

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ANNUAL REPORT

2012



Prepared by the Office of the Clerk

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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS****DISTRICT JUDGES**

Mark L. Wolf, Chief Judge

Joseph L. Tauro

Nathaniel M. Gorton

George A. O'Toole, Jr.

Rya W. Zobel

Richard G. Stearns

F. Dennis Saylor, IV

William G. Young

Patti B. Saris

Denise J. Casper

Douglas P. Woodlock

Timothy S. Hillman

SENIOR DISTRICT JUDGES

Edward F. Harrington

Michael A. Ponsor

MAGISTRATE JUDGES

Leo T. Sorokin, Chief Magistrate Judge

Robert B. Collings

Kenneth P. Neiman

Jennifer C. Boal

Marianne B. Bowler

Judith G. Dein

Jerome J. Niedermeier
(recalled)

**OFFICE OF THE CLERK
MANAGEMENT TEAM**

Sarah Allison Thornton
Clerk of Court

Robert M. Farrell, Chief Deputy Clerk

Stuart J. Barer, Information Technology Manager

Michelle Rynne, Operations Manager

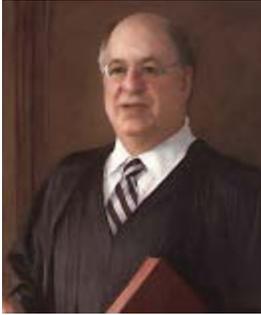
Christine L. Karjel, Financial Manager

Susan J. Mohr, Human Resources Director

Robert C. Alba, Central Division (Worcester) Manager

Bethaney A. Healy, Western Division (Springfield) Manager

MESSAGE FROM THE CHIEF



As the poet John Donne wrote, "No man is an Island." The United States District Court recognizes that it is not an island either. Rather, the judges of this court realize that as we strive to administer the highest quality of justice for the people in the cases before us, we are also providing an inspiring example to embattled women and men who are struggling to give integrity to the ideal of Equal Justice Under Law under hostile conditions throughout the world.

In addition to discharging their duties efficiently and effectively here, in 2012 judges of this court worked in Russia, Turkey, the Czech Republic, Slovakia, Romania, and Africa, speaking about the role of the judge in a democracy, combating corruption, and improving respect for human rights. I have worked in several of these countries, among others. I regularly return with both a heightened appreciation for the opportunity to be a federal judge in the United States and a heightened sense of responsibility to perform in a way that is worthy of admiration by our courageous colleagues abroad. In 2012, we also used our magnificent courthouses to host judges from South Korea, Mexico, the Czech Republic, and Brazil, and students from many countries as well. We even employed our state of the art video-conferencing technology to present a joint program on promoting impartiality in the judiciary for law students in Boston and Slovakia.

I am regularly told that the openness of our proceedings, the fairness of our processes, the excellence and energy of our lawyers, and the service of citizens as jurors are all inspiring. In addition, our innovative programs, like our model Drug Re-Entry Court, our Judges David S. Nelson and Reginald Lindsay Fellowship Programs for high school and college students, and Discovering Justice demonstrate our dedication to promoting more justice than can be achieved in deciding cases alone.

The judges of this court remain fortunate to work with talented staff, who share our dedication to meeting the highest standards. We benefit enormously from the exceptional lawyers who work so closely with us outside the courtroom as well as in it.

In past reports I have noted that Jeremy Bentham was right when he wrote that: "The law is not made by the judge alone. It is made by the judge and company." As I end my tenure as Chief Judge, I now fortunately feel that for us "the law is made by the judge and family." It has been a privilege and pleasure to serve this judicial family. I will be forever grateful for that opportunity and honor.

JUDICIAL ACCOMPLISHMENTS

Judge William G. Young received the “Great Friend of Justice” Award from the Massachusetts Bar Foundation. He was also named an honorary member of Harvard’s Phi Beta Kappa Charter. In addition to his caseload here in Massachusetts, Judge Young has assumed responsibility for cases from the District of Connecticut, the Western District of Tennessee, and the Northern District of New York. He hosted, for over one month, four Japanese judges studying at Harvard.

Judge Douglas P. Woodlock continues to serve on the Judicial Resources Committee of the United States Judicial Conference. He jointly delivered with Supreme Court Justice Stephen Breyer, one of the annual Lowell Lectures, a lecture series established in 1836. Their presentation on the creation of the new federal courthouse was part of the 2012-2013 Boston Public Library program “Building Boston,” described as “a citywide celebration of Boston’s public spaces, the architectural and cultural cornerstones that have provided a place for generations to build and share community.”

Judge Nathaniel M. Gorton chaired a discussion of the latest developments in health care fraud enforcement at the Bench/Bar Conference in October. He continues to serve on the Judicial Conference Committee on Inter-circuit Assignments and has served as the welcoming judge and as a presiding judge at the Discovering Justice Mock trials in May and December.

Judge Richard G. Stearns presided over patent-related cases in the Southern District of New York at the request of the Committee on Inter-Circuit Assignments. He sat by invitation on the Third Circuit Court of Appeals in Philadelphia and lectured twice during the year at the Justice Academy in Ankara, Turkey, at the invitation of the U.S. Department of State and the Republic of Turkey. Judge Stearns carried out rule of law assignments for the Department of Defense in Djibouti City, Africa, and Sofia, Bulgaria; lectured for the Foundation for Research on Economics and the Environment in Bozeman, Montana; continued service as a Trustee of the Vincent service at Massachusetts General Hospital and as Chair of the Vincent Center for Reproductive Biology. He continued judicial oversight of the A. David Mazzone prostate cancer research awards program administered by Dana-Farber Hospital; and completed his eighth year of judicial oversight of the Boston Harbor-Charles River-Mystic River cleanup project to 85 percent completion.

Judge Patti B. Saris continues to serve as the Chair of the United States Sentencing Commission, and as a member of the Board of Directors for the Federal Judges Association.

Judge Denise J. Casper chaired the Court’s second Bench and Bar Conference, entitled “Changing Landscapes in Law, Legal Practice and Beyond.” The conference was held October 18-19, 2012 at the Newton Marriott. The key note speakers included Jeffrey Toobin and Dean Erwin Chemerinsky, and featured panel discussions on a wide variety of topics. The conference was attended by 330 attorneys and judges.

Judge Timothy S. Hillman was confirmed by the Senate on June 4, 2012 and received his commission on June 6, 2012. A public induction ceremony was held in Worcester on September 6, 2012.

Judge Michael A. Ponsor serves as chair of the Judicial Conference Committee on Space and Facilities. His portrait was presented to the court at a ceremony held in Springfield on June 5 and attended by many of his colleagues and former law clerks. Judge Ponsor continues to oversee the

construction and finishing of the fourth courtroom in the Springfield courthouse. He also continues his participation in the successful RESTART program.

Magistrate Judge Judith G. Dein continues to serve as a faculty member at the Harvard Law School Trial Advocacy Workshop and as a Trustee of the Massachusetts Bar Foundation. She served as a panelist on both the Massachusetts Continuing Legal Education Business Litigation Conference and the Boston Bar Association's Fee Petition program.

JUDICIAL CONFERENCE

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

Judge Douglas P. Woodlock	Committee on Judicial Resources
Judge Nathaniel M. Gorton	Committee on Inter-Circuit Assignments
Judge George A. O'Toole	Committee on the Administration of the Magistrate Judges System
Judge F. Dennis Saylor, IV	Committee on Defender Services
Judge Michael A. Ponsor	Chair, Committee on Space and Facilities
Magistrate Judge Marianne B. Bowler	Committee on International Judicial Relations

LOCAL COMMITTEE AND LIAISON ASSIGNMENTS

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

Judge George A. O'Toole	Civil Pro Bono and Pro Se Office Happy Observances Alternate, Court Security Alternate, GSA - Space and Facilities Member, Attorney Admissions Fund Committee Automation and Information Systems Member, IT Committee
Judge F. Dennis Saylor, IV	The Central Division (Worcester) Chair, Committee on Rules and Practice Bankruptcy Court Member, Committee on Court Security Member, Committee on the Jury The Federal Public Defender The Criminal Justice Act Panel
Judge Denise J. Casper	Reporter to the Court Member, Nelson and Lindsay Fellows Committee The Jury Pool
Judge Timothy S. Hillman	Chair, IT Committee Member, State Courts Committee
Judge Michael A. Ponsor	The Western Division (Springfield) Member, Budget Committee Member, Committee on Court Security
Chief Magistrate Judge Leo T. Sorokin	Member, Committee on Court Security Member, Criminal Justice Act Plan Committee
Magistrate Judge Marianne B. Bowler	Member, Alternative Dispute Resolution Committee
Magistrate Judge Judith G. Dein	Member, Committee on Rules and Practice Chair, Nelson and Lindsay Fellows Committee

THE DISTRICT AT A GLANCE

ALTERNATIVE DISPUTE RESOLUTION

This district continues its commitment to the Alternative Dispute Resolution program (ADR). The program plays an important role in the resolution of civil cases prior to trial. A total of 316 cases were referred to the ADR program, a slight increase from last year. Senior Judge Harrington and all the magistrate judges served as mediators.

BUDGET

The District of Massachusetts has an active Budget Committee consisting of Chief Judge Mark L. Wolf, Judge Douglas P. Woodlock, Judge Nathaniel M. Gorton, Judge Patti B. Saris, Judge Michael A. Ponsor and Chief Bankruptcy Judge Frank J. Bailey. The committee reviews and approves a spending plan prepared by the court's unit executives.

It was a challenging year for the budget committee and the court's budget personnel. The court was not fully funded until February 2, 2012, well into the fiscal year. Prior to that date, the court operated under a continuing resolution at the same funding levels as had been set for the prior fiscal year. All court units exercised restraint in spending decisions until they received the full-year appropriation as enacted by Congress. Nationally, final allotments were approximately 5 percent below the prior fiscal year. The financial plan reduction from full formula requirements was 10 percent. The plan applied a 10 percent straight across-the-board reduction to both salary and non-salary allotments, a 15 percent reduction to cyclical facilities maintenance allotment and 75 percent reduction to the tenant alterations allotment.

In the spirit of cooperation, the unit executives of the district court, bankruptcy court and probation office met regularly with the budget committee to review the status of their individual budgets and frequently shared resources as needed. This joint effort by all units of the District of Massachusetts to put the overall mission of the Court ahead of individual priorities greatly assisted the ability to meet increasing demands despite budget reductions.

Careful spending, employee buyouts, reprogramming of funds, and shared services agreements among the agencies in 2012 helped stave off furloughs and layoffs in fiscal year 2012 and put the district in a position to favorably weather the beginning of fiscal year 2013.

CRIMINAL JUSTICE ACT

In 2012, Judge F. Dennis Saylor, IV continued as liaison judge responsible for CJA matters and Attorney Peter Krupp as the Chair of the CJA Board. Attorneys Victoria M. 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 constituted the CJA Board. The Board, along with the attorneys of the Federal Defender Office and members of the criminal bar coordinated several training programs for criminal defense attorneys during the year.

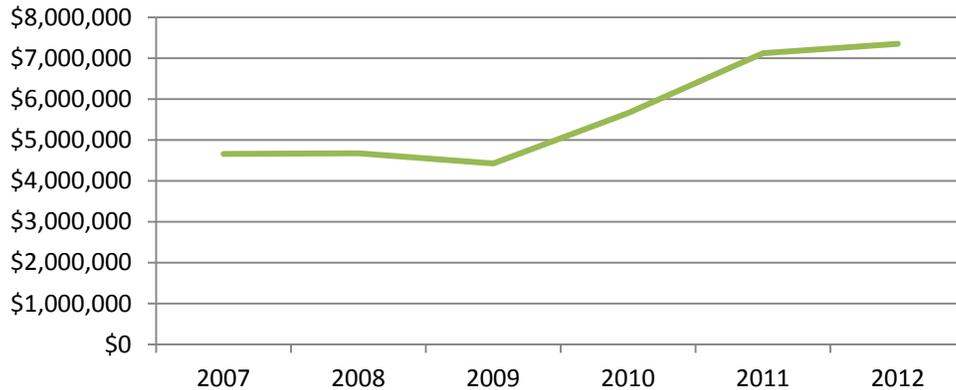
There are four CJA panels in this district: Boston, Springfield, Worcester, and Habeas Corpus. The Boston panel members serve for staggered, three-year terms. The Springfield, Worcester, and Habeas Corpus panels do not have terms. These three panels are evaluated periodically and new attorneys are solicited or the entire panel reconstituted, as needed.

The board accepted applications for the Boston, Springfield, and Habeas Corpus panels during 2012. Having reconstituted the Worcester panel in 2011, the Board did not solicit or consider new applications for that panel. The board recommended and the district court approved 34 Boston applicants, 5 Springfield applicants, and 3 Habeas Corpus applicants.

The District of Massachusetts accepted the Office of Defender Services’ 2011 invitation to participate in the Electronic CJA Voucher Processing System (eCJA VPS) project, anticipating a 2012 implementation. The Court’s CJA staff attended several webinars and application testing sessions throughout the year and was eager to implement the project. By the end of 2012, the eCJA VPS project is still in development, but is expected to make progress in 2013.

In 2012, there were 1,218 vouchers submitted by attorneys, experts, and court reporters totaling \$7,353,957. The average voucher totaled \$6,038.

Annual CJA Expenditures



DIVISIONAL OFFICES

CENTRAL DIVISION (WORCESTER)

In early January, staff returned to the clerk’s office following renovations. The renovations provided more office space and a brighter working environment.



Worcester hosted visits by local school groups in 2012. Students from the Wachusett High School Criminal Justice program observed the morning session of an ongoing criminal trial before Judge Saylor, and students from the University Park Campus School and the Goddard School participated in a mock trial sponsored by Discovering Justice and presided over by Judge Saylor and Judge Hillman.

Judge Hillman presided over six naturalization ceremonies, including the first held at the Donohue courthouse, on May 1, and a ceremony at Fitchburg State University on September 6.

September 6 was also the date of Judge Hillman's public induction ceremony, held at the Hanover Theatre and attended by many of the Judge's family, friends and colleagues.

WESTERN DIVISION (SPRINGFIELD)

On January 10, Magistrate Judge Neiman hosted "Careers in the Courts," a program sponsored by MassMutual Life Insurance Company and Western New England University School of Law. This annual program invites honor students from Springfield high schools to discuss careers in public service with representatives from various court-related agencies, such as the Clerk's Office, Probation Department, United States Attorney's Office, and the United States Marshal Service. This is the second year that Magistrate Judge Neiman has hosted this event.

Construction on the Franklin Courtroom, which will mirror the Hampden Courtroom, began in January. Construction continued through the year, with a completion date expected in May, 2013.

Magistrate Judge Neiman hosted an educational program in April for 5th and 6th grade students from a Holyoke, MA school. The students had the opportunity to meet with Judge Neiman and members of the local bar and United States Attorney's Office to discuss topics that included federal jurisdiction, constitutional law, and due process.

The court celebrated Judge Ponsor's portrait ceremony on June 5. Guests at the ceremony included Judge Ponsor's judicial colleagues, members of the state judiciary, Congress, local dignitaries, clerk's office staff, and members of the local bar. Judge Ponsor's portrait will be displayed in the Franklin Courtroom.

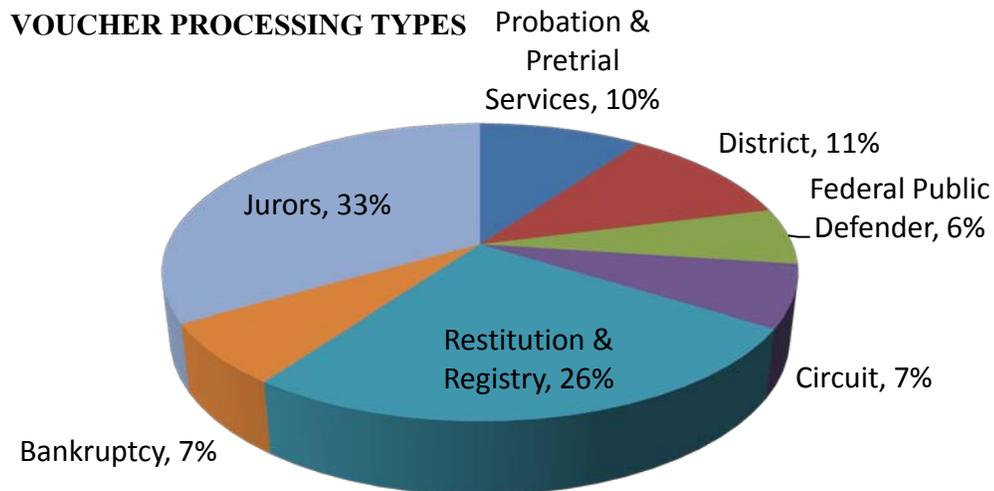
On January 4 and September 19, naturalization ceremonies were held at the Springfield courthouse. On July 4, Judge Ponsor presided over an outdoor naturalization ceremony on the grounds of the Hampshire County Courthouse in Northampton, MA. On September 27, Magistrate Judge Neiman presided over an outdoor naturalization ceremony on the grounds of the Springfield Armory.

FINANCE

The financial staff has worked with the Treasury on another new initiative: Payment Card Industry Security Standards (PCI DSS). PCI DSS was developed and mandated by the credit card industry to reduce the chance of a security breach resulting in the compromise of payment card data - an event with consequences for both the cardholder and the court. In order to comply with this mandate, it was necessary for the clerk's office to eliminate payments that were once accepted by phone and fax. The clerk's office was awarded the PCI DSS Certificate of Compliance in April, 2012.

Two staff members continued working on national programs with the Administrative Office of U.S. Courts: Christine Karjel is a member of the working group for the Electronic CJA Voucher Processing System (eCJA VPS); and Lucien Adam is part of the Focus Group for the Judiciary Integrated Financial Management System (JIFMS) in the area of the Civil/Criminal Accounting Module (CCAM). Lucien has also volunteered to participate in the Administrative Office's mentoring program.

In 2012, the finance office received \$329,923,170 in special assessment and fine payments and \$10,430,010 in restitution payments. The financial staff issued 24,647 payments. Over 6,000 of the checks were restitution payments payable to victims.



HUMAN RESOURCES

There were a number of staffing changes in the Clerk's Office in 2012, some brought about by resignations, others by changes in the judicial makeup of this district.

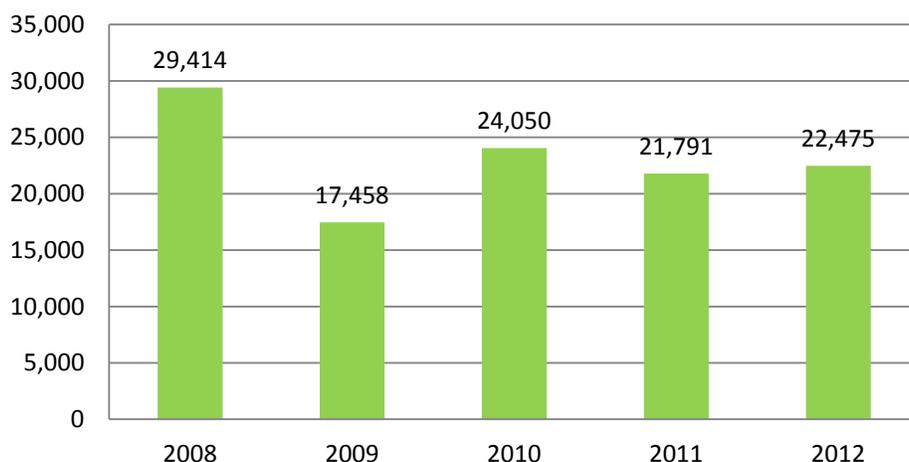
As a result of federal budget reductions and in keeping with the government-wide cost containment initiative, some positions were not filled, with other staff assuming the work. For example, a vacancy in the customer service office was filled by staff from the docketing team working there on a rotating schedule. When appropriate and amenable to the Judges involved, docket clerks are assigned to cover more than one session (judge). This reorganization has helped the office contain costs while at the same time providing essential cross-training opportunities that encourage employee growth and enhance coverage flexibility options for the office.

The clerk's office participated in the judiciary's work measurement study. To prepare, the clerk's office spent the month of July learning to record data that would be gathered officially in August. This data will be used by the Administrative Office to propose an update to the District Court Work Measurement Formula that will determine the staffing allocation for each district starting in FY14.

IMMIGRATION AND NATURALIZATION

The Judges of this court presided over 58 naturalization ceremonies in 2012, during which 22,475 applicants became citizens. Ceremonies were held at Faneuil Hall, the National Archives, the grounds of the Hampshire County Superior Courthouse in Northampton, the African American Museum, Fitchburg State University, the John F. Kennedy Presidential Library, the Immigration Learning Center in Malden, Boston's World Trade Center, Boston Garden, the USS Constitution, Lowell Auditorium, Worcester's Mechanics Hall, the Springfield Armory and at all three courthouses in the district.

Naturalized Citizens



INFORMATION TECHNOLOGY

Data Storage Servers

Final configuration and implementation of our data storage system was completed in 2012. This large-scale system now provides data storage for our file and application servers. Using this new system allows us to replicate all of the court's production data among the three courthouse locations. No matter the location, users will see an identical file system. If one location goes down for any reason, users can be redirected to one of the other two.

Lotus Notes

The Lotus Notes Attachment and Object Service (DAOS) was installed in June. Email attachments are securely consolidated by storing one copy of any attachments sent to multiple recipients. This change freed a significant amount of server space.

Our local Lotus Notes email server was migrated to a centralized DCN location in August as part of a national effort to reduce costs. Users in the district are now connected to a server in Reston, VA. This is replicated to the new secondary server located in Salt Lake City, UT. If the primary server becomes unreachable for any reason, users can easily fail over to the secondary.

National IP Telephony Project (IPT3)

This system is part of a centralized, managed service provided by a national contract. This change provided the court with a cost effective and efficient path to replace our outdated telephone system with state-of-the-market Voice over Internet Protocol (VoIP) technology. Since all courts have been facing the same challenges regarding funding and implementation, the AO initiated this service to consolidate and reduce costs, and to implement unified standards for the judiciary. This will also simplify processes for maintenance, upgrades and integration with other projects. We have been preparing for this over the last several years by using local funds to update and enhance our network infrastructure. Since the IP telephone system runs on the data network, additional levels of reliability and redundancy are required. Our level of preparedness was higher than most courts, which enabled the AO to add us to the implementation list earlier than we expected.

Contractors arrived at the court in October to begin the transition. Training, phone placement and network modifications occurred over two weeks. The cutover to the new system occurred on the evening of October 17, and we worked with the other court units and the telephone contractor to test all the phones for internal and external calling and to collect the old phones for disposal. The majority of our 700 telephones worked as needed on October 18. There were numerous problems with converting the analog lines used for courtroom audio conferencing, the Jury IVR, and other applications. These lines had to be physically reconnected to the telephone company's equipment and programmed accordingly. All of our lines and telephone functions were soon working properly and users have been very satisfied with the operation of the system. Implementation in the divisional offices is planned for early in 2013.

Computer and Mobile Device Upgrades

New workstation computers with Windows 7 were installed for all chambers staff, courtrooms, and most of the clerk's office. After all applications were thoroughly tested, older computers that were not replaced were upgraded to Windows 7.

Smart phones were purchased for all court staff currently assigned mobile telephones. Third generation iPads were also purchased as an upgrade for all current users. Individual data plans, billed to the government credit card, were converted to equivalent corporate plans and added to our existing monthly bill with the service provider to simplify administration.

INTERNATIONAL JUDGES AND VISITING SCHOLARS

Judges and scholars from many countries visited the district this year. A visit to the court typically includes a tour of the Moakley courthouse led by docents of Discovering Justice, observing court proceedings, and a meeting with judges.

Judges of this court hosted visits by judges of South Korea, Mexico, the Czech Republic and Brazil. Law students from China and South Korea observed court proceedings and met with the Judges. Continuing an ongoing relationship, students attending a Boston University Law School "Legal English for Practitioner" seminar came to the Boston courthouse and observed a morning of court proceedings and met with Magistrate Judge Marianne B. Bowler.

Chief Judge Wolf and Judge Stearns hosted a visit by Stefan Deaconu, the Senior Advisor to the President of Romania on Legal Issues. Mr. Deaconu observed court proceedings during his visit, and then joined Judges Wolf and Stearns for a luncheon meeting.

In July, Judge Hillman hosted a delegation of 27 judges from Nanjing, China. During their visit to Worcester, the delegation observed hearings before Judge Hillman and enjoyed a tour of the courthouse.

INTERNAL CONTROLS

The Internal Controls Analyst devised and implemented new control procedures, testing parameters and risk assessment methodologies to comply with requirements presented in the 2012 revision of the Administrative Office *Guide to Judiciary Policy*. In addition to compiling internal reports and maintaining an overall control program in the Boston, Worcester and Springfield offices, the analyst provided judicial statistical reporting information to the Operations Department and developed a budgetary allotment verification program. Monthly financial system security reporting service was provided to the offices of the Circuit Executive and Federal Public Defender, and assistance was rendered to Probation in conducting separation of duties analyses.

In continuing the pursuit of professional development, the analyst completed educational courses from the American Institute of Certified Public Accountants in the areas of ethics, fraud detection, and effective workplace communication.

INTERPRETER SERVICES

In FY 2012, interpreter services were needed for court proceedings by 382 litigants. Of those, 317 (or 83%) were for the Spanish language. The remaining 65 (or 17%) required interpreters for 11 other languages. A total of \$112,843 was spent on interpreting services in FY 2012, a slight increase from 2011 when \$108,196 was expended on interpreting services.

INTERPRETER SERVICES	
Language	Events
Albanian	1
Arabic	1
Cantonese	9
Creole	1
Hungarian	4
Mandarin	8
Polish	1
Portuguese	28
Romanian	3
Russian	2
Spanish [Certified]	313
Spanish [Non Certified]	4
Vietnamese	7
FY 2012 Totals	382

JUDICIAL OUTREACH

This court continues its long tradition of reaching out to the community.

The Nelson Fellowship enjoyed its sixteenth year, with fourteen students from public schools in Boston, Brockton and Worcester coming to the John Joseph Moakley courthouse for a seven-week educational program. The program included classes on writing, public speaking and civil rights. The Fellows met with a wide variety of community leaders, including Governor Deval Patrick and United States Attorney Carmen Ortiz. The Nelson Fellowship's term ended as it always does, with a mock trial competition against the state court's Judicial Youth Corp.



The Lindsay Fellowship entered its third year with six outstanding fellows. The Lindsay Fellows spend the first month of their nine week program in the district court, attending an intensive class on legal research and writing. During the second month, the Fellows are assigned to either the Federal Defender Office or the United States Attorney's Office, where they work with attorneys and paralegals on real cases. The court very much appreciates the assistance of these two offices, giving the fellows such a valuable experience. The Lindsay Fellows end their term by returning to the court to compete in a moot court argument.

Fellows from both programs now attend a three day workshop at a local dispute resolution center, learning how to resolve potential conflicts in their own lives.

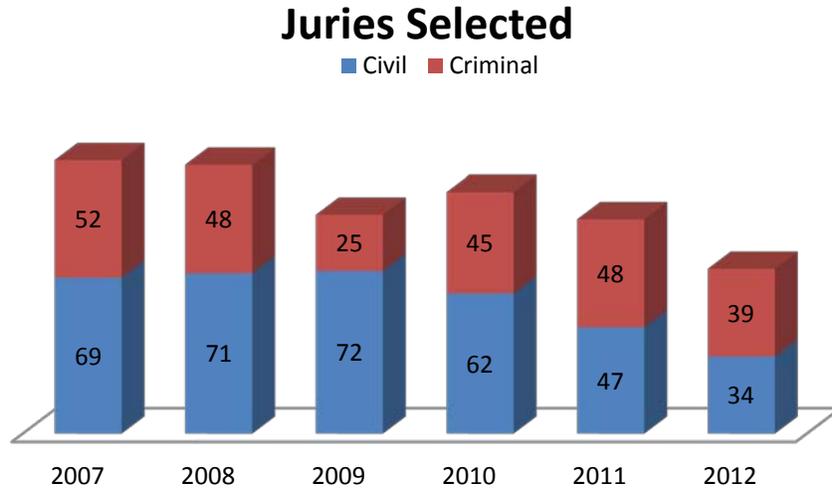
In 2012, the district's fellowship programs were recognized by *The Third Branch News*, the United States Courts' official publication (<http://news.uscourts.gov/fellowship-programs-help-students-grow>).

In February, Chief Judge Wolf and students from local law schools met via videoconference with a Slovakian judge and law students. That conference was recorded and posted to the court's website at <http://www.mad.uscourts.gov/outreach/slovakia.htm>.

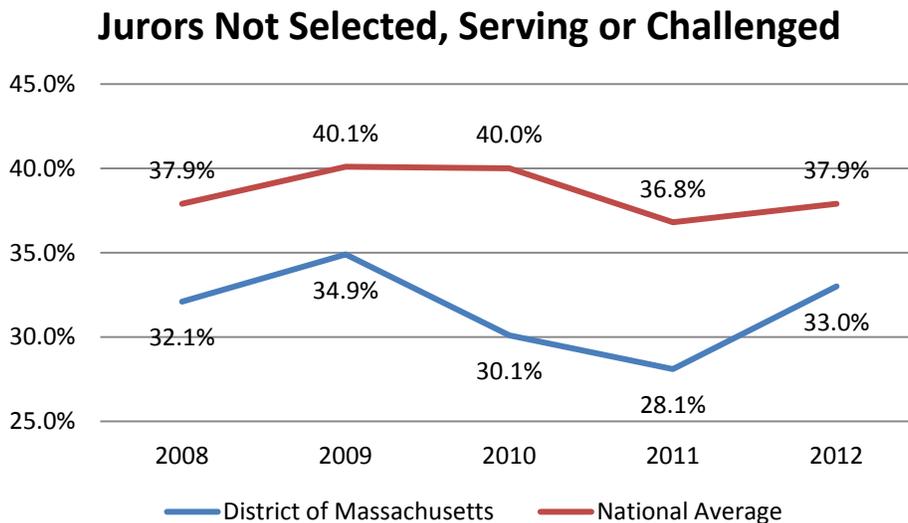
In October, the court hosted a very successful "Bench and Bar Conference." Approximately 330 attorneys and other members of the legal community attended. The judges of the district and bankruptcy courts lead breakout sessions on a wide variety of topics. Keynote speakers were Jeffrey Toobin and Dean Erwin Chemerinsky.

JURY

In 2012 the district sat 73 juries, 34 of those juries for civil trials and 39 for criminal trials.



A total of 33.0% of petit jurors present for selection in the District of Massachusetts this year were not selected, serving or challenged (NSSC) on the first day of service. This was an increase from the Court's 28.1% reported in 2011. The district remains below the national average in 2012 of 37.9%. The Judicial Conference has set an approved utilization goal of 30% or less.



OFFICIAL COURT REPORTERS

As indicated in the table below, the in-court hours during 2012 decreased from those in 2011 by 12%. The total number of original transcript pages produced this year decreased by 25%. On average, reporters spent 305 hours in court and produced 6,752 original transcript pages.

Official Court Reporters					
	2008	2009	2010	2011	2012
In-Court Hours	6,437	5,490	5,373	5,203	4,576
Original Transcript Pages produced	138,356	113,038	126,911	136,078	101,288

OPERATIONS AND STATISTICS

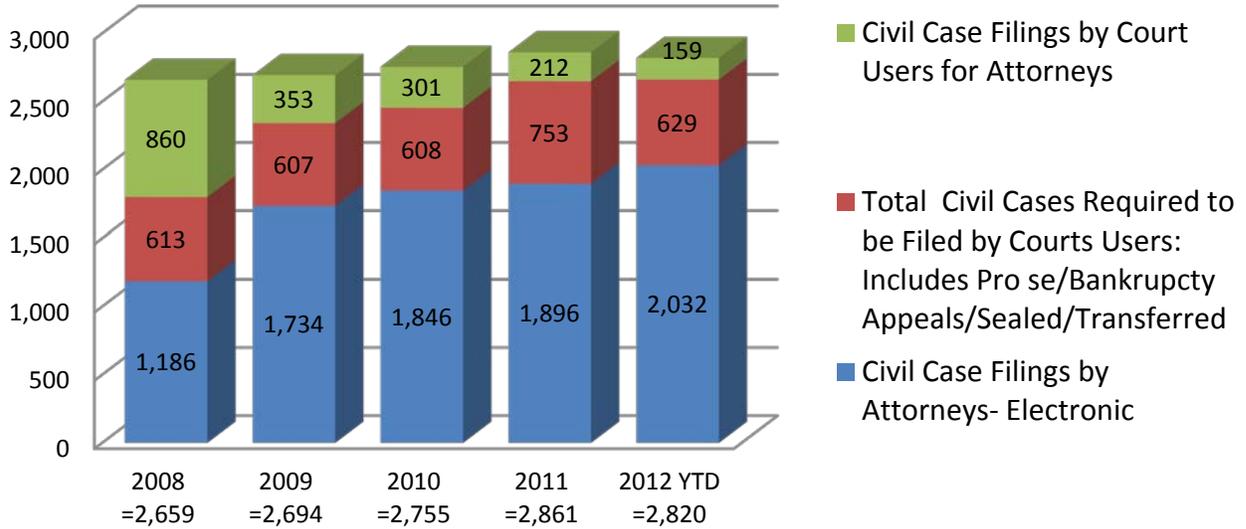
The caseload statistics set forth below compare several areas of court activity from 2008 through 2012. It is important to note in these comparisons that data compiled by the Administrative Office of the United States Courts provides the average for the District of Massachusetts by dividing the time 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.

CIVIL CASE FILINGS

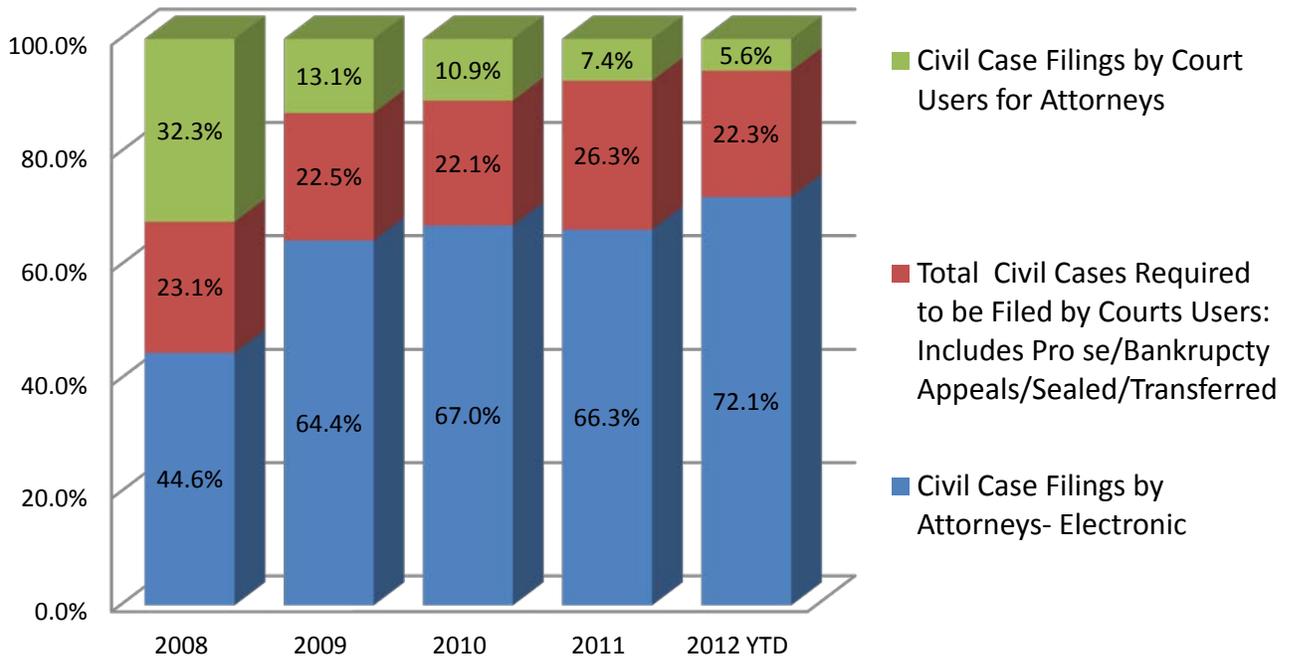
The Case Management/Electronic Case Files (CM/ECF) system is the automated tool used for electronic case filing and case management. Local Rule 5.4 mandates that attorneys with CM/ECF filing access are required to file all documents electronically. In the past five years, we consistently have reduced the percentage of new civil cases entered by court users on behalf of attorneys. This reduction in docketing activity has enabled the clerk's office to reassign docketing staff, on a rotating schedule, to assist in other areas of the office.

In 2012, the number of civil case filings remained somewhat consistent with the 2011 totals, showing a decrease of just 1.5%.

Total Number of Civil Case Filings by User by Year



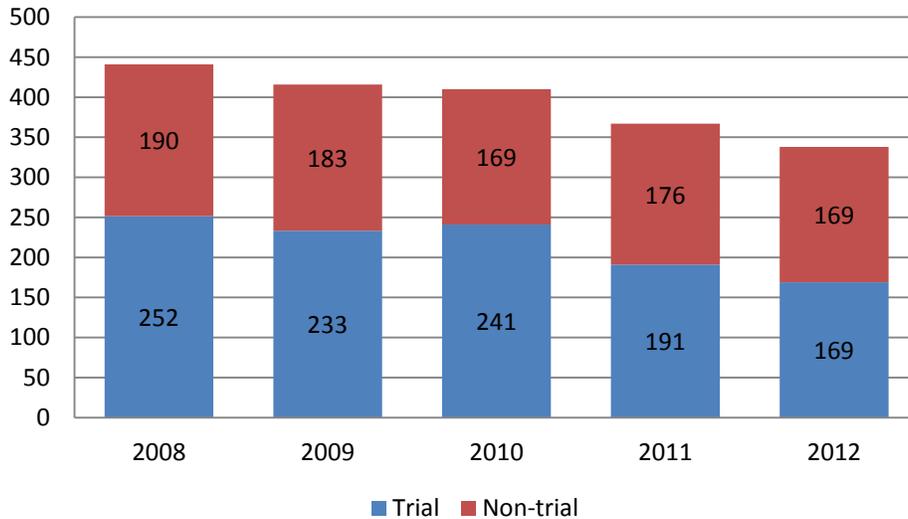
Percent of Civil Case Filings by User by Year



TRIAL AND HOURS OF IN-COURT ACTIVITY

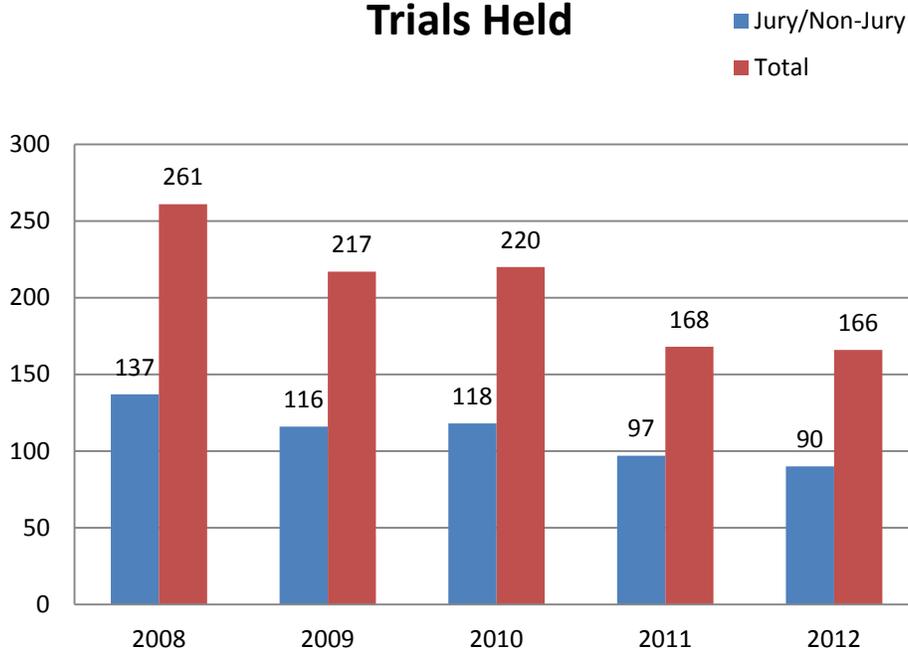
The total in-court hours for District Judges fell 8% from 4,769 in 2011 to 4,401 in 2012. Hours on trial decreased 11% from 2,486 in 2011 to 2,199 in 2012. The total amount of in-court hours spent on matters other than trials decreased 3% from 2,282 in 2011 to 2,202 in 2012. The average trial hours reported by active judges in this District for 2012 was 169 hours per judgeship compared to the national average of 199 hours per judgeship.

Hours in Court



The total number of trials (hearings involving the presentation of evidence) conducted by the District Judges of this court decreased just slightly from 168 in 2011 to 166 in 2012. Similarly, the total number of jury and nonjury trials started during this period decreased 7% from 97 in 2011 to 90 in 2012.

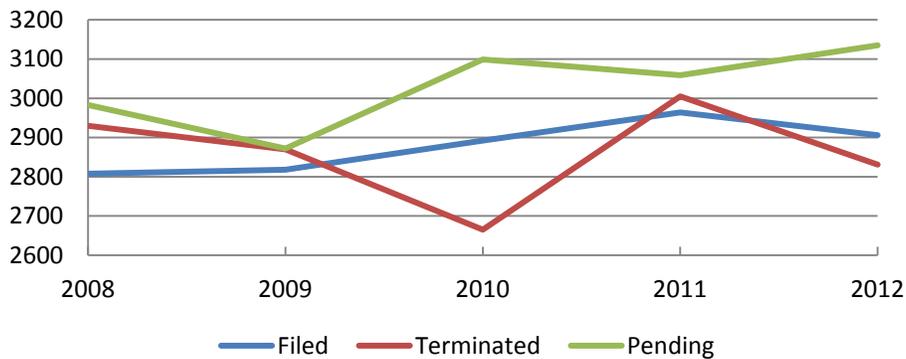
Trials Held



CIVIL CASELOAD

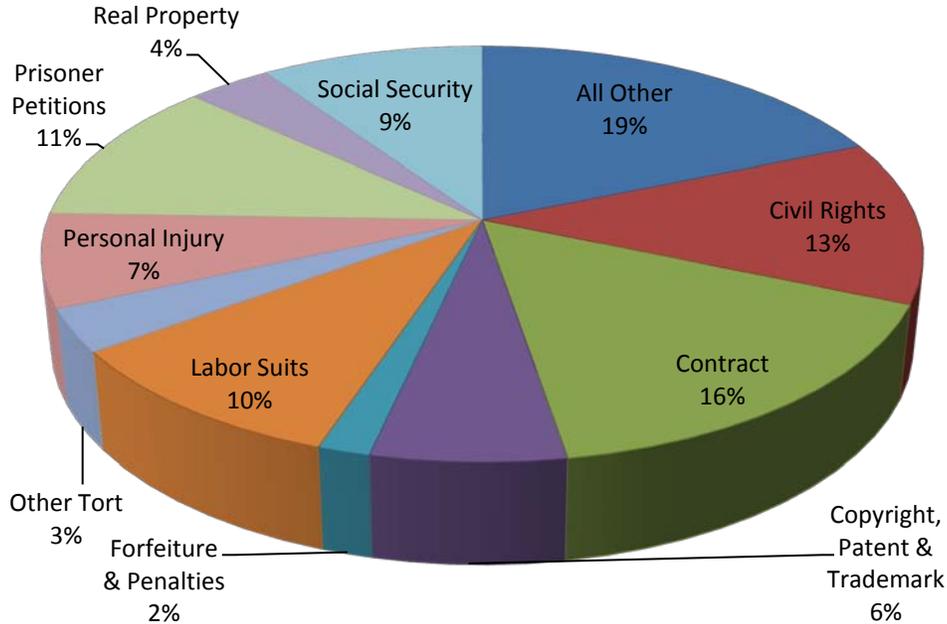
During 2012, 2,906 civil cases were filed in the District of Massachusetts, 2,831 civil cases were terminated and 3,135 civil cases were pending at the end of the calendar year. Civil filings decreased 2% from 2,964 in 2011 to 2,906 in 2012. This decrease was below the national trend, which showed an overall decrease of 3.7% in 2012.

Civil Case Activity



For 2012, our civil filings included the following case types:

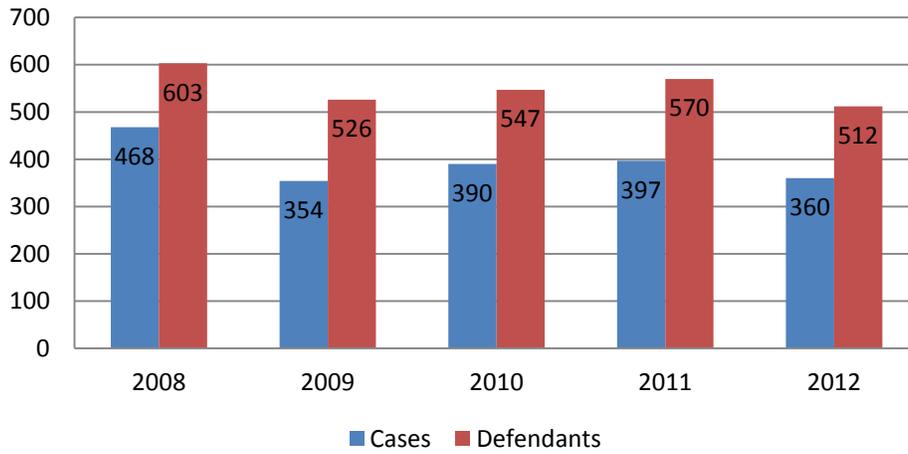
Civil Case Types



CRIMINAL CASELOAD

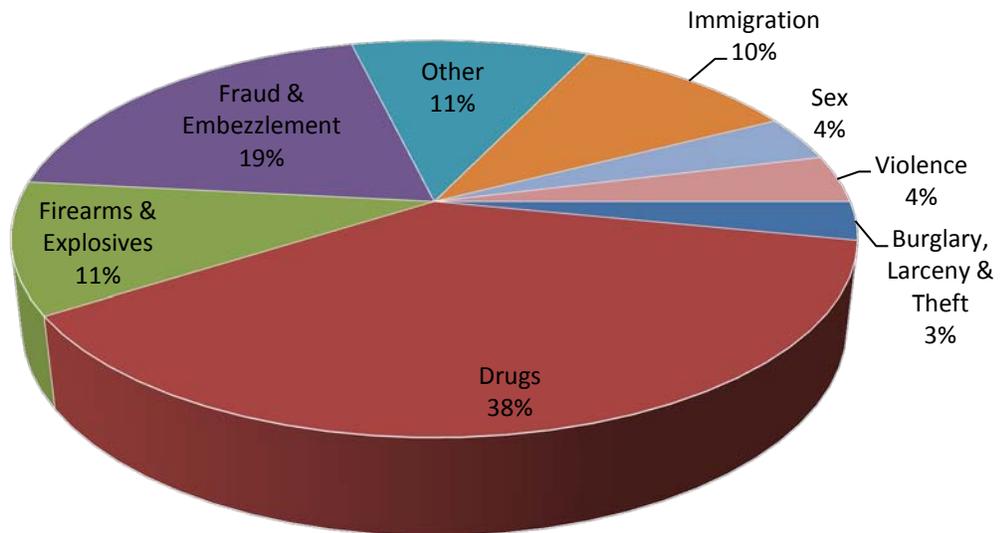
The District of Massachusetts opened 360 criminal cases in 2012, involving 512 criminal defendants. A total of 399 criminal cases and 571 criminal defendants were closed in 2012. At the end of the calendar year, 506 criminal cases and 794 criminal defendants were pending. Criminal case filings decreased 9% from 397 in 2011 to 360 in 2012, compared to the 10% decrease in the national average for the year. The number of new criminal defendants commenced decreased 10% from 570 in 2011 to 512 in 2012, greater than the 9% decrease in the national average.

Criminal Cases & Defendants



For 2012, the criminal case filings consisted of the following case types:

Criminal Offense Types



CAMERAS IN THE COURTROOM

The District of Massachusetts, as one of fourteen participating districts across the country, continues to support the Federal Judiciary's "Cameras in the Courtroom" pilot program.

A portable high-definition system was received from the Administrative Office, expanding the court's ability to record proceedings in locations other than just the one courtroom equipped with recording equipment. This system is designed to be used in any location, with needing limited notice for set up. The equipment has been used on several occasions to stream court ceremonies and proceedings in high profile cases to overflow courtrooms in the Boston courthouse. Updates to the electronic courtrooms will include integrated video recording, streaming and conferencing.

At the end of 2012, six judges had identified 94 hearings as eligible for video recording. Five of those hearings have been recorded and are posted to the United States Court's website at <http://www.uscourts.gov/multimedia/cameras.aspx>.

REENTRY PROGRAMS

The district's two reentry programs, CARE (Court Assisted Recovery Effort) and RESTART (Empowering Successful Todays and Responsible Tomorrows) were celebrated at two graduation ceremonies in 2012, one in Springfield on March 5 and the other in Boston on June 25.

The CARE Program helps defendants maintain sober, employed and law abiding lives. CARE involves closer supervision of a defendant and higher expectations than regular supervision, but it also offers a defendant greater assistance, opportunity and reward. The Court, the Probation Office, the United States Attorney and the Federal Defender Office all participate in CARE in an effort to help each defendant succeed.

RESTART is a voluntary program for high risk ex-offenders presently on supervised release. Successful completion of the program results in a one year reduction in the time that a participant is sentenced to supervised release. In order to graduate from RESTART a participant must have fifty-two weeks of compliance in the program and supervised release.

The Springfield graduation ceremony was presided over by Judge Michael A. Ponsor with seven graduates. The Honorable Domenic J. Sarno, Springfield's Mayor, and Jasmine Vargas, a program graduate offered remarks.

Chief Judge Mark L. Wolf presided over Boston's ceremony, with Governor Deval Patrick addressing the graduates. Judge Timothy S. Hillman and Chief Magistrate Judge Leo T. Sorokin presented the certificates.

The RESTART and CARE teams continue to develop relationships with traditional and non-traditional probationary resources. The following agencies have enthusiastically offered support services to our program participants: Massachusetts Rehabilitation Commission; Massachusetts Department of Revenue; Massachusetts Registry of Motor Vehicles; Future Works/Career Point; ADCARE; Center for Human Development; and Behavioral Health Network.

TRAINING

Judges and court staff participated in approximately 200 different classes, totaling 1,300 hours of training during 2012.

Court staff in many of our offices attended training sessions to improve job-specific skills: IT staff attended on-line and in-person sessions on topics such as security software, VoIP telephones, and desktop administration; finance staff participated in webinars on the new eCJA voucher program and other finance-related responsibilities, operations staff received training on the newest release of CM/ECF and human resources staff attended sessions offered by the Administrative Office and Federal Judicial Center to assist employees with benefits.

In March, all clerk's office staff participated in "OUCH! That Stereotype Hurts," a diversity sensitivity training program. The program was offered as part of the district's ongoing efforts to create and foster a diverse work environment that promotes inclusion and respect by everyone. Feedback from participants revealed that the program was well received and thought-provoking for many.

At the Clerk's direction, all clerk's office staff were required to review the FJC's "Is It Legal Advice?" on-line training program.

The Bankruptcy Court, with help from a local law firm, offered the first of what is hoped will be an annual seminar for the district court law clerks on bankruptcy law and procedure. The seminar was very well received.

The district court continues to offer training on CM/ECF to attorneys and their support staff through regularly scheduled classes. In addition, attorneys and their support staff attended a seminar on using JERS (Jury Evidence Recording System), an evidence management software package used by many judges of this court.

Many Judges of the district and bankruptcy court attend "JIT" (Judges Information Technology) training, offered by the most part by court staff, on various topics such as File Management and an Introduction to Word.

The United States Attorney's Office invited the clerk's office to participate in a table top exercise at the February Anti-Terrorism Council Meeting, where members of the court family walked through a "COOP" exercise in front of a large audience of government stakeholders.

Throughout the year, the human resources office identified and provided information to staff on a variety of monthly heritage celebrations.

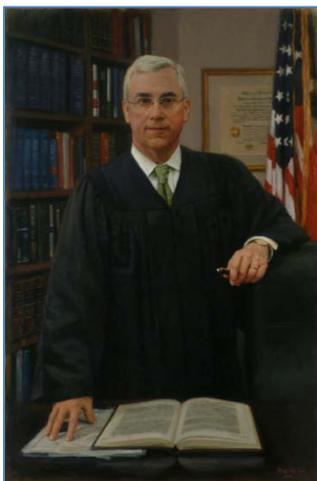
OBSERVANCES

Three happy observances were held this year.



June saw the court family gather for the presentation of Judge Michael A. Ponsor's portrait to the court. Many of Judge Ponsor's family, friends and colleagues met in Springfield for a very personal ceremony. Chief Judge Wolf presided, with remarks from Judge Tauro, Congressman Richard Neal, Judge Ariane Vuono of the Massachusetts Appeals Court, Assistant District Attorney Rebecca Michaels, and the artist, Marion "Bonnie" Miller.

Judge Timothy S. Hillman was publicly sworn in as a district judge in September after having been confirmed by the Senate in June. The court family gathered in Worcester for an induction ceremony attended by Judge Hillman's wide range of friends and family. Chief Judge Wolf again presided, with remarks from Senator Scott Brown, Congressman James McGovern, Chief Magistrate Sorokin and Judge Saylor.



Many of Judge George A. O'Toole's family, friends and former law clerks were in attendance in December when his portrait was presented to the court. Judge Saris presided in Chief Judge Wolf's stead, with remarks by Judge Zobel, Dr. James McIntyre, Judge Heidi Brieger of the Commonwealth's Superior Court, the artist Ying-He Liu, and on behalf of the Judge's law clerks, Robert Bordone and Ingrid Martin.