

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS



ANNUAL REPORT  
2002-2003

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**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**2002-2003 ANNUAL REPORT**

**UNITED STATES DISTRICT JUDGES**

Hon. William G. Young, Chief Judge  
Hon. Joseph L. Tauro  
Hon. Rya W. Zobel  
Hon. Mark L. Wolf  
Hon. Douglas P. Woodlock  
Hon. Nathaniel M. Gorton  
Hon. Richard G. Stearns  
Hon. Reginald C. Lindsay  
Hon. Patti B. Saris  
Hon. Nancy Gertner  
Hon. Michael A. Ponsor  
Hon. George A. O'Toole, Jr.

**SENIOR UNITED STATES DISTRICT JUDGES**

Hon. Walter Jay Skinner  
Hon. A. David Mazzone  
Hon. Robert E. Keeton  
Hon. Edward F. Harrington  
Hon. Morris E. Lasker

**UNITED STATES MAGISTRATE JUDGES**

Hon. Marianne B. Bowler, Chief Magistrate Judge  
Hon. Lawrence P. Cohen  
Hon. Joyce London Alexander  
Hon. Robert B. Collings  
Hon. Charles B. Swartwood, III  
Hon. Kenneth P. Neiman  
Hon. Judith G. Dein

**OFFICE OF THE CLERK**

Tony Anastas, Clerk of Court  
William L. Ruane, Jr., Chief Deputy  
Stuart Barer, Systems Manager  
Nancy M. Cashman, Human Resources Manager  
Helen M. Costello, Projects Manager  
Francis B. Dello Russo, Administrative Manager  
Virginia A. Hurley, Learning and Development Manager  
Deborah F. Shattuck, Division Manager, Worcester  
John Stuckenbruck, Division Manager, Springfield

## MISSION STATEMENT

### *Office of the Clerk*

### *United States District Court for the District of Massachusetts*

*We, the staff of the Clerk's Office, are dedicated to providing access to an impartial forum for the resolution of disputes, through prompt service to the Court, members of the bar, and the public. Our services include processing civil and criminal cases, maintaining records, assembling juries, disseminating information on the activities of the Court, and providing other administrative and management support to the Court and its affiliates.*

*We take pride in working as a team, and pledge to:*

*perform our duties with courtesy, respect, equality and fairness, in an accurate and knowledgeable fashion;*

*maintain the highest standards of professionalism and ethics, in compliance with the governing rules and regulations;*

*strive to improve the quality of our services, thereby promoting public trust and confidence in the judicial system; and*

*encourage education and pursue training programs to adapt to the growing needs of the Court and the public, in response to technological advances and innovations in the law.*

## FORWARD

Oh, what changes we have seen.

In January 2002, this court was about to begin the implementation of CM/ECF, we were still months away from the early stages of the inauguration of FAS<sub>4</sub>T and we were, along with the rest of the country, still coming to grips with the aftermath of September 11, 2001. Since that time, we have successfully implemented both software packages, and we have weathered the challenges put in front of us, individually and as a court.

This annual report chronicles the life of the United States District Court for the District of Massachusetts during the past two years.

Virginia A. Hurley  
Learning & Development Manager  
United States District Court  
Room 2300  
1 Courthouse Way  
Boston, MA 02210  
617-748-9166

## FROM THE CLERK

In reading this Bi-Annual Report, you will see the years 2002 and 2003 have been a time of great progress and advancement in this District. Two years ago we began the process for implementing CM/ECF. Eleven months after we started planning we went live internally with the case management portion of CM/ECF. Six months later attorneys began filing electronically. Last year also saw the implementation of the new financial system, FAS<sub>4</sub>T. These two programs alone dramatically changed the way in which we work. We added more electronic courtrooms bringing the total number for the district to six, and we installed digital recorders for all of the magistrate judge courtrooms.

Other changes implemented over the past two years were: a new evaluation system for managers and supervisors; flat screen monitors were provided to all of our staff; our web page was redesigned and became better organized and visually more attractive; and more information was included on our web site. Also, we began accepting credit cards for the payment of fees.

It goes without saying that the implementation of these programs required a great deal of team work and effort by the staff. Many staff served on various CM/ECF committees and as CM/ECF trainers. After going live on CM/ECF we had supervisors, courtroom deputies, and docket clerks volunteering to scan documents to help relieve the scanning backlog. We had staff working extended hours to eliminate the backlog that resulted in docketing. The implementation of FAS<sub>4</sub>T also took many months of preparation and hard work by the staff. With all of our accomplishments we never lost sight of our mission to provide top quality service to our judges, the bar, and the public. The staff of the District of Massachusetts are truly dedicated individuals. And as a

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result of their effort, we are a much better court. I am very proud of the people I work with in the Clerk's Office.

During this time period we also had our share of infamous cases, in particular U.S.A. v. Richard Reid, a.k.a. "the Shoe Bomber."

Lastly, 2003 was a sad year for the District of Massachusetts. We lost two people very dear to the Court: the Honorable Frank H. Freedman and Denise Reilly, long-time secretary to Judge Richard G. Stearns. They are both fondly remembered.

## HUMAN RESOURCES

The backbone of any organization is its personnel, and that is true of the District Court. A few long-time employees of this court have left us for other positions or well-earned retirement, a number of employees have been reassigned or promoted to new positions, and we have benefitted from the addition of many new faces.

In 2002 and 2003, Deborah Keefe, Elizabeth Elefther, Paul Lyness, Samantha Stoutenburg, Janet Doring, Kathleen Skarmeas, Janet Konarski, Kimberly Abaid, Deborah Joyce, Marjorie Lanier, Christopher Danieli, Elizabeth Qarri, Carmen Diaz, Kathleen Hassett, Philip Doreau, Shelly Killian, Richard Romanow and Diane Perry joined the Court family.

In the past two years, Karen Bain-Morgado, Eric Schlupf, Robert Masuret, Anthony Lardiere, Timothy Schroeder, Jill Ruggieri, Peter Gallagher, Jennifer Mulcahy, Teri Gibson, Steven Schonhoff, Leann Ouellette, Janet Konarski, Deborah Crossman and Susan Sladen left the employment of the District Court.

A number of employees were reassigned to new positions. Judith Litwin became the CJA Analyst and Stephen Schonhoff was promoted to become Judge Tauro's docket clerk. Douglas Holmes and Samantha Stoutenburg were promoted to Property/Procurement Administrator and Property/Procurement Assistant, respectively. Philip Lyons became Courtroom Deputy Clerk to Senior Judge Harrington. Eugenia Edge was reassigned to the position of docket clerk to Judge O'Toole. Sherry Spencer was promoted to become Judge Tauro's docket clerk. After temporary promotions, Lisa Roland and Sherry Jones were permanently promoted to the positions of Courtroom Deputy Clerk to Magistrate Judge Swartwood and Docket Clerk, respectively. Christopher Danieli was temporarily reassigned to the position of Jury Clerk and then later to Bar Registration

Clerk. Christine Patch was temporarily promoted to become Senior Judge Keeton's docket clerk during Karen Folan's maternity leave. Marilyn Bond was reassigned to the position of Personnel Specialist, Virginia Hurley was reassigned to the newly created position of Learning and Development Manager, and Sheila Diskes was temporarily promoted to Operations Supervisor.

This Court has always welcomed temporary and volunteer assistance from many sources and for many reasons. The Customer Services office benefitted from outstanding temporary employees during the past two summers, in Cynthia Nicholson (2002) and William Curtin Griffin and Steve York (2003). The CM/ECF project was well-served by the temporary employment of many individuals who took responsibility for the re-registration of thousands of members of the this Court's Bar, along with processing those same attorneys' applications for access to the Electronic Case Files system. The individuals hired as temporary Bar Registration Clerks were: Ida Candreva, Mary McDonald, Kathryn Fannon, Renee Lessard, Jacqueline Lawlor, Cioma Akukwe, Caitlin Maloney and Olga Nunez.

The Clerk's Office has once again been ably assisted by a steady stream of interns. Marilyn Bond served as the coordinator of the intern program in Boston. As such, she was responsible for rotating the interns through the various sections of the Boston Clerk's Office. During the past two years, we were pleased to have as interns in the Boston office: Elizabeth Ryan, Jason Webber; Seetha Srinivasan, Stephanie Johnson, Brigitte Hunt, Ranae Covach, Kateri Lauck, Christopher Danieli, Kathryn Fannon, Maribeth Rezey, Richard Nici, Jeffrey Wyrzten and Jessica Adams. Worcester also benefitted from some able interns: Jose Otero and Cynthia Cram.

It is worthy of mention that a number of our interns over the years have gone on to become permanent employees of the Clerk's Office. More recently, it happened once again

with the employment of Christopher Danieli.

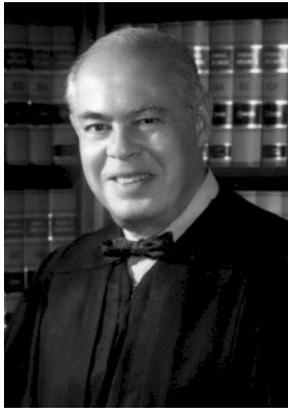
In November 2003, the Clerk's Office came together to help one of its own. On the morning of November 18, Ellen Hayes came to work and suddenly collapsed at her desk. Thanks to the quick and clearheaded actions of Ellen's fellow employees, the nurse and Court Security Officers were able to use a portable defibrillator to help Ellen until City of Boston EMTs arrived and rushed her to the hospital. By the end of the year, Ellen was still hospitalized but showing remarkable progress.

*IN MEMORIAM***Honorable Frank H. Freedman****Denise Reilly**

Any account of the past two years would not be complete without a tribute to Senior Judge Freedman and Denise Reilly.

Senior Judge Frank H. Freedman died suddenly in the summer of 2003 after a very brief illness. He will be missed dearly by all he touched. We also lost Judge Stearns' judicial assistant Denise Reilly in the summer of 2003 after a long battle with cancer. Denise showed great courage during her long fight, and her loss is great.

Judge Freedman's friend and courtroom clerk, John Stuckenbruck wrote these words for the Court's newsletter, *Amicus Curious*:



“If you had ever received a greeting card or a note from Judge Freedman, and few of you ever would have, you would have seen that he signed it F<sub>2</sub>, which means double F for Frank Freedman. Most of you never had the pleasure of meeting him and would only have known of him from seeing his picture that hangs on the wall outside the Clerk's Office in Boston.

In addition to managing the Springfield divisional office since July of 1979 when it first opened, I was his courtroom clerk as well. I can honestly say that within that span of time, I never saw him mad - unless the Red Sox lost. He was always here, never sick. He was a genuinely nice and compassionate man, humble, not impressed with himself or his position. He treated all who appeared before him with respect: attorneys, litigants, defendants, jurors. He never reprimanded anyone publicly. He

approached all of his cases with common sense and a practicality that he would use especially when attempting to resolve a case. He allowed me the complete freedom to manage his caseload and schedule his hearings and trials, which I appreciated. He enjoyed our meetings to go over the calendar and talk about his cases. Sitting in court with him was easy as he allowed me to come and go as I needed. His hearings were generally brief and to the point. He didn't believe in lengthy argument. A difficult sentencing would affect him deeply and you could see it in his eyes after it was over.

He was always interested in you and your family and he would ask about their health and welfare. He would wish me well whenever I ventured out to play golf, fish or go on vacation. He would dispense good advice and solicit advice from you if he had a question about anything. Sports, politics, movies and travel were some of his interests. He enjoyed eating out and we would often swap information about restaurants we had been to. He liked a good joke and was not bashful about creating his own while on the bench during a trial or hearing.

Judge Freedman was like a father figure to me, especially during the years when my own father was in poor health and had passed away, often calling me son when he greeted me each day. He was a good friend and I will miss him."

\* \* \* \* \*



Denise Reilly, who died on July 1, 2003, served the United States Government faithfully for more than thirty years. Most recently, she was the Administrative Assistant to District Judge Richard G. Stearns (January 4, 1994 to June 30, 2003). Denise began her government service in April of 1971 as a Clerk/Typist at the Federal Trade Commission. In December of 1986, Denise joined the United States Attorney's Office in Boston as a Paralegal Specialist

assigned to the Criminal Division, working for among others, First Assistant U.S. Attorney Richard G. Stearns.

Any recounting of her many years of service to the government does not give a true picture of the remarkable person that she was, perhaps best captured by Judge Stearns in his eulogy for his long-time friend and assistant:

“The word that I am inclined to choose is ‘grace’. Nothing better illustrates that quality than the way in which Denise coped with a disease that even she, however indomitable her spirit, was unable to defeat. The reason that her death took so many by surprise is not because many did not know that she was ill, but because most did not know how serious her illness was. Denise never complained, no matter the severity of the side effects of her treatments, no matter how badly she felt, she never uttered a word of self-pity. She would endure a debilitating session of chemotherapy on Thursday and be back at her desk on Monday as if nothing had happened. And we took comfort from her seeming nonchalance, as she intended us to do. We so much wanted to believe that nothing out of the ordinary had in fact occurred. But, of course, it had.

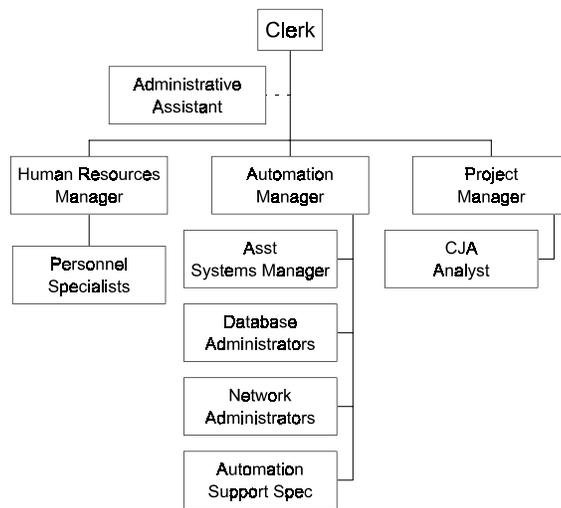
But I do not want to associate the word ‘grace’ solely with the way Denise addressed her illness or the dignity with which she prepared for death. Denise was the consummate professional. Not only was her technical competence legendary, but also her mastery of the most obscure aspects of arcane government rules in the struggle with which, for our chambers, Denise was the ultimate secret weapon. She was unflappable, no matter how chaotic the emergency of the moment, always an island of calm in a turbulent sea. She was organized to a degree that would make Donald Rumsfeld

envious. A typical conversation with Denise would begin with something like, 'Denise, do you remember the time in 1997 when ... ?' Before I could finish the question she would reach unerringly into her files to find the speech, the jury instructions, the letter or whatever it was I was looking for. The loss for me is not simply that of a friend, but also of my most valuable associate, one whose loyalty and discretion I could depend upon with my life, and one whose advice was informed, selfless, and when in her eyes necessary, candid and critical."

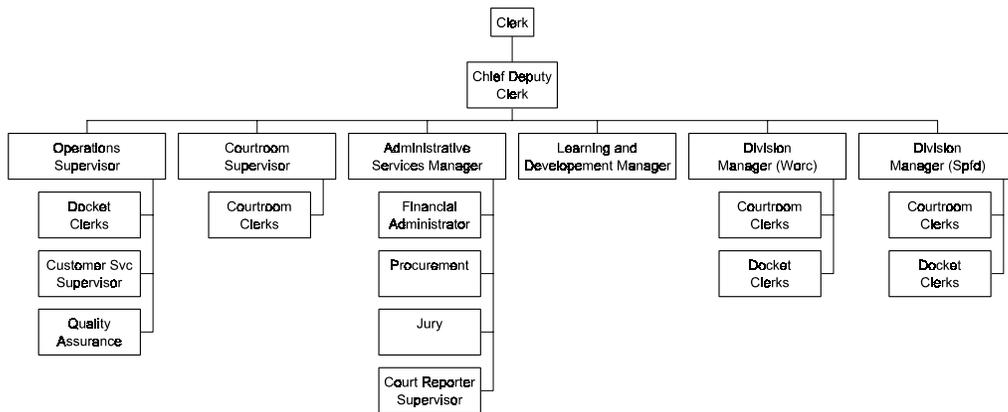
Incomparable, Denise will be missed, but will remain always in our hearts.

# ORGANIZATIONAL CHARTS

## Clerk



# Chief Deputy Clerk



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**JUDICIAL OFFICERS****Liaison Judges**

Chief Judge Young	The Office of the Clerk of Court
Judge Tauro	Counselor
Judge Zobel	The Magistrate Judges The Court Interpreters The Senior Judges
Judge Wolf	The Criminal Justice Act Program Bureau of Citizenship and Immigration Services The Nelson Fellows
Judge Woodlock	General Services Administration - Space and Facilities Court Historian
Judge Gorton	The Central District (Worcester) The Bankruptcy Court Happy Observances
Judge Stearns	Court Security, including the Office of the United States Marshal and the Federal Protective Service The Office of the United States Attorney Circuit Library
Judge Lindsay	Civil Pro Se Staff Attorney The Jury Pool
Judge Saris	The Court Reporters The Office of the Federal Public Defender Education Programs

Judge Gertner	The United States Probation Office Automation and Information Systems
Judge Ponsor	The Western District (Springfield)  Benefits for Judicial Officers
Judge O'Toole	Reporter to the Court The Pretrial Services Office The Media
Senior Judge Mazzone	Alternative Dispute Resolution Programs
Senior Judge Keeton	The Bureau of Prisons

**Local Committee Assignments****Committee on the Budget**

Judge Wolf - Chair

Judge Ponsor

Judge Gorton

Chief Judge Young - Ex Officio

**Committee on Court Reporters**

Judge Saris - Chair

Tony Anastas, Clerk

Lee Marzilli, Court Reporter

Deborah Scalfani, Court Reporter Supervisor

**Committee on Court Security**

Judge Stearns - Chair

Judge Woodlock

Judge Gorton

Judge Ponsor

Judge O'Toole

Judge Lynch, U.S. Court of Appeals

Chief Magistrate Judge Bowler

Gary Wentz, Circuit Executive

Anthony Dichio, U. S. Marshal

Tony Anastas, District Court Clerk

James M. Lynch, Bankruptcy Court Clerk

Michael Sullivan, U. S. Attorney

Don Kimball, Federal Protective Service, GSA

Robert Ryan, Chief Probation Officer

George Moriarty, Chief Pretrial Services Officer

Patrick Scalfani, Customer Services Representative, GSA

Valerie Reid, General Manager, Boston Court Management Association

**Committee on Rules and Practice**

Judge Woodlock - Chair

Judge Gertner

Magistrate Judge Dein

**Judicial Conference Committee Assignments****Committee on Defender Services**

Judge Saris - Chair 2005

**Committee on the Administration of the Magistrate Judges System**

Judge Ponsor - Member 2004

**Committee on Security and Facilities**

Judge O'Toole - Member 2005

**Committee on Criminal Law**

Judge Mazzone - Member 2006

**Committee on Information Technology**

Judge Gertner - Member 2005

**Committee on Codes of Conduct**

Judge Wolf - Member 2005

**Circuit Council**

Judge Gorton - Member 2005

**Foreign Intelligence Surveillance Court**

Judge Gorton - Member 2008

## ADMINISTRATIVE SERVICES

Personnel assigned to Administrative Services at the end of 2003 are: Francis DelloRusso - Administrative Services Manager. JURY: James McAlear - Administrator, Carmen Diaz, Christine Patch, Don Stanhope; COURT REPORTERS: Deborah Scalfani - Supervisor, Patricia Casey-Price, Marie Cloonan, Cheryl Dahlstrom, James Gibbons, Debra Joyce, Harold Hagopian, Shelly Killian, Lee Marzilli, James McLaughlin, Alice Moran, Pamela Owens, Richard Romanow, Carol Scott, Judith Twomey, Donald Womack; FINANCIAL: Christine Karjel -Administrator, Marie O'Keefe, Elizabeth Elefther, James Kitsock, Judith Nappi, Elizabeth Qarri; and PROPERTY AND PROCUREMENT: Douglas Holmes - Administrator, Samantha Stoutenburg.

In our Financial office, we implemented a Credit Card Program as an option for payments to the court, and converted from the antiquated CFS software to the AO's new Financial Accounting System for Tomorrow (FAS<sub>4</sub>T) system. FAS<sub>4</sub>T is a financial management and accounting system that replicates office workflow to suit the judiciary financial processes. FAS<sub>4</sub>T is designed to support the following financial business functions: budgeting/funds management, receivables/collections, procurement, payables, disbursements and financial reporting. This office worked very hard during 2003 to examine the processes currently in place, with an eye to altering what we could to adapt to the new system. The staff of the Financial office as well as staff of the IT Department should be commended for their hard work, which paid off in a smooth and efficient conversion to the new system.

Over the past two years a number of building maintenance issues were addressed. In the Boston office, various portions of the court house were repainted, the Springfield office received new carpeting and in the Worcester office the woodwork received

specialized treatment.

Some other highlights of the work of Administrative Services during the past two years are: installation of a new cubicle system for docket section in Boston and Worcester; digital recording equipment was installed for the Magistrate Judges' Courtrooms, replacing the old cassette type units; the Cape Cod courthouse at the Post Office in Hyannis underwent construction to add a proper bench in the courtroom; new ramps were designed and delivered for use in the Boston courtrooms' jury and witness boxes; new lighting was installed in the Boston Customer Services office, and a room was designated in the Boston courthouse's basement storage area for the safekeeping of sealed cases and documents.

The Procurement office went through a series of major changes. These changes involved every aspect of the procurement process, from the request through purchase and delivery. Other significant changes that also occurred during the past two years: the off-site storage facility in Charlestown was closed; a review of all court property was undertaken to ensure that all property was properly inventoried, labeled and stored; and all duties involved in the procurement process were examined and adjusted to meet the Administrative Office's guidelines.

## DIVISIONAL OFFICES

### Central Section (Worcester)

In 2002, to further enhance the team spirit in Worcester, additional cross training was conducted. Sherry Jones was trained in civil and criminal docketing procedures. Sherry Jones and Lisa Roland participated in courtroom clerk training. In April 2002 Sherry Jones was presented with the Greater Boston Federal Executive Board's Support Personnel Award in recognition for her hard work and dedication to public service. In May 2002 the Central Section hosted a seminar entitled "Winning Trials with Expert Witnesses." The panel consisted of Judge Gorton, Magistrate Judge Swartwood, from the Massachusetts Superior Court Judges Fecteau and Hillman, and members of the Worcester County Bar.

In June 2002 Deborah Shattuck, Division Manager, attended CM/ECF training in San Antonio in preparation for training staff and attorneys. All staff in Worcester volunteered to serve on at least one CM/ECF committee during this time.

Cynthia Cram, a student from Becker College, was selected to participate in the Internship Program in Worcester. Cynthia was trained in customer service to handle routine matters. Cynthia also assisted with scanning and filing documents.

The Central Section hosted four "Arts and the Law Series" programs for the Worcester Public School students in grades 6 through 12. The Series included the production of "The Trial of Anthony Burns" which was commissioned by the Court Education Project located in Boston.

In March 2003 Leann Ouellette resigned as Courtroom Deputy to Magistrate Judge Swartwood to pursue her new career as a full-time mother. Lisa Roland was promoted to Courtroom Deputy in April 2003. Sherry Jones was promoted to Docket/Generalist Clerk.

Kathy Hassett, formerly of the U.S. Trustee's Office, was hired as Docket/Generalist Clerk in July 2003.

Much time was devoted by the staff reviewing procedures and materials and training for CM/ECF. Staff and attorney training was conducted in Worcester by the team of Deborah Shattuck, Division Manager in Worcester, John Stuckenbruck, Division Manager in Springfield, and Bethaney Healy, Courtroom Deputy for Magistrate Judge Neiman.

In April 2003 Martin Castles, Courtroom Deputy to Judge Gorton, was presented with the Greater Boston Federal Executive Board's Support Personnel Award in recognition for his teamwork, professionalism and dedication to public service.

In May 2003 Judge Gorton and Magistrate Judge Swartwood hosted a "Chapter 93A Seminar" for members of the Worcester County Bar.

In September 2003 the Electronic Courtroom in Worcester was completed. New digital recording systems were installed in Worcester for the Magistrate's hearing room and courtroom.

Jose Otero, a student from Becker College, was selected to participate in the Internship Program in Worcester. Jose assisted in customer service, scanning and filing. Jose utilized his computer skills to create a new time sheet for interns.

The Central Section hosted four very successful "Arts and the Law Series" programs in 2003.

### **Western Section (Springfield)**

On a very sad note, Senior Judge and former Chief Judge Frank H. Freedman passed away on August 21, 2003, leaving a very large void in the courthouse and in the district. He is greatly missed by all.

In 2003, 322 civil cases were filed in the Western Section, up from 223 in 2002. 39 criminal cases were filed, up from 38 in 2002. However, the number of defendants increased greatly from 43 in 2002 to 74 this year.

At the end of the year Judge Ponsor had 214 civil cases and 41 criminal cases pending. Magistrate Judge Neiman had 85 consent civil cases pending.

The annual Clerk's Office employee recognition breakfast was held on October 9, 2003 and was attended by the Judges, chambers staff and Tony Anastas, Clerk of Court. John Stuckenbruck and Bethaney Healy received awards for their involvement in CM/ECF implementation and training. Maurice Lindsay received a 5 year Length of Service pin and Alice Moran received a 10 year pin. During the year Mary Finn received an employee of the quarter award.

On November 20, 2003 the Open Doors for the Federal Courts program was held in the courthouse. The theme of the program was Careers in the Federal Courts. Students from Holyoke High School attended the program and they heard from various court staff about their careers in the courts and they also conducted a mock criminal trial assisted by court staff.

Planning and designing of the new federal courthouse in Springfield has continued throughout the year. Groundbreaking and construction is expected to begin in late 2004.

## OPERATIONS

The Operations section of the Clerk's Office spent most of the past two years preparing for and implementing the Court's new Case Management/Electronic Case Files (CM/ECF) system. Thanks to the hard work of many members of the Operations staff, the change to this new system was much less painful than had been feared. By the end of 2003, CM/ECF had become a way of life in the Clerk's Office. Other highlights of the past two years include: an April 2002 Case Management Workshop with Judicial Officers, Courtroom and Docket Clerks in attendance. This workshop was designed to discuss current case management practices with an eye toward changes needed for the implementation of CM/ECF. Also in April 2002 Marie Bell and Francis Orozco were recognized at the Greater Boston Federal Executive Board's annual Support Staff Awards ceremony.

In January 2003, six docket clerks (Kathy Boyce, Sheila Diskes, Marie Bell, Susan Tebo, Michelle Rynne and Jennifer Filo) volunteered to become CM/ECF trainers. To master the skills necessary to teach others, these staff along with Courtroom Clerks Lisa Urso, Bethaney Healy, Craig Nicewicz and Robert Alba, CJA Analyst Judy Litwin, Data Quality Analyst Dianne Smith, Division Managers John Stuckenbruck and Deborah Shattuck attended a week long 'Train the Trainer' session in Boston to learn how to instruct court staff and attorneys. Operations staff, including Customer Services clerks attended a day-long class on 'Serving the CM/ECF Customer' in October, in anticipation of the new demands of our customers: the bar and the public.

September 2003 brought about the first of the many anticipated changes in a reorganization of the Clerk's Office. The Operations Manager assumed a newly created position of 'Learning and Development Manager' on September 29, 2003. The Clerk of

Court then temporarily promoted Sheila Diskes, Docket Clerk Supervisor to the new position of Operations Supervisor.

## CASE MANAGEMENT/ELECTRONIC CASE FILES (CM/ECF)

The District of Massachusetts was selected as one of the Wave 9 courts for the implementation of the Case Management/Electronic Case Files (CM/ECF) system. The rollout for this wave began in May 2002. Although that was the formal start of the CM/ECF project, the District of Massachusetts had already established an Organizing Committee to discuss what needed to be done in order to implement CM/ECF for the court, the public and the bar, as well as what effect it would have on the various stakeholders involved. Judge Nancy Gertner, as the liaison judge for court technology, was given the responsibility of overseeing the CM/ECF implementation project and Helen Costello was designated as the CM/ECF Project Manager to help coordinate the efforts of the Clerk's Office. This project was a major undertaking for the court as it affected judges, chambers staff, attorneys and the public, in addition to Clerk's Office staff.

The table below outlines the major tasks that were accomplished in order to implement the new case management system.

	Task Name	Start	End
I.	CM/ECF CBT's installed for San Antonio students	5/9/02	N/A
II.	Application Training - San Antonio	6/10/02	6/14/02
3.	ECF Court site visit to Cleveland, OH		
4.	ECF Court site visit to Kansas City, MO		
5.	Create and distribute Skills Assessment all staff	9/24/02	10/25/02
6.	Preliminary CM/ECF Training - Basic Computer Skills - file management, Internet Browser, Adobe Acrobat <b>- all court staff including chambers</b>	11/15/02	12/13/02
7.	CBTs installed on Web Page	12/3/02	N/A
8.	CM/ECF User Manuals <b>in-house</b> - development	12/3/02	5/19/03
9.	CM/ECF User Manuals <b>others</b> - development	5/19/03	10/1/03
10.	Train the Trainers Class (16 attended)	1/13/03	1/17/03
11.	CM/ECF Curriculum Development	1/6/03	
12.	CM/ECF Case Management Workshop	1/29/03	
13.	CM/ECF Train the Trainers - CM/ECF Application	1/24/03	2/7/03
14.	CM/ECF Training - Operations Staff	2/10/03	3/7/03
	Civil Class One	2/10	2/12
	Civil Class Two	2/18	2/19
	Civil Class Three	2/25	2/26
	Criminal Class	3/3	3/7
	MJSTAR Class		
15.	CM/ECF Training - Other Court Staff	March 2003	
16.	CM/ECF Training - Chambers Staff	March 2003	
17.	Go live for CM/ECF internally	May 19, 2003	
18.	Schedule Attorney training	June 2003	ongoing
19.	Go live for ECF externally	Oct 1, 2003	

During the first part of the project, the court prepared its processes, personnel and technology for the transition, implementation and operation of CM/ECF. Some of the activities during this preliminary phase included documenting existing process/workflows, reviewing the current dictionary, comparing current dictionary to CM/ECF starter dictionary, scheduling and beginning CM/ECF - related training, and identifying other applications affected by CM/ECF. A CM/ECF Organizational Committee chaired by Judge Gertner which included several other federal and state court judges, attorneys, bankruptcy court personnel, state court personnel, etc. was established in January 2002.

After completing the preliminary phase, the court entered the implementation phase. During this time the court completed preparations for process changes, personnel training, system installation and data conversion. At the conclusion of the implementation phase, the CM/ECF system replaced the court's existing case management system (ICMS) in performing day to day operations.

In order to ensure a successful transition to CM/ECF a number of Clerk's Office staff volunteered to participate in various court project teams that were implemented to help prepare for CM/ECF. The following teams were established to review and coordinate the various aspects of the CM/ECF implementation.

- CM/ECF Management Team: Responsible for overall coordination of entire CM/ECF implementation project.  
Members: Bill Ruane, Helen Costello, Project Manager, Ginny Hurley, Debbie Shattuck, John Stuckenbruck, Stu Barer, Len Rideout, Edis Feldhouse, Chickie Cummings and Sheila Diskes
- MJSTAR Team: Reviews current processing of magistrate judge activity and impact MJSTAR will have on statistical reporting, case processing and case management.

Identifies changes needed in record keeping to provide necessary data for MJSTAR to produce accurate statistical reporting for magistrate judge activity.

- Dictionary Team and Docketing Team: Compares current docketing dictionary events to standard CM/ECF dictionary. Identifies and recommends changes to standard CM/ECF dictionary to accommodate local practices and procedures. Ensures that all necessary dictionary events are properly mapped for conversion to CM/ECF and that all docket events can be handled by CM/ECF.
- Attorney Admissions and Discipline Team: Reviews current admission procedures and requirements and proposes changes to Local Rules and current practices to provide for enrollment and certification of attorneys for electronic filing. This includes development of registration form and requirements. Responsible for reviewing current status of attorney database and cleanup for conversion to CM/ECF system.
- Process/Workflow Review Team: Reviews, gathers and creates documentation, such as flowcharts, on existing case related paperflow and work processes. Reviews and determines which process/workflows are affected by CM/ECF. Adapts new court procedures and develops new process/workflows for conversion to CM/ECF.
- Training Team and Help Desk Team: Develops training programs, documentation and helpful hints for chambers, Clerk's Office staff and attorneys to transition to CM/ECF. Provides training and coordinates training schedule. Establishes CM/ECF help desk procedures and protocol. Provides CM/ECF help desk support in early phases of project.
- Quality Assurance Team: Reviews existing quality assurance procedures and reports used in ICMS for review of data entered into system. Compares existing reports with new CM/ECF reports and identifies need for such reports in CM/ECF.

Identify and evaluate locally developed or enhanced applications and reports to determine need for crossover to CM/ECF, how they may be affected by the new system, and what steps are needed to integrate them. Develops plan for quality assurance in new system.

- Technical Implementation Team: Reviews and recommends resources and provides input on all technical aspects of the project. Evaluates the need for interface of local applications. Determines needed ancillary hardware and software. Supervises installation of hardware and software. Converts existing user reports from ICMS to CM/ECF, eliminating current unused reports. Develops and adds new local reports (on screen and printed) if any are identified by other committees or users.
- Divisional Office Team: Coordinates the implementation of CM/ECF in the divisional offices. Identifies issues concerning the CM/ECF implementation affecting the divisional offices. Develops plans and procedures to ensure successful CM/ECF implementation in the divisional offices.

The local CM/ECF training team was probably the most active of those established since they had to learn how to train, learn the CM/ECF system, develop training materials, schedule and conduct classes, etc. They began with a week long Train the Trainer class conducted in Boston by Lou Gil from the Administrative Office's Systems Deployment and Support Division (SDSD) in San Antonio and have continued in various aspects of CM/ECF training since then. The CM/ECF training team includes: Robert Alba, Chickie Cummings, Ginny Hurley, Debbie Shattuck, Marie Bell, Sheila Diskes, Debby Keefe, Dianne Smith, Kathy Boyce, Jennifer Filo, Judy Litwin, John Stuckenbruck, Helen Costello, Bethaney Healy, Craig Nicewicz, Susan Tebo, Michelle Rynne and Lisa Urso.

Along with the training team, the systems department, primarily Len Rideout and Edis Feldhouse were key players in the conversion process from ICMS to CM/ECF. They spent many hours learning the intricacies of the new system, including hardware and software requirements, as well as running test conversions to ensure that data was being properly converted from ICMS to CM/ECF. Much effort was put into cleaning up and preparing the database for conversion by Ginny Hurley, Len and Edis. Their work led to our successful conversion to CM/ECF over the weekend of May 16 to 19, 2003. On May 19, 2003 the conversion was completed and we switched from ICMS to CM/ECF for all case management purposes. From this point on, all of our cases were electronic and as of that date all documents were scanned and filed electronically.

Once we converted to CM/ECF attention focused on adapting reports for local use and generally tweaking the system and dictionary to make it work to fit the court's needs. We also began our efforts to train the bar for CM/ECF since we had set a "go live" date for the attorneys to begin electronic filing on October 1, 2003.

During the summer of 2003, we hired temporary staff to assist with the Attorney re-registration and ECF registration project in order to update attorney records in the database with information needed to allow electronic access, including confirming their bar member status. Attorney and staff training on CM/ECF began at the end of July 2003. Various options were offered for training attorneys and their staff, including: hands on training classes at the Williams Building in Boston on Tuesdays and Thursdays beginning the week of July 7; an MCLE program in the jury assembly room on July 15 on the topic of "Electronic Case Filing in the Federal Court"; training at law firms with appropriate facilities; training in the divisional offices; and computer based training modules on our web site. Our public web page was updated with information on CM/ECF, training options, ECF registration and attorney re-registration. We started issuing ECF logins to

attorneys via e-mail in mid-September and that continues to date.

On October 1, 2003, one of the major goals of the CM/ECF project was accomplished. As of that date attorneys, on a voluntary basis, began to file documents with the Court electronically. In order to accomplish this, the CM/ECF Implementation Team, Training Team and court staff had to complete a great deal of work. During this time:

- Over 1800 attorneys and staff members have participated in a training program, offered at their firm, at the Williams Building, Springfield and Worcester courthouses and an MCLE program on September 24, 2003.
- A General Order implementing electronic filing was issued.
- CM/ECF Administrative Procedures for attorneys were published.
- Standing orders implementing CM/ECF for individual judges were issued.
- Quality Assurance procedures were developed for docket clerks to review attorney filings.
- Additional training for court staff was conducted for quality assurance and editing.
- On-line registration for CM/ECF was made available.
- The Court's public web page at [www.mad.uscourts.gov](http://www.mad.uscourts.gov) was updated to include CM/ECF Administrative Procedures and other references, including on-line registration.
- The ECF Help desk and Help desk e-mail system established.

Although electronic filing is not yet mandatory for attorneys, the number of documents that have been electronically filed by attorneys has gradually increased since attorney implementation on October 1 and will continue to increase in the months to come as we issue more ECF logins and continue to offer training to attorneys and their staff.

Once ECF was activated for attorneys, the implementation phase of the CM/ECF project was essentially completed. The CM/ECF Implementation Teams then transitioned to the CM/ECF Project Administration team to continue the court's efforts to optimize the efficiency of CM/ECF for all users.

Some of the early requests for reports or enhancements have been accomplished. These included:

- Recent orders report which lists all orders entered during the past 2 days
- Option to run pending motions report for dispositive motions only
- The "ripe motions" report is now in the testing phase by Chief Judge Young, Judge Saris and Judge Gertner
- Totals added to motions report and appeals report
- Various dictionary modifications

Although we upgraded to Version 1.4 of the CM/ECF software in early December 2003, we expect another major release of the software in late January 2004. CM/ECF Version 2 will provide added functionality for the courts, including the applications that replace the remaining Unify software: Case Assignment and FRC/RMS. It will also add new or enhanced functionality by adding Automated JS-10 and Monthly Report of Trials and Other Court Activity, adding a forms generator, providing changes to the way access to Sealed Information is restricted, improving conflict checking, MJ STAR enhancements, as well as fixes to a number of emergency modification requests and other fixes, new functionality or minor enhancements. We look forward to the enhancements this release offers and the additional features that we may be able to implement in the future.

The implementation of CM/ECF was one of the most challenging projects this court has faced in recent years. The successful implementation was the result of a joint effort by

judges, chambers staff, and many Clerk's Office staff. Without the cooperation, support and interest of all involved, especially those who volunteered for the various implementation teams, we would not have been able to meet this challenge.

## ALTERNATIVE DISPUTE RESOLUTION

The Alternative Dispute Resolution (ADR) program continued to play a vital role in case management in the years 2002 and 2003. Two senior judges, seven magistrate judges, and a volunteer panel of professional mediators, both attorneys and non-attorneys, conducted mediations in a wide variety of civil cases, district-wide. Referrals of cases from trial judges to ADR totaled 328 in 2002 and 300 in 2003. Mediators held sessions in 296 cases in 2002 and 253 cases in 2003. In addition, Judge Mazzone, who chairs the ADR program, also traveled to San Juan in February, 2003 to mediate eight cases for the District of Puerto Rico.

The ADR program keeps records on how many of the results reported during a calendar year were settlements. A result for a mediation is not always reported during the same calendar year in which the mediation was conducted. For cases actually mediated, results were reported for 285 mediations in 2002, and 172 of those cases settled. In 2003, 267 results were reported for the cases mediated both in Massachusetts and Puerto Rico, and settlements were reached in 191 cases. In past years, the ADR program has achieved a fairly consistent rate of settling about 2/3 of the cases that are actually mediated. The rate of settlement was about 60 % in 2002 and increased to about 72 % in 2003.

Toward the end of 2003, the ADR program sought to update and expand its roster of Panel mediators, with additions posted to the website in early 2004. Work began on designing a data entry program allowing cross-referencing of categories of information about mediations in order to enhance evaluation of the ADR program's efforts. In August 2002, the Administrator of the program became the co-chair of the Court-Annexed ADR Committee of the American Bar Association Section on Dispute Resolution, and also co-chair of an annual national Mini-Conference on Court ADR that took place in San Antonio,

Texas in March 2003. Planning was completed in the fall of 2003 for another Mini-Conference in New York in April 2004. Through that effort, the District of Massachusetts was able to contribute to, and benefit from, a wealth of experience at court-annexed programs both at federal and state levels across the country. Developing this network has helped the ADR program to implement valuable lessons in enhancing efficiency, improving performance, and maintaining ethical standards as its work moves forward.

## CRIMINAL JUSTICE ACT

The local Criminal Justice Act (CJA) Plan which was amended in 1993 remains in effect for the District of Massachusetts. Charles Rankin, Esq. as Chair of the CJA Board, continued to participate in CJA related activities in the District, along with Owen Walker the Federal Public Defender and his staff.

Recommendations by the CJA Board concerning the annual application process for reappointment and replacement attorneys on the CJA Panels for the year 2002 were approved by the Judges in August 2002. At that time eleven new attorneys were added to the Boston CJA list in addition to the reappointment of 28 attorneys whose terms were due to expire in 2002. The Court also approved the addition of 4 new attorneys to the CJA panel for Worcester cases. There were no additions to the Springfield panel in 2002. In November 2003, the Court approved the recommendations of the CJA Board for the 2003 CJA application process. This resulted in the addition of nine new attorneys to the Boston panel and two to the Worcester panel. There were also 25 attorneys reappointed to the Boston panel for another term. The panel attorney lists were subsequently updated and made available to Court personnel through a network directory. The name and address lists of the CJA panel attorneys for Boston, Worcester and Springfield were also posted on the Court's public web site, along with other information relevant to CJA appointments.

The CJA Board also continued to work with Owen Walker and the other members of the Federal Defender's Office on training programs for CJA panel members and other criminal defense attorneys in 2002 and 2003. A variety of programs sponsored by the Federal Defender Office and CJA Board were held during this time. In addition, the CJA Board also worked with the Criminal Local Rules Committee and proposed a pilot project which would have a CJA duty attorney and a Federal Defender duty attorney available in

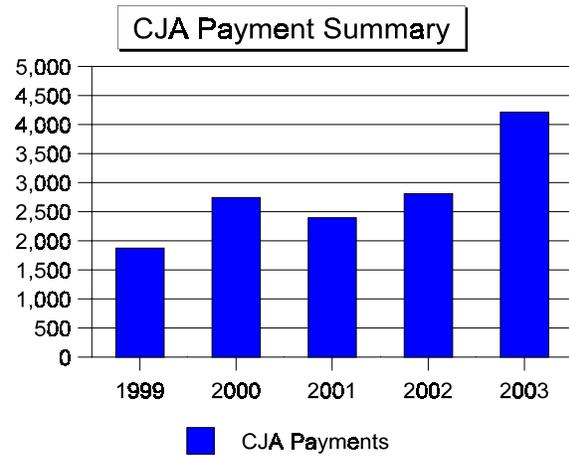
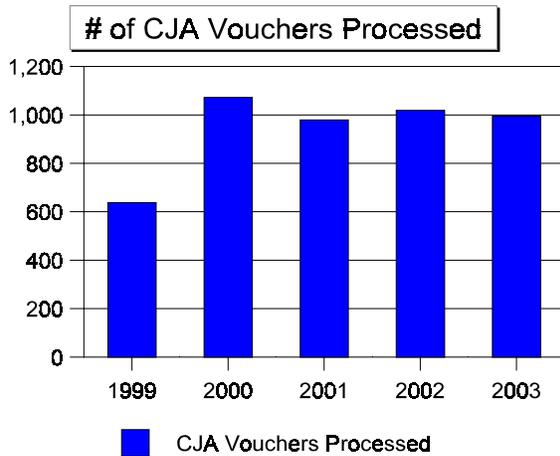
the Moakley U.S. Courthouse on a daily basis to assist with arrests and representation issues as early in the process as possible. The judges approved the pilot project and it went into effect in January 2004.

Judy Litwin continued in her position as CJA Analyst and Bar Admissions Clerk. In this position, Judy assumed full responsibility for the review, auditing and processing of all CJA vouchers. Judy coordinates with the attorneys, judges, court staff and Circuit Executive's staff to ensure proper and efficient payment of CJA vouchers. Although the number of CJA vouchers paid during the 2002 and 2003 remained relatively constant, there was a significant increase in the total amount paid through CJA funds in 2003 as compared to previous calendar years. Some of this increase can be attributed to the increase in the hourly rate for attorneys to \$90.00 for both in and out of court services, effective May 1, 2002. Although that may have had some impact in the total CJA payments, the increase in the number of death penalty cases in the District significantly affected the total amount of payments from CJA funds. There was a 73.5% increase in the payments of CJA 30 vouchers for attorneys in death penalty cases and a 67.9% increase in the payments of CJA 31 vouchers for experts and other services between 2002 and 2003. The overall total increase in CJA payments between 2002 and 2003 was approximately 50%.

Figures for the calendar years from 1999 through 2003 can be found in the charts below.

	CJA Payments	CJA Vouchers	Total Appointed		
			Boston	Spfld	Worc
1999	\$1,726,567.	638	378	38	35
2000	\$2,743,582.	1072	347	16	49
2001	\$2,396,304.	979	402	32	42
2002	\$2,803,948.	1019	442	30	59
2003	\$4,217,041.	995	302	42	52

(Figures below are in millions)



	1999	2000	2001	2002	2003
CJA Vouchers Processed	638	1072	979	1019	995

	1999	2000	2001	2002	2003
CJA Payments	\$1,874	\$2,744	\$2,396	\$2,810	\$4,217

## ATTORNEY ADMISSIONS

The number of attorneys admitted to practice in the District of Massachusetts continued to increase again by a significant number in 2002, with a much smaller increase in 2003. Overall, there has been a 19.9% increase in the number of attorneys admitted from a low of 723 in 2000 to 867 in 2003.

	1999	2000	2001	2002	2003
Attorneys Admitted	985	723	748	855	867

We began a major project regarding attorney admissions in 2003. In preparing for the implementation of the Case Management/Electronic Case Files System (CM/ECF), it became evident that our attorney database in ICMS needed verifying in order to convert to the new CM/ECF system. The court issued a general order implementing a required attorney re-registration to continue admission to the court. There was a fee of \$25.00 which provided a resource to hire the additional help we needed to process thousands of re-registration forms. Since a lot of the attorney information was not kept up to date, we needed to verify the accuracy of the information in order to confirm the qualifications necessary for ECF registration. There were over 30,000 attorneys in our database and although the bulk of the project has been completed and we no longer have temporary help, there continue to be attorneys who were not aware of the re-registration and continue to submit these applications.

## PRO SE AND INDIGENT CASE PROCESSING

### Pro Se Staff Attorney Activities

The pro se staff attorneys function as law clerks to the Court, and prepare recommendations on all applications to proceed without prepayment of fees in civil cases (prisoner and non-prisoner) and habeas actions (§§ 2241, 2254 petitions and 2255 motions). The staff attorneys also prepare recommendations on pro se motions and other pro se matters as they are referred from individual judicial sessions. They also prepare proposed service orders and other miscellaneous orders for § 2254 petitions or § 2255 motions when these actions are filed in forma pauperis. With the assistance of the Pro Se Intake Clerk, the staff attorneys respond to letters, calls, and in-person requests for procedural advice from pro se litigants.

The pro se staff attorneys' duties were expanded substantially during 2002 and 2003 to include preparing recommendations on (1) all civil complaints filed by prisoners; (2) all non-prisoner civil actions filed in forma pauperis; and (3) § 2241 habeas petitions filed by immigration detainees and federal prisoners.

As a result of these new duties, the Pro Se Office has become an increasingly productive and effective resource for the Court. In 2002, the staff attorneys processed approximately 603 pro se matters, representing a rise in productivity of over 77% from the 339 matters referred in 2001. In 2003, the staff attorneys processed over 675 matters, an 11% increase from the previous year. During this time, the number of immigration habeas cases referred to the staff attorneys also has steadily increased.<sup>1</sup> Immigration habeas petitions are often filed on an emergency basis and are often accompanied by a motion seeking a stay of removal.

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<sup>1</sup> In 2002, the staff attorneys prepared substantive recommendations on 38 immigration petitions. In 2003, the staff attorneys handled 32 immigration petitions.

### **Pro Bono Program**

The Pro Se Staff Attorney's Office also oversees the Court's pro bono program. This program, started in 1982, locates volunteer attorneys to represent indigent litigants in civil cases. In 2002, six cases were referred for pro bono appointment and in 2003, nine cases were referred for pro bono appointment.

In 2002, attorneys were recruited for the Court's pro bono panel through a Massachusetts Continuing Legal Education [MCLE] seminar. The MCLE seminar on Representing Indigent Parties in Federal Court was held on June 6, 2002.

### **Addition to Pro Se Staff**

In April 2003, Marjorie Lanier was hired as the Court's third Pro Se Staff Attorney. Marjorie comes to the Court from the Boston Office of Holland & Knight, LLP. She joined the two existing staff attorneys, Barbara Morse and Linn Weissman, and the Pro Se Intake Clerk, Susan Jenness.

### **Internship Program**

In 2002 and 2003, the Pro Se Office coordinated its own internship program. In 2002, two students from Suffolk University participated in the program. In 2003, two students from Suffolk University and one student from Boston College participated in the program during the summer months. In addition, one paralegal intern participated in the program on a part-time basis from January 2002 through June 2003.

Interns work directly with the staff attorneys and provide assistance in research and reviewing matters related to pro se case processing.

## INFORMATION TECHNOLOGY

The Information Technology department's staff were an integral part of almost every major change in Clerk's Office in the past two years. Without the support and dedication of these individuals, the implementation of CM/ECF and FAS<sub>4</sub>T could not have been successful.

In the past two years, the Information Technology staff completed the following projects:

### **Electronic Mail Migration**

As part of a national initiative, all court personnel were migrated from cc:Mail to Lotus Notes. Extensive workstation upgrades and user training took place prior to the migration. Two servers were installed in a clustered configuration for redundancy and load balancing. These are shared by all court units in the district. If one fails, users are seamlessly switched to the other server for continued access.

### **Networks**

For better management of multiple servers in different locations, all users were migrated to version 6 of the Netware operating system. An array of servers was installed in all locations for redundancy and fault tolerance. For an additional level of protection, a server was installed in the Williams Building for nightly copying of documents and user files.

Also during 2002, all DCN wide area network locations were upgraded to frame relay to provide increased bandwidth and better performance for email, internet, CALR, and other communications services.

A Virtual Private Network or VPN was provided by the judiciary to allow remote access to the DCN through any Internet connection. A Remote Access Server or RAS was also installed to allow DCN access using a modem and a toll free telephone line. This

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equipment was installed by the AO and is being managed by the Circuit Executive's Office. It has been made available to Judges and Management staff. A redundant system was set up by the AO to provide remote DCN access if the courthouse system is down for any reason.

Data encryption units were installed on the radio link between the Moakley and Williams Buildings in September, 2003. This was recommended by the National Security Agency to prevent data interception by hackers hiding under the bridge that connects the two building outfitted with special radio equipment.

### **Sentencing Information System**

This began as a project by two Worcester Polytechnic Institute students during the 2001-02 academic year for a sentencing tool for judges. The following additional features have since been added:

- Ability to search by departure category
- Link to Exemplaris.com for transcripts
- Link to opinions system
- Link to pre-sentence reports (Probation)
- Ability to extract data from Judgement and Commitment forms

### **Courtroom Technology**

#### **Boston:**

Installation of electronic evidence presentation systems was completed in Boston in Courtrooms 9, 10, and 19. This included monitors and switching equipment to view various evidence media throughout the courtrooms, integration with the existing sound systems, and video conferencing.

The existing system in Courtroom 2 was upgraded in 2002. This included improvements to the podium, a 40 inch plasma monitor for gallery viewing, multi-port touch screen annotation system for the podium and jury box, and a new digital document

camera.

**Springfield:**

Upgrades to the Springfield electronic courtroom in 2002 included a video conferencing system, a custom podium and a large, audience viewing monitor.

**Worcester:**

Evidence presentation equipment and new sound systems were installed in the courtrooms in Worcester in 2003. A significant part of the process was determining the best way to provide the required wiring and infrastructure support for the evidence presentation system in Courtroom 1. Options considered included trenching through the existing floor, using the existing conduits, or installing a raised floor system. After numerous delays and problems, GSA and their contractors managed to complete the job reusing the existing conduit.

**Case Management/Electronic Case Files**

Preparations began in May 2002 with the development of a comprehensive conversion and testing plan. In June 2002, we received new servers which were configured and integrated with our existing network. These were brought online in August, 2002 for testing and training.

Various staff members subsequently visited other courts for information and attended technical training. Additional preparations and training occurred during a technical site visit by the AO in October, 2002.

Preliminary sessions offering training on basic skills were held for users during November and December of 2002. This included file management, WordPerfect and Adobe Acrobat basics, scanning, and internet browsing. After a period of train-the-trainer programs and curriculum development, full application training for Clerk's Office and Chambers staff was conducted by training team members during February -April 2003. The court went live on the new database in May.

A program was created to automatically generate logins and passwords, activate e-mail notification, propagate attorney e-mail addresses to their assigned cases, and immediately send the attorney an e-mail containing new login account information with access instructions. Online registration was also implemented on our web page. Login accounts for approximately 6,700 attorneys were set up beginning the week of September 15, 2003. Training classes were scheduled and attorney filing commenced on October 1.

### **Public Web Pages**

Our public web page has been completely redesigned to enable users to quickly identify needed resources and access them more efficiently. Updates and additions included the attorney admissions page, the Springfield court list, information on credit card payments, a new ADR panel list, a new CJA list for Worcester, and considerable CM/ECF information and training modules.

### **United States of America v Richard Reid**

In cooperation with Chief Judge William G. Young and his staff, several new functions were added to our web page to facilitate public access to the USA v. Richard Reid case. This was a high profile case involving a man charged with violating Title 18 Section 2332a(a)(1), by attempting to use a weapon of mass destruction on an airplane. A new link was added to PACER that directed PACER users to the Reid case docket report. A separate web page was created that described how to get access to the PACER docket sheet, transcripts, opinions, and other special documents released for public discussion.

Chief Judge Young became the first district judge in Massachusetts to issue an order requiring PDF documents for all public filings during this case. Attorneys were asked to e-mail these documents to a special Lotus Notes mailbox managed by the judge's staff. These were stored and linked to CHASER and PACER docket reports for internal and external access.

**Digital Audio Recording -Magistrate Courtrooms**

Digital recording equipment was installed in all magistrate judge courtrooms in Boston and Springfield in July 2003. Similar equipment was installed in Worcester during the electronic courtroom installation. These replaced the traditional analog tape recorders to facilitate storage and playback of courtroom proceedings. Courtroom Clerks can take notes during trials which can be synchronized with the recordings to search for and listen to excerpts as needed. Recordings can be shared on the network or copied to CD-ROM for distribution.

**Courtroom Audio System upgrades**

New mixers and audio control systems were installed in all Boston Courtrooms. This was done to facilitate integration with evidence presentation systems and other audio sources, and to provide more economical maintenance options.

**Computer Upgrades**

New computers were purchased for staff in Accounting, Jury, Procurement and various other Clerk's Office staff as part of our cyclical replacement process. All Clerk's Office staff have received 17"flat-panel monitors.

**FAS<sub>4</sub>T -Financial System Implementation**

Ready-state preparations and site surveys began in July 2003. Several staff members traveled to the Western District of Kentucky to learn from their implementation. New Servers configured and ready for testing in September. Training and implementation was successfully completed in October and November 2003.

**Staffing**

Phil Doreau was hired as a full-time Help Desk technician in June 2003. He has taken responsibility for tasks few others were willing to assume on a regular basis.

## LEARNING AND DEVELOPMENT

The Learning and Development Manager's position is new to the Clerk's Office. Virginia Hurley, the former Operations Manager was asked to take on that new role in September 2003.

The duties of this position include everything from the orientation of new employees through coordinating training for the members of our bar.

One of the first changes made in the training program was to modify the existing orientation program for our new employees. New employees now receive a substantial collection of materials to help learn about the Clerk's Office and the Court. Some of these materials are locally produced, such as telephone lists and a glossary of local terms, and some are produced by the Federal Judicial Center, such as 'Welcome to the Federal Court'. New employees also spend a number of hours in discussion, learning about the court and its functions.

Plans are in development to create a 'Training Checklist' for each position in the Court, so that the management of this office may be assured that each employee receives the same fundamental job-specific instruction.

Also planned are guidebooks to assist staff in the performance of their duties.

## AWARDS

As in the past, this office has nominated employees to be recognized at the Greater Boston Federal Executive Board's Support Personnel Awards Program. Those honored in 2002 were Marie Bell, Craig Nicewicz, Francis Orozco, Debbie Scalfani, Darline Clark, Dennis O'Leary, and Sherry Jones. The honorees in 2003 were Martin Castles, Eugenia Edge, Elizabeth Elefther, Edis Feldhouse, Jennifer Filo, Jay Johnson, Michelle Rynne and Sherry Spencer.

Judge Zobel was honored at the American Bar Association's annual Margaret Brent Women Lawyers Achievement Award.

During the past two years, Employee Recognition Awards were presented to:

Judith Litwin	Employee of the Quarter, March 2002
Eugenia Edge	Employee of the Quarter, March 2002
Kathleen Boyce	Employee of the Quarter, June 2002
Douglas Holmes	Employee of the Quarter, September, 2002
Lisa Urso	Employee of the Quarter, December, 2002
Leonard Rideout	Employee of the Quarter, March 2003
Mary Finn	Employee of the Quarter, March 2003
Christine Karjel	Employee of the Quarter, June 2003
Dennis O'Leary	Employee of the Quarter, June 2003
Edis Feldhouse	Employee of the Quarter, September 2003
Linda Topalian	Employee of the Quarter, September 2003
Judith Litwin	Employee of the Quarter, December 2003
Samantha Stoutenburg	Employee of the Quarter, December 2003

2002 Special Recognition Awards (Group) were presented to:

Judge Young's Clerk's Office Staff (Marie Bell and Elizabeth Smith)

Realtime Certified Court Reporters (Lee Marzilli, Jill Ruggieri and Harold

Hagopian)

2002 Superior Performance Awards were presented to:

William Doe, Catherine Gawlik, Philip Lyons and Michelle Rynne.

The 2002 Employee of the Year was Deborah Scalfani.

2003 Special Recognition Awards were presented to :

The CM/ECF Training Team (Robert Alba, Debby Keefe , Marie Bell, Judith Litwin, Kathleen Boyce, Craig Nicewicz, Helen Costello, Michelle Rynne, Mary Cummings, Deborah Shattuck, Sheila Diskes, Dianne Smith, Jennifer Filo, John Stuckenbruck, Bethaney Healy, Susan Tebo, Virginia Hurley and Lisa Urso

The CM/ECF Implementation Team (Helen Costello, Bethaney Healy , Len Rideout, Stu Barer, Dianne Smith, Mary Cummings, Catherine Gawlik, John Stuckenbruck, William Ruane, Virginia Hurley, Edis Feldhouse, Sheila Diskes, Judith Litwin and Deborah Shattuck.

The Financial Group (Marie O'Keefe, James Kitsock and Elizabeth Elefther) Individual Special Recognition Awards were presented to Samantha Stoutenburg, Leonard Rideout, Edis Feldhouse, Michelle Rynne, Donald Stanhope, James Kitsock, Ben Bauer, Sherry Jones and Bethaney Healy.

Superior Performance Awards were presented to Edis Feldhouse, Ben Bauer and Leonard Rideout.

The 2003 Employee of the Year was Kathleen Boyce.

Magistrate Judge Robert B. Collings was elected Secretary of the National Conference of Federal Trial Judges of the ABA for a one year term.

On June 25, 2003 the Federal Bar Association honored Judge Lasker.

Chief Magistrate Judge Marianne B. Bowler was awarded an honorary Doctor of Laws on May 18 at her alma mater, Regis College. Senior District Judge A. David Mazzone

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was the commencement speaker at New England School of Law's graduation on May 23. District Judge Joseph L. Tauro was selected to be the Chief Marshal for Brown University's 235<sup>th</sup> Commencement on May 26.

On May 6, 2003, Judge Saris was presented with the Boston Bar Association's Citation of Judicial Excellence.

## VOLUNTEER/COMMUNITY ACTIVITIES

As usual, the Court family in the District of Massachusetts has demonstrated its charitable nature and its commitment to the communities we serve.

### BLOOD DRIVE

The Massachusetts General Hospital Bloodmobile comes to the Boston courthouse approximately every 9 weeks throughout the year. In the past two years, we have donated 550 pints of blood.

### CITY OF BOSTON TOY DRIVE

Each holiday season, the Clerk's Office in Boston sponsors a toy drive to benefit the children of the city's shelters.

### DAFFODIL DAYS - AMERICAN CANCER SOCIETY

The United States Courthouse in Boston participates in the American Cancer Society's annual Daffodil Days fund raiser. During the past two years, almost \$10,000.00 was raised thanks to the generosity of the staff.

### "OPEN DOORS TO FEDERAL COURTS"

In both 2002 and 2003, the Western Section (Springfield) participated "Open Doors to Federal Courts," a nationwide educational initiative. Each year staff from the Clerk's Office, the Judges' chambers, United States Attorney's Office, as well as a local defense attorney act as advisors to the attending students.

## STATISTICAL OVERVIEW

### **Civil/Criminal Case Filings\***

Combined civil and criminal filings rose by 14.9 percent in 2002 to 3,765 from 3,276 filed in 2001. In 2003, those filings decreased by 1.2 percent to 3,720 over the 2002 figures. Our local statistics followed the national trend in 2002, but not in 2003. Nation-wide, filings increased by 14 percent in 2002 and decreased by 4.7 percent in 2003. At the end of the 2002 statistical year, the District of Massachusetts had 4,300 pending civil and criminal cases, up from 4,126 in 2001. In September of 2003, this district had 4,416 pending civil and criminal cases.

The majority of the civil cases filed in this district in both 2002 and 2003 were Contracts, Civil Rights, Torts, Prisoner Petitions and Labor Suits. The majority of criminal cases filed in the past two years fell into two major categories: Drugs and Fraud. Refer to the Judicial Caseload Profiles later in this report for further details.

### **Jury Utilization**

In 2002, 23.2 percent of the petit jurors present for jury selection were not selected, serving or challenged (NSSC). This was a decrease from the 26.2 percent reported in 2001. In 2003, this figure jumped to 33.4 percent. The average number of jurors present for jury selection dropped from 51.51 in 2001 to 46.26 in 2002, but rose again to 49.14 in 2003. That increase may be the result of a number of high-profile criminal cases, including *USA v. Gary Sampson* and *USA v. Richard Reid*.

### **Trials and Hours of In-Court Activity**

The number of trials commenced in this district in 2002 rose to 254 from 215 in 2001. In 2003, that number rose again to 263. The number of days on trial reported in 2001 was

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\*figures obtained from the Administrative Office of the United States Courts, Judicial Caseload Statistics Report for period ending Sept 30

1,024, for a total of 4,422.5 hours. In 2002, the court spent 1,182 days (5,063 hours) conducting trials. That number dropped to 1,105 (4,744 hours) in 2003. The total number of hours spent on trials and other matters increased from 11,437 in 2001 to 12,012 in 2002, but dropped slightly in 2003 to 11,702.5.

Judicial Caseload Profile - for the District

**THE FOLLOWING INFORMATION WAS OBTAINED FROM THE  
FEDERAL COURT MANAGEMENT STATISTICS  
AS PREPARED BY THE  
ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS**

(1 PAGE)

# U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

		12-MONTH PERIOD ENDING SEPTEMBER 30								
<b>MASSACHUSETTS</b>		2003	2002	2001	2000	1999	1998	Numerical Standing		
<b>OVERALL CASELOAD STATISTICS</b>	Filings*	3,720	3,765	3,276	3,651	3,770	3,626	U.S.	Circuit	
	Terminations	3,513	3,565	3,470	3,501	3,842	3,414			
	Pending	4,416	4,300	4,126	4,275	4,117	4,231			
	% Change in Total Filings	Over Last Year		-1.2					56	3
		Over Earlier Years			13.6	1.9	-1.3	2.6	58	1
Number of Judgeships		13	13	13	13	13	13			
Vacant Judgeship Months**		7.0	.0	.0	.0	.0	.0			
<b>ACTIONS PER JUDGESHIP</b>	<b>FILINGS</b>	Total	285	289	252	281	290	279	84	2
		Civil	246	243	222	249	258	251	75	1
		Criminal Felony	31	38	30	32	32	28	90	5
		Supervised Release Hearings**	8	8	-	-	-	-	80	4
	Pending Cases		340	331	317	329	317	325	65	1
	Weighted Filings**		327	332	305	335	328	335	84	3
	Terminations		270	274	267	269	296	263	84	2
	Trials Completed		15	15	12	13	14	15	69	4
<b>MEDIAN TIMES (months)</b>	From Filing to Disposition	Criminal Felony	14.3	13.4	13.2	12.6	12.4	11.3	93	5
		Civil**	10.7	11.5	10.2	10.2	10.9	9.8	69	4
	From Filing to Trial** (Civil Only)		28.5	25.5	23.8	26.4	23.0	23.7	70	5
<b>OTHER</b>	Civil Cases Over 3 Years Old**	Number	198	229	275	260	160	264		
		Percentage	5.4	6.3	7.7	7.0	4.4	7.0	63	4
	Average Number of Felony Defendants Filed Per Case		1.4	1.6	1.6	1.5	1.7	1.7		
	Jurors	Avg. Present for Jury Selection	49.14	46.26	51.51	44.40	41.94	39.13		
		Percent Not Selected or Challenged	33.4	23.2	26.2	14.8	15.2	14.2		

2003 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	3202	72	25	373	50	58	259	509	466	232	477	32	649
Criminal*	402	32	5	80	1	17	107	**	7	100	4	11	38

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "[Explanation of Selected Terms.](#)"

Judicial Caseload Profile - Nationwide

**THE FOLLOWING INFORMATION WAS OBTAINED FROM THE  
FEDERAL COURT MANAGEMENT STATISTICS  
AS PREPARED BY THE  
ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS**

(1 PAGE)

# U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

		12-MONTH PERIOD ENDING SEPTEMBER 30								
<b>ALL DISTRICT COURTS</b>		2003	2002	2001	2000	1999	1998	Numerical Standing		
<b>OVERALL CASELOAD STATISTICS</b>	Filings*	328,520	344,546	302,104	310,346	307,997	301,569	U.S.	Circuit	
	Terminations	323,399	323,629	295,308	306,211	316,312	301,069			
	Pending	312,223	312,971	297,236	290,156	288,156	304,579			
	% Change in Total Filings	Over Last Year		-4.7					-	-
		Over Earlier Years			8.7	5.9	6.7	8.9	-	-
Number of Judgeships		680	665	665	655	646	646			
Vacant Judgeship Months**		444.8	793.4	749.9	597.5	566.5	720.2			
<b>ACTIONS PER JUDGESHIP</b>	<b>FILINGS</b>	Total	483	518	454	474	477	467	-	-
		Civil	372	413	377	396	403	398	-	-
		Criminal Felony	87	84	77	78	74	69	-	-
		Supervised Release Hearings**	24	21	-	-	-	-	-	-
	Pending Cases		459	471	447	443	446	471	-	-
	Weighted Filings**		523	528	486	486	480	491	-	-
	Terminations		476	487	444	467	490	466	-	-
	Trials Completed		19	19	20	22	23	25	-	-
<b>MEDIAN TIMES (months)</b>	From Filing to Disposition	Criminal Felony	6.7	6.8	6.6	6.5	6.5	6.4	-	-
		Civil**	9.3	8.7	8.7	8.2	10.3	9.2	-	-
	From Filing to Trial** (Civil Only)		22.5	21.8	21.6	20.0	20.5	19.5	-	-
<b>OTHER</b>	Civil Cases Over 3 Years Old**	Number	34,067	34,067	35,274	30,423	17,126	25,621		
		Percentage	13.0	12.8	13.9	12.2	6.8	9.6	-	-
	Average Number of Felony Defendants Filed Per Case		1.4	1.4	1.4	1.4	1.4	1.5		
	Jurors	Avg. Present for Jury Selection	47.81	45.54	44.89	41.48	39.91	38.19		
		Percent Not Selected or Challenged	40.0	39.3	39.2	36.9	34.9	33.9		

<b>2003 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	252962	17127	3073	54378	3317	7373	17318	28190	45054	8934	40516	762	26920
Criminal*	58951	15266	807	9015	495	1606	17064	**	1067	7749	759	1122	4001

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See ["Explanation of Selected Terms."](#)

Explanation of Selected Statistical Terms

**THE FOLLOWING INFORMATION WAS OBTAINED FROM THE  
FEDERAL COURT MANAGEMENT STATISTICS  
AS PREPARED BY THE  
ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS**

(2 PAGES)

## EXPLANATION OF SELECTED TERMS

### Vacant Judgeship Months

"Vacant judgeship months" is the total number of months that vacancies occurred in any judgeship positions in a circuit or district. Public Law Number 107-273, enacted on November 2, 2002, created 15 additional authorized judgeships for the district courts, which became effective on July 15, 2003. On September 30, 2003, a total of 29 vacancies existed in the district courts, 6 of which originated from the creation of the new judgeships; and 19 vacancies existed in the U.S. courts of appeals (excluding the Federal Circuit).

### Visiting Judge Activity

Court profiles for both the courts of appeals and district courts reflect only caseloads within the circuit/district; the profiles do not address visiting judge activity in other circuits/districts. Detailed data on visiting judge activity can be found in Tables V-1 and V-2 of *Judicial Business of the United States Courts*.

### Appeals Filed: Other

Starting on October 1, 1998, in response to the Prison Litigation Reform Act (PLRA) and Antiterrorism and Effective Death Penalty Act (AEDPA), reporting procedures were changed such that pro se mandamus petitions for which filing fees were not paid and motions for orders authorizing second or successive habeas corpus applications began to be recorded as original proceedings requiring judicial review on the merits. Previously, these types of filings had not been included in appellate statistics. Under the PLRA, a prisoner who does not pay a fee at the time a mandamus petition is filed generally must pay the full filing fee in installments, a change that has largely eliminated the distinction between fee-paid mandamus cases previously included in appellate statistics and in forma pauperis cases. Pro se mandamus petitions for which filing fees were not paid are no longer reported separately and are, therefore, now included in the "other" appeals filed category. The AEDPA created a new type of appellate proceeding by requiring prisoners to file motions for authorization before filing second or successive habeas corpus applications.

### Supervised Release Hearings

Beginning with *2002 Federal Court Management Statistics*, data on hearings on violations of supervised release are included in the district court profiles. These hearings, which are conducted when defendants violate the terms of supervised release, can result in the modification of conditions or the revocation of supervised release. In addition to providing data for the category of supervised release hearings filed per authorized judgeship, data on supervised release hearings are included in the totals for overall filings and terminations, filings and terminations per authorized judgeship, and weighted filings per authorized judgeship. These changes to the district court profiles were approved by the Judicial Conference Subcommittee on Judicial Statistics.

### Weighted Filings

Since 1946, the federal Judiciary has applied weights to filings in the U.S. district courts to account for the different amounts of time judges require to resolve various types of civil and criminal actions. The total for "weighted filings" is the sum of all weights assigned to civil cases and to criminal felony defendants.

Average civil cases or criminal felony defendants each receive a weight of approximately 1.0; for more time-consuming cases, higher weights are assigned (e.g., a death penalty habeas corpus case is assigned a weight of 5.99); cases demanding relatively little time from judges receive lower weights (e.g., a student loan case is assigned a weight of 0.031).

The Judicial Conference's Subcommittee on Judicial Statistics approved the use of a system developed in 1993 by the Federal Judicial Center (FJC) that assigns weights to criminal felony cases on a per-defendant basis rather than on a per-case basis (e.g., the weight assigned to a case in which three defendants are charged with the

same offense is calculated by multiplying the weight associated with that offense by three). Data on civil cases arising by reopening, remand, and multidistrict litigation are not included among the totals for weighted filings. The weighted totals include reopenings and transfers of criminal felony defendants.

## **Median Times: Civil**

"Median times" are the median time intervals between the filing of cases and their disposition. Civil median times exclude data for civil cases involving land condemnation, prisoner petitions, deportation reviews, recovery of overpayments, and enforcements of judgments. Because courts can quickly process cases involving the recovery of overpayments (which primarily address veterans' benefits) and enforcements of judgments (which primarily address student loans), including data on these cases would shorten the civil median times for some courts to the point of giving an inaccurate impression of the time usually required to process a case in the federal courts.

## **Median Times: From Filing to Trial**

The median time for civil cases from filing to trial is calculated from the date a case was filed to the date trial began. For any reopened civil case resulting in a second completed trial, the median time remains based on the original filing date and the date the trial was completed.

## **Civil Cases Over Three Years Old**

Data for cases pending three years or more may not match those presented in the Civil Justice Reform Act (CJRA) reports because these profiles include data for cases on appeal in other courts (i.e., the Supreme Court, courts of appeals, other district courts, and state courts), whereas the CJRA reporting guidelines exclude such data. The total in the Eastern District of Michigan includes 14,767 silicone breast implant cases assigned to one district judge that are technically pending, but effectively stayed pending the resolution of an appeal in a related bankruptcy matter. For comparative purposes, any statistical average should exclude these cases.

## **Criminal Felony Filings by Offense**

Since 1995, data for all criminal filings involving drug laws have been consolidated under category "F." Category "G," which was used previously for reporting criminal cases involving narcotics, has been discontinued.

Petit Juror Service

**THE FOLLOWING INFORMATION WAS OBTAINED FROM THE  
FEDERAL COURT MANAGEMENT STATISTICS  
AS PREPARED BY THE  
ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS**

**(3 PAGES, ORIGINALLY NUMBERED 112-114)**

**Table J-2.  
U.S. District Courts—Petit Juror Service on Days Jurors Were Selected for Trial  
During the 12-Month Period Ending December 31, 2002**

District	Number of Jurors Present for Jury Selection or Orientation						Total Juries Selected (Civil and Criminal)
	Total	Percent Selected	Percent Challenged	Percent Not Selected or Challenged		Non- Voir Dire <sup>2</sup>	
				Overall	Voir Dire <sup>1</sup>		
<b>TOTAL</b>	<b>322,587</b>	<b>23.7</b>	<b>36.8</b>	<b>39.6</b>	<b>23.7</b>	<b>15.9</b>	<b>7,026</b>
<b>DC</b>	<b>8,982</b>	<b>13.4</b>	<b>29.4</b>	<b>57.2</b>	<b>37.4</b>	<b>19.8</b>	<b>94</b>
<b>1ST</b>							
ME	866	49.8	40.6	9.6	9.0	0.6	39
MA	6,334	24.1	50.6	25.3	17.5	7.8	138
NH	731	23.8	38.6	37.6	29.4	8.2	15
RI	1,372	20.0	22.9	57.1	25.7	31.5	23
PR	5,944	13.0	25.8	61.1	28.4	32.8	65
<b>2ND</b>							
CT	5,781	20.7	45.7	33.6	29.1	4.5	120
NY,N	2,366	31.4	43.4	25.2	16.8	8.4	80
NY,E	17,073	17.3	38.8	43.9	28.6	15.4	229
NY,S	23,119	13.1	26.7	60.3	39.4	20.9	281
NY,W	1,862	16.3	42.9	40.8	30.3	10.4	31
VT	413	23.5	18.6	57.9	34.1	23.7	8
<b>3RD</b>							
DE	966	29.4	46.0	24.6	20.7	3.9	28
NJ	5,045	21.2	36.7	42.2	21.7	20.4	109
PA,E	13,295	14.0	37.5	48.6	13.2	35.3	181
PA,M	3,565	23.8	35.6	40.6	32.6	8.0	86
PA,W	2,897	22.3	37.9	39.8	28.5	11.3	67
VI	1,852	13.1	15.7	71.2	18.8	52.3	17
<b>4TH</b>							
MD	6,214	21.8	39.8	38.4	22.4	16.0	123
NC,E	1,370	45.3	34.4	20.3	6.0	14.3	48
NC,M	1,549	35.0	35.8	29.2	22.3	6.8	44
NC,W	2,218	35.8	30.7	33.5	31.2	2.3	63
SC	4,382	35.1	46.5	18.4	16.8	1.6	139
VA,E	5,961	24.9	28.1	46.9	33.0	13.9	141
VA,W	2,638	23.8	50.1	26.0	21.0	5.1	60
WV,N	944	29.4	53.5	17.1	17.1	0.0	25
WV,S	939	37.1	57.9	5.0	0.6	4.4	30

**Table J-2. (December 31, 2002—Continued)**

District	Number of Jurors Present for Jury Selection or Orientation						Total Juries Selected (Civil and Criminal)
	Total	Percent Selected	Percent Challenged	Percent Not Selected or Challenged		Non- Voir Dire <sup>2</sup>	
				Overall	Voir Dire <sup>1</sup>		
<b>5TH</b>							
LA,E	1,421	34.1	42.9	22.9	18.9	4.1	53
LA,M	913	40.9	45.8	13.4	12.6	0.8	35
LA,W	1,750	31.0	37.7	31.4	16.4	15.0	51
MS,N	1,814	34.2	32.5	33.2	21.1	12.2	66
MS,S	2,053	30.3	36.3	33.3	22.0	11.3	66
TX,N	5,460	18.8	26.3	54.9	22.4	32.5	99
TX,E	2,876	30.2	36.2	33.7	21.3	12.3	91
TX,S	11,215	24.3	35.4	40.3	17.7	22.6	244
TX,W	8,686	25.1	35.3	39.6	24.0	15.6	257
<b>6TH</b>							
KY,E	2,808	25.1	35.9	39.1	25.2	13.9	60
KY,W	1,701	26.5	39.8	33.7	18.6	15.2	42
MI,E	5,408	23.9	28.7	47.4	32.4	15.0	110
MI,W	1,848	23.8	25.8	50.5	23.4	27.1	40
OH,N	3,017	30.5	39.3	30.2	24.4	5.9	84
OH,S	2,359	25.8	42.6	31.7	22.0	9.6	59
TN,E	2,295	33.7	29.5	36.8	15.2	21.6	67
TN,M	1,814	28.3	45.0	26.6	14.2	12.4	58
TN,W	3,348	28.3	30.9	40.8	27.2	13.7	81
<b>7TH</b>							
IL,N	7,595	25.4	40.8	33.9	13.4	20.5	176
IL,C	1,742	32.4	37.2	30.4	20.8	9.6	53
IL,S	2,254	24.4	38.6	37.0	9.3	27.7	54
IN,N	1,710	35.6	35.3	29.1	25.5	3.6	55
IN,S	1,111	31.4	46.2	22.4	21.6	0.8	37
WI,E	1,397	25.8	41.4	32.7	16.0	16.7	33
WI,W	646	37.0	45.5	17.5	15.5	2.0	28
<b>8TH</b>							
AR,E	2,499	27.6	34.2	38.2	29.7	8.5	68
AR,W	2,464	17.6	32.4	50.0	44.4	5.6	45
IA,N	2,028	26.3	40.0	33.7	27.3	6.4	45
IA,S	1,883	30.9	36.0	33.1	27.5	5.6	48
MN	2,869	28.0	39.2	32.8	21.6	11.2	65
MO,E	2,681	31.1	47.9	21.1	15.9	5.1	81
MO,W	2,885	24.3	40.1	35.5	22.9	12.7	64
NE	1,553	33.0	39.2	27.8	18.2	9.7	41
ND	856	32.2	47.5	20.2	14.4	5.8	23
SD	2,043	29.1	40.3	30.6	29.8	0.8	51

**Table J-2. (December 31, 2002—Continued)**

District	Number of Jurors Present for Jury Selection or Orientation						Total Juries Selected (Civil and Criminal)
	Total	Percent Selected	Percent Challenged	Percent Not Selected or Challenged		Non- Voir Dire <sup>2</sup>	
				Overall	Voir Dire <sup>1</sup>		
<b>9TH</b>							
AK	1,346	22.1	36.3	41.5	28.1	13.4	23
AZ	5,109	21.6	39.3	39.1	24.7	14.4	103
CA,N	6,268	15.7	38.4	46.0	37.7	8.3	92
CA,E	2,975	22.7	35.1	42.2	26.2	16.0	67
CA,C	10,620	22.0	25.4	52.6	31.1	21.5	207
CA,S	6,605	21.8	31.9	46.3	24.7	21.6	113
HI	1,425	15.0	46.9	38.0	27.5	10.5	17
ID	953	31.4	45.1	23.5	21.7	1.8	27
MT	2,076	27.1	36.6	36.3	22.8	13.5	53
NV	3,347	26.1	38.8	35.1	23.3	11.8	81
OR	2,922	17.9	63.5	18.5	0.0	18.5	54
WA,E	810	31.5	43.5	25.1	13.6	11.5	20
WA,W	1,737	28.0	40.2	31.7	22.9	8.9	46
GUAM	151	27.8	38.4	33.8	33.8	0.0	3
NMI	216	29.6	33.3	37.0	37.0	0.0	5
<b>10TH</b>							
CO	2,599	30.9	30.0	39.1	29.2	9.9	85
KS	2,154	28.2	34.7	37.1	29.4	7.7	60
NM	2,302	32.4	42.9	24.8	14.0	10.7	73
OK,N	1,046	30.4	37.2	32.4	24.7	7.7	35
OK,E	716	25.4	24.4	50.1	30.2	20.0	19
OK,W	1,878	39.6	35.7	24.7	19.4	5.3	75
UT	1,448	25.5	39.1	35.4	20.0	15.5	30
WY	707	34.2	33.8	32.0	32.0	0.0	22
<b>11TH</b>							
AL,N	2,561	30.4	33.0	36.5	11.8	24.8	75
AL,M	1,163	42.0	35.9	22.1	19.8	2.3	46
AL,S	3,185	28.2	53.2	18.6	6.9	11.7	72
FL,N	1,813	32.8	40.8	26.5	9.7	16.8	46
FL,M	6,652	30.0	31.4	38.5	20.1	18.4	174
FL,S	12,587	25.5	53.2	21.2	7.7	13.6	283
GA,N	3,968	30.6	39.2	30.2	18.2	12.0	109
GA,M	2,207	28.0	26.0	46.0	19.9	26.1	49
GA,S	1,361	34.2	38.2	27.6	23.3	4.3	48

NOTE: THIS TABLE INCLUDES DATA ON JURY SELECTION DAYS ONLY. DATA ON JUROR SERVICE AFTER THE SELECTION DAY ARE NOT INCLUDED. DUE TO ROUNDING, PERCENTS MAY NOT TOTAL 100.0 PERCENT.

<sup>1</sup> JURORS WHO COMPLETED PRE-SCREENING QUESTIONNAIRES OR WERE IN THE COURTROOM DURING THE CONDUCTING OF VOIR DIRE, BUT WERE NOT SELECTED OR CHALLENGED.

<sup>2</sup> OTHER JURORS NOT SELECTED OR CHALLENGED WHO WERE NOT CALLED TO THE COURTROOM OR OTHERWISE DID NOT PARTICIPATE IN THE ACTUAL VOIR DIRE.

## GOALS FOR 2004

As we welcome a new year, the court is facing new challenges, many brought about by widespread budget reductions. The management staff of the Clerk's Office is doing its best to avoid layoffs and furloughs by finding ways to save money on the purchase of items that can be delayed or are not essential.

CM/ECF has proven successful in this district since its implementation in May 2003, and we look forward to future releases that will improve its functionality in this court. During 2004 we hope to focus on local and national modifications to enhance case management and statistical reporting.

After the Operations Review in 2002, this office has begun a massive reorganization plan. Although final plans had not yet been finalized at the end of 2003, major changes are expected.

No matter what is in store for the District of Massachusetts in 2004 and years to come, we will succeed in complete the goals of our mission statement:

*perform our duties with courtesy, respect, equality and fairness, in an accurate and knowledgeable fashion;*  
*maintain the highest standards of professionalism and ethics, in compliance with the governing rules and regulations; and*  
*strive to improve the quality of our services, thereby promoting public trust and confidence in the judicial system.*