley LLP in Palo Alto, California. Judge Armistead received his law degree from the University of Iowa. He maintains chambers in Portland.



Christopher D. Baker was appointed United States magistrate judge for the U.S. District Court for the Eastern District of California on Oct. 3, 2022. Prior to joining the bench, Judge Baker had served as an assistant U.S. attorney, Criminal Division, for the Eastern District of California in the Bakersfield Division since

2020 and in the Fresno Division from 2012 to 2019. He served as first assistant U.S. attorney for the District of Nevada from 2019 to 2020 and as an attorney advisor for the U.S. Department of Justice, National Security Division, Office of Intelligence, from 2008 to 2012. Judge Baker engaged in private practice, from 2004 to 2008, as an associate attorney at Kaye Scholer LLP in New York, where he specialized in all aspects of complex civil litigation, including cases involving individual and class action consumer fraud, product liability, intellectual property and contract disputes. Judge Baker served as an infantry officer in the U.S. Marine Corps from 1994 to 2001. He received his bachelor's degree from the U.S. Naval Academy in 1994, his J.D. from UCLA School of Law in 2004 and his master's degree in strategic intelligence from the National Intelligence University in 2013. He maintains chambers in Bakersfield.



Lisa J. Cisneros was appointed United States magistrate judge for the U.S. District Court for the Northern District of California on Sept. 21, 2022. Prior to joining the bench, she was a deputy attorney general for the California Department of Justice, where she represented the State of California and its agencies in complex

affirmative and defensive litigation, primarily in federal trial and appellate courts. Prior to joining the California Department of Justice, she practiced at Lieff Cabraser Heimann & Bernstein, LLP, where she represented employees and consumers in mass tort, class action and antitrust cases from 2012 to 2014. She also maintained an active pro bono practice, including writing amicus briefs to the federal circuit courts and the Supreme Court. Judge Cisneros began her legal career with California Rural Legal Assistance Inc. and also worked for CRLA midcareer. In addition to her law practice, Judge Cisneros was appointed by the governor as a member of the California Fair Employment & Housing Council, where she promulgated regulations and conducted hearings. Judge Cisneros earned her law degree from UC Berkeley School of Law in 2007 and her undergraduate degree with honors from Brown University in 2001. She maintains chambers in San Francisco.



Craig S. Denney was appointed United States magistrate judge for the District of Nevada on Jan. 24, 2022. Prior to his appointment to the federal bench, Judge Denney had served as an administrative law judge for the Social Security Administration since 2016 and as the chief administrative law judge for SSA's Reno Hearing Office

since 2019. Judge Denney had also served as a part-time military judge since 2011, trial and appellate level, in the U.S. Army Reserve JAG Corps, where he served in various positions while on active duty including special assistant U.S. attorney and defense counsel from 1994 to 1999. He engaged in private practice as a partner and counsel at Snell and Wilmer LLP from 2011 to 2016 and was an attorney at Downey Brand LLP from 2007 to 2011. Before that, he was as an assistant U.S. attorney for the Office of the U.S. Attorney in the District of Nevada from 1999 to 2006. Judge

Magistrate Judges continued

Denney received an M.A. in strategic studies from the U.S. Army War College in Carlisle, Pennsylvania; an M.B.A. from Saint Martin's College in Lacey, Washington; and a J.D. from Case Western Reserve University School of Law in Cleveland, Ohio. He maintains chambers in Reno.



Alexander C. Ekstrom was appointed United States magistrate judge for the Eastern District of Washington on June 13, 2022. Prior to joining the federal bench, Judge Ekstrom had served since 2016 as a Washington State Superior Court judge in Benton and Franklin counties, where he served as the administrative

presiding judge, assistant administrative presiding judge, criminal presiding judge and criminal/technology presiding judge. Before joining the state bench, Judge Ekstrom served as an assistant U.S. attorney and special assistant U.S. attorney in the Office of the U.S. Attorney for the Eastern District of Washington in Yakima for eight years. Prior to his tenure with the Office of the U.S. Attorney, Judge Ekstrom served as a deputy prosecuting attorney in both Benton and Franklin counties. He began his legal career as a legal intern for the Public Defender Association in Seattle and the Office of Corporation Counsel for Snohomish County Public Utility District No. 1. Judge Ekstrom received his law and undergraduate degrees from the University of Washington. He maintains chambers in Yakima.



Debora Kristensen Grasham was appointed United States magistrate judge for the District of Idaho on April 1, 2022. Before joining the bench, Judge Grasham was a senior litigation partner at Givens Pursley, where she had worked since 1999. Previously, she worked at the Seattle law firm of Davis Wright Tremaine, LLP,

following her graduation from law school. Judge Grasham received her undergraduate degree from UC Berkeley and her J.D. from the University of Santa Clara School of Law, where she served as editor-in-chief of the Law Review. Judge Grasham maintains chambers in Boise.



David D. Leshner was appointed United States magistrate judge for the Southern District of California on Aug. 15, 2022. Prior to his appointment to the bench, Judge Leshner had served as an assistant U.S. attorney for the Southern District of California since 2007. He engaged in private practice in Los Angeles from 2000 to 2007.

Judge Leshner received his B.A. from the University of Virginia in 1994 and his J.D. from Washington and Lee University School of Law in 1999. Following law school, he clerked for District Judge A. Howard Matz of the U.S. District Court for the Central District of California from 1999 to 2000. Judge Leshner maintains chambers in San Diego.



Lupe Rodriguez, Jr., was appointed United States magistrate judge for the U.S. District Court for the Southern District of California on Sept. 28, 2022. He was a civil and criminal litigation attorney for 27 years before joining the bench. As a civil litigator, he handled business and insurance disputes involving

breach of contract, indemnity, medical malpractice, employment, class actions and general liability issues. As a criminal defense attorney, he handled cases in a variety of subject matter areas, including violent crime, racketeering, drug trafficking, immigration, fraud, identity theft and human trafficking. Judge Rodriguez also served as an assistant U.S. attorney for the U.S. Attorney's Office for the Southern District of California, where he handled border crimes, including illegal entry, assaults, narcotics, and migrant smuggling reactive and conspiracy cases. He served as a lawyer representative and as a member of the Criminal Justice Act Advisory Committee for the Southern District of California from 2018 to 2022. Judge Rodriguez graduated from the University of California, Los Angeles, in 1990 and from California Western School of Law in 1994. He maintains chambers in El Centro.

Senior Judges



Marsha S. Berzon was confirmed by the Senate to serve as a United States circuit judge for the U.S. Court of Appeals for the Ninth Circuit on March 9, 2000, and received her judicial commission on March 16, 2000. She assumed senior status on Jan. 23, 2022. Prior to her appointment to the bench, Judge

Berzon was in private practice at Altshuler, Berzon, Nussbaum, Berzon and Rubin in San Francisco from 1978 to 2000 and at Woll & Mayer in Washington, D.C., from 1975 to 1977. Judge Berzon received her B.A. from Radcliffe College in 1966 and her J.D. from the University of California, Berkeley, School of Law, in 1973. She clerked for Ninth Circuit Judge James R. Browning from 1973 to 1974 and for U.S. Supreme Court Justice William J. Brennan, Jr., from 1974 to 1975. She maintains chambers in San Francisco.



Edward M. Chen was confirmed by the Senate to serve as a United States district judge for the U.S. District Court for the Northern District of California on May 10, 2011, and received his judicial commission on May 12, 2011. He assumed senior status on May 17, 2022. Previously, Judge Chen had served as a U.S. magistrate judge

for the Northern District of California since 2001. Prior to his appointment to the bench, he was a staff attorney for the American Civil Liberties Union of Northern California from 1985 to 2001. He engaged in private practice as a litigation associate for Coblentz, Cohen, McCabe & Breyer in San Francisco from 1982 to 1985. Judge Chen received his A.B. from UC Berkeley in 1975 and his J.D. from UC Berkeley, Boalt Hall School of Law (now UC Berkeley, School of Law), in 1979. Following law school, he clerked for U.S. District Judge Charles Renfrew, of the Northern District of California, from 1979 to 1980 and for then Chief Circuit Judge James R. Browning of the U.S. Court of Appeals for the Ninth Circuit from 1981 to 1982. He maintains chambers in San Francisco.



William A. Fletcher was confirmed by the Senate to serve as a United States circuit judge for the U.S. Court of Appeals for the Ninth Circuit on Oct. 8, 1998, and received his judicial commission the following day. He assumed senior status on Jan. 24, 2022. Prior to his appointment to the bench, Judge Fletcher was a

professor of law at the University of California, Berkeley, School of Law, from 1977 to 1998. He received his B.A. from Harvard College in 1968, his B.A. from the University of Oxford in 1970 and his J.D. from Yale Law School in 1975. He clerked for District Judge Stanley A. Weigel of the U.S. District Court for the Northern District of California, from 1975 to 1976, and for U.S. Supreme Court Justice William J. Brennan, Jr., from 1976 to 1977. Judge Fletcher served in the U.S. Navy as lieutenant from 1970 to 1972. He maintains chambers in San Francisco.



Andrew D. Hurwitz was confirmed by the Senate to serve as a United States circuit judge for the U.S. Court of Appeals for the Ninth Circuit on June 12, 2012, and received his judicial commission on June 27, 2012. He assumed senior status on Oct. 3, 2022. Prior to joining the federal bench, Judge Hurwitz had sat on

the Arizona Supreme Court starting in 2003 and had served as vice chief justice since 2009. Previously, Judge Hurwitz was a partner at the law firm of Osborn Maledon in Phoenix from 1995 to 2003. He was an associate, from 1974 to 1980, then partner, from 1983 to 1995, with the law firm of Martori Meyer Hendricks & Victor, which later became Osborn Maledon. Judge Hurwitz served as a judge pro tem on the Arizona Court of Appeals, Division I, in 1994, 1996 and 1998. He has had a long association with Arizona State University, Sandra Day O'Connor College of Law, serving as an adjunct professor since 2004. He was previously affiliated with the law school as a distinguished visitor from practice in 2001; a visiting professor of law, from 1994 to 1995; and an adjunct professor of law in 2002, 1988, and from 1977 to 1980. Judge Hurwitz received his A.B. from Princeton University in 1968 and his J.D. from Yale Law School in

Senior Judges continued

1972. Following law school, he clerked for District Judge Jon O. Newman of the U.S. District Court for the District of Connecticut in 1972 and for Senior Circuit Judge J. Joseph Smith of the U.S. Court of Appeals for the Second Circuit from 1972 to 1973. Judge Hurwitz served in the Connecticut Army National Guard and the U.S. Army Reserve from 1969 to 1975. He maintains chambers in Phoenix.



Richard A. Jones was confirmed by the Senate to serve as a United States district judge for the Western District of Washington on Oct. 4, 2007, and received his judicial commission on Oct. 29, 2007. He assumed senior status on Sept. 5, 2022. Prior to his appointment to the federal bench, Judge Jones served as a King

County Superior Court judge in Washington State from 1994 to 2007. Previously, he served as an assistant U.S. attorney for the Western District of Washington from 1988 to 1994. Judge Jones engaged in private practice at Bogle and Gates in Seattle from 1983 to 1988. He was a staff attorney for the Port of Seattle from 1978 to 1983. Before that, he worked for the King County Prosecutor's Office, where he served as deputy prosecutor, from 1977 to 1978, and as a community liaison officer from 1975 to 1977. Judge Jones received his B.P.A. from Seattle University in 1972 and his J.D. from the University of Washington School of Law in 1975. He maintains chambers in Seattle.



John A. Kronstadt was confirmed by the Senate to serve as a United States district judge for the U.S. District Court for the Central District of California on April 12, 2011, and received his judicial commission on April 14, 2011. He assumed senior status on April 1, 2022. Prior to his appointment to the federal bench,

Judge Kronstadt had served as a California Superior Court judge in Los Angeles County since 2002. He engaged in private practice in Los Angeles as a partner at Arnold & Porter, LLP, from 2000 to 2002; a partner at Blanc Williams Johnston & Kronstadt, from 1991 to 2000; and a partner at

Blanc Gilburne Williams & Johnston, from 1985 to 1991. He began his legal career as an associate, then partner, at Arnold & Porter, LLP, in Washington, D.C., from 1978 to 1985. Judge Kronstadt received his B.A. from Cornell University in 1973 and his J.D. from Yale Law School in 1976. Following law school, he clerked for District Judge William P. Gray of the U.S. District Court for the Central District of California from 1976 to 1977. He maintains chambers in Los Angeles.



Ricardo S. Martinez was confirmed by the Senate to serve as a United States district judge for the U.S. District Court for the Western District of Washington on June 15, 2004, and received his judicial commission the following day. He served as chief judge of his court and assumed senior status on Sept. 5, 2022. Prior to his

appointment, Judge Martinez served as a U.S. magistrate judge for the Western District of Washington, from 1998 to 2004, and as a Washington Superior Court judge in King County from 1990 to 1998. He was a deputy prosecutor for the Office of King County Prosecutor, from 1980 to 1990. Judge Martinez received his B.S. from the University of Washington in 1975 and his J.D. from the University of Washington School of Law in 1980. He maintains chambers in Seattle.



M. Margaret McKeown was confirmed by the Senate to serve as a United States circuit judge for the U.S. Court of Appeals for the Ninth Circuit on March 27, 1998, and received her judicial commission on April 8, 1998. She assumed senior status on Sept. 15, 2022. Prior to taking the bench, Judge McKeown was a White

House Fellow and the first woman partner at Perkins Coie LLP, where she specialized in antitrust and intellectual property law. She has been recognized for important contributions to help foster healthy and harassment-free work environments. Judge McKeown chairs the first Workplace Environment Committee for the Ninth Circuit and was appointed to the Federal Judiciary Workplace Conduct Working Group by Chief Justice John G. Roberts,

Jr., of the U.S. Supreme Court. She serves as a board member of the World Justice Project and was a featured speaker at the World Justice Forum at The Hague in spring 2022. She is a special advisor to the ABA's Rule of Law Initiative and has helped Latin American countries make the transition to an oral, adversarial criminal justice system. She also chairs the Ninth Circuit Pacific Islands Committee, which offers judicial education in current and former U.S. territories. Judge McKeown is the former president of the Federal Judges Association and former chair of the Codes of Conduct Committee, the ethics committee for federal judges. She received her B.A. from the University of Wyoming in 1972 and her J.D. from Georgetown University Law Center in 1975. Judge McKeown maintains chambers in San Diego.



John A. Mendez was confirmed by the Senate to serve as a United States district judge for the U.S. District Court for the Eastern District of California on April 10, 2008, and received his judicial commission on April 17, 2008. He assumed senior status on April 17, 2022. Before his appointment to the federal bench, Judge Mendez

served as a California Superior Court judge in Sacramento County from 2001 to 2008. Prior to coming onto the bench, he engaged in private practice in California for most of his career. He served as an assistant U.S. attorney, then U.S. attorney, for the Northern District of California from 1984 to 1986 and from 1992 to 1993, respectively. Judge Mendez received his B.A. from Stanford University in 1977 and his J.D. from Harvard Law School in 1980. He maintains chambers in Sacramento.



Virginia A. Phillips was confirmed by the Senate to serve as a United States district judge for the U.S. District Court for the Central District of California on Nov. 10, 1999, and received her judicial commission on Nov. 15, 1999. She served as chief judge of her court from 2016 to 2020 and assumed senior status Feb. 14,

2022. Prior to her appointment, Judge Phillips served as a U.S. magistrate judge for the Central District from 1995 to 1999. Before joining the federal bench, Judge Phillips served as a commissioner for the Superior Court of California in Riverside County from 1991 to 1995. She engaged in private practice in Riverside from 1982 to 1991. Judge Phillips received her B.A. from the University of California, Riverside, in 1979 and her J.D. from the UC Berkeley School of Law in 1982. She maintains chambers in Los Angeles.

Photo Credit: Benoit Malphettes

In Memoriam



Circuit Judge Alfred T.
Goodwin, of the United States
Court of Appeals for the Ninth
Circuit, died on Dec. 27, 2022. He
was 99 years old. Judge Goodwin
was appointed to the court in 1971
and served as chief judge of his
court from 1988 to 1991, when he
assumed senior status. Prior to his
appointment to the appellate

bench, Judge Goodwin served as a U.S. district judge for the District of Oregon from 1969 to 1971. Before joining the federal bench, he served as a justice on the Supreme Court of Oregon, from 1960 to 1969, and as a Lane County Circuit Court judge in Oregon from 1955 to 1960. He engaged in private practice in Eugene, Oregon, from 1951 to 1955. Judge Goodwin served in the U.S. Army as captain from 1943 to 1946 and as lieutenant colonel in the U.S. Army Reserve, JAG Corps, from 1960 to 1969. He received his B.A. from the University of Oregon and his J.D. from the University of Oregon School of Law in 1951. Judge Goodwin is survived by his wife, Mary; five children: Michael, Karl (Kit Stafford), Meg, Sara (James Clement) and Jim (Dawn Mead); seven grandchildren; brothers, John and Sam; and sisters, Ruth and Miriam. He was predeceased by brothers James, Dan and David.



Magistrate Judge Howard R. Lloyd (Ret.), of the United States District Court for the Northern District of California, died on July 7, 2022. He was 80 years old. Judge Lloyd was appointed in June 2002. He retired when his second term ended in June 2018 after presiding over more than 1,300 cases. During his time as a judge,

he also taught the judicial extern class at Santa Clara University School of Law. Prior to his appointment to the bench, Judge Lloyd was an independent alternative dispute resolution provider who ran Mediation Works in the Silicon Valley from 1999 to 2002. Before that, he served in the Northern District's early neutral evaluation program. Judge Lloyd engaged in private practice for 30 years at the law firm of Hoge, Fenton, Jones and Appel starting in 1969. He concluded his 30-year career there as a business litigator focusing mainly on intellectual property and employment disputes. Judge Lloyd received his B.A. from the College of William and Mary in 1963 and then served in the Military Intelligence Corps as a first lieutenant from 1963 to 1965. He received his J.D. from the University of Michigan Law School in 1968. Judge Lloyd is survived by his wife, Melinda Lloyd; daughter, Jennifer Alexander (David); son, Christopher Lloyd; and three granddaughters, Ella, Adelyne and Claire.

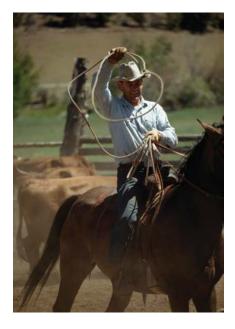
In Memoriam: Circuit Judge Alfred T. Goodwin

Judge Alfred Theodore "Ted" Goodwin, 99, of the United States Court of Appeals for the Ninth Circuit, died on Dec. 27, 2022, in Bend, Oregon. Judge Goodwin was born on June 29, 1923, in Bellingham, Washington, and served as a judge for over 65 years. He is one of only two known judges in the nation to have sat on state and federal trial and appellate benches, respectively. Notably, at the time of his death, Judge Goodwin was the oldest federal judge in the country, as well as the longest-serving current federal judge.

In his second year as an undergraduate student at the University of Oregon, and a participant in the Reserve Officers' Training Corps, he was called up to serve the military in World War II. He served in Europe and the Far East from 1943 to 1946. Upon returning from military service, Judge Goodwin earned his undergraduate degree in journalism in 1947 at UO, where he edited the student newspaper and worked at the Eugene Register-Guard. He earned his Juris Doctor from the University of Oregon School of Law in 1951.

Judge Goodwin began his esteemed legal career in general practice before being appointed as a judge in the Lane County Circuit Court. He was later appointed to the Oregon Supreme Court, serving there for almost 10 years.

Following that tenure, in 1969
President Nixon nominated Judge
Goodwin to the U.S. District Court
for the District of Oregon. Two years
later President Nixon nominated
Judge Goodwin to the Ninth Circuit
Court of, and he received his judicial
commission on Nov. 30, 1971. For
the first 10 years he kept chambers in
Portland but in the early 1980s, upon



Judge Goodwin happened to be helping out at a cow branding at a ranch in spring 1967 when a National Geographic photographer came to visit the ranch to shoot a series of photos for a feature article on the people and work of high desert east of the Cascade Range. The photographer did not know he was taking photos of a judge at the time.

the request of the chief judge, he moved to Pasadena, California. Judge Goodwin was a member of the Judicial Conference of the United States, the Ninth Circuit Pacific Islands Committee and the Ninth Judicial Circuit Historical Society.

As a committed proponent of better relations among the bench, bar and press, he focused on pretrial publicity and chaired committees in Oregon and for the American Bar Association to help improve the public's confidence in the judiciary. He also chaired the ABA committee on law school accreditations and was a member of the regulatory body that considers clergy discipline for the Presbyterian Church, U.S.A.

While on the Ninth Circuit, Judge Goodwin ruled on several important cases. He was a member of the "spotted owl panel," whose rulings affected timber industry practices. Judge Goodwin wrote the majority opinion in Newdow v. U.S. Congress, 2002-2003, when the court held that it was a violation of separation of church and state to force schoolchildren to recite the "one nation under God" language in the Pledge of Allegiance.

For 20 years Judge Goodwin also served as the court's en banc coordinator and as chief judge from 1988 to 1991, when he took senior status. Upon taking senior status, Judge Goodwin moved to Sisters, Oregon, where he lived close to the land, spending time on horseback and raising sheep. He continued to serve as a judge for the next 31 years, up to his death.

Judge Goodwin is survived by his beloved wife, Mary; five children: Michael, Karl (Kit Stafford), Meg, Sara (James Clement) and Jim (Dawn Mead); seven grandchildren; brothers, John, and Sam; and sisters, Ruth, and Miriam, all of whom reside in Oregon. He was predeceased by brothers James, Dan and David.

¹ Biographical information courtesy of the Oregon Encyclopedia's article by Stephen L. Wasby, "Alfred T. Goodwin." https://www.oregonencyclopedia.org/articles/goodwinalfred-t/#.Y6tr5ezMJsM. Last accessed May 18, 2023

² Additional biographical information available on the Federal Judicial Center website. https://www.fjc.gov/history/judges/goodwin-alfred-theodore. Last accessed May 18, 2023.

Circuit Highlights

Demystifying the Courts: Idaho Journalists Institute Promotes Understanding of the Courts and the Judiciary

Federal judges and staff from the District of Idaho participated in Idaho's third Journalists' Institute on Covering the Courts in April 2022, hosted by the Idaho Press Club, Attorneys for Civic Education and the University of Idaho College of Law. Twenty-eight journalists from Idaho attended the Boise gathering to hear from district judges, state supreme court justices and faculty from the University of Idaho College of Law.

The day-long program, "Without Fear or Favor: Reporting on the Rule of Law and the Work of an Independent, Impartial Judiciary," included information on access to court proceedings, a discussion on prosecutorial discretion and the role and importance of jury instructions.

"The Institute this year again focused on journalists' vital role in civic education and emphasized the importance of an independent, impartial judiciary," said Katie Ball, associate professor at the UI College of Law. "Presentations and the workshop session helped illustrate how to consider the rule of law when reporting on court decisions. We appreciate the federal court providing funding for the program and the contributions from Steve Kenyon, (Clerk for the U.S. District of Idaho) who helped plan the program and organized panel discussions, and Judges Debora Grasham (Magistrate Judge, U.S. District Court, District of Idaho) and Raymond Patricco, (Chief Magistrate Judge, U.S. District Court, District of Idaho) who ... presented at the program."

Don Burnett, professor emeritus of law at UI, spoke on a topic close to his heart, the role of an independent, impartial judiciary in America's constitutional republic. In his updated 2014 essay on the subject, he notes the value of the media in educating the public on the justice system: "News stories — whether in print or electronic form — profoundly shape public perceptions of the justice system. Journalists have long shared in spirit the judiciary's goals of independence and impartiality," his essay notes. ¹

Agenda topics included how journalists can access court operations proceedings and court records, media coverage of judicial decisions, perspectives on prosecutorial discretion, and jury instructions and media-court relations.

"Reporting on legal matters is vitally important," Judge Patricco, who spoke during opening remarks, noted. "Journalists provide transparency regarding the legal process, and transparency is the key to the legitimacy of the legal process. Our clerk of court, Steve Kenyon, and the other federal judges in Idaho, are committed to providing journalists with the access needed to do their job well."

Judge Patricco said the journalists institutes help the courts by opening dialogue between judges, lawyers and journalists. "They help bridge the 'legalese and procedure gap,' he said. "Judges and lawyers try to explain legal concepts in plain English so that journalists can better understand how the courts operate and report accurately."

Prior to her confirmation as a magistrate judge in 2022, Judge Grasham was a long-time Idaho Press Club board member and planner for the previous institutes, and a former member of the Ninth Circuit's Public Information and Community Outreach Committee.

She noted the value of interacting with court officers. "I know the journalists who did attend commented they really appreciated the 'up close and personal' time with the judges," she said. "These kinds of interactions help demystify the courts, judges and our processes, and eventually lead to a better understanding of what we all do."

This was the first institute Judge Grasham participated in. "I was on the panel addressing the challenges that judges and journalists face in communicating the rule of law content of judicial decisions," she said. "I thought it was an important topic and one which was of great interest to the participants. We provided several examples of judicial decisions and how they were inaccurately reported oftentimes by something as simple as a misleading headline. It was a very cooperative, hands-on session. Overall, I continue to be impressed with our court's commitment to transparency and working with journalists to understand the important work of our courts."

"Civic Education, The Rule of Law, and the Judiciary: 'A Republic ... If You Can Keep It" [This article was originally written for The Advocate (Idaho State Bar), December, 2014 (rev. 1/5/2015). It has been updated and expanded for Institutes to be conducted in 2021 and 2022.] http://www.attorneysforciviceducation.org/uploads/2/3/9/0/23901024/2021-22_teachers_and_journalists_institutes_--_introductory_essay_on_judicial_focus_of_the_institutes.pdf. (Last accessed Feb. 7, 2023.)

Technology Experts, Court Executives and Judges Hold First In-Person IT Conference in 3 Years

For over 30 years, the Ninth Circuit's Office of the Circuit Executive has hosted an in-person IT Conference for information technology staff, court unit executives and judges in the circuit. Due to the risk and uncertainty posed by COVID-19, an in-person IT conference was not feasible for 2020 or 2021. In 2022, the Ninth Circuit and Seventh Circuit joined forces to hold the first inperson IT conference since 2019.

Ninth Circuit and Seventh Circuit, respectively, praised the IT professionals and expressed gratitude for their efforts during the pandemic.

Conference attendees listened to and participated in a combination of plenary and breakout sessions. The core focus of the sessions was COVID-19 and its impacts on court operations. IT planning resounded throughout the event



Members of the judiciary's IT Security Task Force share updates on the latest efforts to bolster the judiciary's information security posture.

The two-and-a-half-day event was held from Aug. 24-26, 2022, in Phoenix, and had approximately 300 attendees. In his keynote speech, Circuit Judge Michael Y. Scudder, Jr., chair of the Judicial Conference of the United States IT Committee, discussed the topic of "Coming Back Together" and the critical importance of leveraging technology – even more so now given the impacts of the COVID-19 pandemic. This theme continued when Chief Judge Mary H. Murguia, who reflected on the successes of leveraging IT during the past two years, and Circuit Executives Susan Soong and Sarah Schrup of the

as did the focus on IT security. On day one, staff broke out into separate groups — district/appellate, bankruptcy and probation/pretrial — to discuss unique challenges they have been facing.

Breakout sessions were hosted by various IT staff during the event. Staff from the Third Circuit shared courtroom technology trends and approaches. Members from the Automation Training Community of Practice shared training methods and updates. A panel of SharePoint users convened to demonstrate their use of the solution to automate and streamline processes.

Ryan Means and Ross Centanni from the Ninth Circuit and Second Circuit, respectively, shared updates on their development of the Appellate Case Management System. Christopher Galaska, of the West Virginia Southern District Court (now of the Third Circuit Court of Appeals), shared how their court handles internal network access controls. Philip J. Doreau from Massachusetts District Court and Jeff Groff from Pennsylvania Middle District Court presented on courtroom technology project management.

Administrative Office of the U.S. Courts staff was on site to provide various updates on their efforts, projects and priorities. Joseph Peters, associate director, Department of Technology Services (DTS), shared the progress made by DTS over the past year, as well as concerns for funding and staffing going forward. Elizabeth Smith, associate director, Department of Program Services, provided CM-ECF Next Gen and PACTS 360 updates to attendees. James Auwaerter, branch chief, Court-Unit Security Assessment Branch, provided an overview of the 2022 Judiciary-Unit Scorecard.

Additionally, a vendor exhibit hall was setup, with nearly 20 companies represented. Attendees met with representatives to learn about their products and solutions offered.

Judges, clerks, IT managers and staff from both the Seventh and Ninth Circuit's offices, as well as the Administrative Office of the U.S. Courts, worked together on a successful conference that informed attendees about latest technology trends, priorities and projects.

First Ninth Circuit Conference Since 2019 Enlightens, Probes, Presents Special Guests

The first Ninth Circuit Judicial Conference in three years took place July 18-21, 2022, in Big Sky, Montana. The event brings together judges and lawyers from around the circuit to discuss current trends in litigation and court management and improve the administration of justice throughout the Ninth Circuit. The conference theme was "The Future of 'Being Back': Technology, Transparency and the Administration of Justice." Special guests included U.S. Supreme Court Justice Elena Kagan, District Judge Roslynn R. Mauskopf, director of the Administrative Office of the U.S. Courts, and FBI Director Christopher Wray.

The conference opened with a greeting from Ninth Circuit Chief Judge Mary H. Murguia, and business meetings took place after the Supreme Court Review. Opening ceremonies were held in the afternoon, including presentation of the colors by the Native American Women Warriors, a group dedicated to promote recognition of women veterans, especially of Native American descent, and their contribution to the military. The group assists Native American women veterans with education, employment and counseling.

Chief Judge Murguia noted the Ninth Circuit's tradition of excellent programs of interest to all conference attendees and that the conference aimed to "stimulate productive discussion for ways the circuit can improve its administration of justice in light of lessons learned from having to weather the coronavirus pandemic." The conference was assembled by Circuit Judge John B. Owens, conference chair, and District Judge Michael H. Simon,

program chair. With two years to plan, programming was adjusted as new and timely topics emerged as others faded away.

Attended by 181 judges and 170 lawyers, the event included sessions on artificial intelligence in the law; ethics, conflicts and recusals; global internet takedown orders; virtual proceedings and cameras in the courtroom; ethical and practical issues around sealed filings and social media and democracy.

On Wednesday, July 20, Director Wray spoke covering a range of topics of interest to judges and lawyers alike, including the ongoing threat to national security from cyberterrorism, the dangers of the dark web, the challenges of virtual currencies and encrypted data access. Director Wray noted the FBI has developed their own methods and tools to track and ameliorate these issues. He then answered a number of questions from the audience.







On the final day of the conference, Justice Kagan sat for a conversation with Chief Judge Murguia, Judge Simon and Doreen Hartwell, chair of the Lawyer Representatives Coordinating Committee, addressing several topics, including how justices dealt with COVID-19 restrictions in order to continue their operations. One question she was asked concerned the current lack of public approval of the Supreme Court and what can be done to improve public confidence. Justice Kagan noted that was a tough question, but that overall, the answer is to act like a court.

She named three things that help a court maintain public trust: by adhering

to precedent except when there is extraordinary justification for not doing so; by the consistent application of methodologies that constrain and discipline judges; and by deciding only the questions that are really before them and that need to be decided.







Top: From left are Doreen Hartwell, chair of the Lawyer Representatives Coordinating Committee; U.S. Supreme Court Justice Elena Kagan; Chief Judge Mary H. Murguia and District Judge Michael H. Simon during the "Conversation with Justice Kagan" portion of the agenda. Above left, retired Judge Jeremy D. Fogel, executive director of Berkeley Judicial Institute, and Circuit Judge Johnnie B. Rawlinson participate in a panel discussing recent developments and innovations in legal teaching to prepare the next generations of law clerks and lawyers. Above right, Eric Goldman, associate dean of research at Santa Clara University School of Law and Neema Singh Guliani, head of National Security, Democracy and Civil Rights Public Policy at Twitter, during the panel on Social Media and Democracy on day four of the conference.

Previous page: Top, Ninth Circuit Chief Judge Mary H. Murguia welcomes attendees to the Ninth Circuit Judicial Conference; middle, FBI Director Christopher Wray addresses the conference on threats to national security; and below, Native American Women Warriors present the colors during the opening ceremony of the conference.

Ninth Circuit, Special Guests Celebrate Civics Contest Winners

Kevin Guo, first-place essay winner of the 2022 Ninth Circuit Civics Contest and Rebecca Smillie, first-place essay winner in the District of Montana were celebrated at a civics contest reception held at the 2022 Ninth Circuit Judicial Conference in Big Sky, Montana. It was the first in-person civics reception since 2019. The students were greeted by Ninth Circuit Chief Judge Mary H. Murguia who then introduced U.S. Supreme Court Justice Elena Kagan and District Judge Roslynn R. Mauskopf, director of the Administrative Office of the United States Courts.

Each student received a copy of the U.S. Constitution booklet autographed by Justice Kagan. Justice Kagan and Judge Murguia joined the students and families for photographs. In the contest, based on the theme, "The First Amendment and the Schoolhouse Gate: Students' Free Speech Rights," students looked at rights the First Amendment provides to them both inside and outside of school. The circuit received 800 essays and 112 videos from all 15 judicial districts.

Bankruptcy Judge Sandra R. Klein, Public Information and Community Outreach (PICO) committee member, hosted the event. Judge Murguia, longtime supporter of civic education, was a past member of the committee.

The reception included a panel discussion with Circuit Judge Ryan D. Nelson, Magistrate Judge Autumn D. Spaeth and the students. The students answered questions about how the creative process inspired their thinking about the topic and the federal judiciary.

Guo of Cupertino High School in Cupertino, California, discussed participating in student government and the mock trial team. He described



Judges hear from students about what they learned while working on their civics contest projects during the Ninth Circuit Civics Contest reception in Big Sky, Montana. From left are Magistrate Judge Autumn D. Spaeth, Central District of California; Rebecca Smillie, first-place essay winner in the District of Montana; Kevin Guo, Ninth Circuit first-place essay winner from the Northern District of California; Circuit Judge Ryan D. Nelson; and Bankruptcy Judge Sandra R. Klein, Central District of California.



District Judge Roslynn R.
Mauskopf, Director of the
Administrative Office of the
U.S. Courts, pictured far right,
joins Ninth Circuit Chief
Judge Mary H. Murguia and
Bankruptcy Judge Sandra
R. Klein, pictured far left, in
presenting Kevin Guo's awards.

himself as a "law nerd" and plans to attend law school and has aspirations of becoming a judge. After telling the audience that he had been the secondplace winner the previous year, he won in both video and essay categories of the Northern District of California contest as well as winning the Ninth Circuit essay contest. He noted his favorite part of the process was reading about all the cases and examining how the Supreme Court decided them.

Smillie graduated in 2022 as the valedictorian from Capital High School in Helena, Montana. She is an

accomplished violinist and a talented writer and artist. She plans to attend Thomas Aquinas College in Santa Paula, California, and also aspires to attend law school. She said she was surprised by the number of cases that involve student speech. Writing her essay gave her a greater understanding and regard for the federal court system. "I have realized just how influential it is and how we interpret the laws is just as important as how they are written," she said. "I think the federal judiciary has a very, very important role in our democracy and the civics contest really helped me realize that."

Administrative Changes



Jodi L.
Kruger was
appointed
circuit
librarian by
the United
States Court
of Appeals for
the Ninth
Circuit in

March 2022. Kruger, an experienced lawyer and researcher, was most recently the director of Reference and Research Services at the University of California Los Angeles School of Law. Previously, she held positions at Pepperdine Law School and was a practicing attorney specializing in labor and employment law. Kruger was appointed a member of the Administrative Office of the U.S. Courts' Circuit Librarians Peer Advisory Group in 2022. The library serves all courts within the jurisdiction of the Ninth Circuit. There are more than 20 branch locations throughout the Ninth Circuit. The library also maintains reading rooms in the District Courts of Guam and the Northern Mariana Islands.



Natasha Alexander-Mingo was appointed chief United States probation and pretrial services officer for the

Central District of California on Feb. 28, 2022. She began her career with the Central District in 1995 in the presentence unit then transferred to the supervision unit in 1997. She was promoted to drug and alcohol treatment

specialist in 2000; supervisory probation officer in 2004; and was one of three supervisors who managed 16-25 officers and 900-1,300 released offenders. She transferred in 2014 to the Los Angeles office where she implemented a new three-month training program. In 2017, Alexander-Mingo was promoted to assistant deputy chief overseeing the post-conviction unit in the Central District's Western Division. In October 2018, she was reassigned to oversee the pretrial services unit. As an assistant deputy chief, she facilitated the restructuring of the pretrial investigation and supervision units. She helped develop the district's regional low-risk caseload and with implementing Post Conviction Risk Assessment (PCRA) 2.0 and staff training aimed at reducing rearrest. Alexander-Mingo has been involved in Federal Judicial Center training programs, including the Mock Court Training and Court Preparation and Procedure Training programs. In 2021, she was on a post-conviction supervision team from the district that received the FBI's Director's Award Certificate. Alexander-Mingo holds a Bachelor of Arts degree in psychology with a minor in criminal justice from California State University, Long Beach, and a Master of Arts degree in criminal justice from Chapman University.



Denise Jansen was appointed chief United States pretrial services officer for the District of Nevada on June 6, 2022.

She began her career in 2007 with the U.S. Probation Office in the Eastern

District of Missouri. During her 10 years there, she worked as a presentence officer before becoming a supervision officer and evidence-based practices specialist. In 2017, she transferred to the District of Oregon as a supervisor. In 2019, Jansen became the deputy chief probation officer in the Western District of Pennsylvania. She is experienced in evidence-based practices including cognitive behavioral treatment and core correctional practices. Jansen earned a Bachelor of Social Work degree from Southeast Missouri State University and a Master of Social Work degree from the University of Missouri, Columbia.



Brian M.
Sheehan was appointed clerk of court for the United States Bankruptcy Court for the Eastern
District of

Washington on Nov. 1, 2022, but has been with the federal judiciary for almost 10 years. He served as the inaugural law clerk for Chief Bankruptcy Judge Whitman L. Holt and for Bankruptcy Judge Frederick P. Corbit, of the Eastern District of Washington, and assisted now retired Bankruptcy Judge Frank Kurtz on the Ninth Circuit Bankruptcy Appellate Panel. Sheehan spent over four years as a staff attorney at the U.S. Court of Appeals for the Ninth Circuit in San Francisco. He also brings to the position several years of management experience obtained during his time in the construction industry.

Awards and Recognition

The San Diego branch of the Federal Bar Association presented awards to Chief District Judge Dana M. Sabraw; Senior District Judges Larry A. Burns and Anthony J. Battaglia; Magistrate Judges Barbara L. Major and William V. Gallo; and Clerk of Court John Morrill, Southern District of California, for their exemplary service to the federal legal community during the COVID-19 pandemic in keeping their court running and safe.

Magistrate Judge John V. Acosta,
District of Oregon, received the
18th Annual Frohnmayer Award for
Public Service for his dedication,
professionalism and extensive work in
public service. The award recognized
his commitment to mentoring
students and new lawyers, promotion
of professionalism and advocacy for
diversity in the legal profession.

Bankruptcy Judge Martin R. Barash, Central District of California, was recognized as the 2022 Volunteer of the Year by Credit Abuse Resistance Education (CARE). CARE is a national, nonprofit, volunteer-driven organization comprised of professionals in bankruptcy, financial services and business. Judge Barash selflessly donated his time and expertise to his local CARE chapter and helped make financial literacy education accessible for many.

Senior Circuit Judge Marsha S. Berzon received the 2022 Judge D. Lowell and Barbara Jensen Public Service Award from Dean Erwin Chemerinsky of Berkeley Law, her alma mater, at a dinner and ceremony in June 2022. The award is given to a prominent Berkeley Law graduate who has demonstrated outstanding dedication to public service in the legal profession.



Senior Circuit Judge Dorothy W. Nelson, left, pictured with Senior Circuit Judge Richard A. Paez, was presented with the Lifetime Achievement Award from the Western Justice Center.

Senior District Judge Larry A. Burns, Southern District of California, was honored with the Outstanding Jurist Award by the San Diego County Bar Association as an exemplary jurist who, over the course of his career, has provided outstanding service to the bench, the legal profession, the justice system and the public.

District Judge John Chun, Western District of Washington, received the Judge of the Year Award from the Asian Bar Association of Washington and the Rocky Kim Pioneer Award from the Korean American Coalition of Washington.

District Judge Jacqueline Scott Corley, Northern District of California, was named the San Francisco Trial Lawyers Association Federal Judge of the Year, awarded to a current sitting judge or justice who has exhibited integrity, intelligence and an interest in justice. Magistrate Judge Candy W. Dale, District of Idaho, was presented with the Idaho State Bar's highest judiciary honor, the Distinguished Jurist Award at the Idaho State Bar annual meeting. The award recognizes excellence, integrity and independence by a member of the judiciary. Individuals are selected for their competence, fairness, goodwill and professionalism.

Senior Circuit Judge William A.
Fletcher received the first ever Award for Excellence in Ethics in Complex
Litigation for a jurist from the Center for Litigation and Courts, formerly
University of California, Hastings
College of the Law, now UC Law San
Francisco. The award recognizes Judge
Fletcher's contributions to ethics in class actions and complex litigation.

Senior Circuit Judge Susan P. Graber received the 2022 Roberts and Deiz Award from Oregon Women Lawyers for embodying the spirit of Judge Mercedes Deiz and Justice Betty Roberts, and for being a groundbreaker in the legal profession for 50 years. The award "honors the legacies of both Judge Deiz and Justice Roberts as promoters of those from outside the dominant culture (e.g., women, people of color, LGBTQ and individuals with disabilities)."

Circuit Judge Lucy H. Koh received a bouquet of awards in 2022, including the 2022 Rose Bird Memorial Award from California Women Lawyers, the 2022 Judge of the Year Award from the California Asian Pacific American Bar Association, the 2022 Trailblazer Award from Asian Pacific American Bar Association of Los Angeles, the 2022 Trailblazer Award from the Council of Korean Americans and the 2022 Trailblazer Award from the Asian American Bar Association of the Greater Bay Area.

Chief District Judge Ramona V.
Manglona, District of the Northern
Marianas Islands, was profiled by the
Administrative Office of the U.S.
Courts, and asked to tell her story as
a part of their focus on women in the
federal judiciary for National Women's
History Month. Her story can be
viewed at https://www.youtube.com/watch?v=KfzruP9xul4

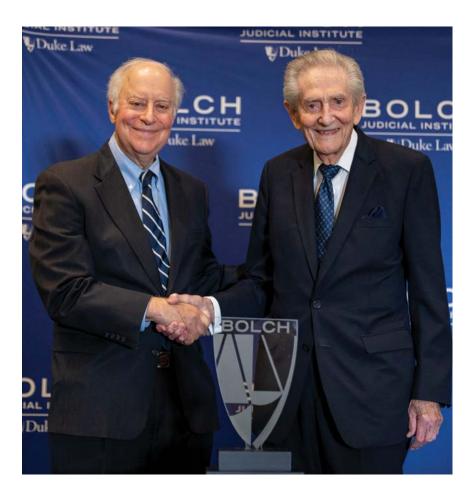
District Judge Ruth Bermudez
Montenegro, Southern District
of California, was honored by
the Imperial County Lawyers
Association and the City of El
Centro, which proclaimed Aug. 26,
2022, as "Honorable Ruth Bermudez
Montenegro Day." The lawyer's
association hosted a reception at the
El Centro Federal Courthouse and
presented her with an award for her
dedicated and outstanding service to
the legal community. The board of
trustees for the Central Union High
School District also recognized Judge

Montenegro for her longstanding service to students and the El Centro Education Foundation.

Chief Circuit Judge Mary H. Murguia, received the Congressman Ed Pastor Public Servant Leadership Award from the Pastor Center for Politics and Public Service, Watts College, Arizona State University, in recognition of her public service and "effectiveness at bridge-building, finding commonground, building trust, collaboration and consensus, and selfless dedication to public good."

Senior Circuit Judge Dorothy W. Nelson was presented with the Lifetime Achievement Award from the Western Justice Center in September for her vision and dedication in founding the center and her decades of visionary work in conflict resolution. The center, founded in 1987, works to strengthen communities through the development of conflict resolution skills and capacity of youth, educators, schools and community partners.

Circuit Judge Johnnie B. Rawlinson was awarded the 2022 Keeper of the Dream Award in her hometown of Kannapolis, North Carolina, by the mayor and the Chancellor of Fayetteville State University, over the Martin Luther King Day of Service weekend. She also received the 2022 Clark County (Nevada) Black Democratic Caucus Trailblazer Award.



Chief Circuit Judge Emeritus J. Clifford Wallace, right, received the 2022 Susan and Carl Bolch Jr. Prize. Photo credit: True Photography

Chief District Judge Dana M. Sabraw, Southern District of California, received the 2022 Civil Rights Leadership Award from the Japanese American Citizens League as a leader who has served their community.

Magistrate Judge Karen E. Scott, Central District of California, was honored by the Constitutional Rights Foundation-Orange County (CRF-OC) as its Judge of the Year. Judge Scott was honored for her years of involvement in CRF-OC's programs, including serving on the board of directors and judicial advisory board, coaching and scoring high school mock trials, developing a moot court program for middle school students and volunteering in other positions. Judge Scott is an alumna of CRF-OC's high school mock trial program.

District Judge Sunshine S. Sykes, Central District of California, received a trio of awards in 2022 including being honored by the California Indian Law Association at the 22nd Annual California Indian Law Conference and at the 11th Annual Judge's Dinner for Southern California by the Tribal Law and Policy Institute. She also received the Asian Pacific American Bar Association Trailblazer's in the Law Award. Senior Circuit Judge A. Wallace Tashima received the University of California Los Angeles' Award for Professional Achievement. The award honors alumni with superior achievements in their field and who are recognized as leaders, innovators and change makers.

Chief Judge Emeritus Sidney R.
Thomas was awarded an honorary doctorate in humane letters by his alma mater, Montana State University "for serving with distinction as chief judge of the nation's largest federal appellate circuit court (and) for your leadership in updating technology to improve operations to make the judicial process more accessible to the people of the United States," said MSU President Waded Cruzado.

Chief Circuit Judge Emeritus J.
Clifford Wallace received the 2022
Susan and Carl Bolch Jr. Prize in
March. Awarded each year by the
Bolch Judicial Institute of Duke Law
School to "an individual or organization
who has demonstrated extraordinary
dedication to the rule of law and
advancing rule of law principles around
the world."

Circuit Judge Paul J. Watford received an honorary Doctor of Laws degree from Southwestern Law School and served as the law school's inaugural Distinguished Jurist-in-Residence for the 2022-2023 academic year.

Senior District Judge Claudia Wilken, Northern District of California, received the 2020 Judge D. Lowell and Barbara Jensen Public Service Award from Dean Erwin Chemerinsky of Berkeley Law, her alma mater, at a dinner and ceremony in June 2022. The award is given to a prominent Berkeley Law graduate who has demonstrated outstanding dedication to public service in the legal profession.

Magistrate Judge Eileen S. Willett,
District of Arizona, was the 2022
recipient of the Arizona Women
Lawyers Association's Ruth V.
McGregor Award presented by the
Maricopa Chapter of AWLA to an
individual who has contributed to the
advancement of women in the legal
profession.

District Judge B. Lynn Winmill,
District of Idaho, received the John and
Abigail Adams Award from the Alturas
Institute. The award reflects Adams'
exemplary commitment to the rule of
law and equal protection demonstrated
in his opinions and public presentations
to judges, lawyers, civic organizations
and educators.

Judge M. Margaret McKeown Receives Prestigious 2022 Professionalism Award

Circuit Judge M. Margaret McKeown, of the United States Court of Appeals for the Ninth Circuit, received the prestigious 2022 American Inns of Court Professionalism Award for the Ninth Circuit on July 18, 2022.

Ninth Circuit Chief Judge Mary H. Murguia presented the award during the Ninth Circuit Judicial Conference in Big Sky, Montana. The award was given in recognition of her dedication to access to justice issues and for her lifetime of public service.

"Judge McKeown's unwavering dedication to justice and the rule of law is invaluable," said Chief Judge Murguia. "Her distinguished career goes hand in hand with her enthusiasm, and commitment to public service. She is a trail blazer and an inspiration to many, including myself. It was my honor to present Judge McKeown with the American Inns of Court Ninth Circuit Professionalism Award."

"Throughout her life, Judge McKeown has worked to advance equal rights for women," said Victoria Fuller, vice president and president-elect of the San Diego Appellate American Inn of Court, who nominated Judge McKeown for the award on behalf of the inn.

"In one of her memorable speeches, she advises that the mantra should not be 'lean in,' which is internally focused, but instead should be 'lean down and lift up those who follow."

Prior to taking the bench, Judge McKeown was a White House Fellow and the first woman partner at Perkins Coie LLP, where she specialized in antitrust and intellectual property law. She has been recognized for important contributions to help foster healthy and harassment-free work environments. She chairs the first Workplace Environment Committee for the Ninth Circuit and was appointed to the Federal Judiciary Workplace Conduct



Chief Circuit Judge Mary H. Murguia, right, and Circuit Judge John B. Owens, left, present Circuit Judge M. Margaret McKeown with the American Inns of Court Professionalism Award.

Working Group by Chief Justice John G. Roberts, Jr., of the U.S. Supreme Court.

Judge McKeown has a longstanding commitment to the international rule of law. She serves as a board member of the World Justice Project and was a featured speaker at the World Justice Forum 2022 at The Hague in spring 2022. She is a special advisor to the ABA's Rule of Law Initiative and has helped Latin American countries make the transition to an oral, adversarial criminal justice system. She also chairs the Ninth Circuit Pacific Islands Committee, which offers judicial education in current and former U.S. territories.

Judge McKeown serves on the board of the Teton Science Schools and is author of "Citizen Justice: The Environmental Legacy of William O. Douglas— Public Advocate and Conservation Champion." Appointed to the U.S. Court of Appeals for the Ninth Circuit in 1998, Judge McKeown assumed senior status on Sept. 15, 2022.

Born in Casper, Wyoming, Judge McKeown earned her Bachelor of Arts from the University of Wyoming and her Juris Doctor from Georgetown University Law Center. Prior to her appointment to the bench, she engaged in private practice for more than two decades in Seattle and Washington, D.C.

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."

Judge McKeown played a key role in launching the San Diego Appellate Inn in 2016. Formerly a judicial master for the Lewis M. Welsh American Inn of Court in San Diego, she is now judicial master for the Appellate Inn. The American Inns of Court with nearly 370 chapters nationwide, inspires the legal community to advance the rule of law by achieving the highest level of professionalism through example, education and mentoring.



Whether On-Site or Online, the Library Provides World-Class Research Services

Emerging from pandemic related closures, the Ninth Circuit Library has embraced a "new normal" that connects the best of virtual and in-person services, resources and programming to better serve judges, chambers staff and other court units. The library's more than 20 staffed branches, located throughout the Ninth Circuit, remain the heart of the library program. However, recognizing that more and more work is being done remotely, the library has expanded its online offerings. This combination of online and on-site services allows the library to meet users wherever they are, while also building a sense of community within the local courts.

The Library's New Online Presence

When the pandemic forced court closures, the library leveraged its vast array of digital resources to ensure that users had access to research materials and reference services from wherever they might be working. With more and more users telecommuting, the library has continued to enhance its online presence and digital offerings.

In February 2022, the library launched its new internal website. The finished

product was the culmination of many months of work, including researching hosting platforms, design production and migrating more than 100 content pages to the new site. Efforts were led by the Library Web Committee, with Daniella Garcia, Fresno branch librarian, and Rebecca Sherman, thenassistant Portland branch librarian and now a Seventh Circuit branch librarian, leading the project. The new site has a cleaner look and adds functionality and flexibility, so that the site can evolve as technology and the library change and grow. Homepage enhancements include the library training calendar, a library news feed, a Black's Law Dictionary widget and a Ninth Circuit opinions feed. Links to popular resources like New & Noteworthy, the Law Clerk and Extern Quick Start guides, and the Ninth Circuit staff attorney outlines remain on the homepage.

Additionally, in 2022, the library expanded its array of digital resources available to all internal users. The library enhanced its subscriptions to include some additional legal news and analysis newsletters to aid the court in staying abreast of legal trends and topics. The library added to its electronic book offerings to ensure that

a strong collection of research materials is available to judges and other court personnel wherever they are working. The library also supplemented online access to historical Supreme Court materials.

Expanded Opportunities for Online and On-Site Services

Boosting its internal online presence also has allowed the library to develop services that are available both digitally and on-site at its branches so that users can take full advantage of the library no matter their location or proclivities.

2022 marked the 75th anniversary of the Mendez v. Westminster case, in which the Ninth Circuit held school segregation unconstitutional, making California the first state to outlaw that practice and paving the way for the Supreme Court's decision in Brown v. Board of Education. The library fielded queries by researchers across the country interested in the Mendez case in fall 2022. This is only one example of the research services offered by the library. In fact, the library handled more than 7,000 reference requests in 2022 and estimates that its branches had an additional 5,000 visits by library users.

Most of the reference questions were from judges, law clerks, and court staff and related to active cases. Moreover, librarians provided research support for other projects and initiatives including courthouse displays and judicial presentations and reports. While local branch librarians remain the primary point of contact for research queries in the courts in which they are located, the library also has a dedicated reference email address, staffed during business hours, available to all users from any court within the Ninth Circuit.

In 2022, the library undertook an initiative to offer more librarian-led training sessions, as a supplement to vendor provided training, to give library users a better understanding of the multiple and complementary research resources available. Librarians provide orientation to new judges, law clerks and externs, and also offer topical research training. Popular sessions include dockets research, judicial analytics and research "hacks." The library offered more than 200 training sessions in 2022, attended by more than 1,100 judges, law clerks and other court personnel. Trainings were offered in person, online and sometimes a hybrid of both. Online sessions are often recorded and made available to court users on the library's video channel.

In addition to research and training, other library services are available both online and on-site. For example, the Tucson Branch Library, in conjunction with the legal aid organization "Step Up

to Justice," hosts a legal aid clinic for pro se civil litigants. Branch Librarian Mary Ann O'Neil screens filers and makes 10-15 appointments per week for the volunteer attorneys who staff the clinic. As of September 2022, the clinic launched a hybrid service delivery model, inviting volunteer attorneys and clients back into the Tucson Branch Library for the first time in 2 1/2 years.

Building Communities with In-Person Engagement

While the library is excited about its online services, it recognizes the important community building role of its branches. Pandemic related closures highlighted just how special in-person connections are, and library re-openings have allowed the branches to pick up where they left off in making these connections happen.

The branch libraries serve as meeting and gathering spaces for their court communities. The branches routinely hold training sessions and other events for court users, and certain branches have hosted local bar events. For example, the Honolulu branch held a flu shot clinic in fall 2022. The Portland District branch created a technology-forward multipurpose room that has become popular with the court and local bar. The Oregon Mediator Diversity Project used that space for its June 2022 training sessions.

The District Court for the Northern Mariana Islands held a ribbon-cutting ceremony for its new courthouse in September 2022. In advance of the ceremony, Digital Services Librarian Shannon Lashbrook and Honolulu Branch Librarian Pete Gayatinea were on the scene in Saipan to update and organize the reading room and to provide research training to judges, court personnel and members of the local bar. Lashbrook and Gayatinea also visited the District Court of Guam, where they worked on the collection, conducted training sessions and networked with local government officials.

The library's community building efforts extend beyond the courthouse walls. For example, in April 2022, Lashbrook, O'Neil and Phoenix Branch Librarian Stefanie Vartabedian presented at the University of Arizona School of Law on "Top 10 Tips for a Successful Clerkship/Externship—A Court Librarian's Perspective." Following the presentation, they met with the law school librarians and fellows to share best practices on Arizona state law research.

The library has even made international connections. In fall 2022, Julie Horst, San Francisco circuit branch librarian, hosted a visiting South Korean judge who was interested in learning more about library services for judges.

While it is true that more and more legal research and other work are being done online, there is no substitute for face-to-face contact. The library is gratified to be able to offer the best of both worlds to the court community.

Ninth Circuit Appoints New Circuit Librarian

Following a rigorous selection process, the United States Court of Appeals for the Ninth Circuit hired a new circuit librarian, Jodi Kruger, an experienced lawyer and researcher, who assumed her position in March 2022.

Kruger comes north from Los Angeles, where she was the director of Reference and Research Services at the University of California Los Angeles School of Law. Previously, she held positions at Pepperdine Law School and was a practicing attorney specializing in labor and employment law.

"I started my legal career in San Francisco and am excited to be returning after a 25-year hiatus," said Kruger. "I practiced law for more than a decade, before I realized that, if I became a librarian, I could research full-time and never would have to answer another interrogatory. After spending 15 years as an academic law librarian, I look forward to sharing my love of legal research with judges, law clerks and court personnel!"

In her short time with the court, Kruger dove right in to ensure that the Ninth Circuit Library continues to



Ninth Circuit Librarian Jodi Kruger

provide world-class research services to its users and remains a leader within the National Library Program. She encouraged and approved the addition of new database subscriptions available to all court users; explored new partnerships with other units; and presented at various events, including new judges orientation and law clerks orientation. Nationally, Kruger is an active member of the Circuit Librarians Advisory Group, served as a panelist at the Federal Court Library Conference, and was recently appointed for a threeyear term to the Administrative Office of the U.S. Courts' Human Resources Advisory Council.

The library serves all courts within the jurisdiction of the Ninth Circuit. There are more than 20 branch locations throughout the Ninth Circuit. The library also maintains reading rooms in the district courts of Guam and the Northern Mariana Islands.

When asked about her impressions of the library thus far, Kruger responded, "The scope of the library is impressive. But, what is truly awe inspiring is the library staff. Simply put, we have the best in the business. Whether it is tackling a thorny research question, tracking down legislative history records, finding that elusive source, developing training programs and newsletters, or maintaining digital and print collections throughout nine states and two territories, our library staff consistently embraces each project with creativity, good humor and professionalism." Kruger continued, "On a daily, basis I am impressed by the commitment demonstrated by each member of library team. I find it so motivating and am excited to be part of this incredible organization."

Ninth Circuit Continues Workplace Environment Efforts

The Office of Workplace Relations, or OWR, had a beneficial 2022 and continued to support the Ninth Circuit's workplace initiatives. The office assisted with the circuit's follow-up workplace environment survey, supported the Ninth Circuit Workplace Environment Committee, which established a new Law Clerk Subcommittee, and continued to be an accessible resource for employees experiencing workplace issues.

2022 Ninth Circuit Workplace Environment Survey

In early 2022, Chief Circuit Judge Mary H. Murguia invited all circuit employees to participate in the 2022 Workplace Environment Survey. A follow-up to the 2018 Workplace Environment Survey, the 2022 survey was designed to capture information about employees' experiences working for the Ninth Circuit. The 2022 survey included questions that ranged from measuring employees' satisfaction in the workplace to employees' perception of how workplace issues and concerns are raised and addressed.

The response to the 2022 survey was robust, with over 2,000 employees in court units, chambers, Federal Public Defender offices and probation and pretrial services offices responding. Employees provided valuable information and insights about working in the Ninth Circuit and suggested helpful recommendations to improve the circuit's workplace environment.

Following the recommendations in the 2018 Workplace Environment Survey, numerous changes were implemented to improve the Ninth Circuit's workplace, including the creation of the Office of Workplace Relations and major revisions to the Ninth Circuit Employment Dispute Resolution

Policy, such as prohibiting abusive conduct. Similarly, the Workplace Environment Committee is analyzing the important information from the 2022 survey to inform ongoing changes and initiatives that will improve the circuit workplace environment.

Law Clerk Subcommittee Established

In February 2022, inaugural members of the Law Clerk Subcommittee were introduced. The subcommittee, which is comprised of term and career law clerks of the United States Court of Appeals for the Ninth Circuit, in addition to district, magistrate and bankruptcy judges throughout the Ninth Circuit, began as a pilot project of the Workplace Environment Committee. The subcommittee will serve as a liaison and collective voice of law clerks and provide invaluable feedback to the Workplace Environment Committee. The subcommittee builds on the Law Clerk Resources Group, an existing group of former law clerks, that was established in 2019 to help current clerks navigate their clerkships and provide career guidance and mentoring.

In its first few months, the subcommittee invited law clerks throughout the circuit to town halls, where they gathered helpful feedback. Moving forward, the Workplace Environment Committee and the Office of Workplace Relations will continue to work collaboratively with the subcommittee on issues unique to law clerks.

Revised Federal Public Defender Organizations Employment Dispute Resolution Policy

The Judicial Council of the Ninth Circuit approved a revised Ninth Circuit Federal Public Defender Organizations Employment Dispute Resolution Policy, or FPDO EDR Policy, which went into effect on Jan. 18, 2022.

In the Ninth Circuit, Federal Public Defender Offices have had a separate EDR Policy since 2019. On the national level, defenders emphasized the need for a separate policy for FPDOs for a number of reasons, including the ethical need to protect confidential attorney-client information, and the need to exclude district judges from the same district as the FPDO from being involved in an EDR complaint, which serves to eliminate the inherent conflict that could arise in having a district judge oversee an internal workplace matter involving individuals who regularly appear before that judge. Following years of input and discussions from multiple stakeholders, including Ninth Circuit federal defenders, the Judicial Conference of the United States approved a Model FPDO EDR Plan in September 2021, which the Ninth Circuit adopted with a few modifications. The Ninth Circuit FPDO EDR Policy updated the 2019 version to align with the unique aspects and needs of FPDOs.

To assist with implementation of the revised EDR Policy, the Office of Workplace Relations provided a series of virtual trainings on the new policy to all FPDO employees throughout the circuit in April and May 2022.

Trainings

As offices begin to fully reopen and employees began to return to the office, the Office of Workplace Relations also returned to in-person presentations and trainings. OWR continually looks to experiment with ways to make trainings as interactive as possible, as well as covering useful topics employees and court units would like to learn more about.

These limited in-person sessions are part of the list of trainings OWR has developed over the years. OWR continues to develop and launch online training modules for employees and judges to satisfy their annual Employment Dispute Resolution training requirement. Even in OWR's virtual trainings, the office looks for ways to make them interactive with polling, quizzes and scenarios. Some workplace issues and topics that OWR covered in its trainings include: EDR rights and protections, reasonable accommodation, abusive conduct,

bystander intervention and managing difficult conversations.

EDR Coordinators Casual Chats

As local points of contact for employees, EDR coordinators are a resource for employees who are seeking guidance on workplace issues. The Office of Workplace Relations launched its quarterly "casual chat" series in early 2022. This initiative was based on an example set by directors of workplace relations from other circuits.

The goal of the quarterly chats is to create more opportunities to connect with and learn from one another. All EDR coordinators throughout the Ninth Circuit are invited to virtual sessions with OWR staff, and these meetings are a forum for OWR to answer questions and to provide updates, guidance and scenario-based trainings. Without providing names or identifying details, EDR coordinators also can share out any successes, challenges or concerns that have come up while in their roles.

While OWR frequently speaks to EDR coordinators directly about issues, these casual chats offer an informal space to have free-flowing dialogue while maintaining strict confidentiality. The Ninth Circuit is fortunate to have a phenomenal group of EDR coordinators, who are dedicated to an exemplary workplace.

Law Clerk Orientation Convenes in Person





New law clerks gathered in person Sept. 8-9, 2022, for the New Law Clerks Orientation at the Richard H. Chambers United States Courthouse in Pasadena, California. This was the first time the orientation was held in person since the onset of the pandemic.

Chief Judge Mary H. Murguia made remarks and welcomed the new law clerks. The program included presentations on court operations, information technology, en banc procedures and appellate jurisdiction, workplace relations, ethics and security. Clerk of Court Molly Dwyer and Chief Deputy Clerk Susan Gelmis gave an overview of the court's daily operations.

Circuit Judges Morgan Christen, Richard R. Clifton and Paul J. Watford, pictured top left, covered "Life in Chambers," which featured an overview of chambers work environment and some tips for success and managing conflict, stress and other challenges, while "Wisdom from the Trial Court" featured a conversation with Senior District Judge Virginia A. Phillips, District Judge Maame Ewusi-Mensah Frimpong and Magistrate Judge Steve Kim from the Central District of California. The panel was moderated by Senior Circuit Judge Richard A. Paez.

Ninth Circuit Continues to Lead: Creation of Ad Hoc Committee on Tribal and Native Relations

In 1990, the Judicial Council of the Ninth Circuit created a working group to study gender issues in the federal courts. Then-Chief Circuit Judge J. Clifford Wallace appointed eight judges and lawyers from the circuit and a social scientist to serve on the Ninth Circuit Gender Bias Task Force. The group was tasked with conducting a study on gender bias in the Ninth Circuit, to report its findings to the circuit conference, and to make recommendations in response to any problems identified. Out of those recommendations came circuit-wide and national innovations such as training on sexual harassment and updates to the EEO model plan.1

Today, the Ninth Circuit continues to lead and innovate by studying and developing processes to enhance the administration of justice for all.

In 2020, then-Chief Circuit Judge Sidney R. Thomas spearheaded an initiative to address a perceived shortfall in the relationship between the federal judiciary and tribal and Native communities. At that time, no committee of the Judicial Council of the Ninth Circuit was focused on issues related to tribal, Native or Indigenous peoples. The Ninth Circuit includes over 300 tribal and Indigenous peoples groups, with a total population of nearly one million within its geographic boundaries.

Judge Thomas' vision was realized on April 8, 2021, when the judicial council established the Ad Hoc Committee on Tribal and Native Relations and tasked it to identify methods of establishing better communications with, and addressing issues related to, tribal, Native and Indigenous peoples groups. The committee was charged with examining the large populations of tribal nations, Alaska Natives villages, and Indigenous populations within each of the 15 judicial districts, and considering the federal courts' impact on their governments, rancherias, villages, and their members and Indigenous populations.

federal judge. Judge Humetewa is a former United States attorney for the District of Arizona and served as an appellate court judge for the Hopi Tribe, of which she is an enrolled member.

By February 2021, all committee members had been appointed and the committee held its first virtual meeting



The Ad Hoc Committee on Tribal and Native Relations, from left to right, are Kelly Myers, Nicholas Nischik, Heather Kendall-Miller, Brian Karth, Judge Diane Humetewa, Lloyd Miller, Andrea George, Charles Flanagan, Justice JoAnn Jayne. Not pictured: Judge William Fletcher and Michelle Demmert.

The committee's charter states that membership must include one circuit judge, three district judges, two tribal court judges, two representatives from Native or Indigenous peoples groups, one district court clerk, one chief probation officer, one pretrial services officer and one federal public defender.

Judge Thomas asked District Judge Diane J. Humetewa, District of Arizona, to chair the committee. Judge Humetewa, confirmed in 2014, was the first Native American woman and enrolled tribal member to serve as a that March. The other appointed committee members include: Senior Circuit Judge William Fletcher; Chief District Judge Miranda Du, District of Nevada; Chief District Judge Brian Morris, District of Montana; Chief Justice JoAnn Jayne, Supreme Court of the Navajo Nation; Judge Pro Tem Michelle Demmert, Central Council of the Tlingit and Haida Indian Tribes, and the Northwest Intertribal Court System (and former Chief Justice); Heather Kendall-Miller, counsel for Native American Rights Fund, Alaska;

the late Kelly Myers, executive director of the National Indian Justice Center, California; Brian Karth, district court clerk, District of Alaska; Charles Flanagan, chief probation officer, District of Arizona; Nicholas Nischik, pretrial services officer, District of Oregon; and Andrea George, executive director, Federal Defenders of Eastern Washington and Idaho.

The committee is charged with submitting a report to the judicial council that will: (1) identify matters of mutual concern between the federal judiciary and tribal, Native and Indigenous peoples communities and courts, including any recommendations to address the concerns; (2) identify opportunities to enhance how the federal judiciary communicates and maintains relationships with tribal, Native and Indigenous peoples communities; (3) make recommendations for appropriate activities needed to support collaboration between the federal judiciary and tribal, Native and Indigenous peoples groups; and (4) review the effectiveness of current biennial events that were designed to promote the provision of pro bono legal services for Native Americans or Alaska Native victims of domestic violence, dating violence, sexual assault and stalking, as required by The Pro bono Work to Empower and Represent Act of 2018, P.L.115-237 (POWER Act). Additionally, the committee will make

a recommendation as to whether the Judicial Council of the Ninth Circuit should convert it from an ad hoc committee to a standing committee of the circuit.

The POWER Act was signed into law Sept. 4, 2018. As originally introduced, it would have required each U.S. attorney to:

"lead not less than one public event, in partnership with a State, local, tribal, or territorial domestic violence service provider or coalition and a State or local volunteer lawyer project, promoting pro bono legal services as a way in which to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors." [In districts that have tribal land, there is an additional requirement to have such an event every two years in partnership with a Native American tribe or tribal organization].

Before it was signed into law, however, an amendment was added that transferred responsibility for these events to the chief judges of the federal district courts. Under the POWER Act, each year the chief district judges are required to submit a report detailing the public events conducted by their courts.

The POWER Act was set to sunset after four years. However, on Dec. 20, 2022, President Biden signed the POWER 2.0 Act, which amended the existing law

to make permanent the requirement that each chief judge for each judicial district, at least annually, conduct one public event that promotes pro bono legal services to empower survivors of domestic violence, dating violence, sexual assault and stalking.

Pursuant to the committee's fourth area of focus, the members will concentrate on reviewing those POWER Act events that are conducted in partnership with Native American tribes or tribal organizations.

From the implementation of the Gender Bias Task Force in 1990 through the creation of the Ad Hoc Committee on Tribal and Native Relations in 2020, the Ninth Circuit has been a leader in addressing issues of gender disparity, domestic violence, and the judiciary's relationship with and service to tribal and Native populations. Through this committee, the Ninth Circuit will engage in a candid self-assessment and use the recommendations to enhance change and ensure that fairness and access to justice remain the bedrock of the federal judicial system.

¹See Procter Hug, Jr., Marilyn L. Huff & John C. Coughenour, *Ninth Circuit:The Gender Bias Task Force*, 32 U. Rich. L. Rev. 735 (1998). Available at: https://core.ac.uk/download/pdf/232783566.pdf (accessed January 13, 2023).

District Courts Throughout the Ninth Circuit Present POWER Act Events

This is a summary of the comprehensive 2022 POWER Act report compiled by the Court Operations, Policy, and Legal Affairs Unit of the Office of the Circuit Executive for the United States Courts for the Ninth Circuit.

Under the Pro Bono Work to Empower and Represent Act, or POWER Act, every judicial district in the U.S. is required, by law, to reach out to its community to help combat domestic abuse and sexual violence. The act was signed into law in 2018 and requires each district to hold annual events encouraging lawyers to provide pro bono legal services to survivors of domestic violence, stalking and sexual assault, and to help lift victims out of the cycle of violence. Further, the act requires that every two years districts with high numbers of Native Americans and Alaska Natives hold a similar event to address the same issues among Native populations.

Efforts by districts in the Ninth Circuit are coordinated, often with the help of district lawyer representatives, and registered through the Operations Unit of the Circuit Executive. In 2022, following a year when most events were held virtually, the 15 district courts of the Ninth Circuit held 19 public meetings, webinars, panels and workshops, and posted videos or vital information online, providing education and outreach to local attorneys encouraging them to provide pro bono services in their communities.

The District of Alaska presented a panel of experts moderated by their pro se staff attorney which discussed emerging federal laws aimed at addressing domestic and sexual violence and missing and murdered Indigenous people. The discussion covered the important role and functions of tribal courts and how lawyers can provide

pro bono advocacy to assist survivors in navigating tribal and state protective order processes. As with many of the activities, attendees were eligible to receive CLE ethics credit.

The District of Arizona held a combined event with DNA People's Legal Services of Tuba City that included a panel discussion highlighting the difficulties faced by Native Americans and others who live in rural Arizona in accessing the criminal justice system. The panel explained the need for volunteer lawyers and appealed to the attendees regarding the importance of pro bono services in these remote areas.

Central District of California cosponsored their annual POWER Act event with the Orange County Chapter of the Federal Bar Association and, later in the year, held their biennial Native American tribe or tribal organization event. At the annual POWER Act event, presentations provided background information about domestic violence, temporary restraining orders, legislative updates and insight into the impact that pro bono attorneys can have on survivors of domestic violence. Information about domestic violence within Native communities, the need to provide services to Native American domestic violence survivors and the efforts to provide those services, criminal jurisdiction on tribal land, and the need for pro bono legal services for Native American domestic violence survivors were also presented at the event. Representatives from both panels outlined how attorneys could volunteer with their organizations.

Eastern District of California posted a public letter from Chief District Judge Kimberly J. Mueller listing a number of pro bono opportunities within the

Eastern District. The letter, posted under the "Attorney Info" tab on the district's website, emphasizes the high percentage of people subjected to domestic violence and notes the need for legal training to bring relief. For those who cannot afford legal services, "the outlook is bleak," she said. "In light of these sobering statistics ... I write to make you aware of opportunities for pro bono work serving survivors of domestic violence, dating violence, sexual assault, and stalking in our district." The Eastern District, each year, holds a celebration for those who have contributed materially to pro bono clients including those attorneys who have served the Eastern District's Pro Bono Panel, Voluntary Dispute Resolution Program Panel, Bankruptcy Dispute Resolution Panel and the Bankruptcy Pro Se Help Desk.

Northern District of California hosted a combined in-person/virtual event that focused on the integration of Native American culture into community courts and treatment programs; leveraging partnerships between tribal, federal, state and local governments to solve community challenges; and pro bono opportunities within tribal communities. A panel discussion included representatives from the Yurok Tribal Court, Hoopa Tribal Court and the Yurok Tribe Opioid Manager. About 60 attended in person or online.

Southern District of California, along with its LRCC members and the San Diego Chapter of the Federal Bar Association, held a free webinar. The virtual gathering shared pro bono opportunities to help survivors of domestic violence, dating violence, sexual assault and stalking. Program speakers included a San Diego Superior Court judge, an author who

has written on healing from abusive relationships, several attorneys from the San Diego Volunteer Legal Program and a survivor and advocate.

The District of Guam held a public event identifying and connecting high risk domestic violence victims with resources. Findings from the Lethality Assessment Pilot Program were also presented. The event was presented at the annual conference to the federal and local bar members as well as to the Chief Islands' Committee. The agenda included a family violence presentation to cover the Micronesian islands and a POWER act presentation by the attorney general.

The District of Hawaii participated in providing an informative session to learn about volunteer and pro bono opportunities to assist survivors of domestic violence. The event, held virtually, included the U.S. District Court, the Hawaii State Judiciary, the Domestic Violence Action Center, Volunteer Legal Services Hawai'i, Hawaii Women Lawyers, the Federal Bar Association Hawaii Chapter and the Hawaii State Bar Association.

The District of Idaho held an event in Coeur d'Alene regarding murdered and missing Indigenous people. Representatives from the tribes in Idaho plus state and federal agencies, including the courts were in attendance. The event was held in partnership with the Idaho Council on Domestic Violence and Victim Assistance and the Idaho Coalition Against Sexual & Domestic Violence.

District of Montana held a pair of virtual events. The first, on October 21, included a presentation covering the phone advice project, full representation, and clinic work along with access to justice for survivors of intimate partner violence in rural areas in Montana. Another presentation explored the connection between domestic violence and housing law in Montana with a focus on how

the law impacts one of Montana's more vulnerable populations. The second event, held a week later, encouraged pro bono representation of survivors of domestic violence with an emphasis on assisting when a survivor shares a residence with the abuser. One presentation touched on various topics associated with recent developments of family law in Indian Country including a case before the U.S. Supreme Court involving the Indian Child Welfare Act, the Violence Against Women Act reauthorization and how the implementation of the act has affected Indian Country.

The District of Nevada held two events. The first, held in August, was an orientation to the POWER Act, tribal law and issues surrounding representing victims in tribal courts. The event included presentations from federal and tribal judges, a domestic violence and sexual assault coordinator, a specialist in Native American and tribal law and an attorney from Nevada Legal Services. The second event was an in-person panel presentation co-sponsored by the U.S. District Court and the Northern Nevada Women Lawyers Association. The bulk of the program focused on the need for pro bono attorneys for domestic violence, sexual violence and stalking victims.

The District of Northern Marianas Islands included a POWER Act video presentation during the 2022 annual district conference as well as a presentation by the directing attorney for Micronesian Legal Services Corporation who presented on the need for volunteer lawyers to provide pro bono services. The video is available on the district court's website at — https://www.nmid.uscourts.gov/eventsDetail.php?THE-POWER-OF-PRO-BONO-SERVICES-IN-THE-CNMI-92

The District of Oregon held two events. The first was a presentation in partnership with the Multnomah County Bar Association titled, "Teen Dating Violence Prevention and Pro Bono Opportunities," which included speakers from Raphael House, a shelter for domestic violence victims, and from Legal Aid Services of Oregon. The program addressed teen dating violence, educational outreach via Raphael House and pro bono opportunities for assisting victims of dating violence through Legal Aid Services of Oregon. The program was advertised generally within the entire Oregon State Bar, to judges and to members of the federal bar within the district. The second event was a comprehensive presentation of state and federal domestic violence law and tribal protection order enforcement, and information for attorneys who want to assist survivors of domestic violence. Speakers representing the Cow Creek Band of Umpqua Indians Tribal Court, a Department of Justice domestic violence resource prosecutor and an assistant U.S. attorney attended.

The Eastern District of Washington hosted an event orienting attendees to the importance of the POWER Act, the need for advocacy and representation to confront domestic violence, and how legal professionals can assist with this important effort. This webinar presentation is part of the Eastern District's ongoing community outreach initiative, and the event was partnered with the Federal Bar Association, WomenSpirit Coalition, Tribal State Court Consortium, Northwest Justice Project, Western District of Washington, and the Washington State Courts.

The Western District of Washington partnered with the Federal Bar Association and held an online seminar to promote the POWER Act. Introductory remarks emphasized the importance of giving back, of gaining cultural competency and where to learn about opportunities to provide pro bono services to underrepresented constituencies.

Emotional Quotient Pilot Results Drive Expansion of Program



A pivotal Emotional Quotient (EQ) summit hosted by the Pacific Judicial Council in December 2022 set in motion the further development of tools and guidelines to assist in the prevention of family violence in Micronesia. The program, a unique approach to community conflict that began in December 2021 (https:// www.ca9.uscourts.gov/circuitexecutive/pacific-island-judgesinitiate-innovative-pilot-programto-tackle-family-violence/), also addresses what has been referred to as an epidemic exacerbated by COVIDmental health.

The summit was a forum for EQ curriculum and community outreach pilot teams to present their experience and findings.

"This was ... a very serious program with a goal of sustainability to ensure that our island people could truly reap the life-changing benefits of a higher level of emotional intelligence," said Chief Judge Frances Tydingco-Gatewood of District Court of Guam, PJC President. Lawmakers and leaders,

Members of the Pacific Judicial Council along with district representatives, administrators from departments of education, teachers and others from the region gathered in Guam in December 2022 to review the results of the year's Emotional Quotient training. The curriculum was tested in elementary, middle, and high school grade levels at public schools in the participating islands.

including governors and legislative speakers, "agreed that the EQ content material would be integrated into existing school curriculums and assigned to government agencies to continue education in their communities," she added.

In praise of the program, Chief Justice Cyprian Manmaw of Yap State Supreme Court, co-chair of the PJC EQ Initiative, noted "Sometimes our cultures and traditions... are just not enough to help heal us of the natural negative thought patterns that we all experience from time to time because we are human."

Planning for the EQ program started in late 2021, and the curriculum was tested in elementary, middle and high schools on participating islands in the first half of 2022. Outreach materials

were presented in village community centers and other venues as well as online. Evaluation tools were included to help with further development of the materials.

Carmen Cantor, assistant secretary for the United States Department of the Interior, Office of Insular Affairs, spoke at the summit. "The work you're doing in your communities is vital to the future of our nations," she said. "You are pioneering new frontiers where the solutions of justice reside at the crossroads of human need and social responsibility to save families and keep children, spouses, and elders safe."

Guam

In Guam, the outreach team presented their EQ information to over 2,000 participants, of which 90% of them

found the presentations helpful. "We're going to do [EQ] everywhere," said Guam Governor Lou Leon Guerrero on day one of the summit. "Start with the children because then you'll see less domestic violence and less sexual assault, less drug abuse, less crimes out there. I am very supportive of this... It's worth the investment."

Nelma Catunao, Guam elementary school teacher noted her students were disappointed when the EQ class would end each day. Another teacher shared that one of her EQ pilot students was always getting into arguments and fights resulting in suspensions. During a break, she was aggressively confronted by another student and just walked away. The pilot program teacher asked her, "What happened out there?" The student simply replied, "EQ."

District psychologist Nadine Cepeda, Guam Department of Education District, said "The knowledge and skills gained by recognizing their feelings and what they can do about it through EQ allows [students] to self-regulate. This will reduce discipline, suspension, and truancy rates in our schools. With this result we will see a reduction in violence."

The Guam DOE, with support from the governor's office, has secured funding for the full development of the EQ curriculum. The EQ team will roll out the initial curriculum and outreach guides by fall 2023.

Commonwealth of Northern Mariana Islands

The Commonwealth of the Northern Mariana Islands curriculum team stated it was clear that students' EQ levels had risen substantially after taking the class. Dr. Riya Nathrani, middle school teacher on Saipan noted, "In my own classroom ... a lot of students were having issues with interacting with their classmates face-to-face and having them share these journals with each other kind of helped with that communication."

CNMI Supreme Court Justice Perry Inos said the EQ initiatives align with the Pacific Judicial Council's goal of preventing violence and that everyone at the court, including staff and judges, were required to go through the EQ course.

Justice Inos stated that he is working on different ways that the courts can introduce EQ into the cases that come before them. He said leaders should consider recommending the completion of an EQ course as a condition for a number of offenders prior to completion of their sentences. Government agencies may require applicants to pass an EQ course prior to hiring.

Yap State

Maelynn Tiningidow, school principal and teacher at Dalipebinaw Elementary School in Yap State, reported she saw positive changes in students' demeanor and personal conduct. "Students started to understand their emotions, others' emotions and to manage their emotions on a daily basis."

Linda Teteth, gender support officer for the Federated States of Micronesia National Government, Anti-Human Trafficking Services Division, and head of the Yap EQ outreach pilot team, emphasized that if parents and families did not accept the EQ materials, the children would have to wait a generation before implementing EQ and teaching it in their own homes as adults.

Chuuk State

Teachers in Chuuk State, a cluster of islands separated into multiple regions, were able to reach a large number of community members by teaching EQ in their schools, conducting outreach presentations during parent-teacher association meetings and even taking the material to the College of Micronesia Chuuk campus.

Three schools held training sessions and outreach seminars throughout



Audience members observe a demonstration during the three-day summit reviewing the Pacific Islands Emotional Quotient training. Organizers say the EQ program will provide a needed power boost to the emotional and psychological well-being of everyone living in the region.

the islands. Results were substantial, with 85% of participants noting it is important to care for their brain, up from 52% before the training, among other encouraging statistics.

The Chuuk outreach team, including Justice Kerio Walliby, Chuuk State Supreme Court, held sessions for parents, guardians, educators and other stakeholders, as well as young people. Feedback included: "[the program] teaches us how to control our emotions in a positive way," "helps build better relationships," and "motivates me to become more accomplished."

The Chuuk team is working to integrate EQ material into curriculums state-wide, and Speaker Lester Danny Mersai, Chuuk State Legislature, is working on a measure to prevent family violence in Chuuk. "Hopefully, and with assurance by the next session, a family protection bill will be introduced in the legislature," he said.

Sheena Arsenal, a teacher at Chuuk High School and member of the Chuuk EQ team, said the curriculum will be incorporated into their schools. "We will strengthen the working partners, expand to health services, clinics, government and private sectors, and continue working with the legislative, judiciary and executive branches to expand our scope and limitless opportunities."

Pohnpei State

Pressler Martin, acting department director/director of curriculum and instruction of the Pohnpei State DOE, noted the post-assessment survey showed students had less anxiety over problems and were much more likely to forgive a wrong. One teacher noted that "[participants had] become respectful and mindful of others' feelings," following the training.

The Pohnpei EQ team visited the College of Micronesia Pohnpei campus general psychology class; Youth for Change, a nonprofit organization geared toward youth activities and mentorship; and many other venues throughout the region.

In the post-activity survey, participants stated, "[The program] could boost my self-confidence towards any situation that I might face," and "If I were in a situation where negative thoughts only fill in my mind, I would use this presentation as an example to think positive."

Kosrae

The Kosrae EQ curriculum report, presented by Tulensa Likiaksa, area specialist, Kosrae State DOE, noted students enjoyed the hands-on lessons that helped them understand their brains better while adults learned from lessons on alcohol and tobacco.

The Kosrae community outreach report, presented by Marston Luckymis, administrative officer, Kosrae State Judiciary, and Rogalsky Henry, legal aide, Kosrae State Legislature, noted sessions were held in Utwe, Lelu, Walung and Malem. Governor Carson Sigrah endorsed the program and stated that he was looking forward to seeing more EQ outreach efforts in Kosrae.

Republic of Palau

Judge Jerrlyn Uduch Sengebau Senior, vice-president of the Republic of Palau and Minister of Justice, said "...I believe it's so important to bring this EQ to the young people and to be able to give them the tools to manage their emotions." She mentioned a close relative had committed suicide. "I'm a strong supporter because I really believe that this EQ will help us prevent suicide... if we give (people) the right

tools to ... manage their emotions in a healthy way."

Palau's public school system continues to teach the modules in different grades at different schools. They will continue to use the pilot program materials until the full curriculum becomes available because the program has brought notable results.

EQ expert and program developer, Dr. Neil Nedley explained, "Other programs might address narrow aspects exclusively such as substances, or seeking safety in angry situations, but this approach includes everything that affects brain health."

"The EQ project was an ambitious effort bringing all three branches of government together for a solution to violence in these small island communities," said Russ Mathieson, Ninth Circuit education specialist, Office of the Circuit Executive for the U.S. Courts for the Ninth Circuit. "The success of the pilot has proven that the program is viable on a larger scale and lays the foundation for expanded integration into the curriculum designs, and other services," he said.

Chief Judge Tydingco-Gatewood embraces the EQ endeavor as one of the most meaningful and transformative programs for the island people. "Its success, with the very helpful support of the tri-branches of government in our islands, is defined through the improved mental health of our men, women, and children, and an elevated sense of safety in our communities because people are thinking more about consequences and how—from beginning to end—it is really the choice of the individual that will decide it," she said.

Ninth Circuit Mediation Office

The Ninth Circuit Mediation Office is staffed by eight circuit mediators, all experienced attorneys with expertise in negotiation, appellate mediation and Ninth Circuit practice and procedures. Circuit mediators handle thousands of appellate cases annually, working closely with counsel and clients to design a settlement process tailored for individual cases. They are often able to find a more satisfactory result than can be achieved through continued litigation.

In 2022, circuit mediators handled 2,365 Ninth Circuit cases and settled 1,005 of them.

Last year, the mediation office implemented a pilot program to work on pro se appeals and mediators are exploring ways to make this evolving program more effective.

In addition to appellate mediation work, circuit mediators are a circuit-wide resource. In 2022, they resolved dozens of district court cases, including multi-district litigation pelvic mesh tort cases pending in the Western District of Washington and child sexual abuse cases pending in the District of Guam.

Some mediation work on district court cases is a byproduct of appellate mediations, such as when a global settlement results in dismissal of both the appeal and related district court cases. For example, a recent Ninth Circuit mediation included over 100 cases between the same two parties arising from Nevada Homeowner Association foreclosures. To facilitate a successful mediation, the parties bundled 107 properties, each with associated cases on appeal or pending in district court. This mediation resulted in the settlement of 35 cases pending in

Ninth Circuit Mediators



Pictured from left are Kyungah "Kay" Suk, Jonathan Westen, Sasha M. Cummings, Stephen M. Liacouras, Roxanne Ashe, Steven Saltiel and Paula Raffaelli. Not pictured: Robert Kaiser

the District of Nevada and over 60 cases in the United States Court of Appeals for the Ninth Circuit.

Throughout 2022, circuit mediators stayed involved with the Ninth Circuit EDR Policy, serving as mediators on matters that are in the assisted resolution stage. Last year they mediated nine EDR matters for court units.

Pacific Island Communication Skills Training

In addition to mediation work, circuit mediators conduct trainings on communication skills for circuit court units. In October 2022, circuit mediators conducted interactive communication skills training for Pacific Island judges focusing on difficult conversations. They had over 40 judges and court staff from Guam, Palau, the Marshall Islands, Yap and other Pacific islands participating by video conference. The training focused on several basic techniques

and interventions used by mediators to help parties overcome conflict and communicate more constructively.

Circuit mediators briefly reviewed three basic communication skills. They started with the most important skill to navigate a difficult conversation, **active listening**, listening to understand and demonstrating in words that one has heard and understood the speaker. Every day, circuit mediators see this type of listening has a calming effect, increases understanding and helps build trust.

The second communication skill discussed is approaching a challenging conversation with **curiosity**. Chief Ninth Circuit Mediator Stephen Liacouras noted that one reason difficult conversations can go off track is because people enter into these conversations certain that they know what is important about the topic (why something happened, who is to blame, etc.). He added, "In order to move from a position of certainty to one of



Judges and mediators convene during the Pacific Judicial Council Settlement Conference and Mediation Training held Oct. 26-28, 2022, in Saipan, Commonwealth of the Northern Mariana Islands. Some of the topics discussed include the role of a settlement judge/mediator, mediation styles, confidentiality, stages of mediation, conducting mediation in person or via video conference call and addressing impasse.

curiosity, it helps to think about what information the other person has that you do not, and ways in which different life experiences inform views of the situation."

The final skill the circuit mediators focused on is **reframing**, a useful technique when one person is trying to have a constructive conversation but the other person is aggressive or attacking. Reframing is active listening where you restate a judgmental, attacking or unhelpful statement to maintain the core of the speaker's message while conveying it in a way that will lead to a more constructive conversation. For example, if someone accuses you of being dishonest you can reframe saying that you hear that there are trust issues that need to be addressed.

In the second half of the training, the circuit mediators divided the participants into small groups of eight people to practice skills. In 10-minute sessions, the circuit mediators rotated through groups as different characters (e.g., an emotionally upset person, co-workers fighting over a project), requiring the participants to use communication skills to have a constructive conversation. After giving each participant a few minutes to practice, the circuit mediators facilitated a debrief of the exercise.

This training was the first time the circuit mediators presented the communication skills workshop via video conference. Although they believe in-person trainings are ideal, this training enabled them to reach a broad group of people in remote locations.

Wherever they can be of assistance, the circuit mediators look forward to bringing their training in mediation throughout the Ninth Circuit.



Pictured from left are Judge Arthur R. Barcinas, Superior Court of Guam; Family Court Referee Linda L. Ingles, Superior Court of Guam; Circuit Mediator Kay Suk, U.S. Court of Appeals for the Ninth Circuit; and Chief Magistrate Judge Kendall J. Newman, U.S. District Court, Eastern District of California.

Veterans Treatment Court Provides Second Chance to Offenders

The Veterans Treatment Court (VTC), a robust veterans diversion program in the Southern District of California, has helped more than 70 veterans work to avoid federal convictions, prison or other punishment and, most importantly, get their lives back on track.

"There are people in our communities who volunteered to serve their country," said Blair Perez, an assistant United States attorney in the Southern District of California, who helped get the program up and running in 2016, under the leadership of then U.S. Attorney Laura E. Duffy. "If they were 'broken' as a result of that service, then we, representing the United States, should give them another chance before subjecting them to a federal felony conviction. We should take more care with our veterans who suffered harm on our behalf."

One of those veterans is Austin Kommick who was in the Army, 2007-2014, and served in Fallujah, Iraq, for over a year and in Afghanistan for about a year. He came out of the Army with post-traumatic stress disorder (PTSD), anxiety, depression and addiction; he had used heroin for 10 years.

"I tried to get clean a whole bunch of times but I just couldn't do it," said Kommick. "Ultimately it led me into making some pretty dumb decisions, participating in risky, illegal activities and in October 2019, I got arrested for transporting narcotics across the U.S.-Mexico border. On my first court date, before the magistrate judge, she saw I had a military background," and recommended Veterans Treatment Court. After applying, being accepted and entering a guilty plea before U.S. Magistrate Judge William V. Gallo, the



The original Veterans Treatment Court team is shown here while visiting the ASPIRE Center in San Diego, a residential treatment facility for combat veterans operated by the Veterans Administration. The photo includes U.S. Magistrate Judge William V. Gallo, Southern District of California; Bob Brewer, former U.S. attorney, Southern District of California; Blair Perez, assistant United States attorney, Southern District of California; Lori Garofalo, Chief Pretrial Services Officer, Southern District of California, as well as other members of the Pretrial Services Office, Defense Team, U.S. Attorney's Office, Veterans Administration and Courage to Call, a veterans' support organization.

judge instrumental in the creation of VTC, he got into the program.

Kommick had used the year well while awaiting his acceptance into VTC. "Phase One is for people just getting out of custody, getting a foundation. Going to a residential program is pretty much required; I had completed two residential programs before I was even accepted into the program. Staying sober is for sure the most important part of getting through." The residential programs helped both with staying sober and dealing "with combat-based stress disorders," he said.

"The second phase is encouraging you to get back into school or some type of work," said Kommick. "I went through a truck driving school while I was in the program, got my Class A license and have been working for a trucking company since I got out of the program."

Phase three is engaging in community service. "I volunteered at a donations warehouse for the Veterans Village of San Diego," said Kommick, "which is one of the programs that I went through. They put on several different events like helping homeless veterans, as far as getting them clothes, food and hygiene stuff."

Not everyone succeeds. "Some people didn't take it seriously and Judge Gallo's not one to play around," he said. Kommick, however, was fully committed to succeed. "Not just for the possibility of avoiding a prison

sentence, but I had tried many times to get clean and I couldn't do it. Now I had these legal consequences and having to (stay clean) for something was pretty much what I needed."

Perez, who retired as a Navy Reserve JAG Corps captain, and Chief Pretrial Services Officer Lori Garofalo, Southern District of California, teamed up in 2016 to create the federal Veterans Treatment Court to help veterans who had been injured while in the service. They reached out to Judge Gallo, a former AUSA in the district and retired U.S. Marine Corps colonel, to assist with obtaining court approval for the program and to serve as VTC's dedicated judge. Judge Gallo had firsthand knowledge of the experience of many veterans returning from Operation Iraqi Freedom. "Judge Gallo had recent relevant military experience and a reputation as a strong advocate of military service," Perez explained. "He was the perfect judge to help launch the new program." Judge Gallo not only helped acquire approval from then-Chief Judge Barry Ted Moskowitz, but he also agreed to hear all of the VTC cases.

VTC takes on clients who have not yet been to trial. Participants must plead guilty to enter the program. Sentencing is then deferred for 12-24 months as the participant goes through the phases of the program. If a participant completes the program and graduates, the U.S. dismisses the charge(s) with prejudice. No judgment of conviction is ever entered.

"The program started off with one track—for those veterans who had a qualifying service-related injury," said Perez. VTC participants have had a wide range of injuries, including but not limited to traumatic brain injury from IED explosions, PTSD from near-death experiences or observing

traumatic events, back and leg injuries from roll-over accidents of military vehicles, and military sexual trauma.

In 2016, when the U.S. Attorney's Office, Pretrial Services Office and the U.S. District Court were evaluating the feasibility of a federal VTC, San Diego had the highest population of Operation Iraqi Freedom and Operation Enduring Freedom veterans in the country. The San Diego District Attorney's Office and Superior Court, across the street from the U.S. Attorney's Office, already had a successful program in place to address the staggering number of contacts between police and returning combat veterans struggling with PTSD. After studying the D.A.'s program, the federal team learned that many people were engaging in very self-destructive and dangerous behaviors upon returning from combat.

How does a good soldier, sailor, airman or Marine get into trouble? "Let's say you have someone who served from 2001 to 2005 in the Marine Corps, so he was the tip of the spear during the 2003 invasion of Iraq," said Perez. "There was no hint of any problems prior to his service, and no problems while in the military. He might have received an honorable discharge. But then you learn, post-Iraq he developed a drinking problem, got addicted to drugs, his marriage fell apart, he lost his job, and now he's homeless and getting in trouble with law enforcement. Then you discover, guess what, he was a sniper in Iraq. A traumatizing experience for many. But he was never seen or treated by the VA. The stories you hear are just, like, whoa!" she said.

From her experience as a Navy JAG, Perez was aware of the military's efforts around 2008 and beyond to try to identify the combat veterans suffering from PTSD as soon as possible. For example, some branches of service mandated medical interviews of service members as they departed combat deployments to evaluate their psychological health and catch those at risk of PTSD. "Not surprisingly, the veterans were not comfortable discussing their mental health." Perez explained that efforts to change the military culture surrounding the stigma of mental health challenges and achieve candor in post-deployment interviews was an ongoing process.

"After almost 20 years of combat operations, it's still a struggle. Many do not want to admit that they have nightmares, that they are highly vigilant, or that they have disruptive, racing thoughts and poor control of their emotions. They did not admit it coming off deployment, after they got home or even years later when they separated from the service. Some of our applicants received other-thanhonorable discharges for conduct or infractions related to their PTSD or injury. So the U.S. Attorney's Office made a decision: if a veteran had a service-related injury and received an other-than-honorable discharge after that, it would not automatically disqualify him or her from VTC.

"From the beginning, the goal was to throw these individuals a lifesaving rope, while still holding them accountable for their offense," said Perez. "The program is not a walk in the park. The judgment is deferred to give the veteran a year to two years to be closely monitored. The pretrial services officer monitors compliance with requirements for drug and alcohol treatment and testing, mental health treatment, medical treatment, family and/or individual counseling, education and employment or obtaining a VA disability rating, stable housing and volunteerism. However,

the most significant means of ensuring accountability is having to appear every month before Judge Gallo or Judge Schopler," Perez added. U.S. Magistrate Judge Andrew G. Schopler joined Judge Gallo in presiding over the VTC docket when it grew too big for one judge to manage.

Program admission is not a given. There are currently 12 AUSAs, all veterans, who comprise the USAO's VTC Admissions Committee, including Perez and co-coordinator Bobby Miller. "The Committee thoroughly reviews every application and then makes a recommendation to U.S. Attorney Randy Grossman (Southern District of California) regarding admission. Like his predecessors, Grossman enthusiastically supports the program, even attending VTC graduations in person. Nevertheless, in 2022, less than half the applicants were admitted," said Perez. "Those entering the program are assessed both by pretrial services officers and by a VA Veterans Court liaison, who is also a licensed clinical social worker. Together, they come up with individualized treatment plans for the veteran," said Perez. "They need job support, they need a roof over their head, they need structure. They just need to get back on track and feel like they have the tools and resources to try to find a way forward." Once admitted, veterans are appointed one of the four VTC defense attorneys. They are also assigned a mentor and case manager from Courage to Call, a nonprofit organization funded by San Diego County's Health and Human Services Agency. It has taken a strong commitment from each of the stakeholders—the U.S. Attorney's Office, Defense Counsel, Pretrial Services, the VA, Courage to Call and the court—to make the program work.

In recent years, the program has expanded to include those who do not have a service-related injury but who have been good service members who made a mistake and committed a federal offense. "Bob Brewer became our U.S. attorney in 2019. He is a highly decorated vet from the Vietnam War and had a very strong interest in this program," said Perez. He expanded the program beyond people who have had service-related injuries, but the eligibility requirements are tighter. "If you do not have a service-related injury, then you cannot have anything less than an honorable discharge. The charges cannot involve victims and you cannot have a prior criminal record," said Perez. Joseph Woodard fit those criteria.

"I got into trouble because apparently it is illegal to sell a gun that does not have numbers on it," Woodard said. "I didn't know I was breaking a law; I broke a law, it was my fault. I manned up and said I'm sorry. I was able to get out on bail fortunately, and I literally fought for three years to get into the program."

Woodard spent 22 years as a scoutsniper, instructor, platoon sergeant and company first sergeant. "I was actually at risk of losing my retirement and my VA benefits," he said. "If it wasn't for this group of people, I wouldn't have everything I have right now and I probably be sitting in a jail cell somewhere, dead, or God knows what.

"The (VTC) system is so set up for success that you really have to be a (foul up) to screw it up and not get through it successfully," said Woodard. "Literally when you join the Veterans Treatment Court they give you two or three packets with exactly what, when and how they want each of the items done."

For his community service, "I worked with an organization called Comrades and Canopies," he said. We take combat vets skydiving to bring them back to being normal people again. And it works like you wouldn't even begin to imagine. That was my best way I could give back, to share skydiving with veterans that were very highly likely to commit suicide, very highly likely to have issues."

Woodard would like to see the program opened to more like him. "That's really what my hope was in talking to you, that they may be willing to take on guys who need more of a chance taken on them. I would absolutely, 100% recommend the program as long as you are willing to accept the responsibilities of the program. I got my wife back, I got my kids back, I bought my own house, I successfully built a business. I still reach out to the safety net they created for me. I still use my resources, and I've gotten to the point where I don't let my ego affect my decisions."

Kommick agrees. He, too, would absolutely recommend the program to others in similar situations. "I know the program isn't available to everybody," he said. "That's really unfortunate. I feel honored, lucky that I was able to participate in the program."

Hearing the success stories makes the work worthwhile. "They may never feel the same as they were before they were injured," Perez said, "but we can try to give them every resource we have available to get them as close as we can, and then it is up to them to see it through."

New Criminal Justice Act Unit Supports Independence of Defense Function

Among the many accomplishments of Judge Sidney R. Thomas during his term as chief judge of the United States Court of Appeals for the Ninth Circuit was creation of a Criminal Justice Act (CJA) Unit to assist the chief circuit judge's statutorily required review of CJA payments that exceed specified thresholds. Previously, such review was undertaken by designated circuit judges, without staff assistance.

Judge Thomas established the unit in response to the "Report of the Ad Hoc Committee to Review the Criminal Justice Act Program" (Cardone Report: https://cjastudy.fd.org/sites/default/ files/public-resources/Ad%20Hoc%20 Report%20June%202018.hyperlinked. pdf). Among other findings, the Cardone Report concluded that judicial review of CJA funding matters distorts the adversarial process by requiring judges to step out of the role of neutral arbiter to decide what work one party can do and what experts they can hire, oversight not required of prosecutors nor defender office attorneys. The Cardone Report further observed that judicial review of fees can discourage appropriate advocacy and that voucher review by individual presiding judges produces inconsistent outcomes and fee reductions.

To provide more autonomy for the defense, the Cardone Report endorsed the use of CJA supervisory attorneys employed by a court or defender office to review payments and expert requests. It noted that having a centralized and knowledgeable resource handle funding issues relieves presiding judges of directly supervising one party's litigation strategies, provides prompt and consistent review, and facilitates accountability through oversight. With these benefits in mind, the Ninth Circuit CJA Unit was formed.



The CJA Unit staff, front row (l-r), are Circuit Case-Budgeting Attorney Jennifer L. Naegele, CJA Supervising Attorney Kristine Fox, Circuit Case-Budgeting Attorney Suzanne Morris and CJA Specialist Karina Rodriguez, and back row from left are CJA Analyst Brad Dobrinski and CJA Administrative Attorney Kevin Morley.

The unit's mission is to ensure panel attorneys have the resources necessary to furnish high quality representation in a cost-effective manner, provide training and policy development, and bring expertise and consistency to CJA matters. The unit is led by a CJA supervising attorney and includes two budgeting attorneys, an administrative attorney, an analyst and a paralegal specialist. Together, the unit has made tremendous strides in fulfilling its mission and providing more independence for the defense function.

Since its inception in 2019, the unit has processed over 30,000 payment vouchers, service provider funding authorizations and budgets on behalf of the chief circuit judge—on average 150 each week and nearly all without judicial involvement. It worked with each district to devise procedures that permit meaningful review of interim payments as well as technical compliance with CJA policies and overall reasonableness.

In short order, the CJA Unit has become an invaluable resource for judges, panel attorneys and CJA administrative staff by providing training, support and policy guidance. It has revised circuit-wide CJA policies and helped districts create CJA supervisory/resource counsel positions, draft local billing guidelines and update CJA plans. Nearly every district in the circuit now has an experienced former defense attorney assisting with panel management or voucher review. In addition, unit members have developed eVoucher operational and data reporting expertise and regularly suggest eVoucher enhancements and implement program updates.

Most recently, the unit created a first-of-its-kind handbook to assist attorneys and voucher reviewers determine what tasks and expenses are compensable under the CJA. After a collaborative effort with administrators, panel attorney representatives and the Administrative Office of the U.S. Courts' Defender Services Office, the handbook was approved by the Judicial Council of the Ninth Circuit in April 2022. It has been shared nationwide, receiving great accolades for its value in creating more consistency in the voucher review process.

Space and Security

Ninth Circuit Space and Facilities Staff Assist Federal Courts with Space and Facilities Projects in the Western States

The Space and Facilities Unit, within the Office of the Circuit Executive for the Ninth Circuit, helps court units to plan and manage facilities projects in more than 100 federal and leased properties across the western states and Pacific islands. Staff in this office provide a range of services from assisting with budgeting and planning, to the development of housing solutions, to detailed design, to coordination with other federal agencies, as well as project management and technical support for projects in all phases of development from schematic design through construction. The office also works closely with Administrative Office of the U.S. Courts, or AO, security staff and the U.S. Marshals Service to ensure security installations and procedures are coordinated for new projects and continuing occupancies.

In recent years, a primary focus of the Space and Facilities Unit has been providing space for newly confirmed judges including new chambers and additional courtrooms. The circuit has also worked with the AO to seek approvals for four new courthouse projects and has coordinated with the General Services Administration in efforts to seek funding for major renovations for existing courthouses. In addition, the circuit has managed efforts to replace expiring leases for other court units, including primarily U.S. Probation Offices and Federal Public Defender Offices. Lastly, space and facilities staff have continued to work with the leadership of individual court units to seek long-term savings on space rental costs by assisting with projects that will lead to greater efficiency in the use of existing space and the future release of space.

In 2022, the circuit continued to focus on the construction of new chambers for the significant number of new circuit judges confirmed in recent years. New or renovated chambers projects were completed in Carlsbad, California, and Reno, Nevada, adding to chambers projects completed in Pasadena, Calif., San Diego, Honolulu, Phoenix and Idaho Falls, Idaho, in prior years. Several additional circuit chambers in San Francisco and Seattle were nearing completion at the end of 2022. At the same time, planning was commencing for three additional circuit chambers in Pasadena; Portland, Oregon; and Richland, Washington, which are planned for funding in 2023.

In terms of courtroom projects, a new district courtroom at the Evo A. DeConcini Federal Building and U.S. Courthouse in Tucson, Arizona, was completed in 2022, and two additional district courtrooms at the Carter-Keep U.S. Courthouse in San Diego were nearly completed. Other significant court projects completed in 2022 included a realignment of the Ninth Circuit library branch in Phoenix to reduce the size of the library and to provide a shared chambers for senior circuit judges and a visiting chambers. Also completed in 2022 was a collegial chambers project in a leased space for three magistrate judges in San Diego.

Design efforts continued on several major projects in 2022, including future expansions of the Carter-Keep U.S. Courthouse in San Diego which are essential to accommodate planned increases to the number of district and senior district judges. In addition, design efforts were underway for a new chambers in Riverside, Calif., to house an additional district judge.

In 2022, the Ninth Circuit made progress on four new high-priority courthouse projects. For Anchorage, Alaska, a detailed feasibility study for a new courthouse for the District of Alaska had begun. Once completed, this study will be the basis of a funding request to Congress for a new federally owned courthouse.

The circuit also worked closely with the District of Arizona on a procurement for a new leased facility in Flagstaff to replace the current undersized leased location. Similarly, the office worked with the District of Oregon on a procurement for a new leased courthouse in Medford to replace the aging James A. Redden U.S. Courthouse, which has significant structural and building system deficiencies. Those leases are planned for award in 2023 and 2024, respectively.

Working with the Central District of California, the circuit secured approval for Riverside to be added to the judiciary's list of potential new courthouse projects. Further progress on that project will await the start of a feasibility study in a coming year. In addition to these new facilities, the circuit continues to assist court units in pursuing approvals and funding for other major renovation projects. These efforts are made in coordination with the General Services Administration, which is the agency responsible for maintaining federal properties and for obtaining congressional appropriations for these major projects. As in other recent years, the amount of funding provided by Congress for these types of projects has been limited and consequently, there was little progress on this front. The list of key funding priorities for Ninth Circuit major building renovation projects remains unchanged from last year and includes major building seismic and building system renovation projects for the Richard H. Chambers U.S. Court of Appeals building in Pasadena and the U.S. Courthouse at Union Station in Tacoma, Washington, and a renovation of the exterior cladding at the William Kenzo Nakamura U.S. Courthouse in Seattle.

The Space and Facilities Unit also assisted with a number of new leased projects for probation and FPD offices. New probation offices were completed in Whittier, California, and Vancouver, Washington, while construction of a new office in Hawthorne, Calif., was nearing completion. The Space and Facilities Unit also assisted FPD offices with a number of leasing actions around the circuit. New leased FPD offices were completed in Anchorage and Reno, Nevada. The office is also working with the GSA and local offices on the procurement of new FPD leases in Las Vegas, Seattle, Phoenix and Yuma, Arizona.

Space and facilities staff continues to work with court units to identify projects that would lead to reductions in the circuit's current annual rent bill of approximately \$250 million. Over the last decade, these efforts have resulted in rent savings of more than \$13 million per year. Over the last year, working with the U.S. Bankruptcy Court for the Western District of Washington, the circuit secured funding for a space reduction project in Seattle. Additional space reduction opportunities are anticipated in several other districts in the coming years as changes in telework and business practices create opportunities for staff and support area realignments.

In addition to managing space and facilities project, the staff help support various security initiatives, with the help of the two AO judicial security officers working within the Ninth Circuit. These efforts range from ensuring that infrastructure for security devices provided by the U.S. Marshals Service and the Federal Protective Service are incorporated into new construction projects, to staffing the Ninth Circuit's Judicial Security Committee, to assisting with specific security initiatives, such as the AO's current effort to harden the exterior of major courthouses against attacks. In addition to the security work related to new projects and funding programs, staff are also working with the judicial security officers to address several other security priorities identified by the Ninth Circuit Judicial Security Committee, including security enhancements at leased locations, the status of physical access control system replacement needs, and a variety of other security-related projects raised by individual facility security committees or security assessments conducted by the judicial security officers.

Ribbon-Cutting Ceremony Held for New Courthouse in Northern Mariana Islands







At long last, the new courthouse in Saipan for the United States District Court for the District of the Northern Mariana Islands had its official ribbon cutting in September. The three-story, 35,696-square-foot courthouse includes a courtroom, chambers for two judges and a jury assembly room. It also houses offices for the court's 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 building will have its own water supply and emergency electrical generators. The design also incorporates

innovative lighting and landscaping, energy efficient fixtures and wastewater technologies projected to realize future cost savings and conserve resources. Ground was broken in December 2017 and the courts moved from their former home in the Horiguchi Building to the new courthouse in July 2020. As the initial planning for this new facility began 15 years ago, completion of the project was a major accomplishment for the court, the Ninth Circuit and the General Services Administration team.

The ribbon-cutting ceremony, delayed due to the pandemic, held Sept. 16, 2022, drew legal luminaries from around the area including Chief Judge Ramona V. Manglona, District of the

NMI; Chief Judge Frances M. Tydingco-Gatewood, District of Guam; Senior Circuit Judge Richard Clifton, who represented Ninth Circuit Chief Judge Mary H. Murguia; Senior District Judge Alex R. Munson; Magistrate Judge Heather L. Kennedy; Shawn N. Anderson, U.S. attorney for the Districts of Guam and the NMI; Fernando Sablan, U.S. Marshal for the Districts of Guam and the NMI; Carmen Cantor, assistant secretary for Insular and International Affairs, Department of the Interior; Norman Tenorio, Marianas Management Corporation board member; Dan Brown, GSA regional commissioner; and Eric Patterson, Federal Protective Service director.

Work of the Courts

Court of Appeals Maintains Processing Times as Pending Cases Decline

The United States Court of Appeals for the Ninth Circuit had slightly increased case processing times but reduced its pending caseload in fiscal year ending Sept. 30, 2022. Case processing time increased by about three days over 2021. Both new appeals and terminations were down in 2022.

New appeals filed with the Ninth Circuit numbered 8,559 in FY 2022, down 9.8% from the prior fiscal year. Appellate filings nationwide numbered 41,839, down 6.1%. Eleven of the 12 geographic circuits reported fewer filings ranging from 0.4% to 9.8%. The Ninth Circuit continued to be the nation's busiest federal appellate court, accounting for 20.5% of all new appeals nationally.

The Ninth Circuit disposed of 10,492 cases in FY 2022, down 3.5%. The court's pending caseload dropped by 19.8% to 7,847 cases from 9,780 in FY 2021. All 12 geographic circuits reported reductions in terminations, and nine of the 12 circuits had fewer pending caseloads compared to the prior fiscal year.

Breakdown of New Appeals

Of the new filings, 30.2% of all new appeals in the Ninth Circuit involved immigration and other administrative agency matters, while 39.1% 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 16.3% of all new appeals originating from district courts nationwide in FY 2022. The district courts generated 5,233 new appeals, down 10.2% from the prior fiscal year. Of the total, 4,314 were civil appeals and 919 were criminal appeals. Prisoner petitions involving habeas corpus, capital habeas corpus, civil rights, prison conditions and other matters accounted for 39.3% of all new civil appeals from district courts.

Among the 15 district courts of the circuit, the four California courts produced 52.1% of new civil appeals and 49.7% of new criminal appeals. The Central District of California, the busiest court in the circuit, generated 1,225 civil and criminal appeals, down 8.2% from FY 2022.

Of the 919 new criminal appeals, 29.5% were related to drug offenses and 6.7% were immigration offenses. The court reported 271 drug offenses and 62 immigration offenses. Total appeals involving property offenses and fraud were 86 and 77, respectively. 185 appeals were reported for offenses involving firearms and explosives, of which 58 were alleged to have committed during a violent or drug-trafficking offense. Also reported were 111 appeals involving sex offenses and 82 for violent offenses.

Appellate Caseload Profile

Caseload Measure	2021	2022	Change 2021-2022
Filings	9,487	8,559	-9.8%
Terminations	10,872	10,492	-3.5%
Pending Cases	9,780	7,847	-19.8%

Ninth Circuit Court of Appeals En Banc Ballots

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
2022	701	24	12	12
2021	886	19	7	12
2020	820	29	7	22
2019	817	24	14	10
2018	955	17	8	9

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 decreased by 8.3% to 2,587 cases in FY 2022. The BIA accounted for 94.7% of agency appeals and 28.6% of the court's total new filings. The Ninth Circuit had 55.7% of the total BIA appeals filed nationally in FY 2022.

Original proceedings and miscellaneous applications commenced in FY 2022 numbered 544, down from 578 the prior fiscal year. The bulk of original proceedings cases involved second or successive habeas corpus petitions, 242, and mandamus appeals, 159.

Terminations and Pending Cases

The Ninth Circuit terminated 10,492 cases in fiscal year 2022, down 3.5% from the prior year. The total includes

4,590 civil and 943 criminal appeals originating in the district courts and 4,233 appeals of agency decisions.

Of the total case terminations, 6,086 cases, or 58%, were terminated on the merits, and 241 of those cases were terminated by consolidation. The remaining 4,406 cases were terminated on procedural grounds. Of the merit decisions, 1,301 came after oral argument, up 1.1%, and 4,544 after submission on the briefs, down 10.1% from the prior year. Excluding cases terminated by consolidation, total merit terminations included 1,338 prisoner cases, 624 criminal cases and 1,735 administrative agency appeals.

In FY 2022, cases terminated on the merits that were affirmed or enforced, which includes appeals affirmed in part and reversed in part, numbered 3,890; 498 reversed, 45 remanded and 752 dismissed. The court's reversal

rates were down across the board. The overall reversal rate was 8.7%, down from 10.2% in 2021. The 2022 national average is 8.2%. The Ninth Circuit reversal rate was 9.3% for criminal cases; 20.4% for civil cases involving the federal government; 15% for other private civil cases; and 4.4% for administrative agency 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 2022, judicial panels produced 460 signed opinions, two of them unpublished, and 5,385 unsigned opinions, 33 of them published.

The court's pending caseload decreased again in FY 2022. Pending cases numbered 7,847, down 19.8% from FY 2021 (down 12.4% from 2020). Of the pending caseload in FY 2022, 38.9%

Filings, Terminations and Pending Cases by Nature of Proceeding

Type of Appeal	2021 Filings	2022 Filings	Change 2020-2021	% of Circuit Total	2021 Terminations	2022 Terminations	Change 2021-2022	2021 Pending	2022 Pending	Change 2021-2022
Civil										
U.S. Prisoner Petitions	419	346	-17.4%	4.0%	471	417	-11.5%	357	286	-19.9%
Private Prisoner Petitions	1,625	1,349	-17.0%	15.8%	1,764	1,442	-18.3%	1,148	1,055	-8.1%
Other U.S. Civil	603	609	1.0%	7.1%	738	646	-12.5%	570	533	-6.5%
Other Private Civil	2,184	2,010	-8.0%	23.5%	2,335	2,085	-10.7%	1,822	1,747	-4.1%
Criminal	994	919	-7.5%	10.7%	1,152	943	-18.1%	911	887	-2.6%
Other					,	,	,			
Bankruptcy	262	195	-25.6%	2.3%	248	186	-25.0%	150	159	6.0%
Administrative Agency Appeals	2,822	2,587	-8.3%	30.2%	3,528	4,233	20.0%	4,702	3,055	-35.0%
Original Proceedings and Miscellaneous Applications	578	544	-5.9%	6.4%	636	540	-15.1%	120	125	4.2%
Circuit Total	9,487	8,559	-9.8%	-	10,872	10,492	-3.5%	9,780	7,847	-19.8%
National Appellate Total	44,546	41,839	-6.1%	-	47,748	44,902	-6.0%	35,552	32,512	-8.6%
Ninth Circuit as % of National Total	21.3%	20.5%	-0.8%	-	22.8%	23.4%	0.6%	27.5%	24.1%	-3.4%

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Totals include reopened, remanded and reinstated as well as original appeals. Beginning in March 2014, data include miscellaneous cases not included previously.

involved administrative appeals; 31.1% other private and U.S. civil matters including bankruptcies; 17.1% U.S. and private prisoner petitions; and 11.3% criminal matters. Of the pending caseload, 38.4% had been pending less than six months, 26.7% pending six to 12 months, and 34.9% 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 2022, the median time interval from filing of a notice of appeal to final disposition was 13.2 months, up from 13.1 months in FY 2021 and 12.5 months in FY 2020. The median time interval from the filing of a case in a lower court to a final disposition was 33.4 months, up from 31.8 months in FY 2021. The national median time intervals in FY 2022 were 9.8 months from notice of appeal to final disposition by a circuit court of appeals and 33.7 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 2022 the median time interval for panel decisions was 1.6 months, up from 1.4 months in FY 2021, for a case in which oral argument was held, and dropped slightly from about nine days to three days (0.2 of a month) for cases submitted on briefs.

Sources of Appeals, Original Proceedings and Miscellaneous Applications Commenced

District	2022 Commenced	% of Total
Alaska	85	1.0%
Arizona	614	7.2%
C. Calif.	1,225	14.3%
E. Calif.	465	5.4%
N. Calif.	703	8.2%
S. Calif.	311	3.6%
Guam	6	0.1%
Hawaii	142	1.7%
Idaho	122	1.4%
Montana	179	2.1%
Nevada	523	6.1%
Northern Mariana Islands	1	0.0%
Oregon	310	3.6%
E. Wash.	105	1.2%
W. Wash.	442	5.2%
Bankruptcy	195	2.3%
Administrative Agencies, Total	2,587	30.2%
IRS	24	0.3%
NLRB	13	0.2%
BIA	2,451	28.6%
Other Administrative Agencies	99	1.2%
Original Proceedings and Miscellaneous Applications	544	6.4%
Circuit Total	8,559	-

Median Time Intervals in Months for Cases Terminated on the Merits

	Number of Months						
	Ninth	Circuit	National				
By Stage of Appeal	2021	2022	2021	2022			
¹ From Filing of Notice of Appeal or Docket Date to Filing of Appellee's Last Brief	8.8	7.8	5.5	5.6			
From Filing of Appellee's Last Brief to Oral Argument or Submission on Briefs	7.6	6.2	4.3	4.5			
From Oral Argument to Last Opinion or Final Order	1.4	1.6	2.1	2.6			
From Submission on Briefs to Last Opinion or Final Order	0.2	0.2	0.3	0.4			
¹From Filing of Notice of Appeal or Docket Date to Last Opinion or Final Order	13.1	13.2	9.9	9.8			
From Filing in Lower Court to Last Opinion or Final Order in Appeals Court	31.8	33.4	32.8	33.7			

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 applications not included previously. Cases terminated include appeals, original proceedings and miscellaneous applications.

¹Docket date is used when computing the mean time intervals for original proceedings, miscellaneous applications and appeals from administrative agencies.

Pro Se Filings and Terminations

Pro se appeals involve at least one party who is not represented by counsel. In FY 2022 new appeals by pro se litigants numbered 3,349 down 16% from the prior fiscal year. Pro se litigants accounted for 39.1% of all appeals opened during FY 2022. Pro se appeals involving federal and private prisoner petitions numbered 1,373. Pro se appeals involving agency appeals numbered 489, making up 14.6% of all new pro se filings.

The court terminated 3,593 pro se appeals in FY 2022, down 11,2% from the prior year. Of that number, 2,220 were terminated on the merits after oral argument, submissions on the briefs, or by consolidation. Prisoner petitions and U.S and other private civil 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 701 petitions seeking en banc review, a decrease of 20.9% from FY 2021. During FY 2022, nine en banc courts were convened. Oral arguments were heard in eight cases, all in person. One case was dismissed as moot following settlement. During the calendar year, 12 en banc courts were convened. Oral arguments were heard in 11 cases, all in person. One case was dismissed as moot following settlement.

Death Penalty Cases

The court ended calendar year 2022 with 57 pending death penalty appeals resulting from crimes in four states: California, 25 cases; Arizona, 18; Nevada, 13; and Idaho, 1. Within the circuit, another 658 death penalty cases were pending in federal trial courts and state supreme courts. There were 846 prisoners on death row. Since 1976, there have been 78 executions by states within the circuit.

Contributions by Active, Senior and Visiting Judges

At the end of 2022, the court had 29 active circuit judges and 22 senior circuit judges. Of the 6,086 written opinions issued by the court in FY 2022, excluding consolidations, 60.8% were authored by active circuit judges, 31.1% by senior judges and 8.1% by visiting judges sitting by designation.

District Courts Overall Filings Decrease Slightly

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 decreased in fiscal year 2022. Total new civil and criminal filings numbered 52,246, down 11% from FY 2021. Total cases terminated was 56,995, down 2.5% and total pending cases

were down 7.6% to 59,52246374. The circuit accounted for 15.9% of all filings nationwide, up from 14.6% in 2021. Total new civil and criminal filings nationwide in 2022 were 329,162, down 18.4%, 74,229 filings fewer than in FY 2021.

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

Offenses	AK	AZ	C. Calif.	E. Calif.	N. Calif.	S. Calif.	GU	ні	ID	МТ	NV	NMI	OR	E. Wash.	W. Wash.	Total 2021	Total 2022	Change 2021-2022
Violent Offenses																		
Homicide	1	34	5	0	0	0	0	0	2	8	1	0	2	2	1	50	56	12.0%
Robbery	4	9	7	1	8	4	0	1	0	0	7	0	15	0	1	66	57	-13.6%
Assault	0	61	6	3	1	47	0	1	5	17	6	0	10	11	2	259	170	-34.4%
Other	0	17	48	13	6	9	0	2	0	4	7	0	9	7	1	127	123	-3.1%
Property Offenses	•							•		•								
Burglary, Larceny & Theft	0	23	32	18	2	5	2	1	9	3	4	0	13	8	11	168	131	-22.0%
Embezzlement	1	7	6	4	3	3	0	2	0	4	1	0	4	1	1	37	37	0.0%
Fraud	19	52	173	64	64	80	11	21	17	39	44	9	47	60	31	813	731	-10.1%
Forgery & Counterfeiting	0	2	0	0	0	0	0	0	0	3	1	0	1	5	2	11	14	27.3%
Other	2	0	3	0	3	2	0	0	0	1	1	0	3	1	1	51	17	-66.7%
Drug Offenses											,							
Marijuana	1	7	2	4	4	4	0	0	1	23	0	0	14	1	2	184	63	-65.8%
All Other Drugs	52	476	298	191	117	1,795	9	57	139	119	89	6	213	155	97	5,142	3,813	-25.8%
Firearms and Explosives Offenses	43	198	186	71	90	59	2	19	34	94	97	2	86	65	48	1,098	1,094	-0.4%
Sex Offenses	11	73	38	14	26	22	0	9	31	36	19	0	45	31	27	399	382	-4.3%
Justice System Offenses	1	31	4	6	3	45	0	2	7	4	2	0	7	3	3	137	118	-13.9%
Immigration Offenses																		
Improper Reentry	0	2,844	53	9	8	779	2	2	27	6	32	0	18	27	0	4,087	3,807	-6.9%
Other	0	994	22	0	3	622	0	0	0	4	1	0	0	1	2	1,222	1,649	34.9%
General Offenses	3	74	44	13	14	75	3	2	3	6	6	0	11	2	7	323	263	-18.6%
Regulatory Offenses	4	90	23	4	6	34	0	9	1	2	4	0	6	2	5	278	190	-31.7%
Traffic Offenses	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	211	1	-99.5%
All Offenses Total	142	4,992	950	416	358	3,585	29	128	276	373	322	17	504	382	242	14,663	12,716	-13.3%

COVID-19-related issues have continued to diminish as courts adapt to COVID-19. "In the District of Oregon, in-person proceedings and public intake services have continued with pandemic precautions," said Melissa Aubin, clerk of court for the District of Oregon. "The frequency of jury trials has increased as the Court has addressed the backlog created by pandemicrelated setovers. Even so, remote hearings by video and telephone remain available, and the Court coordinates with detention facilities to schedule the participation of incarcerated individuals as needed. The Court is considering

resumption of naturalization ceremonies in the Portland and Eugene divisions in 2023, which would move us even closer to restoring a full complement of inperson services."

"We managed extremely well during 2022," said Kiry Gray, district court executive & clerk of court for the Central District of California. "Once trials resumed in the spring, many of our operations were near normal. We were able to conduct all types of in-person hearings with very few complications due to COVID. However, some judges chose to continue

using videoconferencing for many hearings. There were minimal technical difficulties associated with our use of videoconferencing for hearings. For the judges that chose to conduct all hearings in person, normal operations for all types of hearings resumed with few COVID related complications.

"In terms of trials, the biggest COVID related impact was scheduling. To avoid calling in too many jurors on a given day, the chief judge has been overseeing trial scheduling. As a result of the restriction on the number of trials that could begin on the same day, some trials did not start

U.S. District Courts - Weighted and Unweighted Filings Per Authorized Judgeship

			W	eighted Filings	Per Judge	eship		ι	Jnweighted	Filings Per Judge	eship
District	Authorized Judgeships	Civil	Criminal	Supervision Hearings	2022 Total	2021 Total	Change 2021-2022	Civil	Criminal	Supervision Hearings	2022 Total
Alaska	3	155	76	0.1	231	200	13.4%	151	52	1.3	203
Arizona	13	201	282	9.7	483	513	-5.8%	235	389	121.2	624
C. Calif.	28	506	52	2.0	558	647	-13.8%	471	35	24.7	506
E. Calif.	6	561	109	5.5	670	711	-5.8%	629	73	50.3	702
N. Calif.	14	561	41	3.7	602	807	-25.4%	534	27	45.9	561
S. Calif.	13	151	324	10.0	475	594	-20.0%	148	276	123.5	424
Hawaii	4	142	52	2.3	194	237	-18.1%	137	33	26.5	170
Idaho	2	252	204	6.0	456	466	-2.1%	266	140	74.0	406
Montana	3	195	196	13.0	391	356	9.8%	209	125	91.0	334
Nevada	7	352	69	3.3	421	481	-12.5%	360	49	32.6	409
Oregon	6	280	131	5.9	411	437	-5.9%	317	86	71.5	403
E. Wash.	4	116	140	13.6	256	259	-1.2%	152	95	162.0	247
W. Wash.	7	345	55	3.7	400	430	-7.0%	372	71	37.4	443
Circuit Total	110	3,817	1,731	76.5	5,548	6,138	-9.6%	3,981	1,451	861.9	5,432
Circuit Mean	-	294	133	6.4	427	472	-9.6%	306	112	66.3	418
Circuit Median	-	252	109	5.7	421	466	-9.7%	266	73	50.3	409
National Mean	-	342	131	4.2	477	608	-21.5%	388	102	43.3	534
National Total	673	355	120	3.8	479	573	-16.4%	380	101	39.7	640

Note: Case weights are based on the 2015 district court case weighting study conducted by the Federal Judicial Center. 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.

on the exact date they were originally scheduled. However, all trials started the week they were scheduled to begin. Some judges chose to impose distancing requirements and other safety measures for trials. Additional courtrooms and other spaces were reserved for this purpose. There were some delays related to jurors and litigants contracting COVID or being exposed to COVID. Most trials proceeded with very few, if any COVID related complications. However, we have experienced a higher-than-normal failure to appear rate for jurors recently and plan to call in more jurors in order to ensure panel requirements are fulfilled," Gray said.

Criminal Caseload and Defendants

District courts in the Ninth Circuit reported a decrease in criminal filings, down 10.4% with 11,161 cases, while cases terminated during the year numbered were up 5.8% to 11,581 cases. The district courts' combined pending criminal caseload was 15,619, down 3.5%.

Twelve of the 15 district courts in the nine western states comprising the Ninth Circuit reported fewer criminal case filings in FY 2022. The biggest decrease percentagewise was in the District of the Northern Mariana Islands, down 36.4%, an addition of 8 filings. The District of Hawaii had the next largest decrease, down 35.5%, going from 169 to 109 filings. The highest increase in the continental U.S. was in the Eastern District of Washington with 23.7% more case filings than in FY 2021, The District of Montana had the next highest increase at 17%, going from 277 to 324, and the District of Arizona had most filings of any district at 4,630, down 303 cases from 2021. The Southern District of California was down 19.4%, going from 3,638 to 2,932 cases and the Western District of Washington was down 18.2% with 436 cases in 2022.

The District of Oregon saw the smallest decrease in filings, a drop of 1%, from 391 to 387. The District of Alaska was down 4.5% from 134 to 128, while the Northern District of California was down 14.5%, and the District of Idaho was down 5.3%.

The Ninth Circuit accounted for 20.3% of the new criminal case filings nationally, which numbered 54,931, down 6.6% from FY 2021.

In the Ninth Circuit, the total number of defendants involved in criminal cases, excluding transfers, was 13,189, down 10.2% from FY 2021. The majority of the defendants who were charged with felony offenses numbered 12,716. Defendants charged with drug offenses,

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

Caseload Measure	2021	2022	Change 2021-2022
Civil Filings	46,261	41,085	-11.2%
Criminal Filings	12,454	11,161	-10.4%
Total Filings	58,715	52,246	-11.0%
Civil Terminations	47,448	45,414	-4.3%
Criminal Terminations	10,950	11,581	5.8%
Total Terminations	58,398	56,995	-2.4%
Pending Civil Cases	48,094	43,755	-9.0%
Pending Criminal Cases	16,188	15,619	-3.5%
Total Pending Cases	64,282	59,374	-7.6%
Civil Case Termination Index (in months)	12.16	11.56	-4.9%
Criminal Case Termination Index (in months)	16.30	16.20	-0.6%
Overall Case Termination Index	13.21	12.50	-5.4%
Median Time Intervals in Mo	onths from Filing	to Dispos	ition
Civil Cases	7.2	8.0	11.1%
Criminal Defendants	7.8	8.0	2.6%
Civil Cases National Average	8.5	11.5	35.3%
Criminal Defendants National Average	9.8	10.3	5.1%

Note: Median time intervals 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 table included data on 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 date for a defendant (e.g., the date an indictment or information was filed) to the date on which the defendant was found not guilty or was sentenced. Previously, the median time interval was computed beginning with the defendant's filing date. Therefore, data for March 2012 and thereafter are not comparable data for previous periods.

excluding transfers, numbered 3,934. They accounted for 29.8% of total criminal defendants in the circuit. Of the total drug offenses, 84 involved marijuana and 3,850 involved all other drug offenses.

Criminal defendants charged with immigration offenses numbered 5,461, down 2.7%, in FY 2021. Immigration offenses accounted for 41.4% of all criminal defendants. Of the total, 3,807 defendants were charged with improper reentry into the United States.

The District of Arizona had the largest total number of defendants, 5,066, of whom 4,335 were charged with immigration and drug offenses, 85.6% of the total. The district reported 3,843 defendants charged with immigration offenses, up just a shade, 0.2%, from FY 2021.

Defendants charged with drug offenses in the District of Arizona dropped from 835 to 492 in FY 2022, down 41.1%. The district had 70.4% of all defendants in the circuit charged with immigration offenses and 12.5% of all defendants with drug offenses in the circuit.

The district with the second highest number of defendants, the Southern District of California, with 3,599 total defendants, of whom 3,202 were charged with immigration and drug offenses, 89% of their total. The Southern District of California had 25.7% of all defendants in the circuit charged with immigration offenses and 45.8% of all defendants with drug offenses in the circuit.

Ninth Circuit district courts reported 1,033 defendants charged with property offenses, were down 4.4%. Under this category, defendants charged with fraud were most numerous, totaling 765, followed by burglary, larceny or theft, 184; embezzlement, 39; forgery and counterfeiting, 14; and 31 for other property offenses.

In the Ninth Circuit, defendants charged with firearms and explosives offenses numbered 1,096. Total number of defendants charged with violent offenses, which includes homicide, robbery, assault and other violent offenses, was 452, down 10% in FY 2022.

Total pending criminal caseload numbered 15,619, down 3.5% from FY 2021. Nine of the 15 district courts in the circuit reported a decrease in pending criminal caseload.

Civil Caseload

During FY 2022, Ninth Circuit district courts reported fewer new civil filings, and terminated fewer cases, ending the year with lower pending caseloads. New civil filings dropped by 11.2% to 41,085. Case terminations numbered 45,414 down 4.3% from FY 2021. Pending caseload was 43,755, a decrease of 9%. New civil filings accounted for 78.6% of total caseloads in the district courts.

New private civil cases numbered 33,648 and accounted for 81.9% of all new civil filings in the Ninth Circuit. Major categories of new private civil cases were civil rights, 8,185 cases; prisoner petitions, 6,699; personal injury, 4,098; contracts cases, 3,965; intellectual property, 2,769; and labor matters, 1,895.

The U.S. was a party to 7,437 new civil cases, accounting for 18.1% of the total new civil caseload in the district courts. Among the matters involving the government, Social Security cases were most numerous, 3,262 or 43.9% of the total U.S. civil cases in the Ninth Circuit. Prisoner petitions followed with 855 cases or 11.5%. Other categories were tort actions, 386 cases; civil rights, 271 cases; and forfeitures and penalties, 110 cases.

Prisoner petitions totaled 7,554 or 18.4% of all new Ninth Circuit civil filings. About 86.1% or 6,504 of all

prisoner petitions were initially filed pro se. The federal trial courts in Arizona, California and Nevada had the most prisoner petitions, accounting for 62.6% of the circuit's total prisoner petitions.

New civil filings decreased in 13 of the 15 district courts of the Ninth Circuit. The Northern Mariana Islands had a decrease in filings from 44 to 19, down 56.8%. The Northern District of California saw a drop of 2,274 cases, or 22.3%, to 7,930 cases. The Central District of California, which had the second most new civil filings in the nation, dropped 1,232 cases to 13,665, down 8.3% in FY 2022.

The District of Alaska saw an increase of 95 cases to 464, an increase of 29.2%. The District of Montana had a slight increase in civil filings, from 622 to 634, up 1.9%.

Case Processing Times

Civil case processing times in the district courts of the Ninth Circuit from filing to disposition of civil cases terminated were up slightly from 7.2 months to 8 months compared to the prior fiscal year, 3.5 months better than the national median time of 11.5 months.

Many criminal cases are disposed of either through a guilty plea or dismissal of the charges. In the Ninth Circuit the median time intervals from filing to termination for criminal defendants was 7.9 months for guilty pleas, up from 7.6 in FY 2021, and 8.7 months for dismissals, down from 9.2 months the prior fiscal year. Median times for the 198 criminal defendants who went to trial increased in FY 2022 to 25.9 months from 20 months in FY 2021 for a bench trial but dropped from 29.7 months in 2021 to 26.7 months in 2022 for jury trials. The median time for all criminal dispositions in the Ninth Circuit was 8 months; nationally the median is 10.3 months for all criminal dispositions.

Bankruptcy Filings Continue to Decline

All bankruptcy courts in the Ninth Circuit again experienced a drop in new filings in fiscal year 2022 ranging from 16.5% to 47.7%, mirroring a nationwide trend. This marks the third year of significant decreases in new bankruptcy filings with all but one district nationwide reporting a reduction in bankruptcy filings. The Ninth Circuit reported the largest reduction in filings of any circuit.

New bankruptcy filings in the circuit numbered 58,740, down 24.5% from FY 2021 when filings were 77,848. Filings nationwide were down 11.7% to 383,810 from 434,540 in FY 2021.

The Central District of California, which again ranks first in bankruptcy filings nationwide, had the largest numerical drop, going from 24,248 in FY 2021 to 17,836 in FY 2022, down 6,412 cases, or 26.4%.

The drop in 2022, like that of 2021, was attributed to the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Local initiatives, such as the Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020, one-time cash payments, increased unemployment benefits, and small business loans, all contributed to keeping people afloat, avoiding the need to file for bankruptcy.

Although filings continued to drop in 2022, there were still almost 60,000 new cases in FY 2022 and courts continued to provide access to justice to all litigants, retaining procedures and initiatives developed during COVID-19 restrictions to continue to keep cases flowing.

"We do believe that the reasons noted for the 2021 drop continued to affect filings in 2022," said Clerk of Court Michael Williams, of the U.S. Bankruptcy Court for the Southern District of California. "That said, we cannot say for certainty, since conditions have changed, that we will definitely experience more filings in 2023 than we did in 2022. Anecdotally, we have heard from attorneys in the district that they are seeing more clients and expecting an increase in filings. As usual, Judge Christopher Latham, chief bankruptcy judge for the Bankruptcy Court for the Southern District of California, and I don't have any good way of predicting filings from this point or even the direction the volume will go in the immediate future, but we assume case filings will increase at some point, because history has shown they will; we feel case filings will increase in 2023. Beyond that, we work to meet the needs of the public, and we work to operate within the constraints of our budget.

Chief Judge Joseph Meier, of the U.S. Bankruptcy Court for the District of Idaho, also noted the lack of clear indicators in bankruptcy measurements. "I frankly do not understand why numbers remain low other than for two continuing issues," he said. "First, the unemployment rate remains so low that apparently anyone who wants employment can find it. The second issue is that house prices are holding (steady). I interpret that to mean that many consumers are able to use the equity in their homes to finance their way out of financial trouble. These two economic indicators may help explain some of the reasons for the lower case numbers."

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.

Ninth Circuit Bankruptcy Courts

District	2021 Total Filings	2022 Total Filings	Change 2021-2022
Alaska	243	182	-25.1%
Arizona	10,773	8,926	-17.1%
C. Calif.	24,248	17,836	-26.4%
E. Calif.	8,755	6,345	-27.5%
N. Calif.	4,934	3,893	-21.1%
S. Calif.	5,338	3,628	-32.0%
Guam	65	34	-47.7%
Hawaii	1,330	990	-25.6%
ldaho	2,214	1,508	-31.9%
Montana	703	587	-16.5%
Nevada	7,583	5,559	-26.7%
¹ N. Mariana Is.	2	1	-
Oregon	5,147	4,105	-20.2%
E. Wash	1,638	1,250	-23.7%
W. Wash.	4,875	3,896	-20.1%
Circuit Total	77,848	58,740	-24.5%

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

After the District of Guam, which dropped 31 cases or 47.7%, the next largest percentage reductions were Southern District of California and the District of Idaho at 32% and 31.9%, respectively, resulting in 2,447 fewer cases among the three districts.

New filings in the Eastern District of California dropped from 8,755 to 6,345, or 27.5%, followed by the District of Nevada at 26.7%, which went from 7,583 to 5,559 or 2,024 fewer cases than the prior fiscal year.

As noted above, the Central District of California saw a reduction of 26.4%; Hawaii a reduction of 25.6% or from 1,330 to 990 cases; Alaska's bankruptcy filings dropped from 243 to 182, or 25.1%. The Eastern District of Washington went from 1,638 to 1,250, a drop of 23.7%; the Northern District of California had a 21.1% reduction, from 4,934 to 3,893; District of Oregon saw a 20.2% drop or just over 1,000 cases; Western District of Washington was down 20.1%, 4,875 to 3,896; District of Arizona logged a drop of 17.1% going from 10,773 to 8,926, down 1,847 cases; District of Montana saw a reduction of 116 cases or 16.5%; and District of Northern Mariana Islands went from two cases to one case.

New bankruptcy filings by nonbusiness filers were down across the board in the Ninth Circuit in fiscal year 2022. Total nationwide nonbusiness filings, which involves individual debtors, numbered 370,685 or 96.6% of all new bankruptcy filings in the U.S. Total nonbusiness filings in the Ninth Circuit were down by 24.7% to 56,175 new filings, accounting for 95.6% of all new filings in the circuit.

New business and nonbusiness Chapter 7 filings were most numerous in the Ninth Circuit, where filings numbered 46,824 or 20.4% of all Chapter 7 filings

in the nation and 79.7% 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 149,077 nationally. In the Ninth Circuit, new Chapter 13 filings were 11,112 or 18.9% 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 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 were down by 3.3% to 5,975 in fiscal year 2022. Pro se filers accounted for 10.2% of all bankruptcy filings in the circuit. The Central District of California reported the highest number of pro se bankruptcy cases nationwide with 2,001 new filings, accounting for 33.5% of all pro se bankruptcy filings in the circuit.

Business and Nonbusiness Bankruptcy Cases Commenced by Chapter of the U.S. Bankruptcy Code

Predominant Nature of Debt	2021	2022	Change 2021-2022	
Business Filings				
Chapter 7	2,378	1,718	-27.8%	
Chapter 11	697	622	-10.8%	
Chapter 12	31	24	-22.6%	
Chapter 13	170	198	16.5%	
Nonbusiness Filings				
Chapter 7	64,368	45,106	-29.9%	
Chapter 11	181	155	-14.4%	
Chapter 13	10,016	10,914	9.0%	
² Total	77,841	58,737	-24.5%	
Terminations	96,513	72,284	-25.1%	
¹Pending Cases	82,863	69,338	-16.3%	

NOTE: The nature of debt is business if the debtor is a corporation or partnership, or if debt related to the operation of a business predominates. Nonbusiness debt includes consumer debt, as defined in Section 101 of the U.S. Bankruptcy Code, or other debt that the debtor indicates is not consumer debt or business debt. 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.

12021 pending cases revised

²The following filings are not reflected in the total business and nonbusiness bankruptcy cases commenced for fiscal years 2021 and 2022:

Fiscal Year 2021 Central Calif. (Chapter 15=3) Northern Calif. (Chapter 15=1) Nevada (Chapter 15=1) Oregon (Chapter 15=1)

Fiscal Year 2022 Central Calif. (Chapter 15=3) The District of Arizona ranked fifth nationwide with 1,129 pro se filings, down 12.2% from the prior fiscal year. Filings in the Eastern District of California were down by 3.4% to 762, and the District of Nevada was down 17.7% to 385 cases. Fewer cases were reported in all other districts except the Northern District of California, which reported 630 filings, up 12.9% from 558 in FY 2021.

Termination and Pending Cases

In the Ninth Circuit, bankruptcy cases terminated totaled 72,284 or 15.5 % of the 467,522 bankruptcy cases closed nationwide in fiscal year 2022.

The Central District of California terminated 21,412 cases or 29.6% of all cases closed in the circuit. The District of Arizona had 11,328 cases closed or 15.7%; the Eastern District of California had 7,856 cases closed or

10.9%; the Nevada District had 6,251 cases closed or 8.7%; the Western District of Washington had 5,228 cases closed or 7.2%. The districts of Alaska, Northern California, Southern California, Guam, Hawaii, Idaho, Montana, Northern Mariana Islands, Oregon and Eastern Washington made up the remaining 20,209 cases terminated in the circuit.

Pending cases in the circuit were reduced to 69,338 or by 16.3% in fiscal year 2022 compared to FY 2021. The Central District of California had 14,906 pending cases, down 19.3%; the District of Arizona with 12,531 cases, down 16.1%; the Northern District of California with 7,390 cases, down 15.2%; and the Eastern District of California with 7,326 cases, down 17.1%. Total pending cases nationwide numbered 677,108, down 11.1% from FY 2021.

Transitions

In 2022, judges of the United States Court of Appeals for the Ninth Circuit appointed Bankruptcy Judges Magdalena Reyes Bordeaux and Ronald A. Clifford, III, for the Central District of California.

BAP Continues to Navigate the Pandemic While Reducing Pending Pro Se Appeals

The Ninth Circuit Bankruptcy
Appellate Panel, or BAP, operates under
the authority of the Judicial Council of
the Ninth Circuit to hear appeals from
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. However, if any
party files a timely election, the appeal
is transferred to the appropriate district
court according to the consent rule.

Six bankruptcy judges from the circuit are appointed to serve seven-year terms on the BAP; each BAP judge may be reappointed to an additional three-year term. In their appellate capacity, BAP judges are precluded from hearing matters arising from the districts in which they are designated to hear bankruptcy cases.

New Filings

For the fiscal year ending Sept. 30, 2022, 449 new bankruptcy appeals were filed, a decrease of 5% when compared to FY 2021. The BAP handled 50% of all bankruptcy appeals, and the district courts handled 50%.

Dispositions

The BAP disposed of 265 appeals, an 11% decrease from FY 2021. Of those, 96 appeals were merits terminations. Oral argument was held in 78 appeals, and 18 appeals were submitted on briefs. The BAP published 19 opinions, 20% of merits decisions. The reversal rate was 4%. The percentage of cases either reversed or remanded was 17%. The median time for an appeal decided on the merits was 8.3 months, about the same as FY 2021. Of the remaining 169 closed cases, six were terminated by consolidation and 48 were

New Bankruptcy Appeal Filings

District	Bankruptcy Appellate Panel	District Court ¹	2022 Total
Alaska	0	0	0
Arizona	17	21	38
C. Calif.	93	99	192
E. Calif.	13	3	16
N. Calif.	43	29	72
S. Calif.	12	20	32
Hawaii	3	17	20
Idaho	3	4	7
Montana	0	3	3
Nevada	21	11	32
Oregon	14	5	19
E. Wash.	4	4	8
W. Wash.	2	8	10
Total	225 (50%)	224 (50%)	449

'The 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.

transferred to the district courts after appellee elections or in the interest of justice. The balance of 115 closed appeals were terminated on procedural grounds, such as lack of prosecution, lack of jurisdiction or voluntary dismissal. The BAP ended FY 2022 with 110 appeals pending, up 8% compared to FY 2021.

Pro Se Appeals

BAP pro se filings were 45% of new appeals in FY 2022. Fifty-one percent of BAP cases closed were initiated by pro se parties. At fiscal year end, the BAP pro se caseload was 37% of pending appeals, down from 51% at the end of FY 2021.

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 FY 2022, 192 second-level appeals were filed, down by 25% compared to FY 2021. Of these, 63 were appeals from decisions by the BAP and 139 were from decisions by the district courts. Thus, of the 265 appeals that were disposed of by the BAP, roughly 76% were fully resolved, with only 24% seeking second-level review.

Ninth Circuit Bankruptcy Appeal Filings

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 2020	597	339	282	315	53%	47%
FY 2021	474	270	216	258	54%	46%
FY 2022	449	273	225	224	50%	50%

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.)

Continuing Impact of the COVID-19 Pandemic on BAP Operations

Oral Arguments

The BAP conducted most oral arguments via video conference. The Ninth Circuit Court of Appeals assisted with the video and livestreamed BAP oral arguments, enabling widespread access to the proceedings. With video hearings, the BAP was able to set cases from multiple districts on a single calendar, speeding up oral argument settings in fully briefed appeals and reducing the lag time between the filing of the last brief and the submission of the matter by 28% from pre-pandemic levels. In September 2022, the BAP began conducting hybrid hearings, giving the parties the option to appear in person or by video. Slightly more than half of those arguing opted to appear by video.

Bankruptcy Appeals 101 Program

The BAP continued its successful Bankruptcy Appeals 101 Program in collaboration with and with technical support from the Education Committee of the U.S. Bankruptcy Court for the Central District of California. The three-part program, offered to bankruptcy court externs and law clerks nationwide, began with a video conference presentation of general appellate law principles and issues unique to bankruptcy appeals and bankruptcy appellate panels. Materials covering bankruptcy appellate law and summaries of the cases to be argued that week were provided. Participants then watched BAP oral argument sessions via livestream. Post-arguments, participants were divided into smaller video conference discussion group where they had an opportunity to ask BAP judges questions about the topics covered in the pre-argument

presentation as well as effective appellate oral argument and briefing techniques.

BAP Outreach

In addition to the Bankruptcy Appeals 101 Program, the BAP judges sitting in Reno, Nevada, in September 2022 participated in a hybrid continuing legal education (CLE) luncheon with Northern Nevada bankruptcy attorneys appearing in person and Southern Nevada bankruptcy attorneys appearing by video conference. The BAP judges and clerk also participated in various programs, by video conference, covering bankruptcy appeals.

Reappointment

The Judicial Council of the Ninth Circuit reappointed Chief Bankruptcy Judge Robert J. Faris, of the District of Hawaii, to an additional three-year term on the BAP.

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.

Magistrate Judges Persevere During COVID-19

In fiscal year 2022, there were 106 full-time magistrate judges, six part-time magistrate judges and one magistrate judge/clerk of court. There were 22 recalled magistrate judges, who served 11 district courts throughout the Ninth Circuit for part or all of FY 2022. Despite the continuing challenges posed by COVID-19, magistrate judges throughout the Ninth Circuit continued to hold court, sometimes remotely. All told, Ninth Circuit magistrate judges disposed a total of 223,080 civil and criminal matters in FY 2022, up 1.6% from the prior fiscal year.

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 substantial contributions to the work of the federal trial courts involving a variety of judicial matters. Their work includes presiding over preliminary hearings and detention hearings, issuing search and arrest warrants, conducting settlement conferences in civil cases and pretrial conferences in criminal cases, handling petty offenses and taking felony pleas. Magistrate judges decide trial jurisdiction matters, review prisoner petitions and perform other duties. They may preside over civil trials with consent of the parties.

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 105,273 felony preliminary proceedings, up 4% from FY 2021.

The District of Arizona posted a 310.3% increase in material witness hearings, from 271 in 2021 to 1,112, in 2022. "The substantial increase in material witness hearings in 2022 for the District of Arizona is the result of both a return to pre-pandemic charging practices of the United States Attorney's Office for the District of Arizona and an increase in alien smuggling prosecutions," said Magistrate Judge Eric Markovich of the District of Arizona.

Additional duties related to criminal matters disposed of in FY 2022 numbered 49,892 down 3.3%. 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 total was 28,544, down 5.7% from 30,257, while dispositive motions total was 270, an increase of 13.9% from 237, in FY 2022.

Additional duties involving civil pretrial matters were down 2.8% from 32,875 to 31,950. 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.

Class A misdemeanor and petty offenses cases disposed of by magistrate judges increased 10.6% from 8,273 to 9,149. Petty offenses were up 12.8% from 7,739 to 8,733 while Class A misdemeanors were down 22.1%, from 534 to 416 in FY 2022.

Civil consent cases, in which a magistrate judge presides at the consent of the parties, were up 12.9% from 5,087 to 5,742. All but 37 cases under this category were disposed of without trial.

Prisoner petitions were down 2.5% from 6,182 to 6,030. The bulk of the work under this category involves civil rights prisoner petitions, up 4.7%. State habeas prisoner petitions dropped by 12.5% in FY 2022.

New Magistrate Judges and Governance

Eight new full-time magistrate judges were appointed in 2022. Magistrate judges appointed were Christopher D. Baker, Eastern District of California; Lisa J. Cisneros, Northern District of California; David D. Leshner and Lupe Rodriguez, Jr., of the Southern District of California; Debora Kristensen Grasham, District of Idaho; Craig S. Denney, District of Nevada; Jeffrey J. Armistead, District of Oregon; and Alexander C. Ekstrom, Eastern District of Washington.

Education Program

The Magistrate Judges Education Committee organized a program on "Considering Dangerousness and Future Violence Under the Sentencing Guidelines, First Step Act and Bail Reform Act" at the 2022 Ninth Circuit Judicial Conference in Big Sky, Montana. Committee chair Magistrate Judge Theresa Fricke, of the Western District of Washington, along with Natasha Alexander-Mingo, chief probation and chief U.S. probation and pretrial services officer, and Dr. Merrill Rotter, of the Albert Einstein College of Medicine and New York State Office of Mental Health, discussed various resources for judges who make decisions on whether an individual presents risk factors for future violent acts. The presentation also included information on U.S. Sentencing Guidelines and the First Step Act. District Judge Richard A. Jones, of the Western District of Washington, moderated the panel.

Matters Disposed by Ninth Circuit Magistrate Judges

	2021	2022	Percent Change 2021-2022
Total Matters	219,475	223,080	1.6%
Felony Preliminary Proceedings	101,202	105,273	4.0%
Search Warrants	25,158	23,253	-7.6%
Arrest Warrants	8,326	8,022	-3.7%
Summonses	1,314	1,135	-13.6%
Complaints	9,756	12,573	28.9%
Initial Appearances	20,636	21,234	2.9%
Preliminary Hearings	5,655	6,716	18.8%
Arraignments	14,319	13,044	-8.9%
Detention Hearings	11,356	13,157	15.9%
Bail Reviews/Forfeitures/Nebbia Hearings	2,102	1,926	-8.4%
¹Other	2,580	4,213	63.3%
Trial Jurisdiction Defendants	8,273	9,149	10.6%
Class A Misdemeanor	534	416	-22.1%
Petty Offense	7,739	8,733	12.8%
Civil Consent Cases Terminated	5,087	5,742	12.9%
Without Trial	5,069	5,705	12.5%
Jury Trial	10	28	180.0%
Bench Trial	8	9	12.5%
Criminal Pretrial Matters	51,619	49,892	-3.3%
Non-Dispositive Motions	30,257	28,544	-5.7%
Pretrial Conferences	8,568	8,141	-5.0%
Guilty Plea Proceedings	8,249	8,645	4.8%
Probation and Supervised Release Revocation Hearings	1,743	1,715	-1.6%
Reentry/Drug Court Proceedings	1,497	1,298	-13.3%
² Other	1,305	1,549	18.7%
Civil Pretrial Matters	32,875	31,950	-2.8%
Settlement Conferences/Mediations	3,703	3,462	-6.5%
Other Pretrial Conferences	4,306	4,015	-6.8%
³ Non-Dispositive Motions/Fee Applications and Grants of IFP Status	19,004	19,227	1.2%
⁴ Other	2,704	2,105	-22.2%
Reports and Recommendations			
Criminal Dispositive Motions	237	270	13.9%
Other Civil Dispositive Motions	2,736	2,569	-6.1%
Social Security Appeals	185	302	63.2%
Special Master References	0	0	-
Prisoner Petitions	6,182	6,030	-2.5%
State Habeas	1,997	1,748	-12.5%
Federal Habeas	273	194	-28.9%
Civil Rights	3,894	4,077	4.7%
Evidentiary Proceedings	18	11	-38.9%
⁵ Miscellaneous Matters	14,237	15,044	5.7%

¹Includes attorney appointment hearings and material witness hearings.

²Includes mental competency proceedings, motion hearings and writs.

³Beginning in September 2021, this category no longer includes grants of in forma pauperis status in cases involving prisoners and Social Security. ⁴Includes summary jury/other ADR/early neutral evaluations and motion hearings/oral arguments. Beginning in September 2021, the motion hearings/oral arguments category includes evidentiary hearings.

⁵Includes seizure/inspection warrants and orders of entry, IRS enforcement, judgment debtor exams, extradition hearings, contempt matters, CJA fee applications, international prisoner transfer proceedings, calendar calls, voir dire, grand jury/other jury, naturalization proceedings and non-dispositive motions.

Federal Defenders Now Seeing Clients in Person

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.

Processes are returning to normal. "We have survived COVID and have gone back to in person meetings" said Jon Sands, federal public defender for the District of Arizona. "The prosecutor is bringing more cases and cases are trending up numbers-wise for both the court and for federal public defenders. The challenges of Covid brought opportunities to become flexible. We continue to promote diversity in our hiring and practice and have turned

to telework for our units in varying degrees, which has worked well as we continued to promote collegiality and strive for a supportive environment.

"Our office has seen three of our cases, Jones v. Shinn, Shinn v. Ramirez and Cruz v. Arizona, go to the Supreme Court in defense of accused rights," said Sands. "In addition, we took a number of McGirt cases in the past two years. This has led to a number of trials in

Ninth Circuit Federal Defender Organizations: Cases Opened, Closed and Pending

Cases	2018	2019	2020	2021	2022	Change 2021-2022
Opened	34,641	36,468	27,940	21,670	22,384	3.3%
Closed	36,755	34,603	24,809	23,680	24,015	1.4%
Pending	11,261	13,093	16,151	14,123	12,100	-14.3%

Federal Defender Organizations: Summary of Representations by District

District	Opened 2021	Opened 2022	Change 2021-2022	Closed 2021	Closed 2022	Change 2021-2022	Pending 2022
Alaska	275	268	-2.5%	351	337	-4.0%	248
Arizona	3,438	5,713	66.2%	3,055	6,115	100.2%	1,719
C. Calif.	2,982	2,850	-4.4%	3,794	2,909	-23.3%	2,228
E. Calif.	1,201	989	-17.7%	1,207	1,025	-15.1%	805
N. Calif.	1,755	1,477	-15.8%	1,946	1,744	-10.4%	778
¹S. Calif.	5,380	5,079	-5.6%	5,705	5,735	0.5%	1,878
Guam	136	76	-44.1%	118	100	-15.3%	60
Hawaii	435	402	-7.6%	516	389	-24.6%	190
¹Idaho	372	325	-12.6%	376	385	2.4%	215
¹Montana	709	746	5.2%	746	738	-1.1%	261
Nevada	905	927	2.4%	1,347	1,116	-17.1%	1,066
Oregon	1,957	1,471	-24.8%	2,205	1,825	-17.2%	1,617
¹E. Wash.	995	1,060	6.5%	1,076	941	-12.5%	596
W. Wash.	1,130	1,001	-11.4%	1,238	1,045	-15.6%	439
Circuit Total	21,670	22,384	3.3%	23,680	24,404	3.1%	12,100
National Total	85,145	83,302	-2.2%	87,353	89,521	2.5%	55,733
Circuit Total as % of National Total	25.5%	26.9%	1.4%	27.1%	27.3%	0.2%	21.7%

¹Community Defender Organizations

Note: 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.

both the Northern and Eastern Districts of Oklahoma to help share the burden their judiciary and federal defenders are carrying due to those types of cases, and to give trial experience to our lawyers."

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 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 22,384 cases, up 3.3% in fiscal year 2022. Total cases opened nationwide numbered 83,302, a 2.2% decrease in FY 2022.

Federal defenders and community defenders reported lower caseloads in 10 districts in FY 2022. Percentage wise, the FPD Office in the District of Guam had the largest decrease, down 44.1% from 136 to 76 cases. Next was the District of Oregon, opening 24.8% fewer cases, 1,471, down from 1,957 in FY 2021. Other districts that reported significant drops were the Eastern District of California, down 17.7%, from 1,201 to 989 cases; Northern District of California, down 15.8%, from 1,755 to 1,477; District of Idaho, down 12.6% from 372 to 325 new cases; Western District of Washington, down 11.4%, from 1,130 to 1,001 cases. The remaining districts had reductions of less than 10%.

FPD offices and community defender organizations reporting more new cases in fiscal year 2022 are the District of Arizona, up 66.2% from 3,438 to 5,713 new cases. The remaining districts, Montana, Nevada and Eastern Washington, had increases of less than 10%.

Federal defenders and community defenders in the circuit closed 24,404 cases in FY 2022, up 3.1%, while pending cases were down 14.3% from 14,123 to 12,100 cases in FY 2022. Cases closed nationwide totaled 89,521, up 2.5%, while pending caseloads nationwide dropped to 55,733 from 61,949 cases, down 10% in FY 2022.

Federal defenders in three districts reported closing more cases in FY 2022, with a net result of a 0.2% reduction in cases closed circuit wide. Numerically and percentage wise, the FPD Office in the District of Arizona had the largest increase, closing 100.2% more cases than FY 2021, going from 3,055 to 6,115. The uptick in cases

closed for the district was a result of "immigration cases as well as renewed prosecutions on the reservations and guns," said FPD Jon Sands, District of Arizona. "Immigration was the main driver—reentries, entries, alien smuggling and drugs," he added. Other increases were the District of Idaho with a 2.4% increase in closed cases, from 376 to 385, and Southern District of California with 0.5% more cases from 5,705 to 5,735.

Offsetting those gains were reductions in 11 districts. The District of Hawaii closed 24.6% fewer cases in 2022, going from 516 to 389 closed cases; Central District of California was down 23.3%, dropping from 3,794 to 2,909 cases; District of Oregon dropped 17.2%, from 2,205 to 1,825; Nevada dropped 17.1%, from 1,347 to 1,116. The Western District of Washington dropped 15.6% from 1,238 to 1,045 cases; District of Guam dropped 15.3% from 118 to 100 cases; Eastern District of California dropped 15.1%, from 1,207 to 1,025 cases closed; Eastern District of Washington dropped 12.5% from 1,076 to 941, Northern California District closed 10.4% fewer cases going from 1,946 in FY 2021 to 1,744; District of Alaska closed 4% fewer cases, going from 351 to 337, and the District of Montana closed 1.1% fewer cases, 746 to 738 in FY 2022.

Transitions

Judges of the United States Court of Appeals for the Ninth Circuit appointed two new federal public defenders and reappointed one FPD in 2022. Jodi Halim Linker was appointed FPD for the Northern District of California, and Colin Fieman was appointed FPD for the Western District of Washington.

Probation Adjusts to "New Normal"

With the impact of COVID-19 beginning to fade, probation is challenged with a "new normal." Many of the triage tools used during the height of COVID-19 were simply a means to ensure public and staff safety while meeting U.S. probation officers' mission. Not only were these tools successful, but they have also had the added benefit of providing an insight into efficiency. Broader sweeping access to telework, virtual home visits and virtual treatment sessions remain valuable. Perhaps not to the extent previously used, but most definitely, as need demands. Imagine rural areas with limited resources, and yet officers are still able to provide treatment options and regular "eyes on" contact through a virtual platform. As officers continue to adjust to the new normal, one thing remains clear: the resiliency of probation employees. Probation staff have had to adjust in their supervision of clients and the changing demands of court proceedings, while also trying to remain healthy and safe during a worldwide pandemic and a time of civil unrest. Every day, regardless of the personal risks, probation officers maintain their presence in society and continue to add positive impacts on the communities and the population they serve. The following are activities within the circuit's probation offices in 2022.

Special Olympics

Both the District of Montana and the District of Hawaii participated in events benefiting the Special Olympics.

The District of Montana, Billings Division staff participated in Polar Plunge 2022. Their team, "U.S. FroZZZation" took the plunge for the seventh year in a row. The team raised a combined total of \$1,415. The event had a set goal to raise \$38,000 and was just shy of that goal coming in at \$35,374 for the Special Olympics of Montana. Staff also took part in Tip-a-Cop 2022, raising a total of \$4,362 to add to the Special Olympics of Montana's fundraising efforts. The probation office was honored by the Special Olympics of Montana for their continual dedication and service along with five additional law enforcement agencies.

The U.S. Probation and Pretrial Services Office in the District of Hawaii participated in the 37th Annual Law Enforcement Torch Run to help support and raise funds for Special Olympics Hawaii. Through their efforts they were able to raise over \$1,500 for Special Olympics. U.S. Probation Officer Tawnee Sakima is a coach, and her brother is an athlete. After the event, Sakima noted, "It really is a great feeling knowing I get to come to work alongside such considerate, selfless individuals who are willing to support all members in our community."

The PPSO in Hawaii also collaborated with the U.S. District Court to develop a video that highlights their mission and how their organization positively impacts their community. In addition to the educational component, the video is a recruitment tool to attract individuals who have the same values and beliefs. The video is posted on their YouTube channel at https://www.youtube.com/watch?v=J8XQgO29Cbw&t=43s.

Model Intern Diversity Pilot Program

The U.S. District Court for the Eastern District of California was selected to participate in the Model Intern Diversity Pilot Program and hosted an intern from June 7, 2021,

through June 3, 2022. The intern participated in six separate two-month rotations at the U.S. District Court, the law library, U.S. Bankruptcy Court, U.S. Probation Office and with chief district judge's chambers. During her rotation with probation, the intern was able to observe and learn from several probation officers in different disciplines (supervision and presentence) and contributed significantly on our low-risk supervision caseload where she was able to gain experiential knowledge of what supervision entails.

Wellness Initiatives and Staff Recognition

The probation offices in the Ninth Circuit all understand the importance of wellness and positive healthy environments. The U.S. Probation and Pretrial Services Office in the Central District of California has joined forces with the U.S. District Court and plan to begin a year-long wellness challenge at the beginning of fiscal year 2023. The challenge will be comprised of wellness through targeted activities and education—to promote overall health and wellbeing; empowerment of employees with health education and lifestyle skills; increase overall employee morale and job satisfaction; and optimize work performance and productivity.

Several of the staff in the Eastern District of California's Probation Office participated in the Baker to Vegas Race in 2022. In April 2023, the Central and Southern Probation and Pretrial Services offices will team up in this unique law enforcement foot race starting in Bakersfield, California, and ending in Las Vegas. The race is 120 miles, 18 stages and consists of 20-person teams. Between the two

districts, 43 people will participate in the event. Wellness initiatives such as these have broad-reaching benefits!

Hand in hand with wellness is employee recognition and acknowledgement. Districts recognize the need to empower staff through the various employee recognition events. Creating healthy working environments ensures staff retention which benefits all stakeholders but most importantly assists in delivering outcomes in both presentence and post-conviction supervision.

The District of Arizona launched a district-wide initiative to recognize the contributions of colleagues who positively impact individuals in the presentence process, post-conviction supervision, team members, the organization and community. Since the inception of the "High Fives and Fist Bumps Teams Channel," over 450 interactions have accrued with over

100 instances in which probation staff furthered the mission, workplace culture statement and breathed life to the district's professional values.

Officer Safety

An area of great concern is officer safety. Federal probation and pretrial services officers perform thousands of home visits every week. Although officers receive training and defensive tools to defend themselves, in all but a handful of the 94 districts, the officer's whereabouts and status are not monitored in real time. Furthermore, the officer's only available method of communicating their need for emergency assistance is to make a cellular phone call.

In May 2022, federal probation and pretrial services officers in the District of Nevada began carrying portable

Probation: Persons Under Post-Conviction Supervision

Post-Conviction Supervision	2021	2022	Change 2021-2022
¹From Courts	2,605	2,550	-2.1%
² From Institutions	19,926	20,381	2.3%
Total	22,531	22,931	1.8%

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

Probation: Persons Under Post-Conviction Supervision by District

	From Courts		red by Institution	ns			ı
District	¹ Probation	Supervised Release	² Parole	³ BOP Custody	Persons Under Supervision, 2021	Persons Under Supervision, 2022	Change 2021-2022
Alaska	28	293	3	0	333	324	-2.7%
Arizona	853	3,569	16	0	4,208	4,438	5.5%
C. Calif.	550	4,721	16	0	5,223	5,287	1.2%
E. Calif.	123	1,669	7	10	1,779	1,809	1.7%
N. Calif.	163	1,479	2	6	1,677	1,650	-1.6%
S. Calif.	224	3,323	10	0	3,336	3,557	6.6%
Guam	17	99	0	5	116	121	4.3%
Hawaii	46	410	4	13	475	473	-0.4%
Idaho	80	599	1	2	613	682	11.3%
Montana	69	769	1	1	822	840	2.2%
Nevada	130	990	3	1	1,125	1,124	-0.1%
N. Mariana Is.	4	17	0	1	26	22	-15.4%
Oregon	116	861	7	4	1,093	988	-9.6%
E. Wash	51	593	0	0	650	644	-0.9%
W. Wash.	96	861	15	0	1,055	972	-7.9%
Circuit Total	2,550	20,253	85	43	22,531	22,931	1.8%

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.

²Includes parole, special parole, mandatory release, military parole and BOP custody, which accounts for Bureau of Prisons Federal Location Monitoring and Elderly Home Confinement (effective Jan. 26, 2020).

³BOP accounts for Bureau of Prisons Federal Location Monitoring and Elderly Home Confinement (effective Jan. 26, 2020).

radios to communicate their exact location to the state's law enforcement dispatch center. Dispatchers continuously monitor the officers' location and well-being at every community contact statewide. If an officer fails to respond to a radio status check, requests assistance verbally, or activates an emergency duress button, a dispatcher sends emergency help to their location.

What Nevada accomplished in 2022, and what a handful of other districts have also accomplished, was a gamechanger for officer safety; however, it was expensive. In fact, the financial commitment required to procure radios, accessories, licenses and recurring annual fees would be cost prohibitive for most districts without additional targeted funding. However, this expense must be prioritized by the judiciary; the safety of the officers may someday depend on it. The hope is Nevada's success will energize a Ninth Circuit and national conversation about enhancing the safety of the probation and pretrial services officers.

Presentence Reports

In the Ninth Circuit, probation officers completed 11,660 presentence investigations in FY 2022, a 7.89% increase from FY 2021 (10,739 reports completed) and a 2.2% increase from

FY 2020 (11,403 reports completed). By comparison, the number of presentence reports completed nationally in FY 2022 was 63,716, which is an increase of 14.2% from FY 2021 (54,689 reports completed), and a .2% decrease from FY 2020 (63,831 reports completed). The 11,660 presentence reports completed by probation offices in the Ninth Circuit in FY 2022 represent 18.3% of all presentence reports completed nationally.

Persons Under Post-Conviction

At the end of FY 2022, probation officers in the Ninth Circuit were supervising 22,931 persons, up by 400 persons or 1.7% from FY 2021. Nationally, there were 122,872 persons under supervision. The Ninth Circuit represents 18.3% of all persons under supervision in the nation at the end of FY 2022. Approximately 88.3% of all persons on supervision in the Ninth Circuit are on supervised release. In the Ninth Circuit, persons on supervision for drug offenses comprised 45.9% of all cases on supervision, followed by sex offenses at 11.1%, property crimes at 12.7%, immigration offenses at 10.3%, firearms offenses at 10.2%, violent offenses at 6.2%, public order at 1.8%, escape and obstruction at 1.3% and other crimes at .31%.

Revocations and Early Terminations

Cases that were closed due to the revocation of supervision in the circuit totaled 3,692 in FY 2022. This represents a 3.03% increase from FY 2021 and a 19.55% increase over FY 2020, which was notably impacted by COVID-19, with only 2,970 cases closed by revocation in the Ninth Circuit. The FY 2022 number is consistent with pre-COVID-19 years when there were 3,550 revocations in 2019 and 3,696 revocations in 2018.

The revocation rate for the circuit (percentage of cases closed due to revocation of supervision), excluding deaths and transfers, was 36.3% in FY 2022. This compares to 32.6% of all cases closed nationally due to revocation. Eighty three percent of the cases revoked were for technical violations of supervision.

In fiscal year 2022, there were 1,602 persons under supervision whose supervision was terminated early in the Ninth Circuit. This represents 19.3% of all early terminations in the country.

Pretrial Services Offices-Lessons from the COVID-19

Fiscal year 2022 saw the emergence of a "new normal" in the workplace. Inperson work in the circuit, including officers interacting with pretrial clients in their homes and community settings, resumed significantly during the fiscal year. Districts also leveraged the technological lessons learned from the early days of the pandemic. Virtual platforms allowed employees to continue remote work, virtual home contacts to supplement in person contacts, telemedicine for client counseling sessions and provided support to defendants in rural areas. Many districts have resumed in-person interviews and court hearings.

Defendants Under Pretrial Supervision

Working with individuals who are presumed innocent until proven guilty, pretrial services officers within the federal judiciary carry out the important work of balancing the civil liberties of persons under supervision with protecting the community.

Pretrial services officers assist courts by investigating defendants charged with federal crimes, recommending whether to release or detain them, and supervising those individuals who are released to the community while pending the outcome of their case. Tasked with recommending 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 will 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 United States Attorney's Pretrial Diversion Program. Officers are responsible for supervision of diverted individuals in the Ninth Circuit who are deemed appropriate and accepted into the program.

Case Activations

In fiscal year 2022, pretrial services offices in the Ninth Circuit reported 18,371 new case activations, up 18.1%, while new case activations nationwide were 73,690, down by 3.5% from FY 2021. The Ninth Circuit ranked second nationally in cases activated, accounting for 24.9% of total new cases.

Pretrial Bail Reports and Supervision

During fiscal year 2022, pretrial services officers in the Ninth Circuit conducted 7,874 pretrial bail interviews, representing 42.9% of all cases activated and a 6.6% decrease from FY 2021. Officers also prepared 17,860 written pre-bail reports and 221 post-bail reports during FY 2022. Bail reports were prepared in 98.4% of total cases activated.

Excluding immigration cases, officers made recommendations for initial pretrial release to the courts in 58.3% of cases. Assistant U.S. attorneys in the circuit recommended pretrial release in 45.7% of cases in FY 2022.

During the fiscal year, 5,402 defendants were received for supervision, down 9.8% from 5,989 in FY 2021. Of these individuals, 3,786 were received for regular supervision; 1,562 were supervised on a courtesy basis from another district or circuit; and 54 were pretrial diversion cases, which include courtesy supervision of diversion cases.

Detention Summary

The Ninth Circuit detained 12,218 defendants in fiscal year 2022. During the fiscal year, 71.9% of all defendants received in the circuit were detained and never released. Excluding immigration cases, 54.4% of defendants were detained and never released. Excluding cases involving people living in or entering the U.S. without legal permission, the circuit had a release rate of 54.3%. 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 total number of defendants remaining detained through FY 2022 was 21,253. These defendants were detained an average of 304 days, the third lowest average number of days detained in the nation.

Violations

Of the 13,166 cases in release status in FY 2022, an increase of 10.5% from FY 2021, cases with violations numbered 2,354. Violations included 48 felony re-arrests, 81 misdemeanor re-arrests and 155 failures to appear. There were 2,211 technical violations for noncompliance with court ordered conditions of release, such as positive urine tests for illegal substances, violations of location monitoring conditions, possession of contraband and failure to report to a supervising officer. For FY 2022, violations decreased in all categories despite an increase in defendants released.

Evidence-Based Practices for Pretrial Services

Evidence-based practices (EBPs) 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.

Pretrial services officers utilize the Pretrial Services Risk Assessment (PTRA) tool. The PTRA was designed to be an objective, quantifiable instrument that provides a consistent and valid method of predicting risk of failure-to-appear, new criminal arrest, and technical violations leading to revocation while on pretrial release. In 2022, the Federal Judicial Center (FJC) published The Bail Reform Act of 1984 (4th Edition), which discusses the federal judiciary's increased use of evidencedbased decision-making and concerns about detention decisions for low-risk defendants. The FJC and the AO also

provide pretrial education for judges on the use of risk assessment in pretrial decision-making. During parts of FY 2022, five of the nation's top 10 release districts were in the Ninth Circuit.

Another evidence-based practice that continues to be implemented is Staff Training Aimed at Reducing Re-Arrest, or STARR. This EBP helps officers integrate evidence-based decision-making into meetings with defendants that forge more effective relationships;

help defendants manage and change behavior; and use specific interventions to increase the likelihood of long-term changes in thinking and behavior.

Specialty Courts and Pre-entry Programs

Specialty courts 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.

Pretrial Services Caseload

Caseload Measure	2021	2022	Change 2021-2022
Reports	15,359	18,081	17.7%
Interviews	8,429	7,874	-6.6%
Cases Activated	15,555	18,371	18.1%

Pretrial Services Caseload by District

	Defendant Contact		Written Re	eports				
District	Interviewed	¹ Not Interviewed	² Prebail	Postbail	No Reports Made	Total Cases Activated 2021	Total Cases Activated 2022	Change 2021-2022
Alaska	61	86	138	0	9	190	147	-22.6%
Arizona	2,245	5,970	8,093	28	94	4,672	8,215	75.8%
C. Calif.	1,347	134	1,471	7	3	1,639	1,481	-9.6%
E. Calif.	272	166	417	13	8	534	438	-18.0%
N. Calif.	268	126	260	125	9	621	394	-36.6%
S. Calif.	2,160	2,807	4,848	25	94	4,941	4,967	0.5%
Guam	24	3	27	0	0	35	27	-22.9%
Hawaii	120	31	134	6	11	176	151	-14.2%
ldaho	109	167	276	0	0	339	276	-18.6%
Montana	270	127	390	4	3	354	397	12.1%
Nevada	315	151	454	1	11	481	466	-3.1%
N. Mariana Is.	13	2	14	1	0	22	15	-31.8%
Oregon	322	183	494	3	8	522	505	-3.3%
E. Wash	171	187	321	5	32	282	358	27.0%
W. Wash.	177	357	523	3	8	747	534	-28.5%
Circuit Total	7,874	10,497	17,860	221	290	15,555	18,371	18.1%
National Total	45,447	28,243	68,354	1,738	3,598	80,242	73,690	-8.2%
Circuit % of National	17.3%	37.2%	26.1%	12.7%	8.1%	19.4%	24.9%	5.5%

Note: This table excludes 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."

Pre-entry educational 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.

In FY 2022, pretrial services offices in the Ninth Circuit continued their work on specialty courts and preentry programs, many of the programs returning to in-person communication.

In 2022, the Northern District of California began a young adult program pilot. The Leading Emerging Adults to Development Success (LEADS) Program is a post-plea structured deferred sentencing program designed to serve younger defendants, ages 18-26, who pose a low to moderate risk to commit new crimes based on distinct personal risk factors. Participants in the program are supervised by pretrial services and undergo screening and assessments to identify whether they can benefit from community services and skill building that promote prosocial behavior and stability. Participants who complete all four phases of the supervised program within 12 to 18 months are eligible for either a dismissal of their charges or a noncustodial sentence. The pilot will operate for 18 months, after which a program evaluation will inform district stakeholders on needed changes to criteria and program components.

In 2022, the U.S. Pretrial Services Agency for the Northern District of California welcomed its third cohort of students in its Master's in Social Work (MSW) Forensic Student Internship Program. The paid internship program offers the opportunity for first and second year MSW candidates from local universities to participate in field instruction under the direction of pretrial services officers who are licensed clinical social workers. The interns work between 16 and 24

hours per week providing assistance to the district's various collaborative court programs, including helping clients connect with needed services in the community, assisting with client assessments, and promoting evidence-based supervision practices through research. The office seeks to expand this successful program in the future.

Summer 2022 marked the 10-year anniversary of the Central District of California's alternative to incarceration program for pretrial defendants. The Conviction And Sentence Alternatives (CASA) program is a federal postguilty plea diversion program designed to assist its participants who have committed a federal offense influenced by substance abuse and/ or mental health issues. In essence, it grants a second chance to those who demonstrate the commitment to be productive members of society, despite past transgressions, and who have shown an ability and willingness to make significant and meaningful changes in their lives.

CASA is a collaboration between the U.S. District Court; the U.S. Attorney's Office; the Federal Public Defender's Office and the U.S. Probation and Pretrial Services Agency. At present, there are four CASA courts operating in the Central District. Los Angeles operates at the direction of U.S. District Judges Dolly M. Gee and André Birotte, Jr. In Riverside and Santa Ana, CASA operates at the direction of U.S. District Judges Jesus G. Bernal and Fred W. Slaughter, respectively. Since 2012, CASA has accepted over 400 participants into the program with approximately 85% of participants graduating successfully from the program.

The District of Oregon continued its Court Assisted Pretrial Services (CAPS) during FY 2022. CAPS provides resources and active supervision for criminal defendants whose criminal history, charged crimes, and other relevant data would make it unlikely for that defendant to be released based on typical considerations under the Bail Reform Act. The program involves collaboration between the defendant, a U.S. magistrate judge, an AUSA, an assistant FPD and a pretrial services officer. Participation in the program requires defendants to meet with all parties frequently—generally weekly or bi-weekly, in court or in chambers (or virtually during the pandemic)—to assess the defendant's progress on supervision and quickly address any compliance concerns. The CAPS program holds the defendant more directly accountable to the court while also creating an opportunity for the court to recognize and acknowledge the defendants' success and accomplishments.

In spring 2022, the District of Oregon piloted the Deferred Sentencing to Advance Rehabilitation and Treatment (D-START). This program is an Alternative to Incarceration Court for the district. A post-guilty plea program for select defendants, designed to enhance community safety, and reduce recidivism by focusing on the correlation between thinking and behavior, needed drug and mental health treatment, resource linkage, incentives, alternative sanctions and restorative justice, while under the supervision of pretrial services.

The District of Nevada has continued its Recovery, Inspiration, Support and Excellence (RISE) program. RISE is a post-plea/pre-adjudication program in which the participant enters a negotiated guilty plea and sentencing is held in abeyance while completing a comprehensive substance use disorder program. Successful completion of the RISE program results in the dismissal of the case. Three defendants graduated from RISE during FY 2022, and their cases were dismissed. RISE operates

at the direction of U.S. District Judge Jennifer A. Dorsey and U.S. Magistrate Judge Nancy Koppe.

Civics Engagement and Community Outreach

Pretrial services offices in the Ninth Circuit frequently participate in community outreach and civic engagement. In FY 2022, the U.S. Pretrial Services Agency for the District of Oregon partnered with a local community agency to sponsor underprivileged children for the holidays. Events like this had been largely discontinued during the first two years of the pandemic. Thus, staff were excited for the opportunity to engage with the community and help fulfill the holiday wishes of local children.

Other Updates

The judiciary is in the process of redesigning the pretrial services report to more effectively communicate and prioritize the factors most closely associated with risk of rearrest and failure to appear. The report will emphasize the importance of using the PTRA to inform release and detention recommendations by pretrial officers.

The judiciary is working to engage stakeholders in the pretrial justice community to raise awareness about release and detention rates, the use of the PTRA, pretrial supervision outcomes, and sustainable practices that reduce pretrial detention.

Participants include the Judicial Conference of the U.S. Committee on

Criminal Law, a working group of pretrial officers across the country, the Chief's Advisory Group composed of probation and pretrial services chiefs, the Magistrate Judges Advisory Group, the Department of Justice and the defense community.

Juror Utilization

			Petit Juror Utilization Rate 1Percent Not Selected or Challenged					
District	Grand Juries Serving, 2022	Petit Juries Selected, 2022	2021	2022	Change 2021-2022			
Alaska	2	11	22.9	31.3	8.4			
Arizona	13	57	39.1	31.3	-7.8			
C. Calif.	24	139	54.0	58.0	4.0			
E. Calif.	7	18	33.3	51.7	18.4			
N. Calif.	5	49	44.8	48.9	4.1			
S. Calif.	7	72	54.6	43.2	-11.4			
Guam	2	4	52.0	78.8	26.8			
Hawaii	2	11	44.9	45.5	0.6			
Idaho	6	18	17.8	37.5	19.7			
Montana	6	14	39.8	30.4	-9.4			
Nevada	5	16	27.5	38.0	10.5			
N. Mariana Is.	1	2	9.8	55.6	45.8			
Oregon	9	27	36.8	25.1	-11.7			
E. Wash.	3	9	18.3	30.6	12.3			
W. Wash.	2	22	42.1	30.3	-11.8			
Circuit Total	94	469	***	***				
Circuit Average	6.3	31.3	35.8	42.4	6.6			
National Total	649	3,506	***	***				
National Average	6.9	37.3	39.4	41.1	1.7			

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%.

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

Language	AK	AZ	C. Calif.	E. Calif.	N. Calif.	S. Calif.	GU	ні	ID	МТ	NV	NMI	OR	E. Wash.	W. Wash.	Total 2021	Total 2022	Change 2021-2022
Arabic	0	7	36	1	7	28	0	0	0	0	0	0		0	94	16	173	981%
Armenian	0	7	55	0	0	1	0	0	0	0	0	0	1	0	0	107	64	-40%
Cantonese			9		9	7		1					3		23	75	52	-30.7%
Farsi	0	0	10	3	0	0	0	0	0	0	0	0	1	0	0	23	14	-39.1%
Japanese	1	0	0	0	0	0	0	5	0	0	3	0	0	0	0	12	9	-25%
Korean	0	2	60	13	0	15	0	8	0	3	0	0	0	0	8	70	109	55.7%
Mandarin	0	0	97	42	12	52	0	10	0	0	8	16	6	18	14	270	275	1.9%
Navajo (Certified)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Navajo (Non- Certified)	0	19	0	0	0	0	0	0	0	0	0	0	0	0	0	38	19	-50%
Russian	0	4	9	11	10	45	0	0	0	0		0	1	1	6	56	87	55.4%
Sign (American)	0	1	21	3	3	2	0	0	0	0	7	0		4	3	39	44	12.8%
Sign (Mexican)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Spanish Staff	0	24,614	1,235	796	227	13,270	0	0	0	0	256	0	510	165	0	34,834	41,073	17.9%
Spanish (Certified)	38	895	401	646	456	1	2	6	64	2	135	0	92	137	423	3,371	3,298	-2.2%
Spanish (Non- Certified)	2	0	0	0	0	0	0	4	43	21	38	0	0	0	1	330	109	-67.0%
Tagalog	3	0	16	2	0	1	0	0	0	0		4	0	0	0	70	26	-63%
Vietnamese	0	2	45	0	2	31	0	0	0	0		0	1	0	1	63	82	30.2%
All Others	14	202	57	62	33	118	11	1	0	2	14	9	13	0	22	468	558	19.2%
Total	58	25,753	2,051	1,579	759	13,571	13	35	107	28	461	29	628	325	595	39,842	45,992	15.4%

District Caseloads

District of Alaska

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	493	592	20.1%	197
Terminations	547	597	9.1%	199
Pending	692	687	-0.7%	229
Bankruptcy Court				
Filings	243	182	-25.1%	91
Terminations	290	200	-31.0%	100
Pending	235	217	-7.7%	109

Authorized Judgeship	S

District	3
Bankruptcy	2
Magistrate	
Full-time	2
Part-time	2

Authorized places of holding court: Anchorage, Fairbanks, Juneau

District of Arizona

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	8,328	7,800	-6.3%	600
Terminations	9,537	7,661	-19.7%	589
Pending	5,655	5,734	1.4%	441
Bankruptcy Court				
Filings	10,773	8,926	-17.1%	1,275
Terminations	14,194	11,328	-20.2%	1,618
Pending	14,928	12,531	-16.1%	1,790

Authorized Judgeships

¹ District	13
Bankruptcy	7
Magistrate	
Full-time	14
Part-time	1

Authorized places of holding court: ²Bullhead City, Flagstaff, Phoenix,

Prescott, Tucson, Yuma

¹Includes one authorized temporary judgeship. ²Bullhead City applies only to the bankruptcy court.

Central District of California

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	15,714	14,389	-8.4%	514
Terminations	16,493	14,970	-9.2%	535
Pending	13,421	12,821	-4.5%	458
Bankruptcy Court				
Filings	24,248	17,836	-26.4%	849
Terminations	28,443	21,412	-24.7%	1,020
Pending	18,478	14,906	-19.3%	710

Authorized Judgeships

¹ District	28
Bankruptcy	21
Magistrate	
Full-time	24
Part-time	1

Authorized places of holding court:

Los Angeles, Riverside, Santa Ana, ²San Fernando Valley, ²Santa Barbara

¹Includes one authorized temporary judgeship.

²San Fernando Valley and Santa Barbara apply only to the bankruptcy court.

Eastern District of California

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	4,494	4,152	-7.6%	692
Terminations	4,217	4,317	2.4%	720
Pending	7,938	7,752	-2.3%	1,292
Bankruptcy Court				
Filings	8,755	6,345	-27.5%	1,058
Terminations	10,693	7,856	-26.5%	1,309
Pending	8,836	7,326	-17.1%	1,221

Authorized Judgeships

, iamonizou raagoompo			
District	6		
Bankruptcy	6		
Magistrate			
Full-time	12		
Part-time	0		

Authorized places of holding court:

Bakersfield, Fresno, ¹Modesto, Redding, Sacramento, ²Yosemite

¹Modesto applies only to the bankruptcy court.

²Yosemite applies only to the district court.

Northern District of California

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	10,583	8,254	-22.0%	590
Terminations	7,941	10,886	37.1%	778
Pending	14,594	12,023	-17.6%	859
Bankruptcy Court				
Filings	4,934	3,893	-21.1%	433
Terminations	7,149	5,217	-27.0%	580
Pending	8,713	7,390	-15.2%	821

Authorized Judgeships		
District	14	
Bankruptcy	9	
Magistrate		
Full-time	12	
5	_	

Authorized places of holding court:

¹Eureka, Oakland, San Francisco, San Jose,

²Santa Rosa

Southern District of California

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	6,122	4,998	-18.4%	384
Terminations	5,917	5,844	-1.2%	450
Pending	5,984	5,035	-15.9%	387
Bankruptcy Court				
Filings	5,338	3,628	-32.0%	907
Terminations	6,531	4,433	-32.1%	1,108
Pending	4,030	3,231	-19.8%	808

Authorized Judgeships

District	13
Bankruptcy	4
Magistrate	
Full-time	12
Part-time	0

Authorized places of holding court:

¹El Centro, San Diego

¹Eureka applies only to the district court.

²Santa Rosa applies only to the bankruptcy court.

¹El Centro applies only to the district court.

District of Guam

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	81	48	-40.7%	48
Terminations	95	57	-40.0%	57
Pending	364	348	-4.4%	348
Bankruptcy Court				
Filings	65	34	-47.7%	385
Terminations	98	44	-55.1%	271
Pending	91	81	-11.0%	327

Authorized Judgeships		
District	1	
Bankruptcy	0	
Magistrate		
Full-time	1	
Part-time	0	

Authorized places of holding court: Hagatna

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

District of Hawaii

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	759	684	-9.9%	171
Terminations	786	714	-9.2%	179
Pending	891	864	-3.0%	216
Bankruptcy Court				
Filings	1,330	990	-25.6%	990
Terminations	1,503	1,058	-29.6%	1,058
Pending	1,750	1,682	-3.9%	1,682

Authorized Judgeships			
4			
1			
3			
0			

Authorized places of holding court:

²Hilo, Honolulu, ²Kailua-Kona, ²Lihue, ²Wailuku

¹Includes one temporary judgeship. ²Hilo, Kailua-Kona, Lihue and Wailuku apply only to the bankruptcy court.

District of Idaho

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	814	797	-2.1%	399
Terminations	823	848	3.0%	424
Pending	1,084	1,033	-4.7%	517
Bankruptcy Court				
Filings	2,214	1,508	-31.9%	754
Terminations	2,571	1,921	-25.3%	961
Pending	1,933	1,520	-21.4%	760

Authorized Judgeships

District	2
Bankruptcy	2
Magistrate	
Full-time	2
Part-time	0

Authorized places of holding court: Boise, Coeur d'Alene, Pocatello

District of Montana

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	899	958	6.6%	319
Terminations	975	937	-3.9%	312
Pending	1,007	1,027	2.0%	342
Bankruptcy Court				
Filings	703	587	-16.5%	587
Terminations	923	851	-7.8%	851
Pending	1,218	955	-21.6%	955

Authorized Judgeships

District	3
Bankruptcy	1
Magistrate	
Full-time	3
Part-time	0

Authorized places of holding court: Billings, Butte, Great Falls, ¹Helena,

Missoula

¹Helena applies only to the district court.

District of Nevada

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	3,326	2,924	-12.1%	418
Terminations	3,534	3,135	-11.3%	448
Pending	4,519	4,316	-4.5%	617
Bankruptcy Court				
Filings	7,583	5,559	-26.7%	1,390
Terminations	8,838	6,251	-29.3%	1,563
Pending	5,624	4,933	-12.3%	1,233

Authorized Judgeships

District	7
¹ Bankruptcy	4
Magistrate	
Full-time	7
Part-time	0

Authorized places of holding court:

Las Vegas, Reno

¹Includes one temporary judgeship.

District of Northern Mariana Islands

0 1 114	2004		¹Change	Per Judgeship Unweighted
Caseload Measure	2021	2022	2021-2022	2022
District Court				
Filings	66	33	-50.0%	33
Terminations	47	35	-25.5%	35
Pending	96	95	-1.0%	95
Bankruptcy Court				
Filings	2	1	-	1
Terminations	0	1	-	-
Pending	5	5	-	1

Authorized Judgeships

District	1
Bankruptcy	0
Magistrate	
Full-time	0
Part-time	0
² Combination	1

Authorized places of holding court:

Saipan

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

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

²Heather Kennedy holds the combined position of magistrate judge/clerk of court.

District of Oregon

Full-time Part-time

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	2,437	2,334	-4.2%	389
Terminations	2,459	2,524	2.6%	421
Pending	3,380	3,204	-5.2%	534
Bankruptcy Court				
Filings	5,147	4,105	-20.2%	821
Terminations	6,337	4,679	-26.2%	936
Pending	7,011	6,437	-8.2%	1,287

Authorized Judgeships		
District	6	
Bankruptcy	5	
Magistrate		

Authorized places of holding court: Eugene, ¹Medford, Pendleton, Portland

Eastern District of Washington

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	1,307	1,179	-9.8%	295
Terminations	1,242	1,250	0.6%	313
Pending	1,169	1,101	-5.8%	275
Bankruptcy Court				
Filings	1,638	1,250	-23.7%	625
Terminations	2,391	1,805	-24.5%	903
Pending	2,500	1,945	-22.2%	973

authorized Judgeships		
District	4	
Bankruptcy	2	
Magistrate		
Full-time	2	
Part-time	0	

Authorized places of holding court: ¹Richland, Spokane, Yakima

¹Medford applies only to the district court.

¹Richland applies only to the district court.

Western District of Washington

Caseload Measure	2021	2022	Change 2021-2022	Per Judgeship Unweighted 2022
District Court				
Filings	3,292	3,104	-5.7%	443
Terminations	3,785	3,220	-14.9%	460
Pending	3,488	3,334	-4.4%	476
Bankruptcy Court				
Filings	4,875	3,896	-20.1%	779
Terminations	6,552	5,228	-20.2%	1,046
Pending	7,511	6,179	-17.7%	1,236

Authorized Judgeships	
District	7
Bankruptcy	5
Magistrate	

6

Full-time

Part-time

Authorized places of holding court:
¹Bellingham, ²Everett, ²Port Orchard, Seattle, Tacoma, Vancouver

¹Bellingham applies only to the district court. ²Everett and Port Orchard apply only to the bankruptcy court.



