

2008 ANNUAL REPORT



**SERVING THE PUBLIC, THE BENCH,
AND THE BAR IN 2008**



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

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SERVING THE PUBLIC, THE BENCH, AND THE BAR IN 2008



2008 ANNUAL REPORT

**THIS REPORT WAS PREPARED BY THE OFFICE OF THE CLERK
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***COURTHOUSES OF THE
EASTERN DISTRICT OF MISSOURI***



**Thomas F. Eagleton United States Courthouse
St. Louis, Missouri – Eastern Division**



**Rush Hudson Limbaugh Sr. United States Courthouse
Cape Girardeau, Missouri – Southeastern Division**



**Hannibal Federal Building and United States Courthouse
Hannibal, Missouri – Northern Division**



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

DISTRICT JUDGES

Carol E. Jackson – Chief Judge

Jean C. Hamilton
Charles A. Shaw
Catherine D. Perry
E. Richard Webber
Rodney W. Sippel
Henry E. Autrey
Stephen N. Limbaugh Jr.

SENIOR JUDGES

John F. Nangle
(Deceased August 24, 2008)
Edward L. Filippine
Stephen N. Limbaugh Sr.
(Retired July 31, 2008)
Donald J. Stohr

MAGISTRATE JUDGES

Mary Ann L. Medler – Chief Magistrate Judge

David D. Noce
Frederick R. Buckles
Lewis M. Blanton
Terry I. Adelman
Thomas C. Mummert, III
Audrey G. Fleissig

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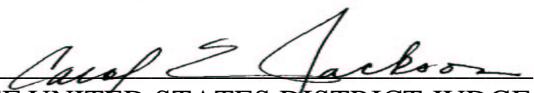
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**A MESSAGE FROM THE CHIEF JUDGE
THE HONORABLE CAROL E. JACKSON**

To the average person, the job of a court is to resolve conflicts by deciding cases. While this is not an incorrect view, every judicial officer and staff person engaged in the daily work of the district court has a sense of the broader range of duties performed inside the United States Courthouse in the name of justice. Yes, there are jury trials and hearings to conduct, judgments to enter, opinions to write, case information to collect and process, and records of civil and criminal cases to keep. But the work does not end when the judge leaves the bench after a hearing and the lights in the courtroom are turned off. In fact, the district court is a complex public institution with many duties and important responsibilities that serve the needs of litigants, lawyers and citizens in the communities in which our federal courthouses are located. With this annual report, the United States District Court has an ideal opportunity to inform the public of the full range of our activities and our overall performance during 2008.

From my perspective, this was anything but an ordinary year at the district court. A surge in the number of cases resolved by trial, up fifty percent from 2007, kept judges very busy. Construction of the new Rush Hudson Limbaugh, Sr. United States Courthouse in Cape Girardeau was completed in the spring, and this magnificent facility was dedicated on October 6, 2008. The court family changed dramatically in July with the retirement of Senior Judge Stephen N. Limbaugh, Sr. and the investiture of his son, Judge Stephen N. Limbaugh, Jr. as a new district judge. Sadly, our colleague Senior Judge John F. Nangle passed away in August. The court launched an innovative drug court program that is achieving good results for eligible offenders and is drawing much favorable attention to the Probation Office in this district. Services to self-represented litigants were enhanced with the introduction in October of E-Pro Se, our locally designed automated document assembly program, which is the first of its kind in the federal courts.

These are merely the highlights of an extraordinary year, representing accomplishments in addition to the attention our day-to-day work required. The court is fortunate to have a complement of judicial officers, managers and support staff whose skills and commitment to public service keep us moving ever forward. The ethic here is, as Aristotle suggested: *"We are what we repeatedly do. Excellence, then, is not an act but a habit."* I am mindful each day that the dedicated efforts of so many judges and court employees are essential to our successes, and their commitment to excellent public service is never ending. My term as chief judge will expire in June 2009, but I will always regard the opportunity to have served the district court in this capacity as an extraordinary honor.

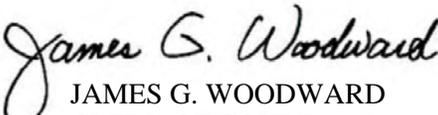

CHIEF UNITED STATES DISTRICT JUDGE

A MESSAGE FROM THE CLERK OF COURT JAMES G. WOODWARD

Dimensions of the rule of law drew considerable attention during the recent political season. Candidates for elected office made various pledges before the 2008 national election about restoring the rule of law or somehow enhancing a declining national commitment to its principles. Few, however, seemed able to define accurately the meaning of the term for ordinary Americans. Contrary to suggestions that the rule of law is subject to swings of political power, its core elements are the stability of the law and the predictability that results from its fair application to similar facts by independent judges. Employees of the district court bore witness to those principles each day in 2008 by consistently delivering quality service to the public, the bench and the bar.

According to the ABA World Justice Project, the rule of law has these four essential elements: everyone is accountable under the law, the system of justice is based on laws that are fair and stable, laws are evenly enforced through a legal process that safeguards individual rights and responsibilities, and legal disputes are resolved by competent and independent judges. For those whose legal issues came before this district court in 2008, we trust the justice they experienced embraced each of these qualities. We take great pride in serving the judges of this court and have profound respect for the responsibilities entrusted to them for the fair administration of justice. Some things are not subject to change, and the commitment this court has to the rule of law is among them.

Being faithful to the rule of law does not mean the district court is a static institution resistant to change. In fact, as this annual report demonstrates, the court implemented significant enhancements to its programs and services in 2008 to make the judicial process more responsive to citizens' needs. A new state-of-the-art courthouse opened in Cape Girardeau to provide better service to residents of our Southeastern Division. The court continued its commitment to effective utilization of prospective jurors' time, achieving its best juror utilization rate in more than a decade. In our Self-Help Resource Center, we added an interactive web-based document assembly tool called E-Pro Se, the first of its kind in the federal judiciary. The alternative dispute resolution program continued to deliver high quality mediation services to litigants in civil cases, with a success rate of sixty percent in 2008. The court's electronic filing system was improved in 2008 with the addition of sealed document functionality, and our capacity to manage court information efficiently and reliably with this system grows each year. All of these initiatives have a bearing on our adherence to the core principles embraced in the rule of law, while still meeting new challenges.


JAMES G. WOODWARD
CLERK OF COURT



SECTION ONE: SERVING THE PUBLIC

THE CAPE GIRARDEAU COURTHOUSE OPENING AND DEDICATION

THE FEDERAL COURTHOUSE OPENING IN CAPE GIRARDEAU

The Rush Hudson Limbaugh Sr. United States Courthouse officially opened to the public on June 2, 2008. The courthouse, which is 173,392 gross square feet, is located on a three-acre site. The structure rests on top of 170 concrete piers sunk into solid bedrock that make this building able to withstand significant seismic activity. The planning for this courthouse actually began fifteen years ago with the first federal appropriation for site acquisition and design. Construction on the courthouse began in the early part of 2004. Most of the exterior was completed in late 2005, but due to a number of interior issues, tenants were not able to permanently move into the facility until May 2008. The courthouse includes among other features four judges' chambers, three courtrooms, and mediation rooms.

Besides being aesthetically pleasing and structurally sound, the courthouse also is LEED® (Leadership in Energy and Environmental Design) certified by the U.S. Green Building Council. During the planning and designing phase of the courthouse, the groups involved made certain that the specifications of the building were met in accordance with environmentally responsible construction. These features include erosion and sedimentation control, alternative transportation accommodations, water use reduction, low-emitting materials, and 10 percent recycled content used in construction.



Judge Stephen N. Limbaugh Sr. presides on June 2, 2008 over the first hearing at the new U.S. Courthouse named after his father.



The Rush Hudson Limbaugh Sr. U.S. Courthouse in Cape Girardeau opened to the public on June 2, 2008.

Along with employees of the U.S. District Court Southeastern Divisional Clerks' Office, the courthouse also houses the U.S. Attorney, U.S. Marshals Service, U.S. Pretrial Services, U.S. Federal Public Defender, U.S. Probation Office, U.S. Trustees, and the Department of Homeland Security Federal Protective Service. In addition, the courthouse has field offices for Senator Claire McCaskill, Senator Christopher Bond, and Congresswoman Jo Ann Emerson.

DEDICATION OF THE RUSH HUDSON LIMBAUGH SR. U.S. COURTHOUSE

The dedication of the Rush Hudson Limbaugh Sr. United States Courthouse in Cape Girardeau took place on October 6, 2008. The ceremony brought together members of the extended Limbaugh family as well as retired Senior U.S. District Judge Stephen N. Limbaugh Sr., and newly installed U.S. District Judge Stephen N. Limbaugh Jr. In addition, numerous judges, local dignitaries, and citizens were present to celebrate the opening of the courthouse. The ceremony commemorated the life and legacy of Rush Hudson Limbaugh Sr., the building's namesake, and affirmed the District Court's commitment to serving the Southeastern division.

Rush Hudson Limbaugh Sr. was born and raised on a farm in Bollinger County, Missouri. He attended college at the Normal School, now Southeast Missouri State University, and then went on to the University of Missouri-Columbia for his



legal training. In 1916, Limbaugh returned to Cape Girardeau to start his legal career, which lasted for nearly 80 years until his death in 1996 at the age of 104. At the time, he was the nation's oldest practicing lawyer. Due to his formidable legal ability, Limbaugh, throughout the span of his life, served his community, state, and country in various capacities. As a community leader, Limbaugh was the first president of the Southeast Missouri Boy Scout Council, a board member of the Salvation Army for 50 years, a board member of the Southeast Missouri Hospital, and a 58 year member and former president of the Rotary Club. He served as president of the Missouri Bar Association and authored the two-volume treatise, *Missouri Practice with Forms*. He was also president of the State Historical Society of Missouri and a member of the Missouri House of Representatives from 1931-1932. In 1958, President Dwight D. Eisenhower appointed Limbaugh to serve as a representative of the U.S. State Department in India speaking on the advantages of the American constitutional system.



Retired Senior U.S. District Judge Stephen N. Limbaugh Sr. speaks at the dedication ceremony on October 6, 2008.

Despite Limbaugh's impressive array of legal achievements, professional associations, and years of dedicated service to his community, state and country, he was more often remembered for his uncompromising integrity and stringent commitment to the highest ideals. According to his grandson, U.S. District Judge Stephen N. Limbaugh Jr., "He was an old-time gentleman lawyer who was unfailingly courteous and gracious, and yet those traits never kept him from being a zealous and forceful advocate for his clients." Judge Limbaugh Jr. also noted that his grandfather did not see a potential client's ability to pay as an obstacle to providing his services. In fact, "...there was never a question about representing people who couldn't pay," Limbaugh Jr. remarked. "He saw the representation of people who couldn't pay as an innate and noble part of the



U.S. District Judge Stephen N. Limbaugh Jr. delivering the keynote speech at the dedication ceremony.

profession, one that should be undertaken with no less vigor than the representation of full-paying clients."

Inside the new courthouse is a display in the Judicial Education and History Center that honors the life and work of Rush Hudson Limbaugh Sr. The display will serve not only as a tribute to the building's namesake, but as an important reminder of the community ideals and rich legal heritage upon which this courthouse was built.



U.S. District Judge Stephen N. Limbaugh Jr. and Chief Justice Laura Denvir Stith from the Supreme Court of Missouri



The ribbon-cutting ceremony in front of the Rush Hudson Limbaugh Sr. U.S. Courthouse



THE JUDICIAL LEARNING CENTER

TRANSFORMATION OF THE JUDICIAL LEARNING CENTER

The Judicial Learning Center (JLC), which first opened in May 2006, is a unique feature of the Thomas F. Eagleton (TFE) United States Courthouse in St. Louis. The JLC, located on the main floor of the courthouse, features permanent exhibits, changing displays, and interactive demonstrations. In recent years, the JLC has presented the following exhibits: *Brown v. Board of Education: In Pursuit of Freedom and Equality*; *Dred Scott, Slavery, and the Struggle to be Free*; *The Presidents' Men – Black United States Marshals*; and *Forever Free: Abraham Lincoln's Journey to Emancipation*. As a result, the JLC has become a focal point for courthouse tours.

The JLC is a non-profit organization comprised of lawyers practicing in Metropolitan St. Louis. It is the mission of the JLC to inform visitors about the judicial process in United States Courts and to promote a greater public understanding about the importance of an independent judiciary. All content for the JLC has been developed in consultation with the members of the non-profit organization as well as education and civic leaders in order to make certain that the exhibits and displays further the mission of the JLC.

In 2008, planning and design work were completed for the installation of permanent exhibits and displays. When completed, visitors to the JLC will be informed not only about the three levels of federal courts, but also discover why the judicial branch was designed to be a separate, but equal branch of government. News items about current events affecting citizens whose disputes come to the



Installation of permanent exhibits and displays in the Judicial Learning Center began in late 2008.

federal court and the public officials who perform the work of the federal courts are also highlighted in a special section of the JLC.

The newly renovated JLC will officially open its doors to the public in early February 2009. The JLC will be open daily during regularly scheduled business hours of the TFE Courthouse. For more information about the JLC, please call (314) 244-7900.

NEW PERMANENT EXHIBITS NEAR COMPLETION

The non-profit organization, which sponsors the JLC, awarded Taylor Studios, Inc., of Rantoul, Illinois, the task of designing, constructing, and installing new interactive exhibits. The exhibits will primarily focus on the importance of “The Rule of Law” and an independent judiciary. The exhibits will demonstrate how and why the federal court system was created, outline the differences between state and federal courts, and illustrate landmark cases in the district. In one part of the exhibit, visitors will be able to actually “sit” as jurors and “preside” as judge. This feature will give visitors a sense of how it feels to be in either position.



View of interactive display in the Judicial Learning Center

Besides the “Rule of Law” exhibit, the new interactive features will include a section that will inform visitors of current events relating to legal issues and the judiciary. In addition, a section of the interactive JLC will provide visitors the opportunity to offer views and comments on their learning center experiences. Visitors to the JLC will also learn how civil and criminal cases move through the court process.



THE SELF-HELP RESOURCE CENTER

FEATURES OF SELF-HELP RESOURCE CENTER

The Self-Help Resource Center in the Clerks' Office of the District Court first opened on November 1, 2006 to better serve the litigating public or those individuals considering litigation. The Resource Center has made available a number of printed and electronic materials to assist litigants with potential legal issues who may not be able to retain the services of an attorney. It is open to the public during the District Court's regular business hours. Listed below are the primary goals of the Self-Help Resource Center:

- To inform self-represented litigants and prospective filers about government, non-profit and community-based agencies or programs that may provide alternative services related to a dispute for which federal judicial relief may be unavailable.
- To cooperate with area bar groups and the legal community in promoting bar-sponsored attorney referral and low-cost advisory services for self-represented litigants and others who without access to these programs may otherwise be considering initiating a civil complaint in the District Court without legal counsel.
- To deliver web-based guidance and on-site information about federal court jurisdiction, how to initiate a case, sample forms for use in a civil case, and a simplified description of procedures required by local District Court rules.
- To enhance understanding of the civil legal process for unrepresented filers and prospective self-represented litigants so that claims and defenses are prepared and presented more effectively in the pretrial and trial stages of the District Court litigation.

E-PRO SE

E-Pro Se is a user-friendly, interactive Web application developed by the United States District Court for the Eastern District of Missouri. E-Pro Se permits self-represented litigants (Pro Se) to prepare court documents and forms electronically. Training on the use of E-Pro Se is provided by the Clerks' Office staff. E-Pro Se went live in 2008 and was



The Self-Help Resource Center in the Clerks' Office

first used by a self-represented litigant on October 30, 2008.

The E-Pro Se program gathers necessary information through an on-line exchange with the litigant and then uses the information provided by the user to create documents that may be filed with the District Court. All forms are printed legibly in a document format organized to provide the court with essential information about the type of claim the filer intends to present for resolution. Self-represented litigants are able to use E-Pro Se to create documents required for Social Security, employment, and civil rights complaints.

With E-Pro Se, a litigant can easily create a pleading that meets the requirements of the Court by answering a series of automated prompts or questions, reducing the repetitiveness of filling out forms by hand. The program immediately collects and stores the information and data that has been entered decreasing the likelihood of misplaced paperwork. At the end of each program, the litigant will be able to print documents that are legible and consistent with the format required of attorneys. Listed below are some of the benefits of utilizing E-Pro Se:

- Saves self-represented litigants and the Court time.
- Documents have the format of standard legal filings.
- No more lost paperwork.
- No need for the repetitive handwriting of forms.
- Forms are complete, neat, and easy to read.



COMMUNITY OUTREACH

HISTORY OF COMMUNITY OUTREACH

The Eastern District of Missouri began its community outreach efforts in 2001 to promote and increase public awareness and understanding of the role federal courts play in the administration of justice. In order to accomplish this, the Eastern District of Missouri hosts at least two annual outreach events, coordinates courthouse tours, and provides educational events for local schools and universities.

WASHINGTON UNIVERSITY FIRST-YEAR LAW STUDENTS OUTREACH EVENT

The judges of the Eastern District of Missouri hosted the seventh annual Washington University First-Year Law Students Outreach Event at the Thomas F. Eagleton Courthouse on January 25, 2008 and March 28, 2008. Each year the first-year law class at Washington University is provided a unique opportunity to meet with a number of judges in a courtroom setting in order to develop a better understanding of the role and operation of the federal courts. For many law students, this is not only their first visit to a federal courtroom, but the first time they have met and spoken with federal judges.



U.S. Magistrate Judge David D. Noce

Due to the size of the first-year law class at Washington University, the students were divided into two groups that were assigned to attend the outreach event on one of the selected dates listed above. On January 25, 2008, Senior U.S. District Judge Stephen N. Limbaugh Sr., U.S. District Judge Rodney W. Sippel, and U.S. Magistrate Judge Mary Ann L. Medler met with one group of the law students. On March 28, 2008, U.S. Magistrate Judge Frederick R. Buckles, U.S. Magistrate Judge David

D. Noce, and U.S. Magistrate Judge Audrey G. Fleissig met with the other group of students.



U.S. Magistrate Judge Audrey G. Fleissig

Topics discussed with the judges included legal memoranda drafting and practice tips, professionalism and civility among lawyers, the day-to-day workings of the court, and technological features of the courtroom. At the conclusion of each program, students were given the opportunity to ask questions of the judges.

BAMSL YOUNG LAWYERS DIVISION TRIAL ADVOCACY COMPETITION

The Bar Association of Metropolitan St. Louis (BAMSL) Young Lawyers Division (YLD) held its second annual Trial Advocacy Competition on February 29, 2008 at the Thomas F. Eagleton Courthouse.



BAMSL YLD Trial Advocacy Competition at the Thomas F. Eagleton Courthouse in St. Louis

The trial advocacy competition provides aspiring trial lawyers in our community with a valuable learning experience. A total of ten teams competed in five mock trials that were restricted to a total “trial time” of 240 minutes. Law students from both Saint Louis University School of Law and



Washington University School of Law participated in the competition as jurors.

Each lawyer was scored based upon advocacy skills not the merits of the case. Participants gained points based on the quality of their presentations, not on whether they prevailed at trial.

Six courtrooms in the Thomas F. Eagleton courthouse were used for the trial advocacy competition. Judges presiding over the competition were from St. Louis City and St. Louis County Circuit Courts, in addition to U.S. District Judge Jean C. Hamilton.

ABA LAW STUDENT DIVISION NATIONAL APPELLATE ADVOCACY COMPETITION

The American Bar Association (ABA) Law Student Division held one of the six 2008 regional National Appellate Advocacy Competitions (NAAC) at the Thomas F. Eagleton Courthouse in St. Louis on March 6, 2008 through March 8, 2008. The NAAC, one of the largest and most prestigious moot court programs in the country, emphasizes the development of oral advocacy skills through a realistic appellate advocacy experience. The Law Student Division NAAC subcommittee (a volunteer group of four law professors from across the country) oversees and administers the competition.

The U.S. District Court, U.S. Bankruptcy Court, and the U.S. Court of Appeals co-hosted the event. The competition on average draws 94 law students from 13 states and on average 195 lawyers from each community serve as volunteer judges. Award announcements for the competition were made on March 8, 2008 in the jury assembly room on the first floor of the courthouse.



Law Students competing in the ABA National Appellate Advocacy Competition at the Thomas F. Eagleton Courthouse in St. Louis.

LAW DAY 2008

On May 1, 2008, the U.S. District Court sponsored Law Day, a commemoration that began in the United States in 1958. Each year a different theme for the day is selected. In 2008, the theme of the celebration was “The Rule of Law”.

The day began with the arrival of thirty students, consisting of juniors and seniors from Fort Zumwalt South High School at the Thomas F. Eagleton Courthouse in St. Louis. The program began with introductions in the jury assembly room by Jeanne Patrin, Deputy Clerk, and Jim Woodward, Clerk of Court.



Jim Woodward, Clerk of Court, welcomes the students.

At the conclusion of the introductions, the students were taken to U.S. District Judge Charles A. Shaw’s courtroom to view a criminal sentencing. From there, the students assembled in U.S. District Judge Catherine D. Perry’s courtroom to have a discussion regarding the rule of law. Judge Perry led the discussion along with the assistance of Robert T. Haar, an attorney with Haar & Woods, LLP, and James Crow, Assistant U.S. Attorney.

Following the informative discussion, the students were given a presentation by a Secret Service Agent. To close the day, the students had a trivia contest back in the jury assembly room and then visited the En Banc Courtroom on the 28th floor.



James Crow (sitting left), Robert T. Haar (standing middle), and U.S. District Judge Catherine Perry (standing right) hold a discussion on the rule of law.



JUROR APPRECIATION MONTH

The Eastern District of Missouri for the fourth year observed Juror Appreciation Month on two separate occasions in 2008: May 14 and May 21. Each juror reporting on those dates was treated to an assortment of breakfast refreshments. In addition, each juror received a U.S. District Court Jury Appreciation book bag, sport water bottle with the District Court logo, bookmark about jury service, Certificate of Appreciation signed by the Clerk of Court Jim Woodward, and a Proclamation in Appreciation of Jury Service signed by Chief U.S. District Judge Carol E. Jackson and Clerk of Court Jim Woodward.



Jurors enjoyed breakfast refreshments on May 14 and May 21 during Juror Appreciation Month.

On Wednesday, May 14, U.S. Magistrate Judge Mary Ann L. Medler offered remarks on the occasion and read the Proclamation in Appreciation of Jury Service. To close the day, jurors were given commemorative items to mark the event.



U.S. Magistrate Judge Mary Ann L. Medler speaks to the jurors.

On Wednesday, May 21, U.S. Magistrate Judge Thomas C. Mummert, III provided observations on the event and read the Proclamation in Appreciation of Jury Service. Similar to the previous juror appreciation day, jurors were given commemorative items from the District Court before they left for the day.



U.S. Magistrate Judge Thomas C. Mummert addresses the jurors.

As in the previous four years, the Clerks' Office sponsored a poster contest for school-aged children of court personnel. The winning poster was on display in the Jury Assembly Room until the close of 2008. The winner of the contest also received a gift certificate.

NOTABLE VISITORS TO THE EASTERN DISTRICT OF MISSOURI

For over sixty years, the United States has participated in efforts to foster awareness and understanding between the people of the United States and the people of foreign nations through professional exchange programs. The objective of such programs is to strengthen relations between the United States and other countries through a short-term immersion into theme-related activities and events associated with the interests of the participants such as "Democracy and Rule of Law" and "Trade and Economic Development"¹. Today, the U.S. Department of State's Bureau of Educational and Cultural Affairs (ECA) both finances and manages the International Visitor Leadership Program (IVLP). It is the mission of the IVLP to increase cultural acceptance and appreciation between the U.S. and other countries through carefully organized visits that reflect the participants' professional interests and responsibilities, while at the same time supporting U.S. foreign policy goals². Participants in the program, who are selected by officials in U.S. embassies, are current or prospective leaders in various areas such as government, politics, education, and media. International visitors come to the United

¹United States Department of State – Bureau of Educational and Cultural Affairs. (n.d.). *International visitor leadership program*. Retrieved January 11, 2009 from <http://exchanges.state.gov/ivlp/ivlp.htm>.

²United States Department of State – Bureau of Educational and Cultural Affairs. (n.d.). *International visitor leadership program*. Retrieved January 11, 2009 from <http://exchanges.state.gov/ivlp/ivlp.htm>.



States to not only meet and consult with their professional counterparts, but to acquire an appreciation of the ethnic, cultural, political, and socio-economic diversity of the U.S through a firsthand experience³.

Each IVL project is typically three weeks in length granting IVLP participants the opportunity to visit four U.S. cities during their stay⁴. At each location, participants are arranged to meet with their professional counterparts and visit the organizations related to the project theme. In many cases, IVLP participants are hosted by American families who by their very nature aid to the immersion experience.

Through the work of the World Affairs Council of St. Louis, with national association to the World Affairs Councils of America, the Eastern District of Missouri had the opportunity to host the visit of five legal professionals from five different countries on August 18, 2008: Mr. Zlatko Kulenovic, Supreme Court Judge from the Republic of Srpska (Bosnia-Herzegovina); Mr. Kezhokhoto Savi, attorney with the Gauhati High Court and Nagaland District Court (India); Dr. Edita Ziobiene, Director of the Lithuanian Center for Human Rights (Lithuania); Ms. Leonor Do Rosario Mesquita Furtado, General Director of the General Directorate for Social Reintegration (Portugal); and Ms. Lynn Pillay, Regional Magistrate for the Department of Justice and Development (South Africa).

The main interests of the IVLP participants were specifically outlined as follows by the U.S. Department of State:

- To examine the U.S. judicial system within the framework of the federalist model and the separation of powers;
- To promote an appreciation for the rule of law and the advancement of fair; transparent, accessible and independent judiciaries around the world;
- To observe the U.S. trial process, court management systems, alternate dispute resolution and mediation, and judicial training opportunities; and

³ United States Department of State – Bureau of Educational and Cultural Affairs. (n.d.). *International visitor leadership program*. Retrieved January 11, 2009 from <http://exchanges.state.gov/ivlp/ivlp.htm>.

⁴ United States Department of State – Bureau of Educational and Cultural Affairs. (n.d.). *International visitor leadership program*. Retrieved January 11, 2009 from <http://exchanges.state.gov/ivlp/ivlp.htm>.

- To compare civil and criminal justice systems operating at the federal, state and municipal levels.

During their visit to the Thomas F. Eagleton Courthouse, the international visitors observed the procedures of an in-progress civil trial presided by U.S. District Judge Catherine D. Perry. This experience provided the international guests with the opportunity to observe the civil procedures of the judiciary system at the federal level.

The guests of the Eastern District of Missouri also met and conferred with Chief U.S. District Judge Carol E. Jackson. It was during their meeting that they discussed among other issues court operations in the federal system.



International visitors met with Chief U.S. District Judge Carol E. Jackson and Clerk of Court Jim Woodward.

CONSTITUTION DAY

The Eastern District of Missouri celebrated Constitution Day on September 17, 2008 by hosting a community outreach event for high school students from Belleville West.

The students were first greeted and introduced to the program for the day in the Jury Assembly Room. After the introductions, the students participated in a discussion regarding the U.S. Constitution with U.S. District Judge Rodney W. Sippel, Assistant U.S. Attorney Tiffany Becker, and Assistant Federal Public Defender Kevin Curran. The students prepared in advance for this discussion by watching a video featuring U.S. Supreme Court Justices Antonin Scalia and Stephen G. Breyer. The video highlighted the differences in how the U.S. Constitution is viewed by “Originalists” and “Evolutionists”, when applying constitutional principles to contemporary disputes.



U.S. District Judge Rodney W. Sippel spoke to the students visiting on Constitution Day.

After this informative discussion, the students observed a sentencing hearing, took a tour of the Thomas F. Eagleton Courthouse, and observed a naturalization ceremony presided over by U.S. Magistrate Judge Terry I. Adelman at the Old Courthouse.



U.S. Magistrate Judge Terry I. Adelman presided over the naturalization ceremony on Constitution Day.

OPEN DOORS OF JUSTICE PROGRAM

On November 20, 2008, the Eastern District of Missouri hosted its annual “Open Doors of Justice” program. The District Court welcomed students from St. Louis Priory High School.

The program began in the Jury Assembly Room with introductions and greetings from Jeanne Pattrin, Deputy Clerk, and Jim Woodward, Clerk of Court. The first part of the program had the students observe a criminal trial in U.S. District Judge E. Richard Webber’s courtroom. At a break, Judge Webber invited the students back to his chambers for a tour.

Following the visit to Judge Webber’s courtroom, the students had the opportunity to view a

criminal sentencing in U.S. District Judge Henry E. Autrey’s courtroom. After the sentencing had concluded, the students held a discussion concerning national security and civil liberties with Judge Autrey, Assistant U.S. Attorney Jeffrey Jensen, and Assistant Federal Public Defender Jan Good.



U.S. District Judge Henry E. Autrey visited with the students from St. Louis Priory High School.

After the discussion, the students finished the day with a tour of the U.S. Marshal’s Office, a visit to the Justice Blackmun Rotunda on the 27th floor, and a visit to the En Banc Courtroom on the 28th floor.

COURTHOUSE TOURS

The Clerks’ Office of the U.S. District Court and other agencies within the Thomas F. Eagleton Courthouse hosted sixty-five tours to the public in 2008. The tour groups were primarily comprised of public and private school students from fifth grade through college from the St. Louis Metropolitan area. There were also several tours provided to various senior citizen groups.



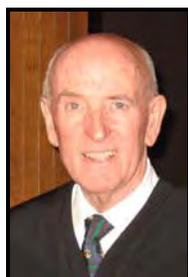
Students enjoying one of the tours at the Thomas F. Eagleton Courthouse in St. Louis.



The visiting groups most often began their tour in the Judicial Learning Center on the first floor of the courthouse. In addition to the tour, groups were offered opportunities to observe a District Court proceeding, visit the U.S. Marshal's Office, and participate in a discussion with a U.S. District or Magistrate Judge, Assistant U.S. Attorney, or a Federal Public Defender.

These visits to the courthouse make a positive and lasting impression on citizens, especially those who are unfamiliar with the operations and procedures of the federal judiciary. For the student visitors, the format of the tour provides a preview into future career opportunities such as in the law, law enforcement, or judicial administration.

ORAL HISTORY PROJECT UPDATE



*U.S. District Judge
E. Richard Webber*

In 2008, U.S. District Judge E. Richard Webber continued making progress on the court's oral history project. Judge Webber is leading the U.S. District Court in an effort to create oral histories on all retired and senior judges of the Eastern District of Missouri. Dr. Frank Nickell of Southeast Missouri State University's Visual Arts Department is the Director of the Center for Regional History and is providing production assistance for the recorded interviews. Over one hundred hours of research and preparation are required for each interview.

In addition to Judge William L. Hungate's completed production, Judge Webber completed the oral histories of Judges Edward L. Filippine and John F. Nangle in 2008. These recordings will be made available soon for viewing in the Judicial Learning Center on the first floor of the courthouse.

Work is already underway on the oral histories of Senior U.S. District Judge Donald J. Stohr, Judge William H. Webster, and Judge Stephen N. Limbaugh Sr. The oral histories of the late Judge Clyde S. Cahill and the late Judge George F. Gunn are being prepared through the efforts of family members, friends, and colleagues.

The oral history project lead by Judge Webber will also serve as a valuable reference for author Burton Boxerman who is in the process of completing a book discussing the history of the Eastern District of Missouri.

In addition to the oral histories, a review of the seventeen most significant cases from the Eastern District of Missouri will be completed in 2009. This review of case history will include recorded interviews with the judges who presided over and authored the opinions of these cases. Four of the cases will be made available to the public for viewing in the Judicial Learning Center in the near future.



*Senior U.S. District Judge Donald J. Stohr and
U.S. District Judge E. Richard Webber*

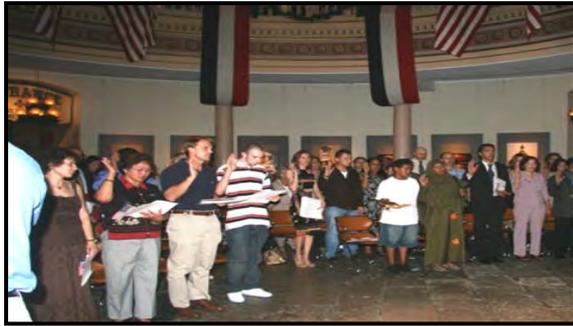
NATURALIZATION PROGRAMS

It was a record year for naturalization ceremonies in the Eastern District of Missouri in 2008. In twenty-nine ceremonies performed throughout the year, 2,727 petitioners became United States citizens. Of those new citizens, the League of Women Voters registered a total of 1,100 new voters at twenty-five ceremonies. As in previous years, numerous groups and individuals made various contributions to the naturalization programs. It is their continued support that enhances the value of this unique experience. There was a diverse group of individuals from politicians to legal professionals who shared their time and talent as speakers or singers during these ceremonies. Many different posts of the American Legion from Metropolitan St. Louis donated flags to new U.S. citizens. The Daughters of the American Revolution – Webster Groves Chapter donated patriotic bookmarks to new citizens. Many troops from the Boy Scouts of America from across the state of Missouri acted as Color Guard at the naturalization ceremonies. Administration and staff from the National Parks Service at the Jefferson National Expansion Memorial, Harris-Stowe State University, and Saint Louis University at Chaifetz Arena graciously made their facilities available for some of the ceremonies in 2008.

FOURTH OF JULY CEREMONY – The Fourth of July naturalization ceremony is held each year at the Old Courthouse at the Jefferson National Expansion Memorial. The ceremony took place on



July 3, 2008. U.S. District Judge Rodney W. Sippel presided at the ceremony. There were 67 petitioners. Troop 685 from the Boy Scouts of America advanced and retired the colors. The American Legion was represented by South St. Louis Memorial Post Number 37 and provided flags for the new citizens. The musical group called *The Courthouse Steps*, who all happen to be legal professionals, performed “God Bless America” and the “The Star-Spangled Banner”.



Petitioners take the oath of allegiance at the Fourth of July ceremony at the Old Courthouse.



U.S. District Judge Rodney W. Sippel welcomes a new U.S. citizen.

INAUGURAL CEREMONY AT THE RUSH HUDSON LIMBAUGH SR. UNITED STATES COURTHOUSE — The first naturalization ceremony at the Rush Hudson Limbaugh Sr. United States Courthouse in Cape Girardeau was held on July 11, 2008. Senior U.S. District Judge Stephen N. Limbaugh Sr. presided over his last naturalization ceremony prior to his retirement on July 31, 2008. There were 25 petitioners who took the oath of allegiance at this inaugural ceremony. Judge Limbaugh Sr. was also the guest speaker on this special occasion. In his address to the petitioners, Judge Limbaugh Sr. encouraged them to take pride in their new citizenship. Members of the local American Legion Post Number 63 advanced and retired the colors. Volunteers from the League of Women Voters registered new citizens to vote.



Senior U.S. District Judge Stephen N. Limbaugh Sr. presided over the inaugural naturalization ceremony at the Rush Hudson Limbaugh Sr. U.S. Courthouse in Cape Girardeau.

CONSTITUTION DAY CEREMONY —

The Constitution Day naturalization ceremony was held at the Old Courthouse at the Jefferson National Expansion Memorial on September 17, 2008. There were 62 petitioners who took the oath of allegiance. U.S. Magistrate Judge Terry I. Adelman presided at the ceremony.

CEREMONY AT CHAIFETZ ARENA —

A special Constitution Week naturalization ceremony held at Saint Louis University’s Chaifetz Arena was an addition to the regularly scheduled monthly ceremonies. The ceremony, which was the largest in the history of the Eastern District of Missouri, was held on September 19, 2008. There were 966 petitioners who took the oath of allegiance. U.S. Magistrate Judge Mary Ann L. Medler presided at the ceremony. Due to the large size of the ceremony, the amount of planning, coordination, and cooperation required of the U.S. Attorney’s Office, the U.S. Marshals Service, the United States Citizenship and Immigration Services Office, and Saint Louis University was extraordinary in order to make sure the event was conducted efficiently.



Petitioners for citizenship at Chaifetz Arena

U.S. Magistrate Judge Mary Ann L. Medler congratulating new citizens



RESULTS OF JUROR SURVEYS

JURY SERVICE EVALUATION

During the last six months of 2008, jurors who reported for jury selection were asked to answer a brief, confidential survey following the completion of their jury service. The surveys are designed to extract jurors' opinions on the different elements of jury service. Since 2006, the Eastern District of Missouri has been requesting that jurors take the time to comment on their recent experience. The court reviews each survey and enters the information into a database. The survey responses assist the court in improving the efficiency and satisfaction of jury service.

The surveys were numbered and color-coded into the following types of jury service:

- Jurors who were not selected for service
- Jurors who completed voir dire, but were not selected for service
- Jurors who completed voir dire, but were selected to serve on a panel, deliberated, and returned a verdict

Between July 1 and December 31, there were 1,256 jurors who completed the survey. The number of jurors who completed surveys increased 77.2 percent from 2007 to 2008 (709 v. 1256). Of 1,256 completed juror surveys, 785 jurors completed voir dire, but were not selected for service, 380 jurors were selected for service, and only 91 jurors were not selected for service. During this reporting period, a juror who reported for jury selection at the Eastern District of Missouri had approximately a 94 percent chance of at least completing voir dire.

The survey is divided into three primary sections not including a comments section placed at the end. The first part of the survey asked jurors to rate eight different aspects of jury service. The percentages displayed in *Table 1* (bottom of page) reflect an overall high degree of juror satisfaction with the listed elements of jury service.

In the second part of the survey, jurors were asked if their impression of jury service had changed after their experience at the Eastern District of Missouri. The responses from the surveys indicated that 71.4 percent of jurors found the experience more favorable than first expected, while 22.4 percent specified no change. This is an increase of nearly 5 percent with the "more favorable" response in this question from 2007 to 2008 (66.6% v. 71.4%). Only 1.8 percent of jurors found the experience to be less favorable than first expected.

The third section of the survey asked jurors if they had requested to be excused or deferred from service. The survey results indicated that 12.7 percent of jurors asked to be deferred or excused, while 83.3 percent did not. The number of jurors who asked to be excused or deferred increased 3.4 percent from 2007 to 2008 (9.3% v. 12.7%).

Of the completed surveys, 237 jurors replied to the comments section at the end. The majority of comments were compliments directed towards U.S. District Court personnel or the presiding judge at the trial. In addition, a number of jurors also commented on how valuable and satisfying they found the jury experience. Other issues that are discussed in the comments section are reviewed by court personnel for possible changes to jury operations or procedures.

TABLE 1: JURORS' RATINGS OF JURY SERVICE

July 1, 2008 – December 31, 2008

Percentages are rounded to the nearest tenth

Jury Service Aspects	Rating Scale					
	Excellent	Good	Satisfactory	Fair	Poor	Not Rated
Information provided	58.2%	30.4%	5.6%	0.8%	0.4%	4.6%
Initial orientation	60.8%	32.5%	3.7%	0.3%	0.0%	2.7%
Treatment by court personnel	80.3%	15.3%	2.2%	0.0%	0.1%	2.2%
Physical comforts	65.4%	26.6%	4.8%	0.9%	0.1%	2.3%
Parking facilities	41.5%	38.5%	11.9%	2.1%	0.5%	5.7%
Scheduling your time	42.4%	37.9%	12.0%	3.3%	1.4%	3.1%
Automated phone notification	59.6%	29.1%	6.5%	1.0%	0.6%	3.3%
Term of service	33.0%	33.5%	22.0%	5.2%	2.2%	4.1%

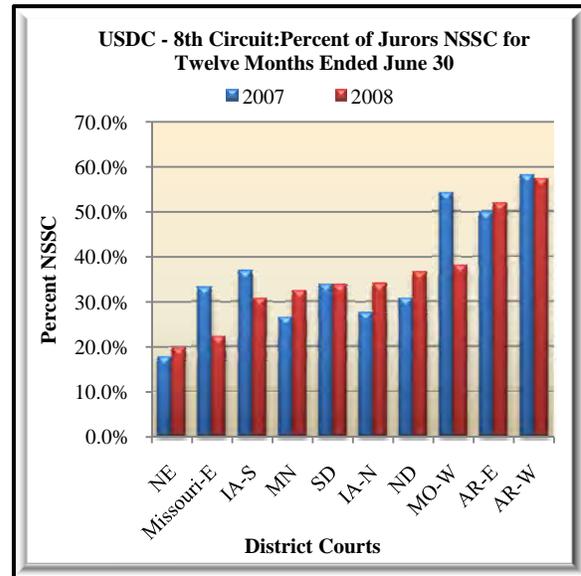
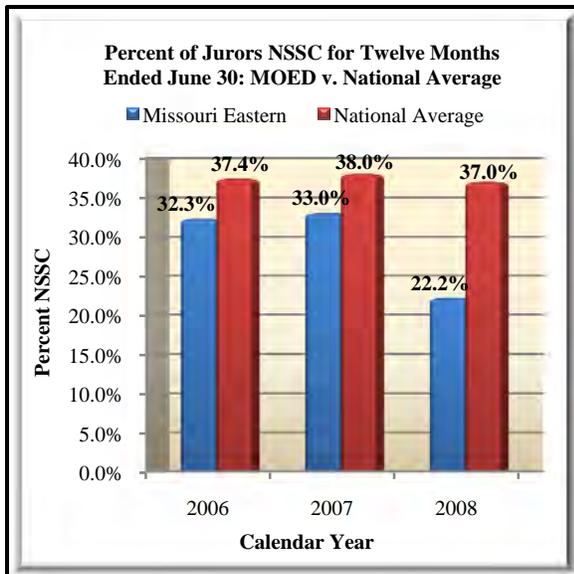


JUROR UTILIZATION

JUROR UTILIZATION REPORT

The Eastern District of Missouri closely monitors the effectiveness of its juror utilization practices. Effective juror utilization, as defined by the Judicial Conference, is thirty percent or less of jurors not selected, serving, or challenged on their first day of service (NSSC). Since adopting its juror utilization policy in 1993, the court has traditionally performed better than both the national average and the Judicial Conference goal.

The national average for the twelve months ending June 30, 2008 was 37.0 percent. For the twelve months ending June 30, 2008, only 22.2 percent of jurors reporting for duty in the Eastern District of Missouri were NSSC after the first day of service, compared to 33.0 percent for the twelve months ending June 30, 2007. This statistic is calculated for each court by combining the percentage of prospective jurors who did not participate in voir dire and the percentage in voir dire that were neither selected nor challenged on the first day of service. While the NSSC rate had been increasing marginally in the Eastern District of Missouri over the past few years, the court managed to perform better than the national average by almost fifteen percentage points and exceeded the Judicial Conference goal by nearly eight percentage points in the most recent reporting period.



In comparison to other district courts, the Eastern District of Missouri significantly improved its NSSC rate for the twelve month period ending June 30, 2008. Within the Eighth Circuit, the Court ranked second out of the ten district courts, compared to fifth in the prior reporting period. At the national level, the Eastern District of Missouri finished tenth out of the ninety-four district courts, compared to a ranking of thirty-ninth in the previous year. Among courts with six or more active Article III Judges in one location, the Eastern District of Missouri ranked second out of twenty-six courts, compared to ranking sixth in the previous year. There were several factors that contributed to this improvement such as successful pooling of jurors, a limited number of late settlements, and no cases of notoriety, such as death penalty prosecutions.

In a calendar year time frame (January – December), the Eastern District of Missouri once again exceeded the effective juror utilization standard of 30 percent established by the Judicial Conference with a 22.1 percent in 2008. Since 2005, the Eastern District of Missouri has not only significantly improved juror utilization, but has also seen the percentage of jurors who participate in voir dire increase from 87.1 percent in 2005 to 94.0 percent in 2008. The results from the two preceding reports reflect the dedication and desire on the part of judicial officers as well as court personnel in continually seeking to improve juror management.



As previously mentioned, the Eastern District of Missouri has been continually improving its juror management over the past several years. *Table 2* (below) displays statistics on juror utilization during calendar years 2006, 2007, and 2008. When comparing the statistics from 2007 and 2008, there were significant increases to several categories. For instance, the number jurors who appeared for jury

duty increased 58.8 percent from 2007 to 2008 (1969 v. 3126). The number of jurors who participated in voir dire increased 64.8 percent from 2007 to 2008 (1782 v. 2937). The number of jurors selected for trial increased 60.5 percent from 2007 to 2008 (567 v. 910). For a complete breakdown of monthly juror usage in 2008, please refer to *Appendix A* on pg. 50.

TABLE 2: JUROR UTILIZATION STATISTICS 2006-2008			
January 1 – December 31 Reporting Period			
	2006	2007	2008
Number of people sent qualification questionnaires	16,448	24,000	25,158
Number of jurors summoned for jury duty	9,684	10,353	8,992
Number of jurors who appeared for jury duty	2,874	1,969	3,126
Number of jurors who participated in voir dire*	2,542	1,782	2,937
Number of jurors who were selected for trial	716	567	910
Number of jury trials (civil and criminal)	70	53	80

*This figure includes three sets of jurors: (1) jurors who were selected for trial; (2) jurors challenged for cause or peremptorily, and (3) jurors who participated in voir dire, but were not selected or challenged.

E-JUROR WEB PAGE PROJECT

The Eastern District of Missouri participated with a select group of districts in the development and testing of the E-Juror Web Page project. E-Juror, which was installed in the first two pilot courts in December 2008, enables jurors to complete and submit their initial juror qualification questionnaires

and juror information via the internet. Once registered, jurors can update their information, check their juror status, request an excuse or deferment, and obtain reporting instructions online. This project once fully implemented will further facilitate the jury experience, by making data collection and processing of juror information more convenient.

SECTION TWO: SERVING THE BENCH

UNITED STATES MAGISTRATE JUDGE UTILIZATION

U.S. MAGISTRATE JUDGE STATISTICS

The Eastern District of Missouri consistently has one of the highest numbers of magistrate judge consent dispositions not only within the Eighth Circuit, but also nationally among the 94 U.S. District Courts. According to the 2005-2007 Annual Reports from the Administrative Office of the U.S. Courts, the Eastern District of Missouri ranked first among the courts in the Eighth Circuit and fourth nationally in consent dispositions⁵ (486 in 2005, 461 in 2006, and 458 in 2007).

Table 3 (next page) identifies, in part, the civil caseload assigned to U.S. Magistrate Judges in the Eastern District of Missouri in 2007 and 2008. By local rule, U.S. Magistrate Judges are included in the civil case assignment system to receive new civil cases at time of filing. The Eastern District of Missouri assigns approximately 40 percent of available civil cases to U.S. Magistrate Judges (excluding cases with motions for temporary restraining orders, multidistrict litigation transfer cases, and civil forfeiture cases).

⁵ U.S. District Courts – Civil Consent Cases Terminated by U.S. Magistrate Judges Under 28 U.S.C. 636(c) During the 12-Month Period Ending September 30, 2007 (*Table M-5*).



TABLE 3 – U.S. MAGISTRATE JUDGE UTILIZATION*			
January 1 – December 31 Reporting Period			
<i>Percentages are rounded to the nearest tenth</i>			
	2007	2008	Totals
Total New Civil Case Filings – All Types	2358	2281	4638
New Civil Cases Assigned Exclusively to U.S. District Judges	430	490	920
New Civil Cases Available to U.S. Magistrate Judges	1928	1791	3718
New Civil Cases Assigned to U.S. Magistrate Judges	647	770	1417
Percentage of New Civil Filings Assigned to U.S. Magistrate Judges	33.6%	43.0%	38.1%

2007 was the first year that the assignment distribution report was available in CM/ECF.

*The figures presented in the table above do not represent civil consent cases terminated by U.S. Magistrate Judges under 28 U.S.C. 636(c), but only the civil workload directly assigned at time of case filing.

ENHANCING COURTROOM TECHNOLOGY

The Information Systems Department (ISD) of the U.S. District Court strives to stay current with technology available to improve courtroom proceedings and the operations of the Clerks' Office. The following projects were completed in 2008:

- A 50-inch monitor was installed in the Gateway Conference Room of the Clerks' Office. This monitor will allow laptops to be used during meetings and conference calls.
- A Kiosk system was created to run the media library in the JLC on the first floor.
- An audio system was installed in the Automation Training Room.
- An audio system was installed in the Initial Appearance room at the new courthouse in Cape Girardeau.
- A new FTR reporter deck was installed in the Initial Appearance room at the courthouse in St. Louis. An FTR is a digital recording software package that is used to record different types of proceedings.
- ATXM streaming courtroom monitoring software was installed allowing courtroom audio to be heard over a desktop pc.
- Three state-of-the-art courtrooms were placed in service in the Rush Hudson Limbaugh Sr. U.S. Courthouse in Cape Girardeau.

TELEPHONE INTERPRETING PROGRAM (TIP)

In 1989, the Judicial Conference authorized a pilot experiment to determine whether telephone interpreting for non-English speaking defendants was a feasible alternative to using live interpreters for courtroom proceedings. In November 1990, the District of New Mexico was one of the first U.S. District Courts to utilize a telephone interpreting system prototype. After reviewing the results at the District of New Mexico, the Judicial Conference in 1994 approved further expansion of the pilot program.

There were several phases to the pilot program with telephone interpreting. Among others, staff of District Courts and contracted interpreters had to be instructed on how to effectively use the program. By 2002, the telephone interpreting program became available nationally and a website was developed in order to manage scheduling and operations.

TIP provides the following benefits to U.S. District Courts:

- Provides easy access to interpretation services when live resources are not available locally
- Reduces expenditures
- Reduces time and travel cost associated with importing certified interpreters from outside of the area
- Ensures defendant access to a certified/qualified interpreter in court proceedings
- The receiver court needs minimal equipment (a two-line telephone system in the courtroom) to participate in the TIP program.

In 2001, sixteen district courts participated in the TIP pilot program with a total of 975 events at a cost of \$20,379 with a savings of \$264,451. A



year later when the program went nationwide, twenty-four district courts participated with a total of 1,581 events at a cost of \$48,463 with a savings of \$472,869. By 2007, forty-eight district courts were participating in the program with a total of 3,683 TIP events at a cost of \$102,196 with an estimated savings of \$1,114,586.

Since the Eastern District of Missouri began participating in the TIP program in 2003, there has been a steady increase in the number of TIP events locally. However, in 2008, there was an 11.5 percent decrease in the number of usages by the court (218 v. 193). The cost for the TIP proceedings was \$5,015 with an estimated savings of \$58,921. *Table 4 (right)* displays the TIP statistics dating back to 2003.

TABLE 4 – TIP STATISTICS			
January 1 – December 31 Reporting Period			
Year	# of Events	TIP Costs*	Estimated Savings**
2003	29	\$801.00	\$8,523.00
2004	110	\$1,940.00	\$34,357.00
2005	145	\$3,656.00	\$44,296.00
2006	167	\$5,745.00	\$49,866.00
2007	218	\$5,428.00	\$66,833.00
2008	193	\$5,015.00	\$58,921.00
Total	862	\$22,585.00	\$262,796.00
<i>Avg.</i>	<i>144</i>	<i>\$3,764</i>	<i>\$43,799</i>

**TIP costs are paid from a centralized, nationwide budget
**Estimated savings for interpreter travel costs are not calculated due to the variability in airfare and lodging costs.*

ALTERNATIVE DISPUTE RESOLUTION (ADR)

THE ADR PROGRAM



ADR Suite

In 1994, the District Court established its Alternative Dispute Resolution (ADR) program. Designed to give litigants ready access to case evaluation and/or settlement techniques, the ADR program seeks to encourage mutually satisfactory resolutions to disputes in the early stages of litigation. Such early case resolution tend to increase litigant satisfaction with the judicial process and more efficiently use judicial and private resources.

Authorized by Local Rules 16-6.01 to 16-6.05, the ADR program provides two dispute resolution procedures, mediation and early neutral evaluation (ENE), to litigants in civil cases. Mediation is a process in which an impartial neutral (mediator) facilitates negotiations among the parties in litigation to help them reach a settlement. ENE is a process in which an experienced neutral evaluator offers pre-trial planning assistance to parties together with a reasoned, non-binding assessment of their case at an early stage of the litigation process.

Most civil case types are eligible for ADR referral, with a few specified exceptions, such as Social Security cases and other cases generally decided on briefs. Rule 16-6.01 gives judges authority to refer appropriate cases to ADR. The court established a panel of mediators and neutral

evaluators to provide ADR services, for fees set by each neutral, and specified training requirements for panel members.

The ADR program was established as part of a broader set of reforms adopted by the court under the 1990 Civil Justice Reform Act (CJRA). Among this broader set of reforms, the court adopted a uniform set of case management procedures that include a standard case management order and commitment by the judges to hold early Rule 16 conferences with counsel in all eligible cases. This conference provides the occasion for managing discovery, setting firm schedules for each case, and making referrals to ADR.

The ADR program was designed to achieve the following three primary goals:

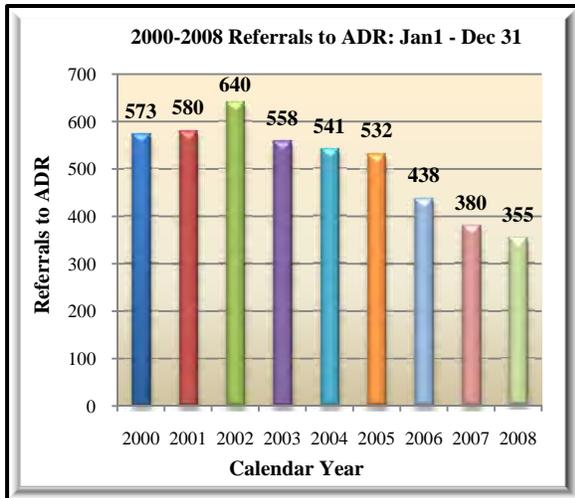
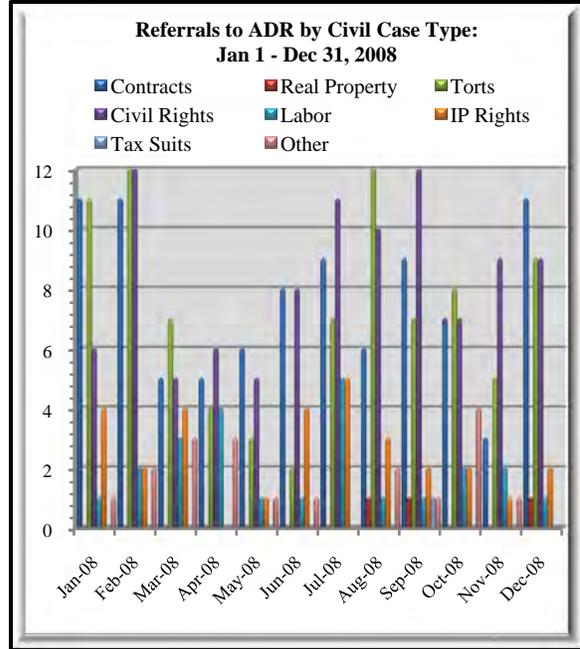
1. To help reduce costs of civil litigation
2. To decrease the time to disposition for cases not requiring a trial
3. To enhance the satisfaction of parties by offering them more control over the resolution of their dispute

In order to make certain that the goals of ADR are being met, an ADR Advisory Committee was formed in June 2000. The committee, which is currently chaired by U.S. District Judge Charles A. Shaw, makes recommendations for improvement to program practices and procedures. The committee is comprised of District Court personnel, law professors, court-certified neutrals, and U.S. District and Magistrate Judges.

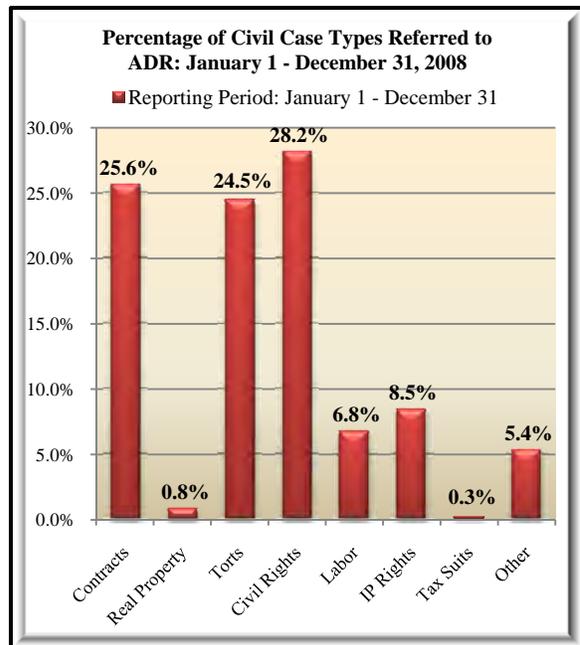
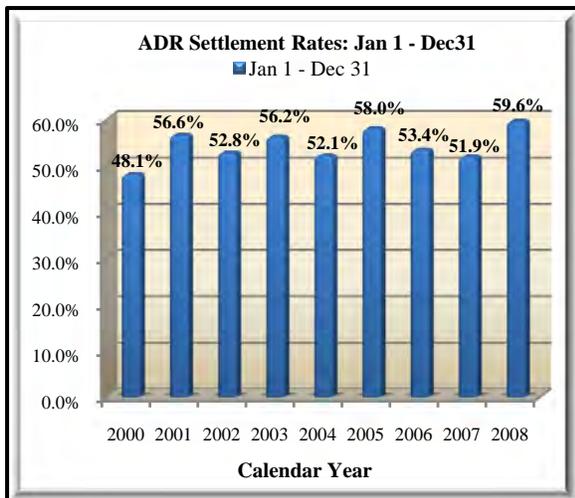


ADR PROGRAM STATISTICS

Referrals to ADR between January 1 and December 31, 2008 totaled 355, compared to 380 referrals to ADR in 2007, and 438 referrals to ADR in 2006. The number of referrals to ADR decreased approximately 6.6 percent from 2007 to 2008 (380 v. 355). The settlement ratio was approximately 59.6 percent among ADR-referred cases in which a compliance report was filed during the twelve months of 2008, compared to 51.9 percent during the twelve months of 2007, and 53.4 percent during the twelve months of 2006. This was the highest success rate the ADR program has had since 2000. The number of mediations totaled 213 in 2008, compared to 243 in 2007. The number of mediations decreased 12.3 percent from 2007 to 2008 (243 v. 213). Eight attorneys were certified as neutrals during 2008. This brings the total number of certified neutrals available in the Eastern District of Missouri to 205. Retired Senior U.S. District Judge Stephen N. Limbaugh Sr. was among the eight neutrals certified in 2008.



Traditionally, the three case types most commonly referred to ADR are contracts, torts, and civil rights. In 2008, this was no exception. Of the 355 civil cases referred to ADR, 278 or roughly 78 percent of the cases were contracts, torts, or civil rights. Civil rights cases comprised 28.2 percent (100 civil rights cases referred to ADR) of the total referrals to ADR, while contracts cases made up 26.5 percent (91 contracts cases referred to ADR) and torts cases 24.5 percent respectively (87 tort cases referred to ADR).





SUMMARY OF FEDERAL JUDICIAL CENTER (FJC) STUDY

In July 2008, the FJC conducted a study at the U.S. District Court for the Eastern District of Missouri in order to determine, if possible, the causes behind a decline in the number of cases referred to ADR for the past several years. The plan for the study included interviews with all judges as well as an examination of caseload and program statistics. Findings from the interviews, caseload statistics, and

a docket review provided the basis for the report. In the report, the study provided a number of possible explanations for the decline in ADR referrals from 2000 to 2007. Following these hypotheses, the study made some conclusions concerning the status of the ADR program in the Eastern District of Missouri. To close the report, the study provided the U.S. District Court with recommendations to consider in order to possibly reverse the downward trend of cases referred to ADR. The recommendations produced from the FJC study will be discussed by the ADR Advisory Committee at a meeting in March 2009.

CONTINUITY OF OPERATIONS PLAN (COOP)

The Continuity of Operations Plan (COOP) for the Eastern District of Missouri fulfills the court's legal obligation to the people of the United States by maintaining operational capabilities prudently and efficiently in the event that a disaster would make normal activities and legal proceedings within the courthouse impossible. The plan is updated on a regular basis in order to make certain of the following factors: the safety of employees; to provide efficient communications between court/chambers personnel and other governmental agencies; and to coordinate with state and municipal officials and agencies to stabilize, secure, and maintain public records and property for the continuation of court operations.

The COOP provides policy, delineates responsibilities, and outlines procedures to make certain the continuation of the Eastern District of Missouri's essential functions when the use of the courthouse facilities in St. Louis, Cape Girardeau, and/or Hannibal is threatened or diminished. In 2008, the COOP committee was not only revived, but expanded its membership. The committee is now comprised of the following members: Clerks' Office at the U.S. District Court, U.S. Probation, U.S. Pretrial, U.S. Marshals, U.S. Public Defender, and the U.S. Attorney's Office. The goal for the committee in 2009 is to revise the entire COOP document, which includes the addition of a pandemic policy, and to conduct a tabletop exercise, designed to test our capacity to implement the plan.

PRO SE UNIT STATISTICS

In 2008, there were 2,281 new civil cases filed in the Eastern District of Missouri including multidistrict litigation transfer cases (MDL). Of those civil filings, 760 cases were initially processed through the Pro Se Unit, which equals approximately 33.3 percent of the court's civil docket. In comparison to 2007, the Pro Se Unit initially processed 15 percent more cases (894 v. 760), which equaled approximately 5 percent more of the court's civil docket (38 v. 33.3). The 760 cases initially processed by the Pro Se Unit in 2008 were comprised of the following case types: 203 prisoner suits; 176 social security appeals; 163 state habeas cases; 134 non-prisoner suits; and 84 federal habeas cases. In social security appeals, the Pro Se Unit only conducts a procedural review. Excluding those from the count, there were 584 cases filed which received or will receive substantive review from the Pro Se Unit. By

removing social security appeals from the total, the 584 cases comprise approximately 26 percent of the court's civil docket. In 2007, the Pro Se Unit performed substantive review on 18.4 percent more cases excluding social security appeals (718 v. 584).

In 2008, the pre-service dismissal rate for prisoner civil rights suits was approximately 66 percent, compared to 70 percent in 2007. Of the cases that survived frivolity review, approximately 40 percent had some claims or parties dismissed. The pre-service dismissal rate for state and federal habeas petitions was approximately 33 percent. Also in 2008, the Pro Se Unit drafted and sent out 2,127 orders, which is a 3.2 percent decrease from 2007 (2,198 v. 2127). Of those, 2,100 were civil orders and 27 were criminal orders. The Pro Se Unit prepared CJA recommendations for 10 death penalty cases.



CIVIL JUSTICE REFORM ACT OF 1990 (CJRA) REPORTS

The CJRA report continued to be a semi-annual submission to the Administrative Office of the U.S. Courts with reporting periods ending March 31 and September 30, 2008 with data in the following categories.

- Reportable motions (motions pending six months or longer)
- Bench trials (case pending more than six months after the last day of trial)
- Bankruptcy appeals (pending more than six months after the filing date)
- Social Security appeals (pending more than 10 months after the answer was filed)
- Three-year-old civil cases (pending more than three years after date of filing)

The March 31, 2008 report included 12 reportable motions, compared to 5 reportable motions in 2007, and 37 reportable motions in 2006. The September 30, 2008 report identified 12 reportable motions, compared to 5 reportable motions in 2007, and 13 reportable motions in 2006. On the March 31, 2008 report, there were no bankruptcy or social security appeals. On the September 30, 2008 report, there were no bankruptcy appeals and one social security appeal. The March 31, 2008 report identified 15 three-year-old cases, compared to 13 three-year-old cases in 2007, and 16 three-year-old cases in 2006. The September 30, 2008 report noted 15 three-year-old cases, compared to 22 three-year-old cases in 2007, and 18 three-year-old cases in 2006.

CRACK COCAINE GUIDELINE RETROACTIVITY

The District Court Administration Division (DCAD) worked closely with the Administrative Office's (AO) Office of Probation and Pretrial Services to get information to the courts on the impact of the decision in 2008 by the United States Sentencing Commission (USSC) regarding the retroactive application of amendments to the sentencing guidelines for crack cocaine offenders. The AO staff used CM/ECF and Probation and Pretrial Services Automated Case Tracking Systems (PACTS) to identify defendants in each district that may be eligible for a reduction in sentence.

The Probation Office for the Eastern District of Missouri hosted the Crack Amendment Retroactivity Summit on January 24-25, 2008.

Listed below are the figures from the Eastern District of Missouri regarding crack cocaine retroactivity:

- Number of motions filed – *903 motions*
- Number of defendants resentenced and judgments entered – *468 defendants*

WEST KM®

A LEGAL RESEARCH TOOL FOR JUDGES AND LAW CLERKS

Document management within a complex institution like the United States District Court is a challenge. And because there are few convenient methods for storing, indexing, searching, retrieving and referencing the unpublished work product of others, these functions happen only rarely. Several federal court units recently have begun using West km® (short for "knowledge management"). After investigating the features of this system and gathering information from other courts using this product, the Eastern District of Missouri implemented West km® in August 2008.

The primary benefit of West km® for judges and law clerks is the ability it creates for users to store internal memoranda and completed court documents in a non-public database which can be searched by key word, author, case citation or statutory reference. Once a relevant document is retrieved from the database, a user can make use of a pertinent section of the research while simultaneously searching new cases on the same point, subsequent citations and secondary resources using the full range of Westlaw research tools.



As this database builds with internal work product, judges and law clerks will find it much easier to determine if research on a point of law has been produced by other members of the court family. Updating the previous work of another will be simpler and more efficient than starting fresh with

each new research task. The team responsible for implementing this new tool in the district court was led by Judge Catherine Perry with technical project support provided by Carol Tullock, from the ISD department.

NEW LAW CLERK ORIENTATION

On September 10 and 11 of 2008, the Eastern District of Missouri held a two-day orientation for incoming law clerks. The purpose of the program is to familiarize the new law clerks with the District Court's policies, procedures, and operations. Six new law clerks joined the court in the fall of 2008:

- Tiffany Cruz – Law Clerk to Chief U.S. District Judge Carol E. Jackson
- Kaitlin Bridges – Law Clerk to U.S. District Judge E. Richard Webber
- Alison Spinden – Law Clerk to U.S. District Judge Stephen N. Limbaugh Jr.
- Sara Molina – Law Clerk to U.S. District Judge Rodney W. Sippel

- Eleanor Forbes – Law Clerk to U.S. District Judge Catherine D. Perry
- Jennifer Behm – Law Clerk to U.S. District Judge Jean C. Hamilton

During this two-day orientation, the new law clerks were welcomed by Chief U.S. District Judge Carol E. Jackson and Clerk of Court Jim Woodward. Jeanne Patrin, Human Resources/Training Coordinator, followed with an orientation preview. After the introductions, representatives from different agencies met and discussed with the law clerks their roles within the courthouse. Several members from the Clerks' Office staff as well as experienced law clerks briefed the new law clerks on what to be expected in their new positions.



ANNUAL RETREATS

LAW CLERKS' ANNUAL RETREAT

The law clerks' annual retreat was held June 11, 2008 at Moulin Events & Meetings located in St. Louis City. Guest speakers and topics included the following:

- Michael S. Geigerman, U.S. Arbitration & Mediation – *The Process of Mediation*
- DEA Special Agent Robert Hanson, Confidential Source Coordinator – *The Role of the DEA in Pursuing and Prosecuting Drug Offenders in the Eastern District of Missouri*
- Josh Restivo, Certified Information Systems Security Professional for United Forensics – *Computer Forensics and Electronic Discovery*
- The Honorable Glenn A. Norton, Missouri Court of Appeals – *The Eastern District of Missouri*
- Monica Allen, Deputy General Counsel and Chief Litigation Counsel for Washington University – *Comparison of Ethics in the Legal and Medical Professions*
- Doug Burris, Chief Probation Officer; Sam Bertolet, Assistant United States Attorney; and Janet Hinton, Paralegal for the Federal Public Defender's Office – *Issues in Resentencing Crack Offenders*

JUDICIAL TRANSITIONS

REAPPOINTMENT OF U.S. MAGISTRATE JUDGES

On October 1, 2008, U.S. Magistrate Judge David D. Noce was reappointed to serve a new term of eight years for the Eastern District of Missouri. Judge Noce has served the U.S. District Court since October 1, 1976.



U.S. Magistrate Judge David D. Noce being sworn in by Chief U.S. District Judge Carol E. Jackson with Clerk of Court Jim Woodward standing present.

On December 1, 2008, U.S. Magistrate Judge Terry I. Adelman was reappointed to serve a new term of eight years for the Eastern District of Missouri. Judge Adelman served the court as Chief U.S. Magistrate Judge from September 30, 2003 to September 30, 2008.



U.S. Magistrate Judge Terry I. Adelman

NEW CHIEF U.S. MAGISTRATE JUDGE

On October 1, 2008, U.S. Magistrate Judge Mary Ann L. Medler was designated Chief United States Magistrate Judge for a term of five years. Judge Medler replaced U.S. Magistrate Judge Terry I. Adelman as Chief U.S. Magistrate Judge.



Chief U.S. Magistrate Judge Mary Ann L. Medler



APPOINTMENT OF NEW U.S. DISTRICT JUDGE

U.S. District Judge Stephen N. Limbaugh Jr. was nominated to the U.S. District Court for the Eastern District of Missouri by President George W. Bush on December 6, 2007. Judge Limbaugh Jr. was confirmed by the U.S. Senate on June 10, 2008 and sworn in on August 1, 2008.

Before joining the Eastern District of Missouri, Judge Limbaugh Jr. had a distinguished career as a lawyer and a judge. He was an associate in the law firm of Limbaugh, Limbaugh & Russell in Cape Girardeau, Missouri from 1977 to 1978. From 1979 to 1982, Judge Limbaugh Jr. was the Prosecuting Attorney for the County of Cape Girardeau, Missouri. Following his service as prosecuting attorney, Judge Limbaugh Jr. returned to the law firm of Limbaugh, Limbaugh, Russell & Syler, P.C. as a partner from 1983 to 1987. From 1987 to 1992, Judge Limbaugh Jr. served as a Circuit Judge in the 32nd Judicial Circuit of Missouri. In 1992, Judge Limbaugh Jr. was appointed to the Supreme Court of Missouri. While in the Missouri



U.S. District Judge Stephen N. Limbaugh Jr. being sworn-in by Chief U.S. District Judge Carol E. Jackson with his wife, Marsha, (right) and parents (left) present.

Supreme Court, Judge Limbaugh Jr. served as chief justice from July 2001 through June 2003. Judge Limbaugh Jr. served on the Missouri Supreme Court until being sworn in as a U.S. District Judge.

SECTION THREE: SERVING THE BAR

CRIMINAL JUSTICE ACT (CJA) ATTORNEY APPOINTMENTS

Tables 5-7 (below and next page) provide a profile of attorney appointments/assignments in criminal cases over the past three calendar years (2006-2008). Attorney appointments are made under

the Criminal Justice Act and from the Federal Public Defender's Office, while other attorney assignments occur when counsel is retained by a defendant.

LEGEND FOR TABLES 5-7		
CJA = Criminal Justice Act	FPD = Federal Public Defender	RET = Retained

TABLE 5: CLIENT REPRESENTATIONS*											
January 1 – December 31 Reporting Period											
CJA			FPD			RET			Total		
2006	2007	2008	2006	2007	2008	2006	2007	2008	2006	2007	2008
377	380	424	866	899	1099	560	555	611	1803	1834	2134

*Include multiple appointments in a single case as well as appointments in probation and supervised release revocation proceedings.



TABLE 6: CJA BY NUMBER OF APPOINTMENTS PER ATTORNEY								
January 1 – December 31 Reporting Period								
1-3			4-9			10 or more		
2006	2007	2008	2006	2007	2008	2006	2007	2008
62	53	57	17	16	13	12	11	14

TABLE 7: CJA v. FPD APPOINTMENTS					
January 1 – December 31 Reporting Period					
2006		2007		2008	
FPD	CJA	FPD	CJA	FPD	CJA
866	377	899	380	1099	424

The total number of attorney appointments (CJA and FPD) increased 19.1 percent from 2007 to 2008 (1279 v. 1523). In comparison to 2006, the total number of attorney appointments (CJA and FPD) increased 22.5 percent in 2008 (1243 v. 1523).

In 2008, 27.8 percent of the attorney appointments were CJA (424 CJA appointments), while in 2007, CJA appointments accounted for 29.7 (380 CJA appointments) percent of attorney appointments. CJA appointments increased 11.6 percent from 2007 to 2008 (380 v. 424).

FPD appointments made up 72.2 percent of the attorney appointments in 2008. While in 2007, FPD appointments accounted for 70.3 percent of

attorney appointments. FPD appointments increased 22.2 percent from 2007 to 2008 (899 v. 1099). When comparing 2006 to 2008, FPD appointments increased 26.9 percent (866 v. 1099).

The number of private counsel retained by defendants increased 10.1 percent from 2007 to 2008 (555 v. 611), while from 2006 to 2007 (560 v. 555), there was a less than one percent decrease in the number of private counsel retained by defendants.

Criminal defense representation (including CJA, FPD, and RET) increased 16.4 percent from 2007 to 2008 (1834 v. 2134). When comparing criminal defense representation from 2006 to 2008, representation increased 18.4 percent (1803 v. 2134).

CRIMINAL JUSTICE ACT (CJA) SEMINAR

The sixth annual Criminal Justice Act (CJA) Panel Attorney Seminar was held May 15, 2008 at the Thomas F. Eagleton Courthouse in the Jury Assembly Room on the first floor. The event was sponsored by the U.S. District Court and the Office of the Federal Public Defender for the Eastern District of Missouri. Fifty-nine CJA panel and lead attorneys attended the CJA seminar. Members of the Federal Public Defender’s Office, the Clerks’ Office, as well as a number of U.S. District Judges and U.S. Magistrate Judges were also in attendance for the seminar.

The seminar opened with welcoming remarks from U.S. Magistrate Judge Frederick R. Buckles and Mr. Lee Lawless, Federal Public Defender for the Eastern District of Missouri. Seminar topics included the following:



U.S. Magistrate Judge Frederick R. Buckles provided opening remarks at the CJA Seminar.

- *Criminal Law and Procedure Opinions in the 2007-2008 Term of the United States Supreme Court: Discussion, Analysis, and Predictions.* Presented by Paul Rashkind,



Assistant Federal Defender for the Southern District of Florida.

- *Ethics and Attorney Misconduct*. Presented by Richard Anderson, Federal Defender for the Northern District of Texas.
- *Project EARN (Expanding Addicts Recovery Network) a.k.a. Drug Court*. Presented by Doug Burris, Chief Probation Officer for the Eastern District of Missouri.
- *Selecting a Jury – Tips from the Judicial Perspective*. Presented by Senior U.S. District Judge Stephen N. Limbaugh Sr.
- *Selecting a Jury in MO-E – Tips from Defense Counsel*. Presented by Scott Rosenblum, Rosenblum, Schwartz, Rogers, and Glass, P.C.
- *Selecting a Jury – Review of the Law*. Presented by Susan McGraugh, Assistant Clinical Professor of Law at Saint Louis University School of Law and Cathy Ditraglia, Assistant Federal Defender.
- *Report of CJA Panel Attorney Representative*. Presented by Grant Shostak.
- *Electronic Filing of Sealed Documents*. Presented by Lori Miller-Taylor, Chief Deputy Clerk.



Mr. Lee Lawless offered welcoming remarks at CJA seminar.



Senior U.S. District Judge Stephen N. Limbaugh Sr. discussed the judicial perspective of selecting a jury.



Cathy Ditraglia discussed a review of the law in reference to selecting a jury.

FEDERAL PRACTICE FUNDAMENTALS SEMINAR

The fourth annual Federal Practice Fundamentals Seminar, sponsored by the U.S. District Court and The Federal Practice Memorial Trust, was held September 25, 2008 in the Jury Assembly Room of the Thomas F. Eagleton courthouse. The seminar entitled, *Inside the Federal Courts: A Tutorial for New Practitioners*, was designed to introduce attorneys new to federal practice. More specifically, the seminar discusses the different operations, policies, procedures, and resources that attorneys new to federal practice should be aware of before appearing in court.

Chief U.S. District Judge Carol E. Jackson, David Harlan, and Lori Miller-Taylor, Chief Deputy Clerk, welcomed the new practitioners to the seminar. Clerk of Court Jim Woodward and Coley Lewis, Policy and Research Analyst, provided a profile of the Eastern District of Missouri that discussed the roles of different judges, the Magistrate consent process, a statistical breakdown of the court's workload including trial starts (jury and bench), and a review of the time to disposition of various pleadings and hearings.



Chief U.S. District Judge Carol E. Jackson (left) and Chief Deputy Clerk Lori Miller-Taylor (right) greeted the new practitioners.

Session I, *Federal Civil Procedure*, was presented by U.S. District Judge Catherine D. Perry, Karen Moore, Operations Manager, Denise Woodside, law clerk to Senior U.S. District Judge Donald J. Stohr, and Melanie Berg, Case Management Team Leader, which provided an overview of the local rules and proper procedures for filing of interpleaders, removals, TROs, defaults, and motions and exhibits. Session I also discussed jury operations, informal matters, discovery disputes, case management orders, courtroom practices, and post judgment “do’s and don’ts”. Session I concluded with the “meet and confer” rule and communications with the court.



Session I Panel: U.S. District Judge Catherine D. Perry, Denise Woodside, Karen Moore, and Melanie Berg

Session II, *Ethical Advocacy in Federal Court*, was presented by U.S. District Judge E. Richard Webber, Attorney Dan O’Keefe, and Chief Disciplinary Counsel Alan D. Pratzel. This session discussed ethical standards, including civility between lawyers, as they apply to Federal Court.

Session III, *Alternative Dispute Resolution*, was presented by Clerk of Court Jim Woodward and Attorney James Reeves. This session provided an explanation of the Alternative Dispute Resolution process and the benefits of mediation for civil cases.

Session IV, *Case Management/Electronic Case Filing in the District Court (Sealed Functionality)*, was presented by Michael Newsham and Kim Klein. In this discussion, an explanation of case management including docketing and filing complaints was provided. Session IV concluded with an overview of the CM/ECF system and PACER.

Session V, *Criminal Practice*, was presented by U.S. Magistrate Judge Frederick R. Buckles, Attorney Adam Fein, and Assistant U.S. Attorney Mike Reap. This panel provided an overview of the attorney appointment process, Criminal Justice Act (CJA) 20, 21, and 24 Vouchers, contact with the U.S. Attorney’s Office, CJA Lead Panel, and other resources.



U.S. Magistrate Judge Audrey G. Fleissig demonstrated how to use the courtroom equipment.

Session VI, *Courtroom Technology*, was presented by U.S. Magistrate Judge Audrey G. Fleissig and Adam Zipprich. This panel gave an orientation to electronic evidence presentation, Smart Tables, and interpretation equipment.

Session VII, *Judges’ Roundtable*, gave the new practitioners the opportunity to ask questions of U.S. District and Magistrate Judges on a broad range of topics.



(Top) U.S. District Judge Charles A. Shaw (sitting) and U.S. Magistrate Judge Frederick R. Buckles (Bottom) U.S. District Judges Jean C. Hamilton and E. Richard Webber took questions from new practitioners at the seminar.



REVISIONS TO LOCAL RULES

The court approved two amendments to Local Rules in 2008. In a revision to Rule 2.08, new paragraph (E) was added directing the clerk of court to make an additional entry on the docket in each civil case assigned at time of filing to a magistrate judge and each criminal case with a referral for pretrial to a magistrate judge. This entry shall state that the assigned or referred magistrate judge is authorized to exercise authority, as appropriate, under 28 U.S.C. § 636 and 18 U.S.C. § 3401. This amendment was approved in response to the decision in *United States v. Azure*, 539 F.3d 904 (8th Cir. 2008), which held that the authority of a magistrate judge, at least in criminal cases, must be supported by an indication in the record confirming that the magistrate judge has been designated by the district court to conduct a proceeding.

Also amended was Local Rule 12.01(E), which concerns admission of an attorney on a motion pro hac vice. In addition to the motion averring that the attorney is admitted to practice in another

jurisdiction and is a member in good standing of that bar, the rule as amended requires the movant to provide a certificate of good standing or another form of proof of good standing satisfactory to the court. This rule change was made in response to a national concern that admission pro hac vice might be granted by a district court to a non-attorney who asserts membership in the bar of another jurisdiction without being required to file proof of good standing.

CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF)

TRAINING AND SUPPORT

The Eastern District of Missouri provides users of CM/ECF with various types of support and training opportunities throughout the year including the following:

- CM/ECF training classes for attorneys and support staff are available each month.
- The U.S. District Court's website offers access to on-line training, the CM/ECF Administrative Procedures Manual, criminal and civil events list, and the local rules.
- Automation Help Desk is available during courthouse hours to internal and external users.
- Sealed information and docketing was made available to attorneys involved in a case.
- Transcripts were made available after a waiting period of ninety days.
- "Create appendix" option was added to the docket report for all users.

PARTICIPATION

Listed below are the participation numbers for CM/ECF in 2008:

- *Attorney Registration Totals* – As of December 31, 2008, there have been 9,155⁶ attorneys who have created an account for electronic filing with the U.S. District Court since its launch in 2003. Of that number, 8,545⁷ attorneys currently utilize electronic filing with the court. Of 8,545, 4,861⁸ attorneys are active. Of 9,155, 610 attorneys no longer have access to electronic filing, due to a change in status with the court.
- *Calendar Year Attorney Registrations* – From January 1 to December 31, 2008, there were 855 new attorney registrations for

⁶ This number includes every attorney who has used electronic filing with the court since 2003.

⁷ This number represents the cumulative total of attorneys who currently utilize electronic filing.

⁸ This number represents the cumulative total of attorneys who registered for electronic filing with the court.



electronic filing, while in 2007, there were 1,317 new attorney registrations for electronic filing. This is a 31.5 percent decrease from 2007 to 2008 (1,317 v. 855).

- *Attorney Docketing* – In 2008, attorneys logged 49,060 transactions in CM/ECF. This is a 10.2 percent increase in the number of logged transactions from 2007 to 2008 (44,491 v. 49,060).

- *Staff Docketing* – In 2008, court personnel logged 122,535 transactions in CM/ECF. This is a 2.2 percent decrease in the number of transactions logged by court personnel from 2007 to 2008 (125,258 v. 122,535).

JUDICIAL BUSINESS OF THE U.S. DISTRICT COURT

CALENDAR YEAR 2008 CASELOAD HIGHLIGHTS

Refer to Appendices B-G (pgs. 51-56) for complete Calendar Year Caseload Reports

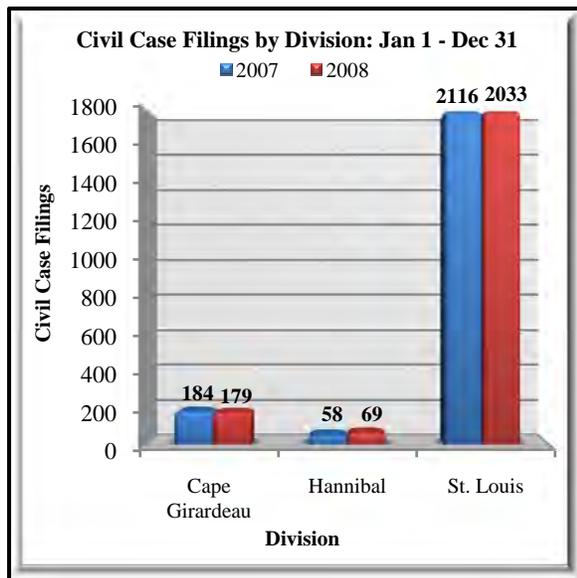
- Civil filings originating in the Eastern District of Missouri increased by just eight cases in 2008 compared to 2007 (2101 v. 2109).
- Civil filings including MDL transfer cases to the Eastern District of Missouri decreased 3.3 percent from 2007 to 2008 (2358 v. 2281). Civil filings in St. Louis decreased 3.9 percent from 2007 to 2008 (2116 v. 2033). Civil filings in Cape Girardeau decreased 2.7 percent from 2007 to 2008 (184 v. 179). While St. Louis and Cape Girardeau both experienced decreases in their civil filings, Hannibal observed a 19.0 percent increase in civil filings from 2007 to 2008 (58 v. 69).
- The following noteworthy trends in new civil filings by case type were identified from 2007 to 2008: *Contract cases* increased 41.8 percent (237 v. 336); *tort cases* (including personal injury and personal property cases) decreased 23.0 percent (578 v. 445); *civil rights cases* decreased 11.1 percent (351 v. 312); *prisoner petition cases* decreased 20.9 percent (594 v. 470); *civil rights prisoner petition cases* decreased 36.8 percent (296 v. 187); *labor cases* increased 29.3 percent (191 v. 247); *intellectual property rights cases* increased 10.6 percent (94 v. 104); and *social security cases* increased 4.9 percent (182 v. 191).
- Criminal filings (felony and misdemeanor criminal cases) in the Eastern District of Missouri decreased 2.8 percent from 2007 to 2008 (896 v. 871). Both St. Louis and Cape Girardeau observed decreases in criminal filings. Criminal filings in Cape Girardeau decreased 7.7 percent (182 v. 168), while St. Louis experienced a decrease of 1.5 percent from 2007 to 2008 (714 v. 703).
- Felony criminal cases in the Eastern District of Missouri decreased 5.5 percent overall from 2007 to 2008 (806 v. 762). The most notable change occurred in Cape Girardeau where felony criminal cases decreased 15.9 percent (132 v. 111). Misdemeanor criminal cases increased 21.1 percent from 2007 to 2008 (90 v. 109). Both St. Louis and Cape Girardeau observed increases to misdemeanor criminal case filings. Misdemeanor criminal cases increased 30.0 percent in St. Louis (40 v. 52), while misdemeanor criminal cases in Cape Girardeau increased 14.0 percent from 2007 to 2008 (50 v. 57).
- New criminal defendants increased 2.0 percent overall from 2007 to 2008 (1164 v. 1187). New criminal defendants in St. Louis increased 3.3 percent (972 v. 1004), whereas new criminal defendants in Cape Girardeau decreased 4.7 percent from 2007 to 2008 (192 v. 183).
- Trial starts (includes jury and bench trials) in the Eastern District of Missouri increased 50.0 percent overall from 2007 to 2008 (62 v. 93). Civil jury trial starts increased 14.8 percent from 2007 to 2008 (27 v. 31). Criminal jury trial starts increased 88.5 percent from 2007 to 2008 (26 v. 49).



CIVIL CASES

Refer to *Appendices B-D* (pgs. 51-53) for a detailed analysis of the Civil Caseload in 2008

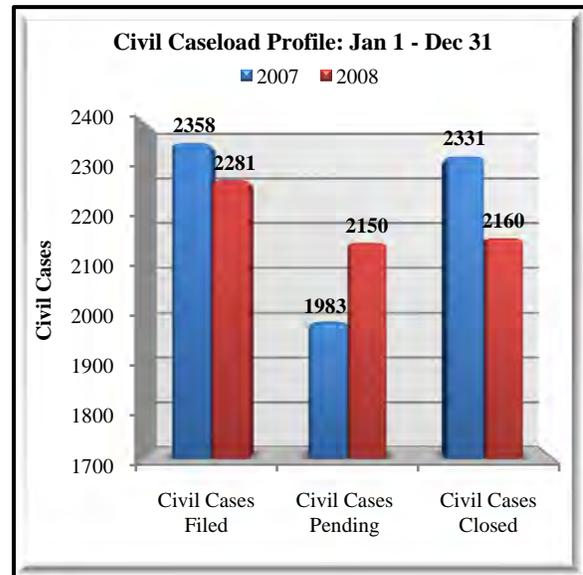
New civil filings including MDL transfer cases decreased 3.3 percent from 2007 to 2008 (2358 v. 2281). Both the St. Louis and Cape Girardeau divisions observed decreases in new civil filings during 2008. Civil filings in St. Louis decreased 3.9 percent from 2007 to 2008 (2116 v. 2033). In Cape Girardeau, civil filings decreased 2.7 percent from 2007 to 2008 (184 v. 179). While St. Louis and Cape Girardeau both experienced decreases in their civil filings, Hannibal observed a 19.0 percent increase in civil filings from 2007 to 2008 (58 v. 69). The overall decrease in new civil filings in the Eastern District of Missouri during 2008 did not follow the national trend, which had new civil filings in the U.S. District Courts increasing 3.8 percent⁹. Moreover, new civil cases in 2008 were filed at an average rate of 190 per month (2281 new civil filings) compared to an average rate of 197 per month in 2007 (2358 new civil filings). The civil filing totals for 2007 and 2008 include a number of cases transferred to the Eastern District of Missouri for pretrial case management by order of the Judicial Panel on Multidistrict Litigation (MDL). If the MDL transfer cases are excluded from the civil filing totals of 2007 and 2008, the disparity in civil case filings is not only diminished, but the



⁹ New civil filings for the U.S. District Courts are based on national data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C – U.S. District Court: Civil Cases Commenced, Terminated, and Pending*).

totals are nearly equivalent. In 2007, the civil filing total would be reduced to 2101, while the total in 2008 would be reduced to 2109. This is a difference of only 8 civil cases when MDL cases are excluded.

The termination rate for civil cases decreased from 2007 to 2008 with an average rate of 180 terminations per month in 2008 (2160 civil cases closed) compared to 194 terminations per month in 2007 (2331 civil cases closed). The overall decrease in civil case terminations was 7.3 percent from 2007 to 2008 (2331 v. 2160). At the national level, there was a 2.1 percent¹⁰ decrease in civil case terminations. In addition, the inventory control index¹¹ as of December 31, 2008 was 11.9, higher than the index of 10.2 as of December 31, 2007. While the number of civil case terminations has decreased from 2007 to 2008, the number of pending civil cases has increased 8.4 percent (1983 v. 2150). Likewise, the national level observed a 12.3 percent¹² increase in pending civil cases.



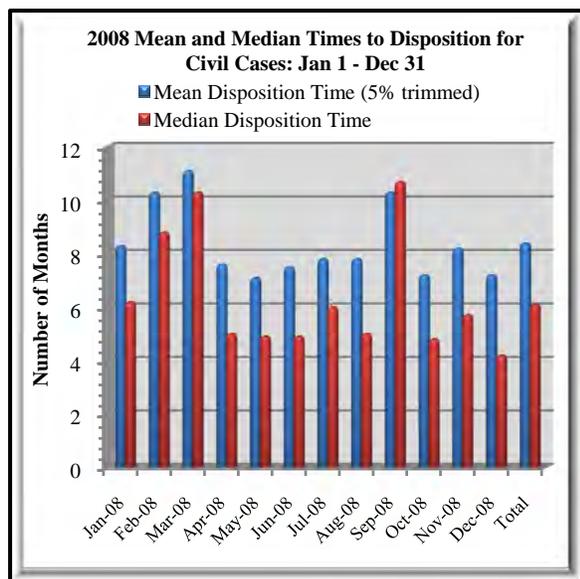
¹⁰ Civil case terminations for the U.S. District Courts are based on national data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C – U.S. District Court: Civil Cases Commenced, Terminated, and Pending*).

¹¹ The inventory control index represents the number of months it would take to dispose the pending civil caseload based on the court's average monthly termination rate for the previous 12 months (assuming that no new civil cases were filed). A decline in the index suggests more terminations, fewer filings, or both.

¹² Pending civil cases for the U.S. District Courts are based on national data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C – U.S. District Court: Civil Cases Commenced, Terminated, and Pending*).



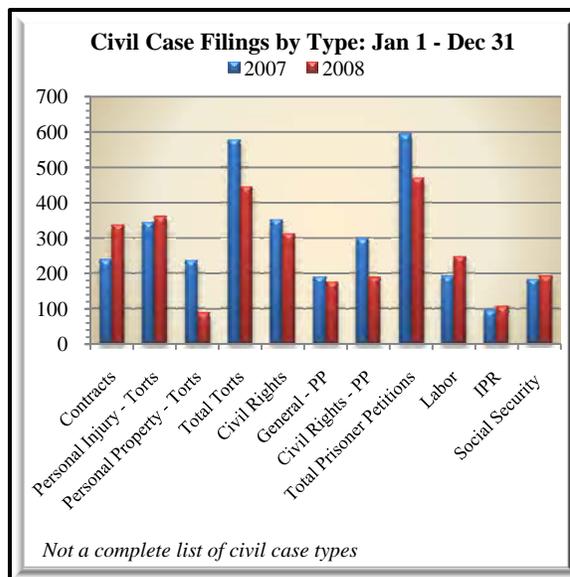
The mean disposition time¹³ for all civil cases termed during 2008 was 8.4 months, which was slightly faster than the mean disposition time of 8.7 months for civil cases termed during 2007. The mean time to disposition decreased 3.4 percent from 2007 to 2008 (8.7 v. 8.4). The median disposition time¹⁴ in 2008 was 6.1 months, which was faster than the median disposition time of 6.5 months in 2007. The median time to disposition decreased 6.2 percent from 2007 to 2008 (6.5 v. 6.1). At the national level, the median disposition time for civil cases for the 12 month period ending September 30, 2008 was 8.8 months¹⁵.



CIVIL CASE FILINGS BY TYPE

Refer to *Appendices E & F* (pgs. 54-55) for a detailed analysis of Civil Case Filings by Type in 2008

There were several noteworthy trends in civil case filings by type from 2007 to 2008. *Contract*



cases increased 41.8 percent from 2007 to 2008 (237 v. 336), while at the national level contract cases only observed a minimal increase of 0.7 percent¹⁶. Among tort actions, *personal injury cases* observed a 4.7 percent increase (343 v. 359); whereas *personal property cases* decreased 63.4 percent from 2007 to 2008 (235 v. 86). Overall, *tort cases* experienced a 23.0 percent decrease from 2007 to 2008 (578 v. 445).

Furthermore, *civil rights cases* decreased 11.1 percent from 2007 to 2008 (351 v. 312), while there was a 1.2 percent¹⁷ increase at the national level. *Prisoner petitions*, including among others *general and civil rights cases*, observed notable changes to their filing trends. General cases decreased 7.9 percent from 2007 to 2008 (189 v. 174). Additionally, civil rights cases decreased 36.8 percent from 2007 to 2008 (296 v. 187), in comparison to 6.4 percent¹⁸ increase in these filings

¹³ The mean disposition time reported is 5% trimmed, which means that the lowest and highest 2.5% of disposition times are excluded from the calculation of the mean. The trimming of the mean reduces the effect of extreme values on the calculated mean.

¹⁴ The median disposition time is the time period from filing to disposition at the midpoint of all the disposition times ranked from highest to lowest. The national median disposition time from filing to disposition for civil cases excludes data from the following types of cases: land condemnation, prisoner petitions, deportation reviews, recovery of overpayments, and enforcement of judgments. The median disposition time for the Eastern District of Missouri is based on all civil case types termed during a reporting period.

¹⁵ The median disposition time for the U.S. District Courts are based on national data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-5 – U.S. District Courts: Median Time Intervals from Filing to Disposition of Civil Cases Terminated, by District and Method of Disposition*).

¹⁶ Contract case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

¹⁷ Civil rights case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

¹⁸ Civil rights prisoner petition case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

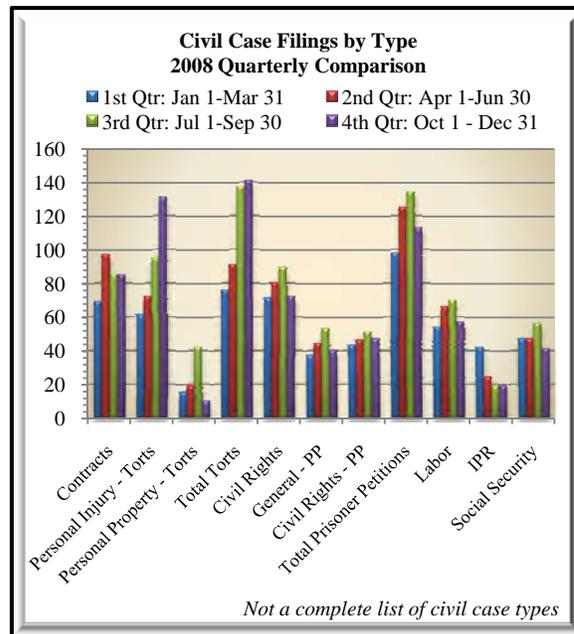


at the national level. Overall, prisoner petition cases (PP) decreased 20.9 percent from 2007 to 2008 (594 v. 470) in comparison to a 2.1 percent¹⁹ increase at the national level. *Labor cases* increased 29.3 percent from 2007 to 2008 (191 v. 247). *Intellectual property rights cases* (IPR) increased 10.6 percent from 2007 to 2008 (94 v. 104), whereas nationally there has been an 11.0 percent²⁰ decrease. *Social security cases* increased 4.9 percent in 2008 from 2007 (182 v. 191), whereas nationally the rate of increase was only 1.3 percent²¹.

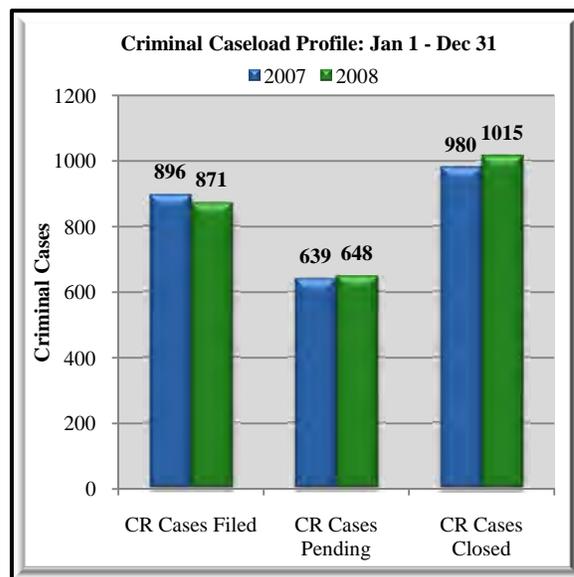
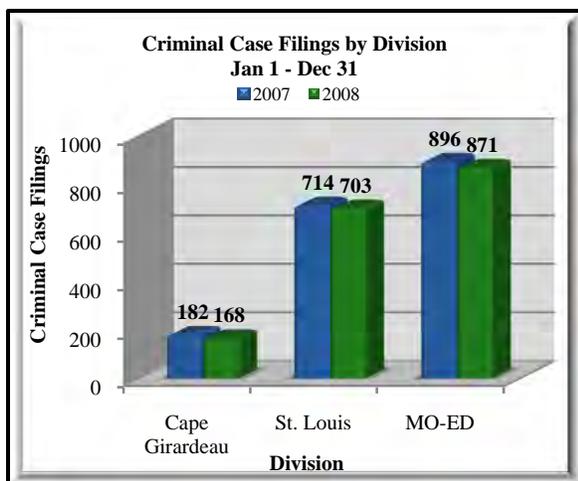
CRIMINAL CASES

Refer to *Appendices B-D* (pgs. 51-53) for a detailed analysis of the Criminal Caseload in 2008

New criminal cases in 2008 (excluding probation/supervised releases transfers) were filed at an average rate of 73 per month (871 new criminal cases) compared to 75 per month (896 new criminal cases) in 2007. Overall, new criminal filings decreased 2.8 percent from 2007 to 2008 (896 v. 871), while the national trend observed an increase of



3.6 percent²². New criminal cases in St. Louis (Eastern Division) decreased 1.5 percent from 2007 to 2008 (714 v. 703). In Cape Girardeau (Southeastern Division), new criminal cases decreased 7.7 percent from 2007 to 2008 (182 v. 168). The new criminal caseload comprised 27.6 percent of the Court's overall new workload in 2008 (excluding miscellaneous cases), which is only



¹⁹ Prisoner petition case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

²⁰ Intellectual property rights case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

²¹ Social security case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

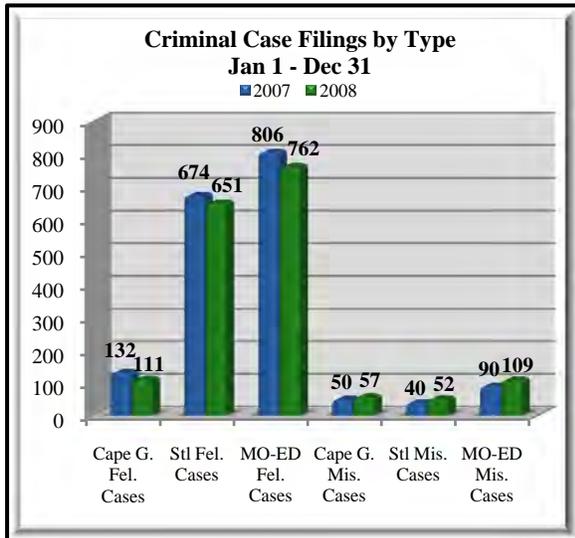
²² Criminal case filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).



slightly more than the 27.5 percent it represented in 2007.

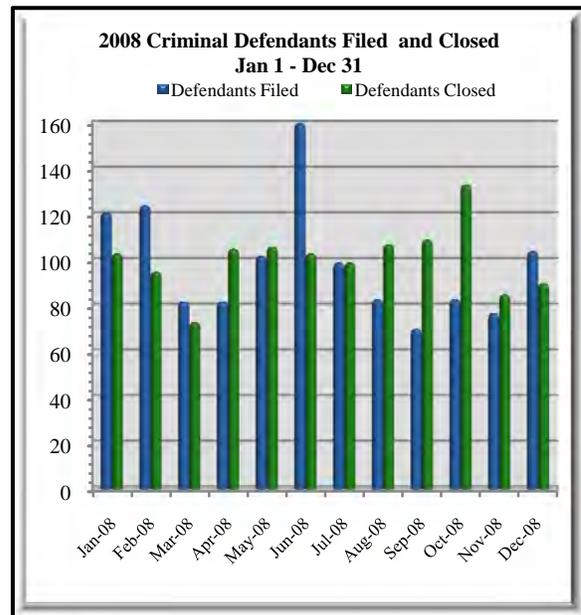
The average termination rate for criminal cases in 2008 was 85 per month (1015 criminal cases closed) compared to 82 terminations per month (980 criminal cases closed) in 2007. Overall, criminal case terminations increased 3.6 percent from 2007 to 2008 (980 v. 1015), similar to the national trend which observed an increase of 4.1 percent²³. The Court's pending criminal caseload also increased 1.4 percent from 2007 to 2008 (639 v. 648). At the national level, there was 0.4 percent²⁴ increase in pending criminal cases.

Felony criminal cases in the U.S. District Court decreased 5.5 percent overall from 2007 to 2008 (806 v. 762). In St. Louis, felony criminal cases decreased 3.4 percent (674 v. 651), whereas Cape Girardeau identified a more significant decrease of 15.9 percent in felony criminal cases from 2007 to 2008 (132 v. 111). Moreover, misdemeanor criminal cases experienced a 21.1 percent increase from 2007 to 2008 (90 v. 109). Both St. Louis and Cape Girardeau experienced increases in misdemeanor criminal case filings. Misdemeanor criminal cases



increased 30.0 percent in St. Louis (40 v. 52), while misdemeanor criminal cases in Cape Girardeau increased 14.0 percent from 2007 to 2008 (50 v. 57).

New criminal defendants in 2008 were filed at an average rate of 99 per month (1187 criminal defendants filed) compared to 97 per month (1164 criminal defendants filed) in 2007. Overall, there was a 2.0 percent increase in new criminal defendants from 2007 to 2008 (1164 v. 1187). The national level observed a 3.4 percent²⁵ increase in the number of new criminal defendants.



The average termination rate for criminal defendants in 2008 was 101 per month (1208 criminal defendant terminations) compared to 91 per month in 2007 (1088 criminal defendant terminations). Overall, the number of criminal defendants terminated in the U.S. District Court increased 11.0 percent from 2007 to 2008 (1088 v. 1208), while the national trend only observed an increase of 3.8 percent²⁶. The number of criminal defendants pending decreased 1.5 percent from 2007

²³ Criminal case terminations for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

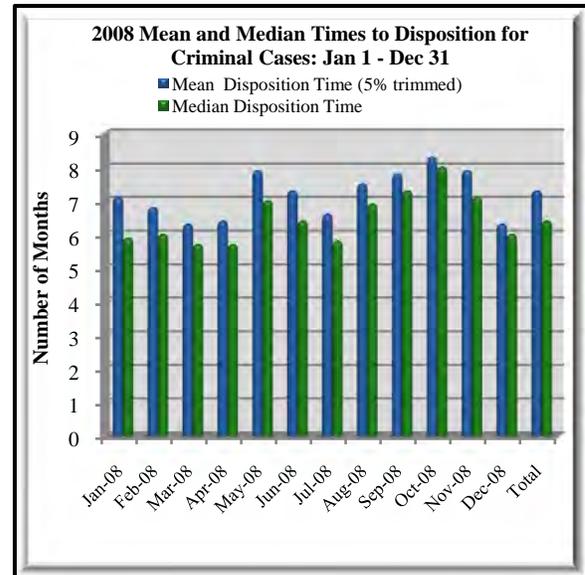
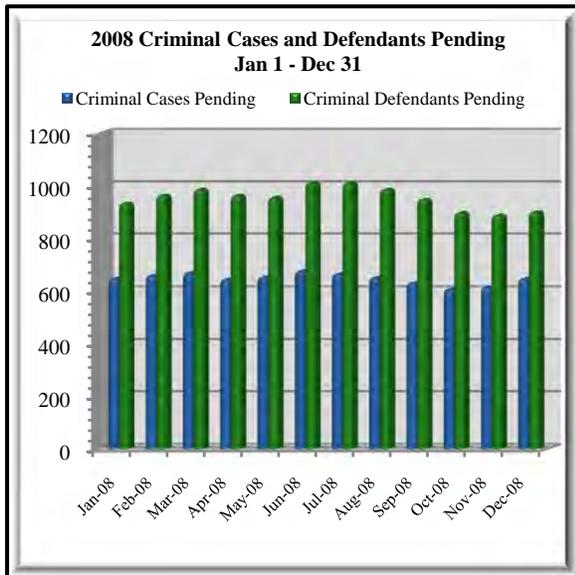
²⁴ Pending criminal cases for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Defendants Commenced, Terminated, and Pending*).

²⁵ New criminal defendants filings for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Defendants Commenced, Terminated, and Pending*).

²⁶ Criminal defendant terminations for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Defendants Commenced, Terminated, and Pending*).



to 2008 (916 v. 902). In comparison, the national level observed an increase of 0.5 percent²⁷ in pending criminal defendants.



The mean disposition time for all criminal cases termed in 2008 was 7.3 months, which is the same mean time to disposition reported in 2007. The median time to disposition²⁸ for criminal cases in 2008 was 6.4 months, which is slightly higher than the 6.3 months reported in 2007. These figures reflect a 1.6 percent increase in the median time to disposition from 2007 to 2008 (6.3 v. 6.4). At the national level, the median time to disposition for criminal defendants was 6.8 months²⁹.

²⁷ Criminal defendants pending for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Defendants Commenced, Terminated, and Pending*).

²⁸ The median disposition time is the time period from filing to disposition at the midpoint of all the disposition times ranked from highest to lowest. The national median time from filing to disposition for criminal cases is based on all felony and Class A misdemeanor cases, but includes only those petty offense defendants whose cases have been assigned to district judges. The median disposition time for the Eastern District of Missouri is based on all criminal defendants termed during a reporting period.

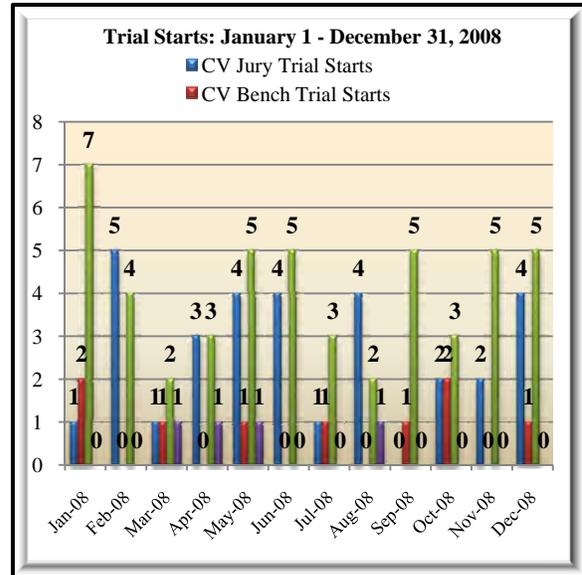
²⁹ The national median disposition time for the U.S. District Courts is based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table D-6 – U.S. District Courts: Median Time Intervals from Filing to Disposition of Criminal Defendants Disposed of, by District*).



TRIAL STARTS

Refer to *Appendix G* (pg. 56) for a detailed analysis of Trial Starts in 2008

Trial starts (including jury and bench trials) in the Eastern District of Missouri increased 50.0 percent overall from 2007 to 2008 (62 v. 93). At the national level, trial starts (including jury and bench trials) increased 1.8 percent³⁰. Civil trial starts (including jury and bench trials) increased 11.1 percent from 2007 to 2008 (36 v. 40), whereas nationally civil trial starts (including jury and bench trials) decreased 6.0 percent³¹. Criminal trial starts (including jury and bench trials) increased 103.8 percent from 2007 to 2008 (26 v. 53). Nationally, criminal trial starts (including jury and bench trials) increased 5.2 percent³².



³⁰ Civil and criminal trials for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

³¹ Civil and criminal trials for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

³² Civil and criminal trials for the U.S. District Courts are based on national caseload data for the twelve-month period beginning October 1, 2007 ending September 30, 2008 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).



ATTORNEY ADMISSIONS

ATTORNEY ADMISSION STATISTICS

In 2008, there were 336 admission fees processed for newly admitted attorneys. There was a 4.3 percent decrease in processed admission fees for newly admitted attorneys from 2007 to 2008 (351 v. 336).

The number of fees processed for attorneys granted pro hac vice admission was 730, while in 2007, there were 832 fees processed for attorneys granted pro hac vice admission. There was a 12.3 percent decrease in the number of fees processed for attorneys granted pro hac vice admission from 2007 to 2008 (730 v. 832). There was no attorney re-registration period in the 2008 calendar year.

JEFFERSON CITY CEREMONIES

Special admission ceremonies for newly licensed attorneys were conducted jointly with the U.S. District Court for the Western District of Missouri twice during 2008 in Jefferson City, Missouri. In the spring session, U.S. Magistrate Judge David D. Noce swore in 74 attorneys on April 25, 2008. The number of attorneys sworn in during the spring session increased 7.2 percent from 2007 to 2008 (69 v. 74).

In the fall session, U.S. District Judge Henry E. Autrey swore in 183 attorneys on September 26, 2008. The number of attorneys sworn in during the fall session decreased 16.1 percent from 2007 to 2008 (218 v. 183).

SECTION FOUR: CLERKS' OFFICE REPORTS

DEPARTMENT AND UNIT REPORTS

MANAGEMENT RETREAT AND GOAL-SETTING EXERCISE

At the close of each year, the Clerks' Office Management Team meets to review the accomplishments of the year as it ends and to identify goals and objectives to pursue in the coming year. The performance standards and operational goals of the U.S. District Court for 2008 were designed in the fall at the 2007 annual retreat for senior staff. The following were the long-term goals for 2008: (1) Staff Recognition; (2) Criminal Duty Staffing; (3) Empowering Employees; (4) Technology Enhancement Planning; (5) New Employee Checklist and Orientation; and (6) Training Policy Program

A number of the previous objectives were fully realized in 2008. Employee recognition increased with the implementation of new awards such as the TOPS and Training awards. These awards, among others, acknowledge employees for term of service, teamwork, and job performance. In addition, the position of Criminal Duty Clerk was created in order to manage emerging needs in the Operations Department. ISD has laid the framework for improving the technology in the courtroom and

the Clerks' Office. The Human Resources Department has created an orientation program for new employees that will expedite the assimilation process and reduce the learning curve. A mentoring program has also been outlined that would situate a new employee with an experienced one. The experienced employee would be able to answer questions about policies, procedures, and operations.



U.S. District Judge Henry E. Autrey handed out service awards.

Table 8 (next page) provides an overview of the goal-setting exercise at the management retreat in 2008, and the objectives identified for the coming year.



**TABLE 8 – PERFORMANCE STANDARDS AND GOALS FOR 2009
Overview**

LONG-TERM GOALS FROM 2008	COURT PERFORMANCE STANDARD
CONTINUITY OF OPERATIONS PLAN (COOP)	<p>Standard 4.5 – Response to Change The trial court anticipates new conditions and emergent events and adjusts its operations as necessary.</p> <p>Standard 5.1 – Accessibility The public perceives the trial court and the justice it delivers as accessible.</p>
LONG-TERM GOALS FOR 2009	COURT PERFORMANCE STANDARD
<p>CONSTRUCTION PROJECTS:</p> <ul style="list-style-type: none"> ▪ 8th Floor Chambers Buildout 	<p>Standard 1.2 – Safety, Accessibility, and Convenience Trial court facilities are safe, accessible and convenient to use.</p>
CYCLICAL AUDIT	<p>Standard 4.2 – Accountability for Public Resources The trial court responsibly seeks, uses, and accounts for its public resources.</p> <p>Standard 5.2 – Expeditious, Fair and Reliable Court Functions: The public has trust and confidence that basic court functions are conducted expeditiously and fairly and that court decisions have integrity.</p>
IMPLEMENTATION OF NEW COMPENSATION POLICY	<p>Standard 4.2 – Accountability for Public Resources The trial court responsibly seeks, uses, and accounts for its public resources.</p> <p>Standard 4.3 – Personnel Practices and Decisions: The trial court uses fair employment practices.</p>
DATA QUALITY CONTROL	<p>Standard 2.1 – Case Processing: The trial court establishes and complies with recognized timelines for timely case process while keeping current with its incoming caseload.</p> <p>Standard 3.6 – Production and Preservation of Records: Records of all relevant court decisions and actions are accurate and properly preserved.</p>
COMMUNITY OUTREACH: MARKETING THE JLC	<p>Standard 4.4 – Public Education: The trial court informs the community about its programs.</p>
INTERNSHIP EXPANSION	<p>Standard 4.4 – Public Education: The trial court informs the community about its programs</p>
CJA VOUCHER PROCESS IMPROVEMENT	<p>Standard 4.2 – Accountability for Public Resources The trial court responsibly seeks, uses, and accounts for its public resources.</p> <p>Standard 5.2 – Expeditious, Fair and Reliable Court Functions The public has trust and confidence that basic court functions are conducted expeditiously and fairly and that court decisions have integrity.</p>
CHAMBERS ELECTRONIC ORGANIZER CALENDARING SYSTEM	<p>Standard 2.1 – Case Processing: The trial court establishes and complies with recognized timelines for timely case process while keeping current with its incoming caseload.</p> <p>Standard 3.6 – Production and Preservation of Records: Records of all relevant court decisions and actions are accurate and properly preserved.</p> <p>Standard 5.2 – Expeditious, Fair and Reliable Court Functions The public has trust and confidence that basic court functions are conducted expeditiously and fairly and that court decisions have integrity.</p>



OPERATIONS DEPARTMENT

In 2008, three employees left operations and two new employees were hired (*Refer to pg. 45 for information on new hires*).

The newly created position of Criminal Duty Clerk/MDL Coordinator began in May 2008. The clerk assists the U.S. Magistrate Judges during criminal duty week with different types of support. The clerk also coordinates Multi-district Litigation (MDL) transfers in and out of our district as well as other case management for such cases.

CM/ECF was upgraded to version 3.2.1 in 2008. The major enhancements were the following:

- Sealed information and docketing available to attorneys on the case.
- Transcripts were made available electronically after a 90-day waiting period.
- The feature “Create Appendix” option was added to the docket report for all users (Abridge Docket Report).

It is standard procedure that thirty-three Daily Activity Reports (DARs) from the CM/ECF program are quality controlled by case managers each day. More specifically, “quality controlled” refers to checking the electronic entries for accuracy and conformity. This is just one aspect of the case managers’ responsibilities. Court is covered by each management team member for both U.S. District and Magistrate Judges, which includes entering courtroom minutes, docketing orders and other documents, as well as storing electronic recordings from the magistrate proceedings. The public as well as attorneys contact the case managers daily by telephone or email for questions or support. The case managers also work with the jury clerks to provide efficient jury management.

Other notable accomplishments achieved by the Operations Department in 2008 are listed below:

New Cases Opened:

- 2,281 Civil Cases
- 934 Criminal Cases (This figure includes probation/supervised release transfers in)
- 706 Miscellaneous Cases

Orders Processed:

- 28,365 Civil Orders
- 29,566 Criminal Orders

Electronic Filing Transactions:

- 49,060 Attorney Transactions
- 122,535 Court Personnel Transactions

Trial Starts Covered:

- Civil – 31 Jury Trials & 9 Bench Trials
- Criminal – 49 Jury Trials & 4 Bench Trials

Criminal Defendant Guilty Pleas, Sentencings, and

Judgments Processed:

- Guilty Pleas – 1,046 Defendants
- Sentencings – 1,094 Defendants
- Judgments – 1,901 Defendants

Multi-district Litigation (MDL) Case Management:

- *In Re: Bank America Corp.*
- *Minshew et al. v. Express Scripts, Inc.*
- *In Re: Metroprolo Succinate Patent Litigation*
- *In Re: Celexa and Lexapro Products Liability Litigation*
- *In Re: LLRice 601 Contamination Litigation*
- *In Re: Aurora Dairy Corp. Organic Milk Marketing & Sales Practices Litigation*
- *In Re: Nuvaring Products Liability Litigation*

Transcripts Filed:

- 316 transcripts were filed by Court Reporters

ADMINISTRATIVE SERVICES

In 2008, the Administrative Services Department implemented numerous automated applications and participated in several process improvement projects. The financial department of the U.S. District Court officially entered a Criminal Civil Accounting Module (CCAM) implementation wave in the fall of 2007. As a result, with the beginning of 2008, administrative services continued with preparation efforts for live implementation. This implementation resulted in the automated conversion of restitution data from the legacy systems to CCAM.

In February 2008, the finance unit took a short reprieve from the CCAM implementation to work on the FAS⁴T (Financial Accounting System for Tomorrow) server conversion. Starting in mid-February, the U.S. District Court, along with all the other judicial court units in St. Louis, began the conversion of the FAS⁴T financial system from a local server using an Informix operating system and database to operation on the Phoenix Data System (PDC) servers, which use an Oracle operating system and database. The project required a great deal of coordination among the court units to properly prepare and test the data move. On March 11, 2008, the court went live on the PDC with a smooth transition. Overall, the conversion has been a positive



step for FAS⁴T by increasing processing speed for the system.

Following the PDC conversion, the financial department began the training and testing phases of the CCAM implementation. After weeks of planning and configuring the CCAM system, the court was able to begin the conversion to the CCAM system one month ahead of our scheduled wave. On May 1, 2008, the new cash register system went live. Hundreds of vendor records and restitution party records were electronically loaded into CCAM during the month of May with few problems. Final data was keyed, the system reconciled, and the court went live on May 23, 2008.

In conjunction with the Financial Litigation Unit from the Department of Justice, the U.S. District Court began receiving Treasury Offset Payments (TOPS) for collection of restitution debt outstanding. Recording and tracking these payments has been a labor-intensive task, due to the holding time required before payments are distributed. It has resulted in several hundred thousand dollars collected from offenders that may otherwise not been received by the court.

PROCUREMENT – The procurement department spent the first half of 2008 in preparation for the June opening of the Rush Hudson Limbaugh Sr. Courthouse in Cape Girardeau. Members of the procurement department planned and coordinated the move with GSA and the court tenants for the weekend of May 31st, in order to resume court operations in the new location on Monday, June 2. The move was accomplished ahead of schedule and without any complications.



Moving into Cape Organizing chambers

Judge with his duty station in Cape Girardeau. The procurement department was instrumental in getting his chambers unpacked and operational. The library in Cape Girardeau was expanded in response to Judge Limbaugh Jr.'s appointment. Additional library shelving was purchased and installed in November 2008 to complete the library expansion. The Eighth Circuit library collaborated with the procurement department to plan the move of additional books

donated from a law firm and the remaining books left behind at the vacant courthouse.



Expansion of the library at the courthouse in Cape Girardeau

Cyclical tenant maintenance projects for painting and wall coverings were supervised in the St. Louis and Hannibal courthouses.

FINANCE – The financial department's disbursing support and payment certification were continued during the year for the following ten agencies:

- U.S. District Court
- U.S. Bankruptcy Court
- U.S. Probation Office
- U.S. Pretrial Services Office
- Office of the Federal Public Defender
- Circuit Executive's Office
- U.S. Court of Appeals
- Circuit Librarian
- Staff Attorney
- Bankruptcy Appellant Panel

Listed below are the 2008 transactions from the financial department:

- \$12,194,461.43 was collected in the Civil Garnishments and Refunds Program.
- Restitution payments were made to 6,288 victims in the amount of \$4,409,674.78.
- The restitution balance (to be paid to victims) as of December 31, 2008 was \$10,317,619.32. Of that amount, \$9,684,103.82 is being held in the Registry of the Court pending the identification of the victim(s) through civil court.
- There were 714 CJA vouchers processed in 2008 with payments totaling \$2,674,142.61 in support of CJA-appointed attorneys, compared to 604 CJA vouchers processed in 2007 with payments totaling \$2,521,671.12.
- 20,015 Checks Issued
- 8,697 Receipts Issued
- 120 Bonds Posted



INFORMATION SYSTEMS DEPARTMENT

The Information Systems Department (ISD) is a combined unit that not only provides information technology support to the U.S. District Court, but also serves the Offices of U.S. Probation and U.S. Pretrial Services at the Thomas F. Eagleton Courthouse. In addition to ISD's work with these agencies, they offer technical support in the form of a "help desk" for attorneys and their support staffs primarily with electronic case filing. ISD experienced personnel change during 2008 with the hiring of a new manager in October (*pg. 45 for New Hires*).

ISD was involved in a number of projects during 2008. Staff of ISD worked with Finance to convert existing data from spreadsheets to conversion software for the installation of CCAM (*Refer to pgs. 36-37 for further information on CCAM*).

ISD was instrumental in the launch of E-Pro Se in October 2008. As mentioned earlier in this report, E-Pro Se is a user-friendly, interactive Web application developed by the U.S. District Court for the Eastern District of Missouri. E-Pro Se permits self-represented litigants (Pro Se) to prepare court documents and forms electronically (*Refer to pg. 4 for further information on E-Pro Se*).

ISD participated in the implementation and management of West km[®]. The primary benefit of West km[®] for judges and law clerks is the ability it creates for users to store internal memoranda and completed court documents in a non-public database which can be searched by key word, author, case citation or statutory reference (*Refer to pg. 19 for further information on West km[®]*).

Moreover, ISD supported the move into the new courthouse in Cape Girardeau. They coordinated vendor installation of audiovisual system and provided information to vendors. ISD staff coordinated vendor installation of data and telecommunications cables and provided information



Setting up the computer room at Cape Girardeau courthouse

to vendors. ISD coordinated the installation of the infrastructure for the building's local area network.

Listed below are cyclical replacements that were made in 2008:

- Fourteen laptops for use by those telecommuting or travelling on court-related business
- Thirty-three desktop computers in chambers and the Clerks' Office
- Fourteen printers in chambers and the Clerks' Office

Throughout the year, ISD offers a variety of training opportunities for Clerks' Office staff. These training classes allow court personnel to develop new skills or refine old ones. Members of ISD also participate in external training in order to improve their job performance. Listed below is the internal and external training offered and attended in 2008:

2008 Internal Training:

- CM/ECF attorney training
- Courtroom technology training
- New probation officer training
- New Clerks' Office employee training
- New law clerk training
- Corel presentations training
- InfoWeb training
- J-RAN training
- JPort training
- Web Docket training
- Blackberry training
- How to purchase a computer
- Efficiency tips and tricks
- Open training sessions
- Blogging is for trainers (National Webinar)
- E-Pro Se demonstrations
- West km[®] training
- For The Record (FTR) training
- Cape Girardeau automated systems training

2008 External Training:

- Windows Server 2003 training
- Active Directory training
- Automation Trainers Community of Practice Forum
- CM/ECF forums in Washington, D.C.
- Chancellor's Certificate in Web Page Design
- CyberCrime Symposium
- NW3C FCT & NW3C ISEE
- IPCC Computer Monitoring training
- FLETC Mobile Device Investigation
- Procurement training



MANAGEMENT SUPPORT

Management Support is a diverse department that performs an assortment of duties including, but not limited to attorney admissions, naturalization support, ADR support, policy and research analysis, and telecommunications service. In 2008, the Management Support Unit experienced personnel change with the retirement of the ADR Coordinator. A Policy and Research Analyst was hired to join the Management Support Team in January 2008 (*Refer to pg. 45 for information on new hires*).

Listed below are some of the major projects that the Management Support Unit was involved in during 2008:



Images of the Judicial Learning Center

- Obtained traveling exhibits from various lenders for the JLC and worked with procurement personnel to organize and launch those same exhibits.
- Created posters and brochures for public exhibits hosted by the JLC.
- Coordinated with outside agencies to provide courtrooms for Administrative Law Judges' use.
- Revised several internal manuals, brochures, and pamphlets.
- Coordinated and clerked at monthly naturalization ceremonies.



Petitioners at a naturalization ceremony

- Provided scanning, docketing, appeal processing, and intake assistance.
- Maintained Northern Division Court docket.
- Provided case reports to various public researchers.
- Performed Disbursing Clerk duties.
- Prepared reports based upon data obtained through surveys.



CJA Seminar in May 2008

- Created monthly and quarterly statistical reports on different features of the court's workload.
- Provided monthly analysis and reports concerning the ADR program.
- Worked with Operations Support Unit (OSU) to create and distribute monthly State of the Docket reports.
- Provided research and analysis for ADR research study
- Prepared Annual Report for the Clerks' Office with input from managers and staff members.
- Tabulated data from a variety of court surveys such as Juror Surveys.
- Assisted with the planning, preparation, and presentation of information at the CJA Seminar and Federal Practice Fundamentals Seminar.

ADR COORDINATOR – Before the ADR Coordinator retired, the position performed a number of tasks. Reports were produced in regards to the effective operation of the court's ADR program, ADR Conference Rooms were reserved for attorney use, support was provided to the ADR Advisory Committee, and cases referred to ADR were monitored on CM/ECF. Those duties shifted to the Chief Deputy Clerk in March 2008.

TELECOMMUNICATIONS ANALYST – Listed below are the projects completed by the Telecommunications Analyst:

- Full maintenance and administration of the court telephone system, peripheral



equipment, voice messaging, and automated call director system

- Served as a technical liaison during the installation of the telecommunications system at the Rush Hudson Limbaugh Sr. Courthouse in Cape Girardeau
- Full upgrade to court telephone system
- Procured and implemented wireless services for various reception areas in the courthouse
- Expanded video teleconferencing (VTC) by bridging network capability, which allowed VTC access in any location within the Thomas F. Eagleton Courthouse

HUMAN RESOURCES DEPARTMENT

In May 2008, the Human Resources Department hired a manager to oversee department expansion and team with the Human Resources Training Coordinator (*Refer to pg. 45 for information on new hires*). The Human Resources Department provides a number of important services to the court. For instance, human resources is responsible for the processing of new hires and retirees as well as providing the necessary documentation to the Administrative Office of the U.S. Courts (AO). Along the same lines, the department provides new employees with a comprehensive orientation program that explains court policies, procedures, and operations, and provides introductions to colleagues. In addition, human resources informs court personnel about employee benefit options by holding presentations and training courses on the subject matter. Each year the department coordinates the law clerk retreat and orientation. Human Resources also provides tours to public groups and students.

In 2008, the Human Resources Management Information System (HRMIS) was made available to all court employees. HRMIS allows court employees to update personal information, change their direct deposit, and print their W-4 forms and pay statements. HRMIS also has created an entry on duty function, which allows new employees to complete most of their new hire paperwork on-line from the comfort of their home. Jeanne Patrin, Human Resources Training Coordinator, conducted several

training classes concerning the operation of HRMIS. HRMIS creates new efficiencies and money-saving opportunities for court personnel.

The U.S. District Court is committed to continuous learning for all employees and as a result created a training committee dedicated to providing quality training that is beneficial to court staff. As part of a new initiative to provide more training opportunities, the training committee has developed an annual training calendar and budget for FY 2009. The training committee has put together a calendar of courses on a wide variety of topics that will improve employees' skills and knowledge.

JURY UNIT

In 2008, the Jury Unit sent out 25,158 qualification questionnaires to prospective jurors and 8,992 people were summoned for jury service.

The Jury Unit from the Eastern District of Missouri participated as a team member in the development and testing of the E-Juror Web Page project. E-Juror, which was installed in the first two pilot court locations in December 2008, enables jurors to complete and submit their initial juror qualification questionnaires and juror information via the internet. Once registered, jurors can update their information, check their juror status, request an excuse or deferment, and obtain reporting instructions on-line. Once fully implemented, this project will further facilitate the jury experience.

The work of the Jury Unit staff plays a large role in the NSSC rate (*Refer to pg. 13*) of the U.S. District Court for the Eastern District of Missouri. The proof is in the numbers: this court finished second in the Eighth Circuit; tenth (out of 94 U.S. District Courts) nationally; and second among courts with six or more Article III Judges. The proof is not only in the numbers, but in public comments as well. A number of former jurors made mention in their exit surveys (*Refer to pg. 12*) about the courtesy and professionalism of the Jury Unit staff, and an overall positive impression of their jury experience.

COMMUNITY SERVICE

HABITAT FOR HUMANITY SERVICE PROJECT

On May 31, 2008, a group of 12 volunteers from the Clerks' Office donated their time and talent

to a building project for Habitat for Humanity. It is the primary mission of Habitat for Humanity to replace substandard housing with a decent, safe, and affordable place to live. The build site was in the JeffVanderLou Neighborhood a half mile east of the



intersection of Grand Blvd. and Dr. Martin Luther King, Jr. Dr. The volunteers spent a full-work day engaged in challenging manual labor that left each individual tired and satisfied from their efforts at the close of the day.



Volunteers from the Clerks' Office

The service project benefits not only the family and community involved, but the volunteers as well. In order to successfully complete the service project, volunteers had to communicate and work together in order to reach the project goal by the end of the day. Such cooperation achieved at the build site could lend itself to greater camaraderie in the workplace. Plus, the volunteers had the opportunity to get to know their colleagues outside of the office setting removed from the stresses of the daily routine.



Mission Accomplished

RACE FOR THE CURE

On June 21, 2008, the 10th Annual Susan G. Komen St. Louis Race for the Cure was held in downtown St. Louis. A group from the U.S. District Court including U.S. District Judge E. Richard Webber and his wife, Peggy, participated in this worthy event. There were approximately 64,000 participants in the 5k event comprised of breast cancer survivors, family, friends, and supporters. The

event raised \$3.3 million for breast cancer research in the St. Louis community³³.



U.S. District Judge E. Richard Webber and his wife, Peggy, with supporters from the U.S. District Court family

CHARITABLE CONTRIBUTIONS

The following private charitable contributions were made in 2008 as a result of the Hospitality Committee's fund-raising efforts and the generosity of Clerks' Office staff:

Memorials:

- | | |
|----------------------------------|--------------|
| ▪ St. Bruno's Endowment Fund | \$50 |
| ▪ Multiple Sclerosis Society | \$50 |
| ▪ Caring Bridge | \$50 |
| ▪ Stray Rescue of St. Louis | \$50 |
| ▪ Muscular Dystrophy Association | \$50 |
| ▪ <i>Total</i> | <i>\$250</i> |

Fund-Raising:

- | | |
|--------------------------------------|--------------|
| ▪ Multiple Sclerosis Walk for Faith | \$83 |
| ▪ Susan Komen (Team Webber) | \$90 |
| ▪ Ram Spirit for Leukemia & Lymphoma | \$100 |
| ▪ Susan Komen (Passionately Pink) | \$495 |
| ▪ <i>Total</i> | <i>\$768</i> |

2008 Total Private Charitable Contributions *\$1018*

OFFICE DONATIONS – Through the efforts of the Clerks' Office's Hospitality Committee and U.S. Pretrial Services, eight boxes of canned and dry goods were collected for St. Vincent Outreach Program. The Clerks' Office also donated several

³³ *St. Louis Affiliate of Susan G. Komen for the Cure.* (n.d.). Retrieved February 6, 2009, from http://www.komenstlouis.org/site/PageServer?pagename=race_home



boxes of toys to Our Little Haven during the holidays.

BRING YOUR CHILD TO WORK DAY

On July 31, 2008, the Clerks' Office held its annual "Bring Your Child to Work Day". This event allows the children of court employees to come to work with their parents. This year eighteen children of employees visited the courthouse.

The morning started off with introductions in the Jury Assembly Room. Immediately thereafter, the children visited U.S. District Judge Jean C. Hamilton's courtroom to watch a court proceeding. Following the court proceeding, the children went back to the Jury Assembly Room to view a demonstration by Obi, a service dog from Support Dogs, Inc. Support Dogs, Inc. is a national not-for-profit organization that helps people with special needs achieve an improved quality of life through the use of highly skilled service dogs. Obi, who belongs to Clerk of Court Jim Woodward and his family, delighted the children with the various skills he uses as a service dog such as picking up items as small as a dime, turning light switches on/off, carrying objects, and opening doors.



Obi displayed his various skills during the demonstration.

Later that day, Special Agent Karin Caito, from the Drug Enforcement Administration, talked to the children about her job and the work of the agency. After a break, the children participated in a mock trial. The Federal Public Defender's Office gave the children an overview of the work of their office before getting a tour of the U.S. Marshals' Office. To conclude a busy day, the children returned to the Jury Assembly Room.



Mock Trial



Tour of the U.S. Marshals' Office

TEAM DEVELOPMENT – THE RESORT AT PORT ARROWHEAD

On August 12 – 14, court personnel of the Clerks' Office went to the Resort at Port Arrowhead in Lake Ozark, Missouri for the fourth annual team development experience organized by the Team-Building Committee. Attendance at the program was voluntary. There were 27 employees from the Clerks' Office who participated in this event. Court coverage was provided by those who were unable or chose not to attend. The team development program was facilitated by Team Builders of Webster Groves, Missouri.

There were two primary goals for this team development experience: (1) encourage teamwork among court personnel; and (2) develop leadership skills.

The first day began with introductions and the retreat schedule from the members of Team Builders. First day morning activities included a digital camera scavenger hunt, mini-golf scramble, and Lego communication. After a short break, they participated in water activities that consisted of



designing, building, and sailing a boat across a pool. Each boat and participant had to have a historically-related theme. The last activity of the first day was a processing session, which allowed participants to reflect on the events of the day. First day activities challenged participants to work together in team-oriented exercises.

In the end, the team building program gave employees of the Clerks' Office the opportunity to learn about their colleagues as well as themselves. The various activities brought out sides of people that will not be seen around the office. It is important that these lessons of teamwork and leadership are applied back at the workplace.



Participants in mini-golf scramble



Rope shape activity



Lego communication activity



Group picture of participants from Clerks' Office

The work continued on day two after a busy first day. The morning activities included rope shapes and paper plate awards. The rope shape activity challenged the group to work together to create different shapes. Following the rope shape activity, each participant selected a co-worker, designed an award, and presented it to acknowledge a positive contribution that the employee brings to others in the office.



Creating the paper plate awards



FEDERAL COURT CLERK’S ASSOCIATION CONFERENCE (FCCA)

The FCCA Conference was held in Louisville, Kentucky from June 22 through June 26, 2008. The following members of the Clerks’ Office attended the conference: Cathy Gould, Beth Kirkland, Scott Moore, Kara Scheele, and Laurie Seger.

On the first day of the conference, attendees were welcomed and greeted by Chief U.S. District Judge Thomas B. Russell and Clerk of Court Jeffrey A. Apperson from the Western District of Kentucky. The conference offered a diverse selection of professional development workshops throughout the four days such as financial management, emailing and instant messaging etiquette, ECF roundtable, and leadership training entitled “Leading Your Team across the Finish Line”. The FCCA conference accommodated the different interests of the district court professionals in attendance.

The conference also included a number of field trip activities such as a trip to the Western District of Kentucky’s courthouse, one to Abraham Lincoln’s birthplace, and Churchill Downs.

The conference was not only a great learning experience, but an opportunity to meet and talk with professional counterparts in other district courts.



Laurie Seger, Cathy Gould, and Beth Kirkland in Old Louisville



Gene Snyder Courthouse in Louisville, Kentucky



Abraham Lincoln’s birthplace



SECTION FIVE: TRANSITIONS

NEW HIRES

CLERKS' OFFICE

Coley Lewis was hired as the Policy and Research Analyst in the Management Support Department. He officially began his position on January 22, 2008.

Mary Grace Becker was hired as a Criminal Duty Clerk/MDL Coordinator in the Operations Department. Mary Grace transferred from the Northern District of Ohio. She officially began her position on May 12, 2008.

Nicole Rode was hired as the Human Resources Manager. She officially began her position on May 12, 2008.

Tad Biggs became the Information Technology Manager on October 27, 2008. Before becoming the ISD manager, Tad worked in the Information Systems Department as a System Technology Administrator.

CHAMBERS

Sheila Brennan was hired as a Judicial Assistant/Law Clerk to U.S. Magistrate Judge David D. Noce on January 18, 2008.

Corrine Cohen was hired as a Judicial Assistant to U.S. Magistrate Judge Thomas C. Mummert, III on January 22, 2008.

Bonnie Day was hired as a Judicial Assistant/Law Clerk to U.S. Magistrate Judge Thomas C. Mummert, III on May 1, 2008.

Sandra Moore was hired as a Judicial Assistant to U.S. District Judge Stephen N. Limbaugh Jr. on August 1, 2008.

Alison Spinden was hired as a Law Clerk to U.S. District Judge Stephen N. Limbaugh Jr. on August 18, 2008.

RETIREMENTS

CLERKS' OFFICE

Sherry Compton began working with the Eastern District of Missouri on April 25, 1980 and retired on March 31, 2008. During her tenure, Sherry held several positions at the court. Her dedication and cheerful demeanor are greatly missed. She retired as the ADR/DCM Coordinator.

Craig Liddy began working with the Eastern District of Missouri on September 12, 1977 and retired on April 30, 2008. Most notably, Craig served as U.S. District Judge Clyde S. Cahill's courtroom deputy for many years. Craig's outgoing personality and unmatched wit are missed throughout the courthouse. Craig retired as an Assistant Case Manager.

Cynthia Davis began working with the Eastern District of Missouri on April 6, 1987 and retired May 30, 2008. Cindy held various positions in the Clerks' Office during her tenure and trained many new employees while at the Intake area. Cindy's vast

knowledge of court procedures is greatly missed. She retired as Case Initiation Supervisor.

CHAMBERS

Denise Bone began working with the Eastern District of Missouri on August 13, 1979 and retired on January 31, 2008. She retired as a Judicial Assistant to U.S. Magistrate Judge David D. Noce.

Mary Hess began working with the Eastern District of Missouri on August 9, 1993 and retired on April 30, 2008. She retired as a Judicial Assistant to U.S. Magistrate Judge Thomas C. Mummert, III.

Lynn Stone began working with the Eastern District of Missouri on August 15, 1983 and retired on September 30, 2008. She spent her entire career at the court working as a Judicial Assistant to retired Senior U.S. District Judge Stephen N. Limbaugh Sr.



RETIREMENT OF SENIOR U.S. DISTRICT JUDGE STEPHEN N. LIMBAUGH SR.

Senior U.S. District Judge Stephen N. Limbaugh Sr. retired on July 31, 2008 after serving 25 years on the federal bench in the Eastern District of Missouri. Judge Limbaugh Sr. was nominated by President Ronald Reagan on June 7, 1983 to a seat vacated by Judge Kenneth Wangelin. He was confirmed by the Senate on July 18, 1983 and received his commission on July 19, 1983. On May 1, 1996, Judge Limbaugh Sr. assumed senior status. Judge Limbaugh Sr. continued to manage a full criminal and civil caseload until the day he retired.



Judge Limbaugh Sr. receives a plaque at his retirement festivities from Chief U.S. District Judge Carol E. Jackson.

Prior to Judge Limbaugh Sr.'s legal career, he served in the U.S. Navy from 1946 through 1948. Judge Limbaugh Sr. received his B.A. from Southeast Missouri State University in 1950. Shortly thereafter, he completed his J.D. at the University of Missouri-Columbia School of Law. Upon his graduation, Judge Limbaugh Sr. went into private practice in Cape Girardeau, Missouri from 1951 to 1983. While in private practice, Judge Limbaugh Sr.



Judge Limbaugh Sr. addresses the crowd at his retirement celebration.

also served as the prosecuting attorney for Cape Girardeau County, Missouri from 1955 to 1958 and as the city attorney for Cape Girardeau, Missouri from 1964 to 1968.

His professional associations include the following: President of The Missouri Bar from 1982 to 1983; American Bar Association – House of Delegates from 1987 to 1991; Bar Association of Metropolitan St. Louis; Missouri Supreme Court Rules Committee from 1970 to 1980; American Law Institute; American Bar Foundation (Fellow); American College of Probate Counsel (Fellow); and Federal Arbitration, Inc. (Participating Arbitrator).

Judge Limbaugh Sr. is continuing his legal career at Armstrong Teasdale, LLP as senior counsel in several areas of practice including as a certified ADR mediator in the district court.



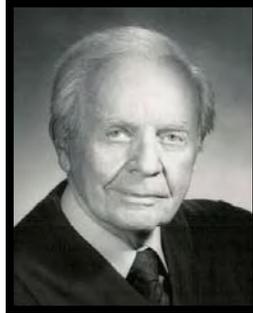
Judge Limbaugh Sr. standing with his law clerk, Tracey Elbein (left), and judicial assistant, Lynn Stone (right)



Judge Limbaugh Sr. receives a standing ovation.



IN MEMORIAM



Senior U.S. District Judge John F. Nangle was born on June 8, 1922 in St. Louis, Missouri and lived there until moving to Savannah, Georgia in 1990. He received his A.A. from Harris Teachers College in 1941 (what is now Harris-Stowe State University), his B.S. from the University of Missouri-Columbia in 1943, and his J.D. from Washington University School of Law in St. Louis in 1948. Both Harris-Stowe State University and Washington University School of Law in St. Louis later presented him with their “Most Distinguished Alumnus Award”.

Before serving on the federal bench, Judge Nangle enlisted in the U.S. Army and served over three years active duty during World War II, achieving the rank of First Sergeant. Immediately thereafter, he served in the Army Reserve for 14 years retiring as a Captain, J.A.G.C.

Judge Nangle worked in a private law practice in the St. Louis area from 1948 to 1973. During his 25 years of service, Judge Nangle earned a reputation as a capable and honorable lawyer. While engaged in the private practice of law, Judge Nangle also served part-time as a city attorney for the City of Brentwood, Missouri from 1953 to 1963 and part-time as a special legal advisor for the St. Louis County government from 1963 to 1973. During his time in the private sector, he was active in a number of civic organizations as well as local, state, and national Republican politics. Judge Nangle’s political activities included the following: Missouri Republican Committee from 1958 to 1973; President of the Missouri Association of Republicans; Republican National Committee from 1972 to 1973; and President of the Missouri Republican Veterans League in 1969. In 1970, he was awarded Missouri Republican of the Year.

On July 18, 1973, President Richard M. Nixon appointed him as a Judge of the U.S. District Court for the Eastern District of Missouri. From 1983 to 1990, Judge Nangle served the Eastern District of Missouri as Chief Judge. On May 10, 1990, Judge Nangle assumed senior status. In 1991, he was designated to perform judicial duties in the U.S. District Court for the Southern District of Georgia in the Eleventh Circuit. While on the federal bench, he sat on the following committees and activities: Judicial Conference Committee on the Operation of the Jury System from 1981 to 1987; Judicial Conference of the U.S. from 1985 to 1991 (Executive Committee, 1987 to 1991); Chairman of the Judicial Panel on Multidistrict Litigation from 1990 to 2001; Member of the Ad Hoc Committee on Asbestos Litigation; Member of the Mass Torts Working Group in 1998; and Judicial Resources Working Group from 1998 to 2008.

During his thirty-five years on the federal bench, Judge Nangle presided over many important cases. In 1974, he rejected proposed jury instructions that the jury must acquit a defendant if it finds he/she obtained narcotics from a government undercover agent, regardless of the defendant’s predisposition to buy illegal drugs. In 1985, he held that a school district did not violate the First Amendment when it prohibited student newspaper articles discussing pregnancy and divorce. Judge Nangle found that the school district’s action was justified by its concern for the privacy of unnamed pregnant students. Most recently, Judge Nangle presided over the BankAmerica Securities Corporation Litigation, a multi-district securities fraud class action, which settled for \$490 million.

Senior U.S. District Judge John F. Nangle passed away on August 24, 2008 at the age of 86. He is survived by his wife, Jane Adams Nangle, his son,



John F. Nangle, Jr., step-children, Marthajane Caldwell and James E. Caldwell Jr., as well as one grandchild, Leo Caldwell.



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Appendix A

2008 Juror Usage Report													
January 1 – December 31 Reporting Period													
District	Jan 2008	Feb 2008	Mar 2008	Apr 2008	May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Totals
Juror Usage in District													
Civil Juries*	1	5	1	3	4	4	1	4	0	2	2	4	31
Criminal Juries*	7	4	2	3	5	5	3	2	5	3	5	5	49
Total Number of Jurors	312	323	146	175	330	331	473	157	193	151	254	281	3126
Selected Jurors	103	93	34	63	96	102	62	58	69	49	83	98	910
Challenged Jurors	197	162	64	94	159	162	134	84	91	86	157	136	1526
Jurors who participated in voir dire [excess jurors]	12	19	10	17	75	66	232	14	25	16	14	1	501
Jurors who did not participate in voir dire	0	49	38	1	0	1	45	1	8	0	0	46	189
Juror Usage Statistics in District													
Jurors not selected or challenged who participated in voir dire	3.8%	5.9%	6.8%	9.7%	22.7%	19.9%	49.0%	8.9%	13.0%	10.6%	5.5%	0.4%	16.0%
Jurors not selected or challenged who did not participate in voir dire	0.0%	15.2%	26.0%	0.6%	0.0%	0.3%	9.5%	0.6%	4.1%	0.0%	0.0%	16.4%	6.0%
Jurors who participated in voir dire	100.0%	84.8%	74.0%	99.4%	100.0%	99.7%	90.5%	99.4%	95.9%	100.0%	100.0%	83.6%	94.0%
Juror Utilization	3.8%	21.1%	32.9%	10.3%	22.7%	20.2%	58.6%	9.6%	17.1%	10.6%	5.5%	16.7%	22.1%

*These monthly jury figures do not include bench trials in the totals.



Appendix B

New Case Filings ¹ 2006-2008 (January 1 – December 31)					
Division/Case Type	2006	06-07 Percent Change	2007	07-08 Percent Change	2008
Civil Cases²					
Eastern Civil Cases	1858	13.9%	2116	-3.9%	2033
Southeastern Civil Cases	193	-4.7%	184	-2.7%	179
Northern Civil Cases	69	-15.9%	58	19.0%	69
Total Civil Cases	2120	11.2%	2358	-3.3%	2281
Criminal Cases³					
Eastern Criminal Cases	781	-8.6%	714	-1.5%	703
Southeastern Criminal Cases	175	4.0%	182	-7.7%	168
Total Criminal Cases	956	-6.3%	896	-2.8%	871
Criminal Defendants					
Eastern Criminal Defendants	991	-1.9%	972	3.3%	1004
Southeastern Criminal Defendants	183	4.9%	192	-4.7%	183
Total Criminal Defendants	1174	-0.9%	1164	2.0%	1187
Miscellaneous Cases⁴					
Eastern Miscellaneous Cases	716	-13.5%	619	10.3%	683
Southeastern Miscellaneous Cases	62	-30.6%	43	-46.5%	23
Total Miscellaneous Cases	778	-14.9%	662	6.6%	706
Total New Case Filings⁵	3854	3.5%	3988	-3.3%	3858

Percentages are rounded to the nearest tenth

- 1 – New case filings do not include reopened cases in civil or criminal.
- 2 – Civil case filings include sealed civil cases and MDL transfer cases.
- 3 – Criminal case filings exclude probation/supervised release transfers
- 4 – Miscellaneous case filings include sealed miscellaneous cases.
- 5 – Total case filings comprise of civil, criminal, and miscellaneous case filings.



Appendix C

2008 Monthly Caseload Report													
	Jan 2008	Feb 2008	Mar 2008	Apr 2008	May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Total
CIVIL CASES													
Cases Filed*	186	145	170	199	195	185	197	205	219	195	172	213	2281
Cases Reopened	4	9	5	5	1	6	6	4	14	7	3	2	66
Cases Closed	189	178	206	173	180	190	175	176	234	177	130	152	2160
Current Cases Pending	1982	1957	1927	1956	1975	1972	1994	2024	2020	2043	2087	2150	2150
(Filed + Reopened)/ Closed Ratio	1.01	0.87	0.85	1.18	1.09	1.01	1.16	1.19	1.00	1.14	1.35	1.41	1.09
Mean Disposition Time (months)	9.4	11.5	12.2	8.8	8.3	8.5	9.6	9.2	11.2	8.1	9.0	8.0	9.6
Mean Disposition Time (5% trimmed)**(months)	8.3	10.3	11.1	7.6	7.1	7.5	7.8	7.8	10.3	7.2	8.2	7.2	8.4
Median Disposition Time (months)	6.2	8.8	10.3	5.0	4.9	4.9	6.0	5.0	10.7	4.8	5.7	4.2	6.1
CRIMINAL CASES													
Cases Filed	85	89	64	61	90	87	63	63	53	61	72	83	871
▪Felony Cases	75	74	39	61	79	67	57	62	52	61	57	78	762
▪Misdemeanor Cases	10	15	25	0	11	20	6	1	1	0	15	5	109
Cases Closed	86	86	64	102	90	77	86	92	87	104	75	66	1015
Current Cases Pending	648	660	671	646	654	677	666	652	632	608	616	648	648
Filed/Closed Ratio	0.99	1.03	1.00	0.60	1.00	1.13	0.73	0.68	0.61	0.59	0.96	1.26	0.86
Defendants Filed	121	124	82	82	102	160	99	83	70	83	77	104	1187
Defendants Closed ***	103	95	73	105	106	103	99	107	109	133	85	90	1208
Current Defs Pending	935	965	987	965	957	1013	1012	988	949	899	889	902	902
Defs Filed/Closed Ratio	1.17	1.31	1.12	0.78	0.96	1.55	1.00	0.78	0.64	0.62	0.91	1.16	0.98
Mean Disposition Time (months)	8.5	7.2	6.9	7.0	9.1	8.0	11.8	7.9	8.2	8.8	8.2	7.0	8.3
Mean Disposition Time (5% trimmed)**	7.1	6.8	6.3	6.4	7.9	7.3	6.6	7.5	7.8	8.3	7.9	6.3	7.3
Median Disposition Time (months)	5.9	6.0	5.7	5.7	7.0	6.4	5.8	6.9	7.3	8.0	7.1	6.0	6.4

*Civil cases filings include sealed civil cases and MDL transfer cases.

** 5% trimmed mean = lowest and highest 2.5% of disposition times are excluded from the calculation of the mean

***Defendants whose probation/supervised release was revoked during the reporting period are not included in the closed defendant totals



Appendix D

2007-2008 Monthly Caseload Percentage Change													
	Jan 07-08	Feb 07-08	Mar 07-08	Apr 07-08	May 07-08	Jun 07-08	Jul 07-08	Aug 07-08	Sep 07-08	Oct 07-08	Nov 07-08	Dec 07-08	07-08
CIVIL CASES													
Cases Filed	-31.9%	-18.1%	-27.4%	-30.2%	-2.0%	12.8%	2.1%	5.7%	43.1%	1.0%	8.9%	57.8%	-3.3%
Cases Reopened	-33.3%	80.0%	-16.7%	-16.7%	-85.7%	-40.0%	20.0%	-20.0%	100.0%	-36.4%	-40.0%	nc	-12.0%
Cases Closed	4.4%	3.5%	-14.5%	-35.0%	9.8%	-7.8%	17.5%	-21.1%	-8.9%	-2.2%	-20.2%	18.8%	-7.3%
Current Cases Pending	-1.2%	-2.9%	-4.3%	-4.1%	-5.0%	-3.5%	-4.4%	-1.7%	3.1%	3.2%	5.5%	8.4%	8.4%
(Filed + Reopened) /Closed Ratio	-34.8%	-18.2%	-14.7%	8.3%	-13.5%	20.2%	-12.8%	33.7%	61.3%	0.9%	35.0%	31.8%	4.8%
Mean Disposition Time	-1.1%	16.2%	6.1%	11.4%	-4.6%	4.9%	-11.9%	-16.4%	1.8%	-21.4%	-5.3%	-8.0%	-2.0%
Mean Disposition Time (5% trimmed)*	-1.2%	14.4%	6.7%	11.8%	-10.1%	7.1%	-22.8%	-22.8%	4.0%	-24.2%	-1.2%	-8.9%	-3.4%
Median Disposition Time	1.6%	17.3%	7.3%	56.3%	-23.4%	-12.5%	-31.0%	-36.7%	81.4%	-37.7%	-9.5%	-35.4%	-6.2%
CRIMINAL CASES													
Cases Filed	-5.6%	11.3%	-27.3%	-14.1%	32.4%	19.2%	21.2%	-21.3%	-14.5%	-28.2%	-26.5%	69.4%	-2.8%
•Felony Cases	10.3%	-7.5%	-51.9%	nc	17.9%	4.7%	32.6%	-18.4%	-5.5%	-24.7%	-29.6%	59.2%	-5.5%
•Misdemeanor Cases	-54.6%	ns	257.1%	ns	1000.0%	122.2%	-33.3%	-75.0%	-85.7%	ns	-11.8%	ns	21.1%
Cases Closed	-4.4%	11.7%	-26.4%	8.5%	-5.3%	16.7%	30.3%	19.5%	1.2%	33.3%	-15.7%	-12.0%	3.6%
Current Cases Pending	5.9%	5.6%	5.0%	3.0%	6.9%	8.5%	7.9%	4.0%	2.4%	-4.3%	-5.7%	1.4%	1.4%
Filed/Closed Ratio	-1.2%	-0.4%	-1.1%	-21.1%	38.9%	1.8%	-7.6%	-34.6%	-15.3%	-45.9%	-12.7%	93.8%	-5.5%
Defendants Filed	3.4%	30.5%	-31.1%	-4.7%	32.5%	52.4%	43.5%	-26.5%	-13.6%	-9.8%	-39.8%	26.8%	2.0%
Defendants Closed**	2.0%	6.7%	-24.0%	1.9%	3.9%	45.1%	33.8%	24.4%	13.5%	52.9%	-16.7%	11.1%	11.0%
Current Defendants Pending	15.3%	18.0%	17.0%	15.6%	18.0%	19.9%	20.5%	13.6%	10.9%	4.3%	-2.2%	-1.5%	-1.5%
Defendants Filed/Closed Ratio	1.4%	22.3%	-9.4%	-7.1%	28.0%	4.7%	7.5%	-40.5%	-23.8%	-41.5%	-27.2%	14.9%	-8.4%
Mean Disposition Time	7.6%	-7.7%	-5.5%	-17.7%	16.7%	-7.0%	16.8%	19.7%	-2.4%	15.8%	-12.8%	-16.7%	1.2%
Mean Disposition Time (5% trimmed)*	-7.8%	-9.3%	-4.6%	-5.9%	16.2%	-5.2%	-27.5%	23.0%	11.4%	13.7%	-6.0%	-11.3%	0.0%
Median Disposition Time	-17.0%	-6.3%	-1.7%	nc	25.0%	1.6%	-7.9%	25.5%	12.3%	17.6%	2.9%	-7.7%	1.6%

Percentages are rounded to the nearest tenth

nc = No change in data between previous month or year

ns = Percent change not significant - There must be at least one case in each month for comparison

*5% trimmed mean = lowest and highest 2.5% of disposition times are excluded from the calculation of the mean

**Defendants whose probation/supervised release was revoked during the reporting period are not included in the closed defendants totals



Appendix E

2008 Monthly Civil Case Filings by Type														
[Numbers are displayed as Filed/Reopened; i.e. 27/1 - 27 filed/1 reopened]														
	Jan 2008	Feb 2008	Mar 2008	Apr 2008	May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Total	
1.) Contracts	34/1	14/1	21	37/1	30	30/2	22/1	26/1	37/1	40/1	19	26	336/8	
2.) Real Property	0	0	4	4	1	3	2	1	0	4	1	2	22	
3.) Total Torts	26/1	28/1	22/1	25	24/1	42/1	29	65/1	43	28/1	58	55	445/7	
Torts	a. <i>Personal Injury</i>	22/1	20/1	19/1	22	20/1	30/1	27	27/1	41	22	56	53	359/6
	b. <i>Personal Property</i>	4	8	3	3	4	12	2	38	2	6/1	2	2	86/1
4.) Civil Rights	22/1	21	28/1	29/1	30	21	31/1	23	35/2	23/1	23/1	26	312/8	
5.) Total Prisoner Petitions	45/1	18/3	35/2	42/1	44	39/2	44/1	42/2	48/2	39/4	34	40/1	470/19	
Habeas Corpus	a. <i>Prisoner Petitions (§2255)</i>	10	3	2	9	8	10/1	7	6	7	6	9	8	85/1
	b. <i>General (§2254)</i>	14	11/2	12/1	9	19	16/1	18	14/2	21/1	14/2	12	14	174/9
	c. <i>Death Penalty (§2254)</i>	0	0	0	0	0	0	0	0	0	0	0	1	1
	d. <i>Mandamus & Other</i>	2	0	0	0	2	0	1/1	2	1	1/1	0	0	9/2
	e. <i>Civil Rights</i>	19/1	4/1	20/1	22/1	13	11	15	17	19/1	17/1	13	17/1	187/7
	f. <i>Prison Condition</i>	0	0	1	2	2	2	3	3	0	1	0	0	14
6.) Forfeiture/Penalty	3	4/1	5	1	4	7	5/1	4	2	4	4	9	52/2	
7.) Labor	16	23	15	27/1	23	16	21/1	17	32/9	27	13	17/1	247/12	
8.) Immigration	n/a	n/a	n/a	n/a	0	0	0	0	0	0	0	0	0	
9.) Intellectual Property Rights	18	9	15/1	8/1	8	8/1	7	5	7	10/1	3	6	104/4	
10.) Social Security	11	21/3	15	19	15	13	22	15	19	13	12/1	16	191/4	
11.) Federal Tax Suits	0	1	0	2	0	1	0	1	0	0	0	1	6	
12.) Bankruptcy	2	0	0	0	1	1	1	0	0	0	0	1	6	
13.) Other Statutes	10	13	14	9	16	9	17/1	8	10	14	8/1	14	142/2	
Total Civil Case Filings	187/4	152/9	174/5	203/5	196/1	190/6	201/6	207/4	233/14	202/7	175/3	213/2	2333/66	

n/a = Not available



Appendix F

2007-2008 Monthly Percentage Change in Civil Case Filings by Type														
	Jan 07-08	Feb 07-08	Mar 07-08	Apr 07-08	May 07-08	Jun 07-08	Jul 07-08	Aug 07-08	Sep 07-08	Oct 07-08	Nov 07-08	Dec 07-08	07-08	
1.) Contract	142.9%	-12.5%	-4.5%	37.0%	42.9%	57.9%	57.1%	-3.7%	146.7%	53.8%	-9.5%	73.3%	41.8%	
2.) Real Property	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	46.7%	
3.) Total Torts	-80.0%	3.7%	-71.8%	-80.8%	-33.3%	16.7%	3.6%	333.3%	186.7%	-47.2%	205.3%	400.0%	-23.0%	
Torts	a. <i>Personal Injury</i>	-81.0%	nc	-51.3%	-4.3%	-4.8%	-11.8%	17.4%	107.7%	173.3%	57.1%	250.0%	488.9%	4.7%
	b. <i>Personal Property</i>	-71.4%	ns	-92.3%	-97.2%	-73.3%	500.0%	ns	1800.0%	ns	-84.6%	ns	ns	-63.4%
4.) Civil Rights	-26.7%	-32.3%	-3.4%	3.6%	-14.3%	nc	-13.9%	-43.9%	40.0%	-14.8%	9.5%	-3.7%	-11.1%	
5.) Total Prisoner Petitions	nc	-64.7%	-38.6%	-32.3%	-12.0%	-22.0%	-17.0%	-22.2%	4.3%	-20.4%	-29.2%	37.9%	-20.9%	
Habeas Corpus	a. <i>Prisoner Petitions (§2255)</i>	42.9%	ns	ns	ns	ns	100.0%	-30.0%	-45.5%	ns	-40.0%	-35.7%	ns	-10.5%
	b. <i>General (§2254)</i>	-17.6%	-35.3%	-45.5%	-55.0%	72.7%	23.1%	20.0%	-33.3%	50.0%	-12.5%	9.1%	16.7%	-7.9%
	c. <i>Death Penalty (§2254)</i>	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	0.0%
	d. <i>Mandamus & Other</i>	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	80.0%
	e. <i>Civil Rights</i>	-5.0%	-85.7%	-31.0%	-26.7%	-55.2%	-63.3%	-46.4%	-22.7%	-13.6%	-19.0%	-43.5%	21.4%	-36.8%
	f. <i>Prison Condition</i>	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	75.0%
6.) Forfeiture/Penalty	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	20.9%	
7.) Labor	-36.0%	64.3%	7.1%	58.8%	21.1%	23.1%	16.7%	6.3%	88.2%	107.7%	44.4%	6.3%	29.3%	
8.) Immigration	n/a	n/a	n/a	n/a	ns	0.0%								
9.) Intellectual Property Rights	80.0%	-25.0%	87.5%	ns	ns	ns	-50.0%	ns	ns	-9.1%	ns	ns	10.6%	
10.) Social Security	57.1%	162.5%	-6.3%	137.5%	-40.0%	18.2%	nc	7.1%	-5.0%	8.3%	-55.6%	33.3%	4.9%	
11.) Federal Tax Suits	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	-14.3%	
12.) Bankruptcy	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	ns	-25.0%	
13.) Other Statutes	nc	-18.8%	100%	-25.0%	128.6%	-47.1%	112.5%	-20.0%	nc	40.0%	ns	-6.7%	11.8%	
Total Civil Case Filings	-32.9%	-15.6%	-27.8%	-30.5%	-4.9%	9.8%	2.6%	5.1%	45.6%	-0.5%	7.4%	55.5%	-3.9%	

Percentages are rounded to the nearest tenth

ns = Percentage change not significant - There must be at least 10 cases in one month for comparison

nc = No change

n/a = Not available

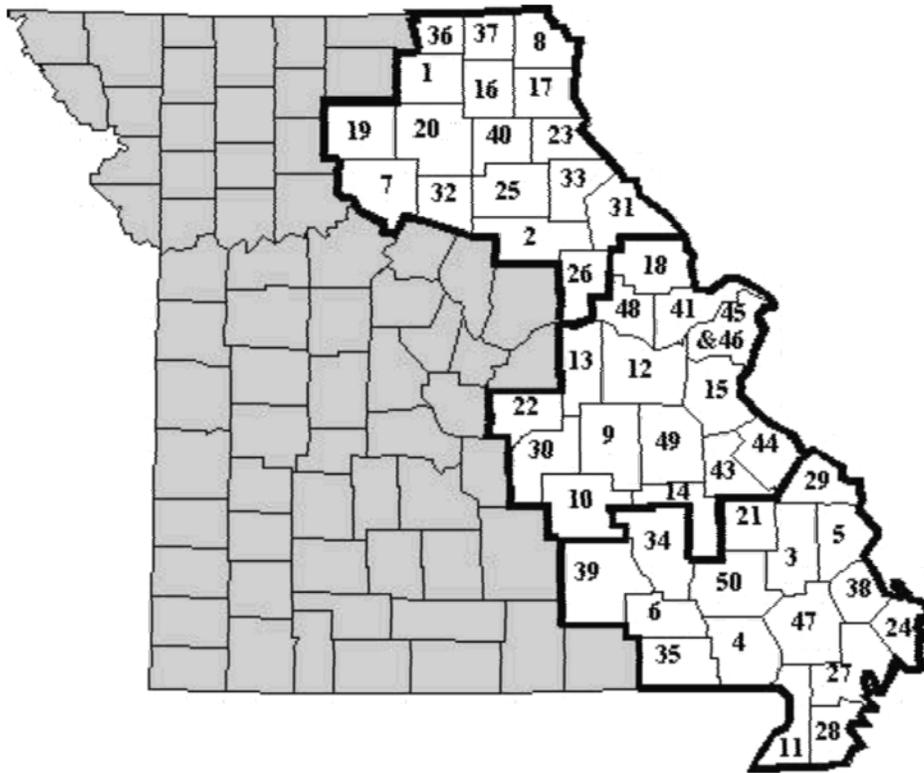


Appendix G

2008 Monthly Trial Starts													
	Jan 2008	Feb 2008	Mar 2008	Apr 2008	May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Total
Civil Trial Starts													
Jury Trial Starts	1	5	1	3	4	4	1	4	0	2	2	4	31
Bench Trial Starts	2	0	1	0	1	0	1	0	1	2	0	1	9
Total	3	5	2	3	5	4	2	4	1	4	2	5	40
Criminal Trial Starts													
Jury Trial Starts	7	4	2	3	5	5	3	2	5	3	5	5	49
Bench Trial Starts	0	0	1	1	1	0	0	1	0	0	0	0	4
Total	7	4	3	4	6	5	3	3	5	3	5	5	53
Trial Start Totals													
Jury Trial Starts	8	9	3	6	9	9	4	6	5	5	7	9	80
Bench Trial Starts	2	0	2	1	2	0	1	1	1	2	0	1	13
Total	10	9	5	7	11	9	5	7	6	7	7	10	93



**Appendix H
U.S. District Court – Eastern District of Missouri Jurisdiction**



COUNTIES BY DIVISION		
EASTERN DIVISION	NORTHERN DIVISION	SOUTHEASTERN DIVISION
9. Crawford	1. Adair	3. Bollinger
10. Dent	2. Audrain	4. Butler
12. Franklin	7. Chariton	5. Cape Girardeau
13. Gasconade	8. Clark	6. Carter
14. Iron	16. Knox	11. Dunklin
15. Jefferson	17. Lewis	21. Madison
18. Lincoln	19. Linn	24. Mississippi
22. Maries	20. Macon	27. New Madrid
30. Phelps	23. Marion	28. Pemiscot
41. St. Charles	25. Monroe	29. Perry
43. St. Francois	26. Montgomery	34. Reynolds
44. Ste. Genevieve	31. Pike	35. Ripley
45. St. Louis County	32. Randolph	38. Scott
46. St. Louis City	33. Ralls	39. Shannon
48. Warren	36. Schuyler	47. Stoddard
49. Washington	37. Scotland	50. Wayne
	40. Shelby	

