

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS



ANNUAL REPORT

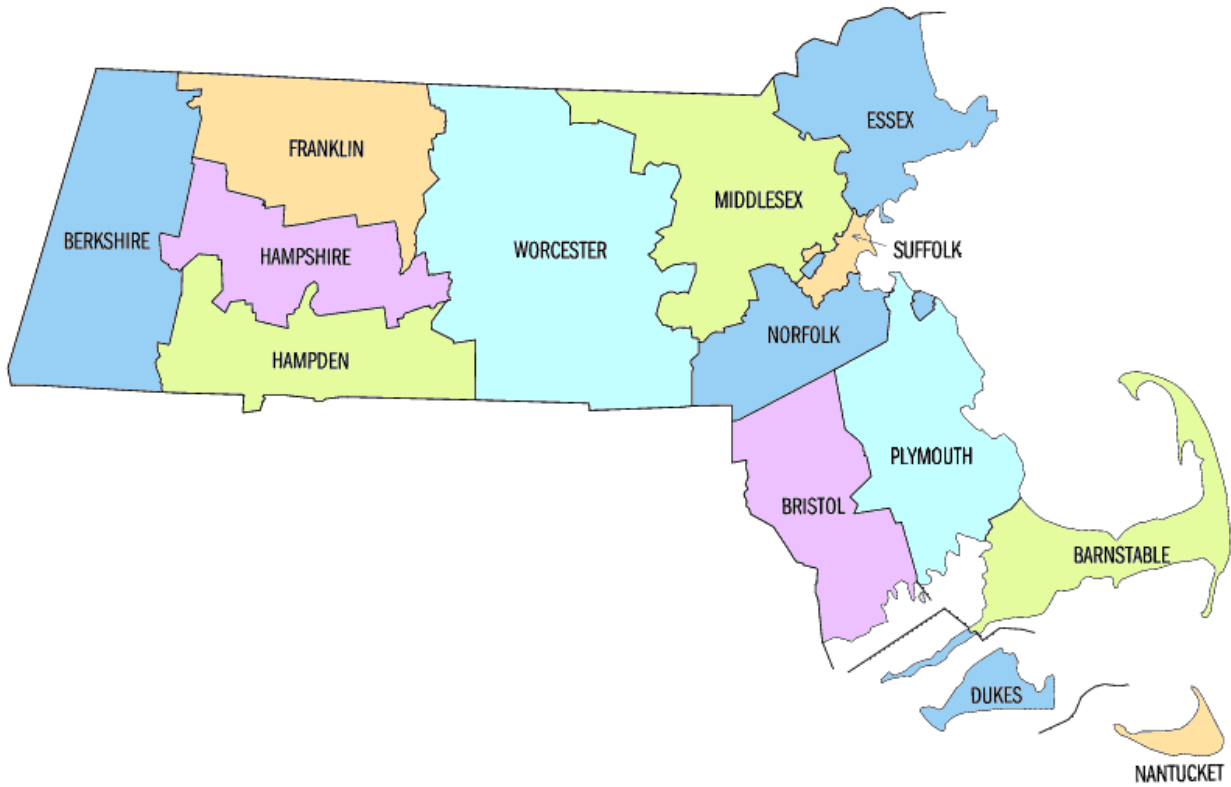
2010

Prepared by the Office of the Clerk

TABLE OF CONTENTS

District of Massachusetts	1
Judicial Accomplishments.....	2
Judicial Conference.....	4
Local Committee and Liaison Assignments.....	5
The District at a Glance	7
Alternative Dispute Resolution.....	7
Budget.....	7
Criminal Justice Act.....	7
Divisional Offices.....	9
Springfield	9
Worcester.....	9
Finance	10
Human Resources	11
Immigration & Naturalization	12
Information Technology (IT)	13
Internal Controls	14
International Visiting Judges and Legal Scholars.....	15
Interpreter Services.....	16
Judicial Outreach	16
Lindsay Fellowship Program.....	17
Nelson Fellowship Program.....	17
Jury	18
Official Court Reporters	18
Operations and statistics	19
Case filings.....	20
Trial and Hours In-Court Activity.....	21
Civil Caseload	22
Criminal Caseload.....	23
Pro Se Staff Attorneys	24

Reentry Programs..... 24
 Assisted Recovery Effort (CARE)..... 24
 Reentry: Empowering Successful Todays And Responsible Tomorrows (RESTART) ... 24
Training..... 25
Observances..... 26
 Induction..... 26
 Portrait Ceremonies..... 26
 Remembrances 28



**United States District Court
District of Massachusetts**

District Judges

Mark L. Wolf, Chief Judge

Joseph L. Tauro	Nathaniel M. Gorton	Michael A. Ponsor
Rya W. Zobel	Richard G. Stearns	George A. O'Toole, Jr.
William G. Young	Patti B. Saris	F. Dennis Saylor, IV
Douglas P. Woodlock	Nancy Gertner	Denise J. Casper

Senior District Judge

Edward F. Harrington

Magistrate Judges

Judith G. Dein, Chief Magistrate Judge

Robert B. Collings	Kenneth P. Neiman	Timothy S. Hillman
Marianne B. Bowler	Leo T. Sorokin	Jennifer C. Boal
	Jerome J. Neidermeier (recalled)	

Office of the Clerk Management Team

Sarah Allison Thornton
Clerk of Court

Robert Farrell, Chief Deputy Clerk
Stuart J. Barer, Information Technology Manager
Helen M. Costello, Operations Manager
Christine Karjel, Financial Manager
Susan J. Mohr, Human Resources Director
Deborah F. Shattuck, Division Manager (Worcester)
John C. Stuckenbruck, Division Manager (Springfield)

JUDICIAL ACCOMPLISHMENTS

Chief Judge Mark L. Wolf moderated a discussion along with Professor Burt Neuborne and Josh Marshal on March 27, 2010 in New York City at *Top Secret Talks*, one in a series of lectures provided by USC Annenberg's Center on Communication Leadership & Policy. The topic of the evening was "Confidential Government Information in the Internet Age: Roles and Responsibilities of Courts, the Executive Branch, and the Media."

Judge Nathaniel Gorton was appointed by Chief Justice Roberts to serve on the Judicial Conference Committee on Intercircuit Assignments in November, 2010.

Judge Richard G. Stearns sat by designation in the Southern District of New York on the Third Circuit Court of Appeals. He serves as a Trustee of Vincent Memorial Hospital at Massachusetts General Hospital and as Chair of the Committee on Science and Research of the Vincent Center for Reproductive Biology. He continues work overseas for the Department of Defense, NATO and the State Department. His consultation work relates to: bioterrorism in Turkey, judicial reform in Macedonia, nuclear counter-proliferation in Germany and NATO integration in Croatia.

His publications in 2010 include an article: Richard G. Stearns, "Defining and Detaining Terrorism Suspects: The Rise and Implications of a Security State" in Steve Tsang, ed., *Combating Transnational Terrorism: Searching for a New Paradigm*, and a book: Richard G. Stearns, *Massachusetts Criminal Law: A Prosecutor's Guide* (30th ed.).

In 2010, Judge Stearns received the Federal Bar Association's Distinguished Judicial Service Award.

Judge Patti B. Saris was confirmed by the Senate as the new Chair of the United States Sentencing Commission on December 22, 2010.

"I am greatly honored to have been nominated by our President and confirmed by the Senate to serve as Chair of the country's expert body on federal sentencing," said Judge Saris.

"The Commission plays a critical role in the development and implementation of national sentencing policy, and I look forward to working on a guidelines system that is reflective of the principles of sentencing established by Congress."

Judge Saris also served as a member of the First Circuit Judicial Counsel and as Vice President of the Federal Judges Association.

Judge Nancy Gertner taught courses in Comparative Sentencing Institutions and American Sentencing during the spring and fall semesters at Yale Law School. She also taught a class at the Monash Law School in Prato, Italy.

Judge Gertner participated in events around the globe, including: the The Journal of Criminal Law and Criminology Centennial Symposium: A Century of

Criminal Justice at Northwestern University School of Law in Chicago; a forensics panel at UCLA Law School in Los Angeles, CA; a white collar crime panel at the American Bar Association spring meeting in Miami, FL; traveled with the Wellesley College Centers for Women to conference about anti-discrimination laws in Beijing China; gave a "View from the Bench" speech at Cleveland State University; spoke on a panel at the American Bar Association's Antitrust Law Section spring meeting in Washington, DC; attended an international human rights meeting in Washington, DC with members of the Wellesley College Centers for Women; attended the Quadrennial Conference of the Federal Judges' Association in Washington, DC; spoke at Kanazawa University in Ishikawa, Japan about the American jury system; and she attended a human rights symposium with the International Association of Women Judges in Budapest, Hungary.

In 2010, Judge Gertner published the following:

Gertner, Commentary to Mnookin, et al. *The Need for Research Culture in the Forensic Sciences*, UCLA Law Review.

Gertner, Juries and Originalism: Giving "Intelligible Content" to the Right to a Jury Trial, 71 Ohio State Law Journal 935 (2011) (paper given during a conference on Originalism and the Jury, Ohio State University Moritz College of Law).

Gertner, "A Short History of American Sentencing: Too Little Law, Too much Law or Just Right, 100 Northwestern Journal of Criminal Law & Criminology 101 (2010) (paper given at conference

celebrating the centennial of the NW Journal of Criminal Law and Criminology)

Implicit Bias, Justin Levinson, ed., Employment Discrimination chapter with Melissa Hart (2012) Cambridge University Press).

The Law of Juries, 2010, co-authored with Judith Mizner (updated) (Thomson-Reuters).

Judge Michael A. Ponsor notified President Obama on July 23, 2010 that he would take senior status as of August 15, 2011.

Judge Ponsor served as chair of the Judicial Conference Committee on Space and Facilities and held Committee meetings in Boston in June 2010 and in Austin, Texas in December 2010. He appeared before the House of Representatives Subcommittee on Economic Development, Public Buildings and Emergency Management, a subcommittee of the larger House Committee on Transportation and Infrastructure, on May 25, 2010 representing the Judiciary and offering testimony on the topic of, "Eliminating Waste and Managing Space in Federal Courthouses." On September 29, 2010, he appeared a second time before the House of Representatives, this time before the Subcommittee on Courts and Competition Policy, a subcommittee of the larger House Committee on the Judiciary, representing the Judiciary and offering testimony on the topic of "Courtroom Use: Access to Justice, Effective Judicial Administration, and Courtroom Security."

Judge Denise J. Casper was confirmed by the Senate on December 17, 2010.

Senior Judge Edward F. Harrington assumed a more active role in the court mediation program.

Association of Drug Court Professionals, Boston Bar Association, the Federal Judicial Center and Stanford University Law School regarding a variety of legal issues. Magistrate Judge Sorokin continued to preside over the court’s Court Assisted Recovery Effort (CARE) that celebrated its third graduating class in November, 2010.

Magistrate Judge Leo T. Sorokin spoke at conferences sponsored by the John Jay College of Criminal Justice, the National

JUDICIAL CONFERENCE

In addition to the achievements noted above, the following Judges of this court served on various Committees of the Judicial Conference of the United States:

- Chief Judge Mark L. Wolf** Member, Judicial Conference of the United States
- Judge Patti B. Saris**..... Committee on the Budget
- Judge Michael A. Ponsor** Chair, Committee on Space and Facilities
- Judge Richard G. Stearns**..... Committee on Judicial Security
- Judge F. Dennis Saylor, IV** Committee on Defender Services
- Senior Judge Edward F. Harrington** Committee on the Administration of the Bankruptcy System
- Magistrate Judge Marianne B. Bowler** Committee on International Judicial Relations

LOCAL COMMITTEE AND LIAISON ASSIGNMENTS

Chief Judge Mark L. Wolf	Chair, Budget Committee Chair, State Courts Committee Media Office of the Clerk of Court Office of the United States Attorney
Judge Joseph L. Tauro	Counselor
Judge William G. Young	Counselor Bar Associations Education Programs
Judge Rya W. Zobel	Bureau of Citizenship and Immigration Services Court Reporters
Judge Douglas P. Woodlock	Member, Budget Committee Member, Committee on Rules and Practice Member, Committee on Court Security Member, Committee on Attorney Admissions Fund GSA - Space and Facilities Statistics Judicial Benefits Senior Judge Resources and Benefits Court Historian
Judge Nathaniel M. Gorton	Chair, Committee on Attorney Admissions Fund Member, Budget Committee Magistrate Judges Discovering Justice
Judge Richard G. Stearns	Chair, Committee on Court Security Chair, Alternative Dispute Resolution Committee Member, Nelson Fellows Committee Member, Jury Committee Office of the U.S. Marshal
Judge Patti B. Saris	Chair, Nelson Fellows Committee Member, Budget Committee Member, Committee on State Courts The Probation Office The Pretrial Services Office Bar Associations

Judge Nancy Gertner	Chair, Jury Committee The Federal Public Defender The Criminal Justice Act Panel The Jury Pool Automation and Information Systems International Relations
Judge Michael A. Ponsor	Member, Budget Committee Member, Committee on Court Security Poet Laureate
Judge George A. O'Toole	Member, Attorney Admissions Fund Committee Member, Committee on Court Security Alternate, GSA - Space and Facilities Civil <i>Pro Bono</i> and <i>Pro Se</i> Office Happy Observances
Judge F. Dennis Saylor, IV	Chair, Committee on Rules and Practice Member, Court Security Member, Jury Committee The Bankruptcy Court Reporter to the Court
Magistrate Judge Robert B. Collings	Member, Committee on Court Security
Magistrate Judge Marianne B. Bowler	Member, Alternative Dispute Resolution Committee
Chief Magistrate Judge Judith G. Dein	Member, Committee on Rules and Practice Member, Nelson Fellows Committee
Magistrate Judge Kenneth P. Neiman	Member, Committee on Rules and Practice
Magistrate Judge Leo T. Sorokin	Member, Criminal Justice Act Plan Committee
Magistrate Judge Timothy S. Hillman	Member, Committee on State Courts

THE DISTRICT AT A GLANCE

ALTERNATIVE DISPUTE RESOLUTION

The Alternative Dispute Resolution (ADR) Program continued to play a vital role in the pretrial resolution of a broad range of civil matters during 2010. A total of (266) cases were referred to the ADR Program. Senior Judge Edward F. Harrington served

as a mediator, as did the magistrate judges in Boston, Worcester and Springfield. In addition to the mediations conducted by judicial officers, the court's volunteer ADR Panel members mediated a few of the cases.

BUDGET

The District of Massachusetts has an active Budget Committee with the following judicial officers participating: Chief Judge Mark L. Wolf; Judge Douglas P. Woodlock; Judge Nathaniel M. Gorton; Judge Patti B. Saris; Judge Michael A. Ponsor and Chief United States Bankruptcy Judge Henry J. Boroff. This committee reviews and approves monthly spending plans prepared by the unit executives of this court.

Several large maintenance projects were completed with Fiscal Year 2010 funds, including a complete refinishing of courtroom furniture in the Moakley Courthouse and the upgrade of the electronic evidence presentation systems in three courtrooms.

CRIMINAL JUSTICE ACT

The enactment of the Criminal Justice Act (CJA) of 1964 and its subsequent amendment in 1970 established a comprehensive system for appointing and compensating lawyers to represent financially eligible defendants in federal criminal proceedings. The CJA of 1964 authorized payment of hourly compensation rates and reimbursement of reasonable out-of-pocket expenses for appointed lawyers. It also authorized payment of expert and investigative services necessary for an adequate defense. In 1970, the CJA was amended to authorize districts to establish Federal Public Defender Organizations (FDOs) and Community Defender Organizations (CDOs) as additional options for providing defense counsel in those districts (or combinations of adjacent districts) in which at least (200)

persons annually require appointment of counsel. The District of Massachusetts has an established FDO with headquarters, in Boston, MA.

In accordance with the CJA Plan of the U.S. District Court for the District of Massachusetts, the FDO shall receive at least thirty-five (35) percent of all assignments in the Eastern (Boston) and Central (Worcester) Divisions annually. CJA panel attorneys shall receive those cases that the FDO cannot take. The District Court approves and regularly revises a list of private attorneys to serve on CJA Panels for the Eastern Division, Central Division, and the Western Division (Springfield) and a specialized panel to provide representation in habeas corpus cases. During 2010, the court completed its first full year utilizing

the court-developed CJA Assignment Program as outlined in its CJA Assignment Protocol, revised February 24, 2010. The primary goal is to maximize random assignment of attorneys and equitable distribution of cases.

During 2010, Judge Nancy Gertner continued to serve as the liaison judge for CJA matters and Attorney Peter Krupp continued as the Chair of the CJA Board along with the following attorneys: Victoria Bonilla-Argudo; Roberto M. Braceras; J.W. Carney, Jr. ; Patricia Garin; John P. Pucci; Edward P. Ryan, Jr.; A. Hugh Scott; Kathy B. Weinman; William M. White, Jr.; and Federal Defender, Miriam Conrad. The CJA Board, along with the Federal Public Defender and other members of the criminal bar, coordinated several training programs for criminal defense attorneys during the year.

National hourly rates for CJA panel attorneys were increased to \$125.00 effective January 1, 2010, along with the maximum compensation rates for appointed cases. CJA Rates and other reference documents including CJA Plan, CJA Assignment Protocol, and Travel

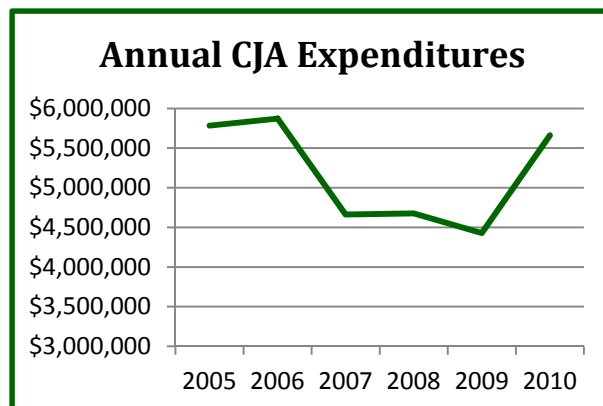
Guidelines are posted on the Attorneys' CJA Information page of the court's website. A

link to the recently released *National CJA Voucher Reference Tool* has been added to the web-page. This on-line reference tool provides quick access to the policies and procedures related to CJA cases, beginning with the appointment of panel attorneys and continuing through the processing of vouchers to the approval of payment for services rendered.

In May 2010, Judge Nathaniel M. Gorton issued a Standing Order regarding the filing of interim CJA 20 vouchers for his cases which is designed to facilitate the prompt review and payment of CJA 20 vouchers in cases involving claims for compensation that exceed the applicable statutory maximum (currently \$9,700) for felonies and non-capital post-conviction proceedings and other representations.

Helen Costello and Christine Karjel served on the National Criminal Justice Act (CJA) Voucher Policy Training Program Working Group. The national working group assisted in the development of a National CJA Voucher Policy Training program to provide the federal courts and defender organizations with the policy guidance and quality training to ensure good stewardship of Judiciary funds.

CJA Payments			
Year	Total Paid	Vouchers	Average Voucher
2010	\$5,660,339	963	\$5,877.82
2009	\$4,428,319	935	\$4,736.17
2008	\$4,676,603	1112	\$4,205.58
2007	\$4,662,262	1005	\$4,639.07
2006	\$5,872,955	1231	\$4,770.88
2005	\$5,783,294	1156	\$5,002.85



DIVISIONAL OFFICES**SPRINGFIELD**

Construction work continued in the Springfield Federal Courthouse with progress toward the completion of the fourth set of chambers. The space anticipates the next active district court judge when he/she is appointed. A fourth courtroom is expected to be completed by the end of 2012.

The courthouse hosted numerous public events, including the local Law Day celebration and the annual alumni dinner for Western New England College School of Law.

The Springfield Divisional Office of the court completed the first year of its RESTART program, culminating in a graduation celebration for six of the participants.

On March 11, May 19 and September 23, 2010, naturalization ceremonies were held in the pavilion of the courthouse. A July 4, 2010 ceremony, presided over by Judge Michael A. Ponsor, was held outdoors at the Hampshire County Courthouse in Northampton, MA.



The annual Employee Recognition Ceremony was held in May and was attended by Judge Michael A. Ponsor and Magistrate Judge Kenneth P. Neiman, Sarah Thornton, Clerk of Court and courthouse personnel. Judge Ponsor spoke and length of service pins were presented.

In December, Magistrate Judge Kenneth P. Neiman welcomed students from Pioneer Valley School for the Performing Arts to the "Open Doors to the Federal Courts" program. "Texting While Driving" was the theme of the civil negligence mini-trial that the students participated in with Magistrate Judge Neiman and his staff.

WORCESTER

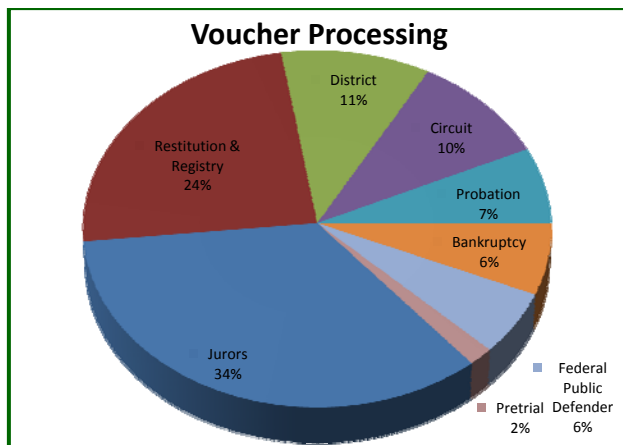
The annual Employee Recognition Ceremony was held on May 27 and was attended by clerk's office staff, the Director of Human Resources, Susan Mohr and the Chief Deputy Clerk, Rob Farrell. Judge F. Dennis Saylor, IV attended along with his chambers and addressed the staff.

On April 21, June 10 and September 29, 2010 naturalization ceremonies were held at Mechanics Hall in Worcester. Judge Kenneth P. Neiman and Judge F. Dennis Saylor, IV presided at these ceremonies at which (2,192) new citizens were naturalized.

FINANCE

The financial staff implemented PCC-OTC (Paper Check Conversion Over-the Counter) and TGANet (Treasury General Account Deposit Reporting Network), both initiatives of the United States Department of Treasury. The PCC-OTC program focuses on the collection of public monies via checks presented by customers. Under this program, checks presented to the Clerk’s office are converted to debit entry transactions or truncated to create substitute checks. The PCC-OTC program eliminated the need to make physical deposits of checks by a courier to a bank, saving the court \$1,000 per month. TGANet is a reporting mechanism for cash deposits. The financial staff also upgraded the CJA Payment System.

In 2010, the financial staff issued (27,420) payments. Restitution payments represent a significant portion of that total with (6,173) payments issued to (2,044) unique payees totaling \$5,891,731.42.



The court is fortunate to have a talented financial staff. One employee was honored by the Department of Justice and three others participated in national programs at the Administrative Office of the United States Courts.

Barbara Leboff was honored at the 2010, Crime Victims’ Rights Week, sponsored by the Office of the United States Attorney, for her outstanding work on behalf of victims. She was recognized for her consistent cooperation with the Victim Witness Staff, the FLU Staff and others in their efforts to best serve the victims of crime.

Marie O’Keefe was appointed to the District Methods Analysis Program (DMAP) Working Group on Criminal Fines and Restitution. This group, staffed by the District Court Administration Division, provides recommendations on “best practices” to improve the efficiency and effectiveness of district clerks’ office operations.

Lucien Adam was selected to participate in the Judiciary Integrated Financial Management System (JIFMS) Focus Group in the area of the Civil/Criminal Accounting Module (CCAM). JIFMS will work to streamline financial operations, eliminate costly interfaces, improve data security and controls, and position the Judiciary to take advantage of efficient financial practices like electronic payments. The focus group will assist in developing the requirements for JIFMS.

Christine Karjel, Financial Manager of the court, continued in her role as a working group member of the Electronic CJA Voucher Processing System (eCJA VPS). The working group’s role is to provide expert advice regarding the development of a system to replace the current paper-intensive CJA voucher process with modern, electronic capability. The critical objectives of the group are to recommend and critique

the system requirements and to review and comment on documents related to the

requirements and alternatives analyses.

HUMAN RESOURCES

The District of Massachusetts is committed to the principles of equality and fairness in all aspects of employment, without regard to race, color, national origin, gender, religion, age, disability and/or sexual orientation. All employment opportunities were advertised in newspapers of

widespread circulation and posted in each courthouse. In addition, job postings appeared on the website for the United States District Court for the District of Massachusetts and on the national website for the United States Courts.

Fair Employment Practices System Report
Race/Ethnicity Demographics
For 12 Month Period Ending September 30, 2010

Employees	Gender	Caucasian	African American	Hispanic	Asian	Totals
Executive	Male	1	0	0	0	1
	Female	1	0	0	0	1
Legal Professional	Male	12	0	0	0	12
	Female	29	0	2	1	32
General Professional	Male	12	1	0	0	13
	Female	27	0	0	0	27
Legal Secretary	Male	0	0	0	0	0
	Female	19	1	0	0	20
Technical	Male	15	5	1	1	22
	Female	23	3	2	1	29
Office Clerical	Male	0	0	0	0	0
	Female	1	0	1	0	2
Subtotals	Male	40	6	1	1	48
	Female	100	4	5	2	111
Grand Totals		140	10	6	3	159

A number of staffing changes took place in 2010. Several long-standing employees retired, as well as the addition of new positions. The court welcomed two new jury clerks, a computer systems administrator, docket clerk, procurement technician, financial technician, human resources specialist, and added the position of deputy assistant operations manager to our operations management team.

The clerk's office began using an electronic performance management process supported by the Administrative Office, called ePerformance. Discretionary increases in personnel compensation now will be related directly to job performance.

The clerk's office spent the last few months of the year implementing a new automated leave tracking program supported by information technology staff at the Administrative Office of the United States Courts.

IMMIGRATION & NATURALIZATION

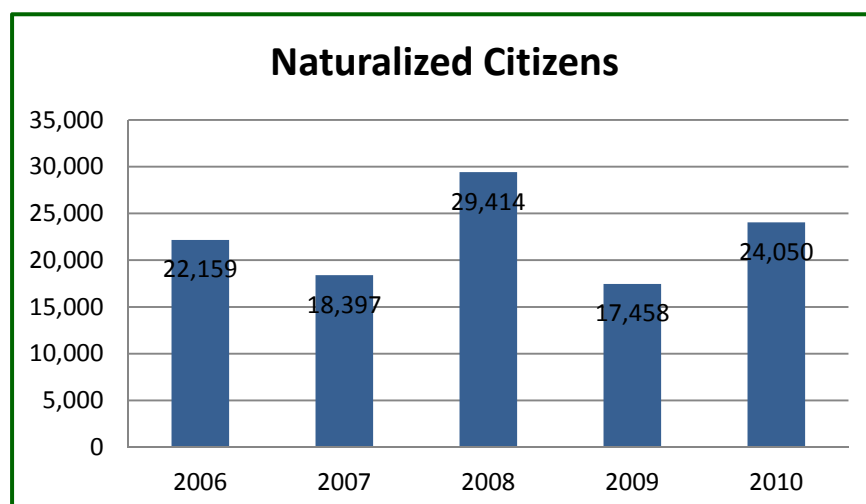
The Judges of this District conducted fifty-two naturalization ceremonies during 2010, swearing in (24,050) new citizens. The District continues to work with the United States Citizenship and Immigration Service to provide ceremonies in accessible and historically significant venues. In 2010, ceremonies were held at venues throughout Massachusetts, including each Federal courthouse, Faneuil Hall, Fenway Park, Gloucester City Hall, the Golden Stairs in East Boston, the JFK Library, the Lowell Memorial Auditorium, Mechanics Hall in Worcester, the Seaport World Trade Center, and the U.S. Constitution. While every ceremony is an important event and memorable to all in attendance, a few of particular note were held this year:

On October 12, a ceremony was held at the Golden Stairs in East Boston. Boston Mayor Thomas Menino and Victoria Kennedy spoke during the ceremony. The historic area next to the Navy Fuel Pier on Marginal Street was at one time second only to Ellis Island as a point of entry for thousands of Irish, Jewish and Italian immigrants into the U.S. during the late 1800's and early 1900's.

Across Marginal Street from the former Immigration Station building are the "Golden Stairs" named because they represented the final climb to golden opportunity in America for countless Europeans.

On September 14, Judge Nancy Gertner presided over our largest ceremony of the year held at Fenway Park. Secretary of Homeland Security, Janet Napolitano, and Red Sox CEO, Larry Lucchino, spoke during the ceremony and (5,211) petitioners were sworn in as United States citizens.

A video commemorating the event was produced by the Red Sox and is available at: http://mlb.mlb.com/video/play.jsp?content_id=12093217



INFORMATION TECHNOLOGY (IT)

CM/ECF

The District Court maintains a 24/7 presence on the Internet through our CM/ECF (Case Management/Electronic Case Filing) and the national PACER (Public Access to Court Electronic Records) Systems. Through these systems, litigants and the public can access court records from any computer connected to the Internet. In addition to the CM/ECF system, the District Court maintains both the financial system (FAS4T) and messaging system (Lotus Notes) for the other court units in the District of Massachusetts.

In March, CM/ECF was upgraded to version 4.1.1. The new version included numerous application updates as well as a host of new features. New features allowed integration with applications for the Probation Department, the Pretrial Services Department and the Court of Appeals, along with announcement e-mail capability to all system users, interface upgrades, additional reporting features, functional testing improvements, and improved quality control tools. The system included many enhancements to document management, including document appendix creating and linking, proper document pagination and multiple document printing.

CM/ECF and all supporting applications were migrated to new G6 cyclical replacement servers in August. This was a time intensive project that requiring careful inter-disciplinary planning and support. The project required electrical upgrades to the server room, complete reinstallation of application databases and server software,

migration of existing data, accounts, security infrastructure and external data connections. Several applications were modified to accept the new configuration including our jury management system, the court electronic organizer (calendaring) and our public access terminals.

COURTROOM TECHNOLOGY (IT)

Our courtroom technology projects provide state of the art electronic evidence presentation systems in all district judge courtrooms throughout the district. These systems are used by all parties to effectively transmit documents and multi-media evidence to all participants, including the judge, attorneys, witnesses and jurors. New evidence presentation systems were installed in courtrooms 4 and 21 and upgraded audio systems were installed in twelve courtrooms in Boston and Worcester.

Preparations began for new evidence presentation systems in courtrooms 9, 10, 19, courtroom 2 in Worcester, and new audio systems for courtrooms 8, 17, and 20 in Boston.

IPAD IMPLEMENTATION

iPads were purchased for participating judges in December and integrated with Lotus Notes for email and calendaring. Applications were tested for managing files, viewing documents and remote control of desktop computers.

NETWORKS

After significant design and preparation, all of the court's active workstations and users were migrated to a new network operating system. This included the installation of two servers in each of our three locations for purposes of redundancy and fault tolerance. Users can now access their data seamlessly in all three offices.

THE COURT'S WEBSITE (IT)

BrowseAloud was added to the court's public website. This is a program that works with web browsers to read web pages aloud. Once installed, a computer-generated voice reads the selected text. The text is also highlighted as it is read. BrowseAloud can be a useful tool for persons who may have difficulties reading text online.

INTERNAL CONTROLS

In a continuing effort to improve and develop tools and methodologies that strengthen the policies and procedures used to safeguard public assets, the Internal Controls Analyst (the analyst), in conjunction with the Chief Deputy Clerk, implemented the Internal Controls Evaluation (ICE) program. Developed by the Administrative Office of the United States Courts to aid in the monitoring and mitigation of segregation of duties issues, ICE also provides data-mining functions, and was used in conducting analysis of information system based financial transactions. Computer software was incorporated within the internal controls program to increase the efficiency and effectiveness of planning and conducting risk assessments and audits.

Throughout the year, the analyst performed research and issued a special report on CJA

attorney billing hours, conducted internal control evaluations on finance related operations at all offices of the district court and Pretrial Services, audited the Attorney Admissions Fund, and provided verification of the raw data and formulas used by the AO to determine the district court's FY 2010 allotments. Security monitoring of the accounting system was performed on a monthly basis, and the process of writing new control procedures for the district court's financial operations was initiated.

The analyst completed continuing education course work from the American Institute of Certified Public Accountants with a focus on developing controls for the detection of common frauds in the areas of purchasing, cash transactions and inventory.

INTERNATIONAL VISITING JUDGES AND LEGAL SCHOLARS

Just as in years past, the court hosted many visiting Judges from other countries in 2010.

In February and April, two different groups of judges from South Korea visited. During their visit, the judges observed jury trials heard in the courtroom of Judge William G. Young, and then had an opportunity to visit with Judge Young and his staff. In March, judges of the Japanese judiciary visited and observed a criminal jury trial in the courtroom of Judge Douglas P. Woodlock. They also met with Judge Rya W. Zobel and Magistrate Judge Marianne B. Bowler.

Robert Cordy, Associate Justice of the Supreme Judicial Court for the Commonwealth of Massachusetts escorted Tatyana Andreyeva, Deputy Chief Judge of the Russian Federation (RF) Supreme Arbitrage Court to meet with the judges of this court. Judge Andreyeva is the chair of the committee charged with redrafting their Judicial Code of Conduct.

During May, Judge Nancy Gertner hosted a delegation of Chinese judges traveling in this country as part of a program involving the International Judicial Academy and the Chinese People's Court.

The Fletcher School at Tufts University brought three separate groups of judges from Mexico, totaling over 120 visitors, to the Court in June and July. Each group had the opportunity to observe a jury trial and then meet with the presiding judicial officer.

In September, ten judges from Taiwan spent a day at the courthouse, observing a jury trial and visiting with Judge Rya W. Zobel and Magistrate Judge Marianne B. Bowler.

The last group to visit in 2010 included five judges from the Ukraine. During their visit, the group met with Magistrate Judge Marianne B. Bowler and Chief Judge Sandra Lynch, the Chief Judge of the Court of Appeals for the First Circuit.



INTERPRETER SERVICES

Court interpreters were provided by the Court for (436) litigants in court proceedings in FY 2010. Of those, (305) or 70% were for the Spanish language. The remaining (131) or 30%, required interpreters for (8) other languages. A total of \$107,984 was spent on interpreting services in FY 2010, an increase of \$16,637 or 8½% from 2009 when \$91,347 was expended on interpreting services.

Language	In-Court Events	Out-of Court Events
Cantonese	3	2
Creole (Hatian)	2	1
Italian	16	0
Mandarin	15	0
Polish	2	0
Portuguese	39	0
Russian	2	0
Spanish (Certified)	293	1
Spanish (Non-Certified)	12	0
Vietnamese	53	0
FY 2010 Totals	436	0

JUDICIAL OUTREACH

An exhibit at the Moakley Courthouse by acclaimed photographer Michal Ronnen Safdie of her travels to Rwanda and Darfur (*Rwanda: After; Darfur: Now*) was presented as the starting point for a discussion about the genocides in Rwanda and Darfur, and the possible implications for violence in Boston and other cities in the United States.

Two seminars were hosted by the district court. The first was geared toward high school students, during which the participants heard from Claude Kaitare, a survivor of the Rwandan genocide.

The second was a collaborative effort between the district court and many local bar associations and community groups. Moderated by Chief Judge Mark L. Wolf, the speakers included: Amaka Megwalu (Harvard Law School '10); Dr. Gloria White-

Hammond (Massachusetts Coalition to Save Darfur and My Sister's Keeper); and Reverend Jeffrey L. Brown (Boston Ten Point Coalition). Respondents to the panel were: Nora Baston (Deputy Superintendent, Boston Police Department); Dr. Lin Piwowarczyk (Boston Center for Refugee Health and Human Rights); and Taisha Sturdivant (Brandeis University '11).

The district court began its Speaker Series in November, 2010 with a presentation on "Deterrence and Crime Prevention – Reflections for the Federal Court," by David Kennedy, Professor, John Jay College of Criminal Justice and Director of the Center for Crime Prevention and Control.

LINDSAY FELLOWSHIP PROGRAM

Following Judge Reginald C. Lindsay's untimely death in 2009, this Court established an educational student fellowship in his honor. The Lindsay Fellowship is designed to assist college sophomores or juniors who express a strong interest in law school. Although first preference is given to past Nelson Fellows, any college student with an interest in the law may apply.

The Fellowship is an intensive two month program. During the first month, the fellows attended a four week class on Legal Research and Writing, taught by a local law school professor, observed court proceedings in the district court and the court of appeals and visited other courts. During the second month, the Fellows spent four weeks in either the Office of the United States Attorney or the Federal Public Defender Office. The Fellows returned to the district court after their month in the other offices to compete in a moot court proceeding, arguing a motion they had prepared as part of their legal research and writing class.

The Lindsay Fellows are living proof of Judge Lindsay's favorite anecdote. He would tell incoming Nelson Fellows that although science had proven that the bumblebee cannot fly, through their perseverance, bumblebees do indeed fly. Through their hard work, the Lindsay Fellows, too, are determined to fly and overcome any obstacle life may have placed in their path.



NELSON FELLOWSHIP PROGRAM

The Nelson Fellowship Program graduated (15) students in 2010, one of the largest classes to date. That number included four students in our divisional offices - one assigned to each judicial officer in Worcester and in Springfield.

During the 2010 term, the Fellows attended educational programs, met with civic leaders and performed public service. One of the highlights of the term was going to the "Future Stars" camp and working with the children there.

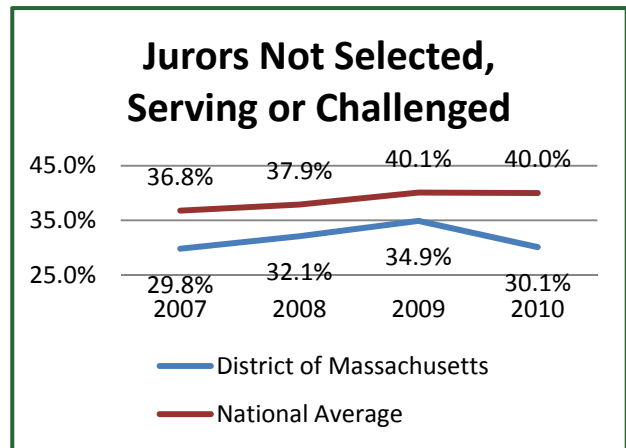
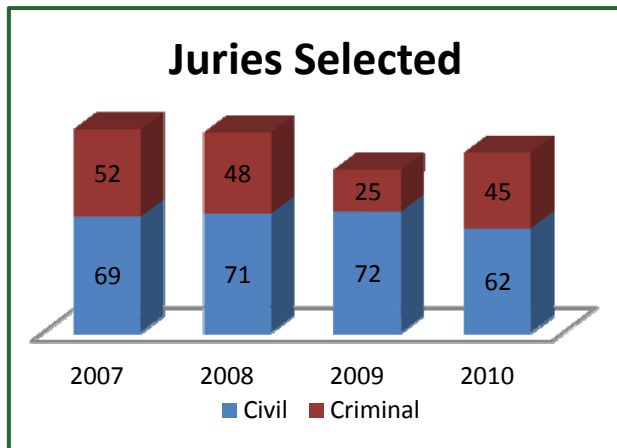
The Fellows also toured a number of area colleges: Brown University; University of Massachusetts (Amherst); Amherst College; Boston University; Boston College and Brandeis University. As part of their consideration of higher education, the Fellows visited Bottomline, a local organization whose mission, in their words, "is to help disadvantaged high school students get in to college, graduate, and go far in life." The culmination of the summer was a mock trial, in which the Fellows competed against students in the Massachusetts State Court's Judicial Youth Corps.

JURY

The jury department continues to exemplify the customer service mission of the U.S. District Court. Jurors consistently respond with positive feedback regarding their experience during their service. In 2010, the District sat (107) juries, (62) civil and (45) criminal.

The jury department strives to minimize the number of citizens called to jury duty but

not utilized. A total of 30.1% of petit jurors present for jury selection in the District of Massachusetts in 2010 were "not selected, serving or challenged (NSSC) on the first day of jury service." This was a decrease from the Court's 34.9% reported in 2009. The District is well below the national average for 2010 of 40.0%. The Judicial Conference had set an approved utilization goal of 30% or less for 2010.



OFFICIAL COURT REPORTERS

As indicated in the table below, the in-court hours during 2010 decreased from 2009 by 2.1%. The total number of original transcript pages produced in 2010

increased by 12.3%. On average, reporters spent 383 hours in court and produced 9065 original transcript pages in 2010.

Official Court Reporters				
	2007	2008	2009	2010
In-Court Hours	6,438	6,437	5,490	5,373
Original Transcript Pages produced	114,644	138,356	113,038	126,911

OPERATIONS AND STATISTICS

The operations section of the clerk's office is responsible for civil and criminal case processing and management. The courtroom deputy clerks assigned to district judges and magistrate judges manage the judges' calendars and cases. The docket deputy clerks focus on quality assurance and maintaining the electronic case docket and file. The data quality analysts focus their efforts on the more complex issues affecting case openings, case closings and statistical reporting.

The operations section statistics team review and compare our local statistical reports with the national statistical reports provided by the Administrative Office (AO). These statistics are used for all reporting required by Congress, the Judicial Conference and the Administrative Office of the United States Courts. The data can affect judgeships, staffing and the budget of the court.

The processing and transmittal of appeal records to the First Circuit Court of Appeals (COA) electronically, which was begun in 2009, provides a more efficient way of transmitting appeal records, and has produced significant savings consistent with the cost containment initiatives of the Judiciary. The exceptions to the electronic

transmittal of files are *pro se* cases and sealed cases. These are provided to the Court of Appeals on paper.

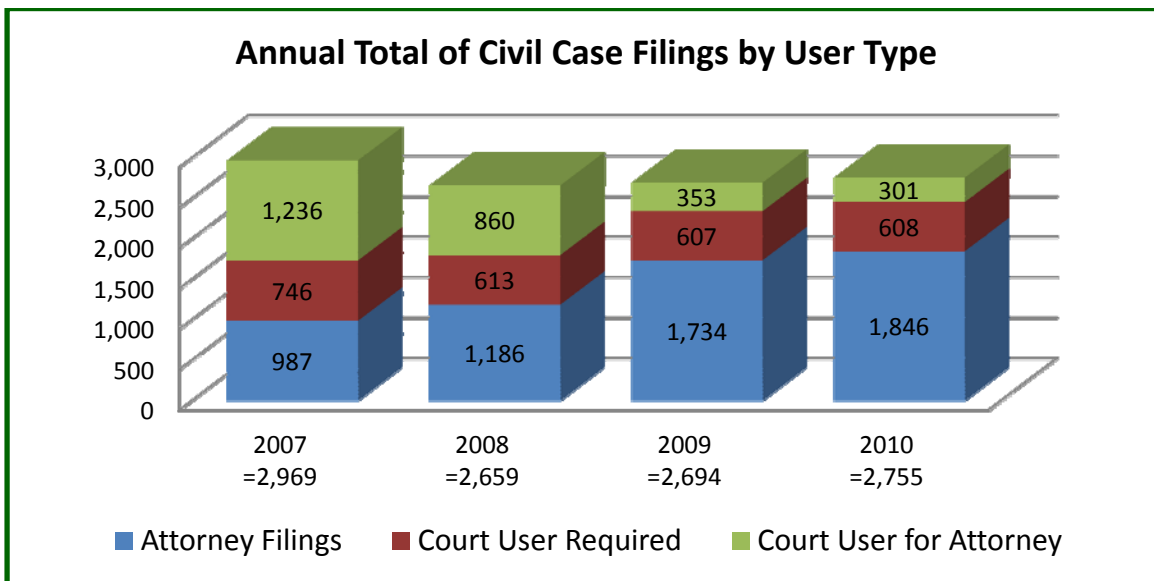
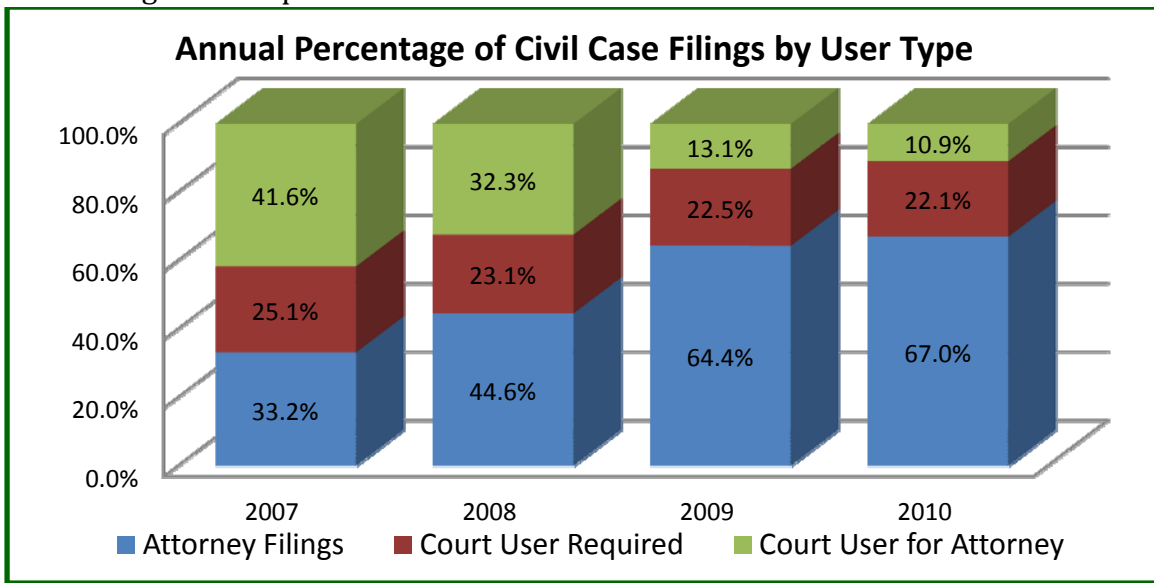
Due to the increased availability of technology in the courtrooms in Boston and the divisional offices in Springfield and Worcester, videoconferencing between divisions has increased. Videoconferencing has been used to accommodate the schedules of counsel, pretrial services and the United States Marshals Office when defendants are arrested or brought into one divisional office, while other participants including the magistrate judge may be in another office in the District.

Set forth below are caseload statistics that compare several areas of court activity from 2007 through 2010. It is important to note in these comparisons that data compiled by the Administrative Office of the U.S. Courts provides the average for the District of Massachusetts by dividing the time reported by each judge in the District by the authorized judgeships in the District. The district had a vacancy from May 2009 until December 2010. The lower statistical averages for trials held and time in court during 2009 and 2010 reflect the decreased number of judges.

CASE FILINGS

The Case Management/Electronic Case Files (CM/ECF) system is the automated tool used for electronic case filing and case management. Attorneys with CM/ECF filing access are required to file all documents electronically. In 2007, this represented about 35% of all electronic filings into the CM/ECF system. Requirements for electronic filing were expanded in 2009 to

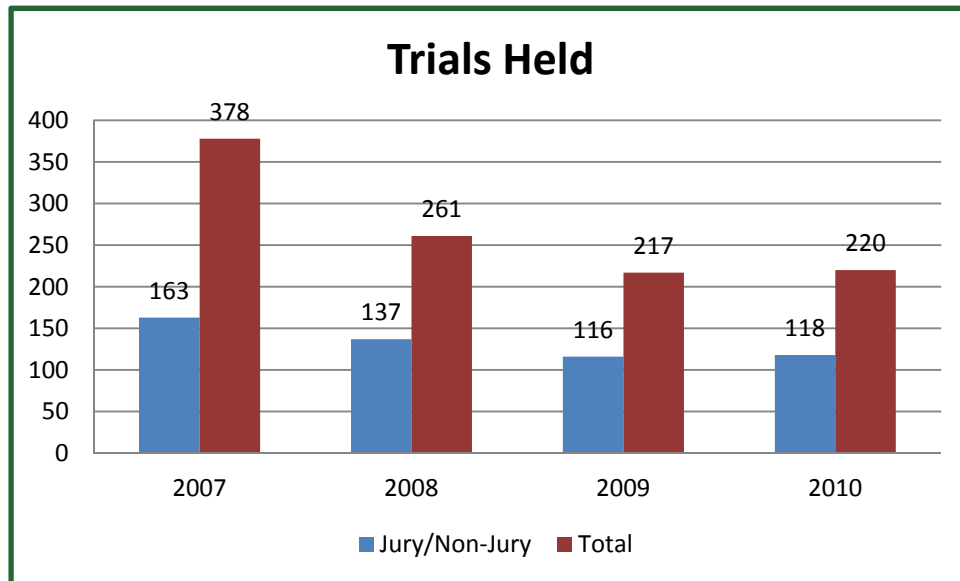
include all new civil cases filed by attorneys and the electronic payment of filing fees by credit card through CM/ECF. Electronic filing by attorneys was further expanded in 2010 to include non-sealed miscellaneous cases. By the end of 2010, 67% of all new civil case filings were filed electronically by attorneys.



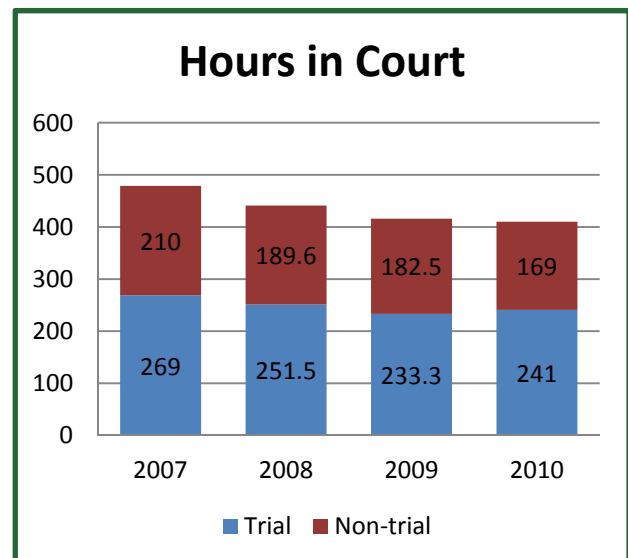
TRIAL AND HOURS IN-COURT ACTIVITY

The total number of trials (hearings involving the presentation of evidence) conducted by the District Judges of this court increased 1.3% from (217) in 2009 to

(220) this past year. Similarly, the total number of jury and non-jury trials started during this period increased 1.7% from (116) in 2009 to (118) in 2010.



The total in-court hours for District Judges fell 1.2% from (5,406) in 2009 to (5,340) in 2010. Hours on trial increased 3.4% (3,033) in 2009 to (3,137) in 2010. The total amount of in-court hours spent on matters other than trials decreased from (2,372) in 2009 to (2,202) in 2010, a drop of 7.1%. The District continued to eclipse the national average of trial hours reported by active judges in 2010¹, averaging (241) trial hours per judgeship compared to (207) hours nationally.

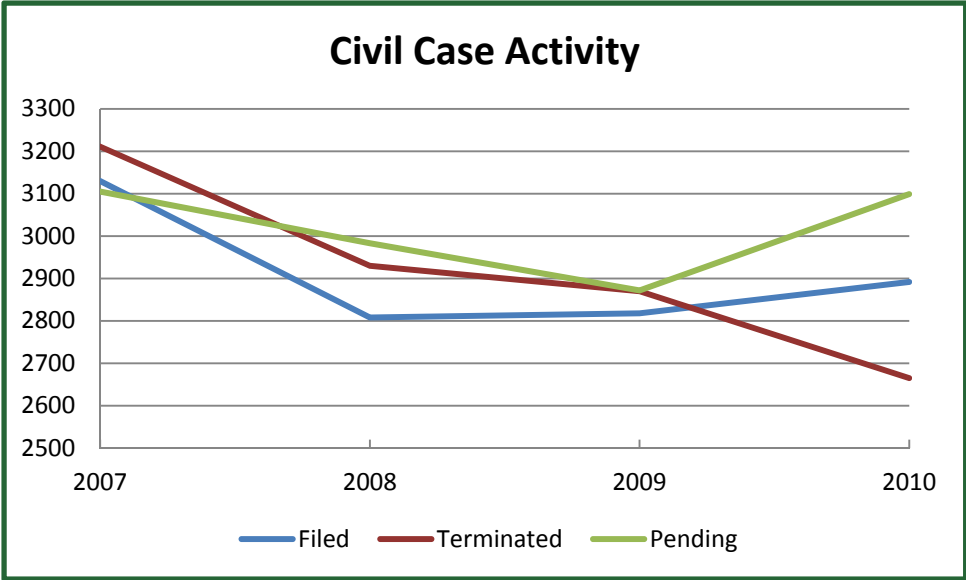


¹ The 2010 trial hours by active judges in the District of Massachusetts, when calculated using the current number of judges instead of judgeships (12 not 13) results in average trial hours per judge of (261) and average non-trial hours of (184).

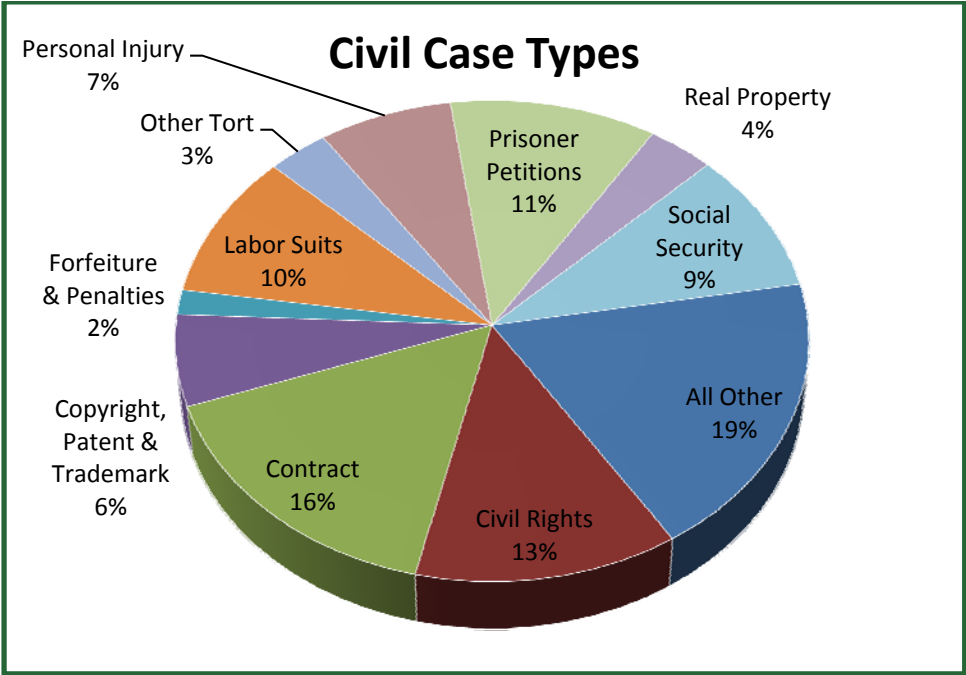
CIVIL CASELOAD

During 2010, (2,892) civil cases were filed in the District of Massachusetts, (2,665) civil cases were terminated and at years end, (3,099) civil cases were pending. Civil

filings increased 2.6% from (2,818) in 2009 to (2,892) in 2010. This increase was below the national trend which showed an overall increase of 5.2% for 2010.



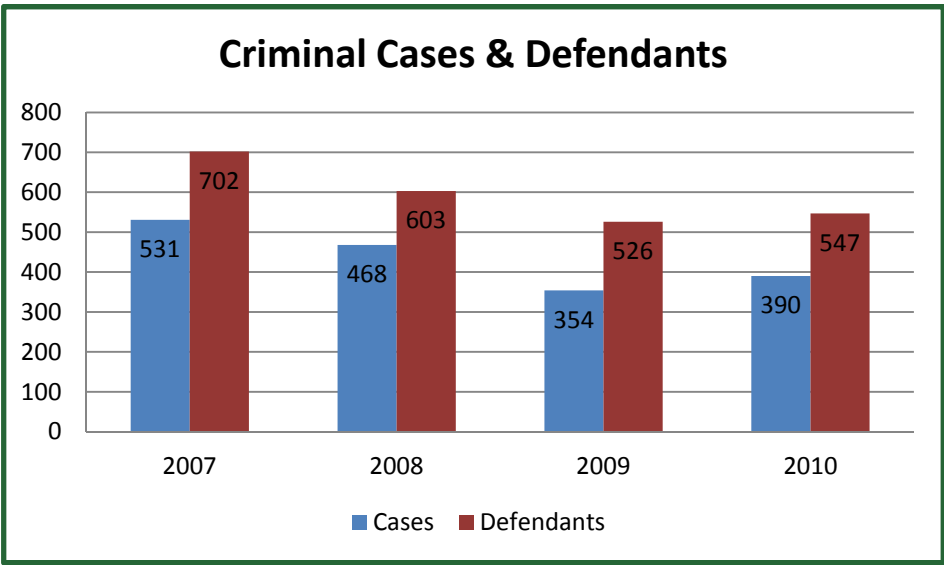
For 2010, the civil filings consisted of the following case types:



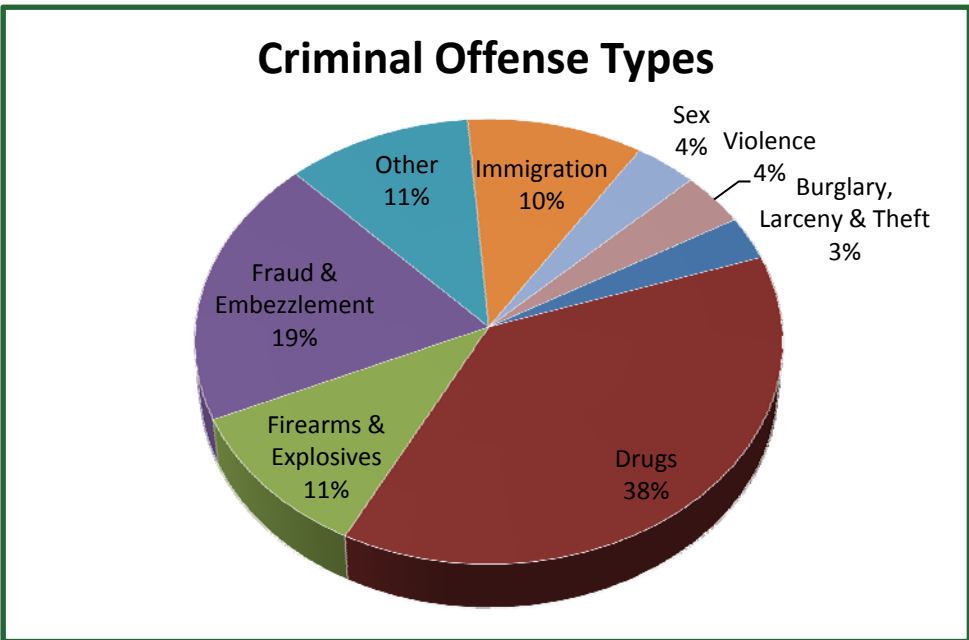
CRIMINAL CASELOAD

The District of Massachusetts opened (390) criminal cases in 2010, involving (547) criminal defendants. A total of (340) criminal cases and (498) criminal defendants were closed in 2010. At year's end, (595) criminal cases and (907) criminal defendants were pending. Criminal case filings increased 10.2% from

(354) in 2009 to (390) in 2010, substantially higher than the national increase of 2.2% for 2010. The number of new criminal defendants commenced in 2010 increased 4% from (526) in 2009 to (547) in 2010, also above the national average of a 2.5% increase.



For 2010, the criminal case filings consisted of the following case types:



PRO SE STAFF ATTORNEYS

The Pro Se Staff Attorneys provide support to the district court and magistrate judges in civil cases in which a plaintiff seeks in forma pauperis status and/or is proceeding pro se. In 2010, prisoners and other detained persons filed (370) lawsuits in the District of Massachusetts. Approximately (258) additional cases were filed by non-

prisoner indigent plaintiffs. The Pro Se Staff Attorneys assist in the administration of the court's pro bono program for civil cases. New pro bono appointments were made in (8) cases in 2010. Pro bono counsel continued to represent clients in (20) additional cases that were pending prior to 2010.

REENTRY PROGRAMS

ASSISTED RECOVERY EFFORT (CARE)

The CARE Program - The Court Assisted Recovery Effort (CARE) continued to succeed in 2010. At the third annual graduation in November 2010 the Director of National Drug Control Policy, Executive Office of the President, also referred to as the "Drug Czar", R. Gil Kerlikowske spoke and strongly endorsed the court's reentry programs. CARE continued to attract the interest of other districts.



REENTRY: EMPOWERING SUCCESSFUL TODAYS AND RESPONSIBLE TOMORROWS (RESTART)

First authorized in 2009, RESTART, an acronym for Reentry: Empowering Successful Todays And Responsible Tomorrows, a program for high risk offenders is presided over by Magistrate Judge Timothy Hillman. He is assisted by the United States Probation Department. The goal of RESTART is to reduce recidivism and reintegrate ex-offenders into the community with an emphasis on employment skills.

The following agencies and organizations have made presentations at our RESTART

court sessions and continue to offer support services to our participants:

Massachusetts Rehabilitation Commission
 Massachusetts Department of Revenue
 Massachusetts Registry of Motor Vehicles
 Legal Advocacy and Resource Center
 Aids Action Committee
 City of Boston Street Workers

In addition to the above agencies, the program has been the beneficiary of significant assistance from the Federal Bar Association, the Boston Bar Association and the Massachusetts Black Lawyers Association. The Boston Bar Association

sponsored a two evening program on financial literacy which was mandatory for all RESTART participants. The Federal Bar Association and the Massachusetts Black Lawyers Association canvassed their membership in order to provide suitable work clothing for a clothes closet in the

probation department as part of a 'Dress for Success' initiative. The Federal Bar Association and Massachusetts Black Lawyers Association have each set up mock job interviews and job interviewing coaching programs for RESTART participants.

TRAINING

A number of courses were offered to court staff, attorneys and others during 2010. Employees took part in classes on topics ranging from the Code of Conduct, Business Writing and Grammar Skills, to a session on Wellness and Health taught by a local nutritionist. Technical sessions were also offered to chambers and operations staff on CEO (Chambers Electronic Organizer), and to financial staff on new functions of CCAM(Civil/Criminal Accounting Module). The human resources section offered training on the Administrative Office's HRMIS software, as this court moved to an automated system to manage employees' leave.

A stress management series was offered to employees during the year. Two sessions were provided to help educate employees on how to manage stress and balance work and family issues.

The finance section conducted workshops for judicial assistants and other court staff who travel as part of their work. During these sessions, students reviewed the travel guidelines of the Administrative Office of the United States Courts, and learned how to prepare travel vouchers properly.

CM/ECF classes were again offered once a month throughout the year for attorneys and/or their support staff.

A variety of training tools were used to conduct these programs: Administrative Office and Federal Judicial Center sponsored workshops (in person, webinars and e-learning modules); the Federal Judicial Television Network, the Human Resources Academy, Judiciary Online University and local staff trainers.

Over the course of the year, (155) training sessions were offered, totaling (1370) hours of training.

OBSERVANCES

INDUCTION

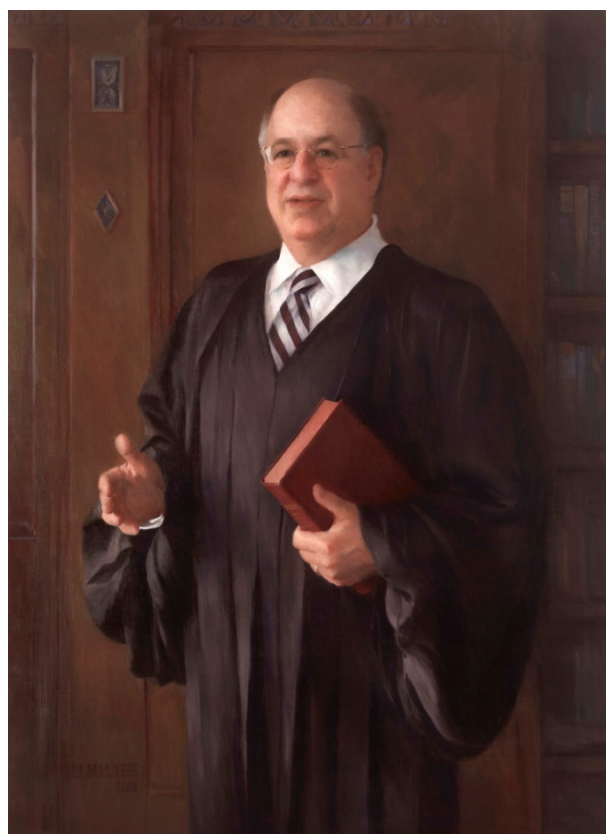
Magistrate Judge Jennifer C. Boal – On June 16, 2010, the court hosted a swearing-in ceremony for the newest member of the

bench, Magistrate Judge Boal. The ceremony included tributes and well wishes from former colleagues, friends and family.

PORTRAIT CEREMONIES

Chief Judge Mark L. Wolf – Chief Judge Wolf's portrait was unveiled on June 4, 2010. The ceremony included presentations from Judge Woodlock, Massachusetts Appeals Court Judge Scott Kafner, former law clerk Lauren Popper Ellis Esq., William Lee Esq., Ms. Hilani Morales and the Judge's sons, Jonathan and Matthew. The ceremony was graced with a moving performance by cellist Yo-Yo Ma. Chief Judge Wolf's portrait is hung in Courtroom 11.

Chief Judge Wolf's portrait was painted by Mary Minifie, a graduate of Wellesley College and Boston University School of Visual Arts. She later studied extensively the classical realism of the Boston School tradition. Her work reflects her love and study of the great masters in the history of painting. Mary has published articles, illustrated books, and won numerous awards. Her commissions include the Boston Ballet, Montefiore Hospital, the National Cathedral in Washington, Alden Labs, and many private works. Mary is a member of the Guild of Boston Artists and the Portrait Society of America, and lives in Groton, Massachusetts.



Judge Reginald C. Lindsay – On September 24, 2010, the court celebrated the years of life and legacy of Judge Lindsay, with the unveiling of his portrait. The ceremony expressed the gratitude of the court, bar and public for Judge Lindsay's persistent optimism and dedicated public service. The Lindsay Fellows program was initiated in 2010 to represent the enduring endowment of Judge Lindsay. Judge Lindsay's portrait is hung in Courtroom 11.

Judge Lindsay's portrait was painted by Simmie Knox, a graduate of Tyler School of Art at Temple University (BFA, Magna Cum Laude, MFA) in Philadelphia, Pennsylvania. Simmie Knox as an artist has specialized in oil portraiture since 1981. Prior to that, he taught at various colleges, universities, and public schools in Delaware, Pennsylvania, Maryland and Washington, D.C. He turned to portraiture after years of painting a wide variety of paintings because he found that there is nothing more challenging and interesting to paint than the human face. He states, "I think that a good portrait is the most difficult thing for an artist to bring off successfully. Not only must you get an accurate likeness, but you must also create a good painting. Somehow you must convey a subject's character, spirit and personality and everything must communicate the dynamism of the subject."



Simmie has been commissioned by private individuals, organizations and institutions and has painted portraits of President William Jefferson Clinton, then First Lady Hillary Clinton, a United States Supreme Court Justice, a United States cabinet member, United States congressmen and state senators, a mayor of New York City, respected civic leaders, sports figures, entertainment celebrities, educators, judges, religious leaders, military officers, businessmen and private individuals.

REMEMBRANCES

Judge Morris E. Lasker – A ceremony was held in memory of Judge Lasker on April 20, 2010. Family, friends and a host of colleagues joined in the celebration of the contributions Judge Lasker made to the federal bench. Judge Lasker will always be remembered for personally touring jails in New York City prior to rulings in cases involving both Riker’s Island and the “Tombs.”

Tony Torosian – On April 15, 2010, the District Court celebrated the memory of long time court watcher Tony Torosian. The court honors its duty to maintain free and open public access to proceedings. Mr. Torosian exemplified the citizen observer. He was a well regarded member of the court community and his presence is missed.