

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
ST. LOUIS ▪ CAPE GIRARDEAU ▪ HANNIBAL

2010 ANNUAL REPORT

SERVING THE PUBLIC,
THE BENCH, AND THE BAR
IN 2010

SERVING THE PUBLIC, THE BENCH, AND THE BAR IN 2010



2010 ANNUAL REPORT

THIS REPORT WAS PREPARED BY THE
OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

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ST. LOUIS, MISSOURI
EASTERN DIVISION



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THE JUDGES OF THE EASTERN DISTRICT OF MISSOURI



UNITED STATES DISTRICT JUDGES

CATHERINE D. PERRY
CHIEF JUDGE

JEAN C. HAMILTON
CAROL E. JACKSON
RODNEY W. SIPPEL
HENRY E. AUTREY
STEPHEN N. LIMBAUGH JR.
AUDREY G. FLEISSIG

UNITED STATES SENIOR DISTRICT JUDGES

EDWARD L. FILIPPINE
DONALD J. STOHR
E. RICHARD WEBBER
CHARLES A. SHAW

UNITED STATES 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



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A MESSAGE FROM THE CHIEF JUDGE
THE HONORABLE CATHERINE D. PERRY

A decade has passed since the dedication of the Thomas F. Eagleton United States Courthouse. Those who were present for the ceremony on September 11, 2000 remember clearly the beauty of that bright sunny day and the moving remarks of the late Senator for whom the courthouse is named. Senator Eagleton stated, "What should matter to the public more than [the building's] grandeur is the important business of justice that will be conducted each day inside the courthouse walls." Since that date we have dedicated another wonderful new courthouse, the Rush Hudson Limbaugh, Sr. Courthouse in Cape Girardeau. Although much has changed in the years since we moved into our new courthouses, the essential business of the judicial branch as an impartial arbiter of disputes remains steadfast.

As chief judge, I am honored to serve with some of the most capable judges and staff anywhere in the federal judiciary. Together we have made strides in this decade to instill public trust by judging cases fairly and expeditiously. Despite some changes in our court family and increases in workload, we have made effective use of all available resources. Our record for 2010, as reflected in this annual report, is one of quality work, enhanced services and a commitment to promoting public understanding about the exceptional justice system that operates from the federal courthouses in St. Louis, Cape Girardeau and Hannibal.

OUR RECORD FOR 2010, AS REFLECTED IN THIS ANNUAL REPORT, IS ONE OF QUALITY WORK, ENHANCED SERVICES AND A COMMITMENT TO PROMOTING PUBLIC UNDERSTANDING ABOUT THE EXCEPTIONAL JUSTICE SYSTEM THAT OPERATES FROM THE FEDERAL COURTHOUSES IN ST. LOUIS, CAPE GIRARDEAU, AND HANNIBAL.

Perceptions about the judicial branch affect the public's confidence in fair and impartial justice, but we have opportunities to shape our own image. This court has developed a unique approach to minimizing the disconnect between courts and the public. We regard measuring and reporting performance as essential elements of transparency, which often leads to better understanding. But this goes beyond merely counting events and reporting dry statistics, to include such things as measuring juror satisfaction and testing whether programs like drug court and mediation are actually achieving their intended results. Attorneys, litigants and the public have ready access to a vast amount of court information through our web site and from published reports like this, and court personnel routinely seek comments from those we serve.

In addition, we are determined as much as possible to operate the district's courthouses as public places where visitors feel welcome. Our most recent efforts to create educational events for students and their teachers, to promote visits to the Judicial Learning Center at the Eagleton Courthouse and to the Judicial Education and History Center at the Limbaugh Courthouse, and to connect to the community through service projects are all documented in this report. These initiatives allow the court to demonstrate a more personalized connection between justice and those who require our services. By building understanding, the court succeeds in fostering trust and confidence now and for the future.



Catherine D. Perry
Chief United States District Judge

A MESSAGE FROM THE CLERK OF COURT
JAMES G. WOODWARD

People are often attracted to careers in the federal courts because they are committed to public service. But public service and community service are rooted in the same value -- a drive to assist others. In the Eastern District of Missouri, we have discovered that when public service combines with community service, duty is complete. By our actions in 2010, we have demonstrated to ourselves and to those we strive to serve that the reward of one duty is the inspiration to fulfill the other. This annual report is an opportunity to account both for our achievements as public servants and also as caring citizens of the communities where we live.

If responding to human need is a hallmark of service, there were countless opportunities in 2010 to demonstrate compassion for neighbors in need.

When tragedy struck Haiti on January 12, 2010 in the form of a 7.0 magnitude earthquake that killed 230,000 people, the district court responded with a courthouse-wide fundraising event that generated over four thousand dollars in donations for American Red Cross relief efforts. Later in the year, a group of district court volunteers, including our chief judge, gathered on a Saturday in a blighted inner city neighborhood for our sixth annual Habitat for Humanity Day. We painted walls, laid flooring and installed siding on a new home that would soon be occupied by a low income mother and her three children. This teamwork demanded physical labor far different than our jobs at the courthouse, but the reward was priceless when we saw the excitement and pride of the new homeowner who worked with us that day.

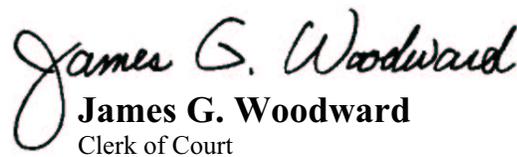
When asked in October to support a Boy Scout sponsored drive to collect used luggage for donation to ex-offenders, judges and courthouse employees responded enthusiastically. In the 2010 holiday season, court employees gave generously to a Salvation Army canned food donation event and donated toys for children whose parents are incarcerated. Another group organized a holiday party at a local crisis nursery, complete with Santa, games, special treats and a gift for every needy child whose prospects for a happy holiday were otherwise not bright. The giving in all of these examples became, for us, its own gift.

“THERE IS NO IDEA SO UPLIFTING AS THE IDEA OF THE SERVICE OF HUMANITY.”

-PRESIDENT WOODROW WILSON

While judges and employees of the United States District Court work very hard performing their official duties, the human element of justice is never overlooked. There are programs to support

offenders who are re-entering society following imprisonment. Services have been designed for people who cannot afford legal representation. Community outreach events teach students and the public about the federal courts. Parties may use court-sponsored alternative methods of resolving civil disputes without the high cost of trial. All of these services demonstrate the court's understanding that justice is about people. As President Woodrow Wilson once observed, "There is no idea so uplifting as the idea of the service of humanity." I am very proud that in 2010, the district court's commitment to justice and service reached beyond the walls of the courthouse.


James G. Woodward
Clerk of Court

§1 – SERVING THE PUBLIC

CONSTITUTION DAY

HEC-TV CONSTITUTION DAY PROGRAM

On September 17th, the Thomas F. Eagleton Courthouse hosted a special event for Constitution Day. HEC-TV converted the William H. Webster Courtroom, located on the third floor of the Eagleton Courthouse, into a television studio for a Constitution Day Program. HEC-TV is a producer of education, arts, and cultural television programming for the citizens of Greater St. Louis¹. The HEC-TV Live! program series creates a two-way interactive television broadcast for students, teachers, and other viewers. Through HEC-TV and other contributing partners, students are able to visit, observe, and interact with professionals in their everyday work environment. Those students not in attendance are still able to speak directly with the panelists through videoconference technology.²

Sponsored by HEC-TV and The Missouri Bar, the Constitution Day Program at the Eagleton Courthouse consisted of two different live events. The first live event took place in the morning and focused on the judicial selection process. Along with HEC-TV Live! host Tim Gore, U.S. District Judge Rodney W. Sippel, Missouri Supreme Court Justice Michael A. Wolff, and Chief U.S. Magistrate Judge Mary Ann L. Medler comprised the morning panel to discuss how judges are selected at the national and state levels. High school students from Bayless, Northwest Academy, and Webster Groves were in attendance for the morning broadcast. In addition to the live audience, students from



From Left to Right: Host Tim Gore, Missouri Supreme Court Justice Michael A. Wolff, Chief U.S. Magistrate Judge Mary Ann L. Medler, U.S. District Judge Rodney W. Sippel

grades 7 to 12 around the state of Missouri tuned in to the morning and afternoon broadcast via teleconference, internet video, or cable TV. Students from classrooms throughout the state were able to participate by emailing questions to the panel during the discussions.



From Left to Right: Host Tim Gore, Professor David B. Robertson, Missouri Supreme Court Justice Mary Rhodes Russell, Retired Senior U.S. District Judge Stephen N. Limbaugh Sr.

The second live event took place in the afternoon with a new panel and topic. With host Tim Gore, Retired Senior U.S. District Judge Stephen N. Limbaugh Sr., Missouri Supreme Court Justice Mary Rhodes Russell, and Professor David B. Robertson from the Department of Political Science at the University of Missouri – St. Louis discussed how judges make decisions and the various philosophies that arguably affect judicial interpretation. Students learned the meaning of such terms as “strict construction” and “judicial activism”. For the afternoon taping, high school students from Clayton, Webster Groves, and Westminster Christian Academy were in attendance to



observe the panel of experts as well as submit questions or comments.

¹ HEC-TV, “HEC-TV – About.” Available from <http://hectv.org/about/>. Internet. Accessed 17 September 2010.

² HEC-TV, “HEC-TV Live! Program Series – Education.” Available from <http://hectv.org/education/cur/finearts/tvlive.php>. Internet. Accessed 17 September 2010.

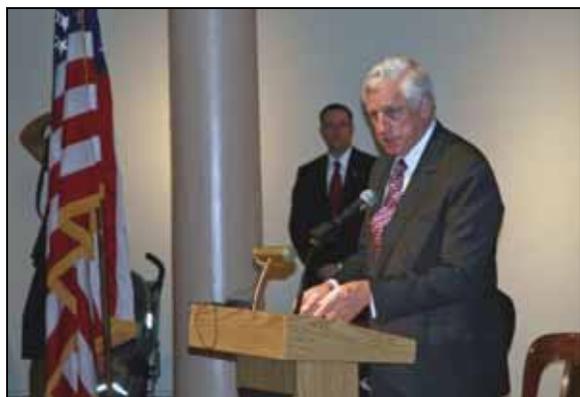
“HOWEVER DIFFERENT WE LOOK, HOWEVER DIFFERENT WE THINK, WHATEVER OUR ACCENT, WE ARE FAMILY; WE ARE BROTHERS AND SISTERS; WE ARE ONE.”

- SENATOR JOHN C. DANFORTH

CONSTITUTION DAY NATURALIZATION CEREMONY

While HEC-TV televised a Constitution Day program from the Eagleton Courthouse, a special naturalization ceremony took place nearby in the Old Courthouse at the Jefferson National Expansion Memorial. The naturalization program at the Old Courthouse is just one of many special ceremonies held across the nation in commemoration of Constitution Day and Citizenship Day. U.S. Citizenship and Immigration Services (USCIS) estimated that 9,000 citizenship candidates became citizens at 63 ceremonies across the United States during the annual celebration that began on September 13th and concluded on September 24th. Each year during Constitution Week citizens are called upon to renew their commitment to their country and the principles on which it was founded.

At the Constitution Day ceremony held at the Old Courthouse in St. Louis, sixty-nine citizenship candidates from twenty-six countries became U.S. citizens. Senior U.S. District Judge E. Richard Webber presided over the ceremony and administered the Oath of Allegiance. U.S. District Judge Stephen N. Limbaugh Jr. provided the introduction of the ceremony’s guest speaker The Honorable John C. Danforth, former United States Ambassador to the United Nations and former U.S. Senator from Missouri.



Senator John C. Danforth provided an inspirational message to the new citizens at the Constitution Day Naturalization Ceremony at the Old Courthouse in St. Louis, Missouri.

In a poignant address to the citizenship candidates and others in attendance, Senator Danforth spoke of our nation’s great diversity and how such diversity continues to enrich our country through the many contributions of new citizens. Senator Danforth stated, “We are more than a collection of different people occupying the same space. We are one people with all our differences - one united people.” Senator Danforth concluded this thought by saying, “However different we look, however different we think, whatever our accent, we are family; we are brothers and sisters; we are one.” At the close of his address, Senator Danforth asked that all citizens work side-by-side to keep America together as one, and to stand up and challenge those who seek to dishonor the values of the United States.

COMMUNITY OUTREACH

HISTORY OF COMMUNITY OUTREACH

The Eastern District of Missouri began its community outreach efforts in 2001 to promote 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 each year hosts at least two outreach events, coordinates courthouse tours, and provides educational events for local schools and universities.

JUDICIAL EDUCATION AND HISTORY CENTER DEDICATION

On April 30th, the Eastern District of Missouri dedicated the new Judicial Education and History Center in the Rush Hudson Limbaugh Sr. U.S. Courthouse in Cape Girardeau. Chief U.S. District Judge Catherine D. Perry, U.S. District Judge Stephen N. Limbaugh Jr., U.S. Magistrate Judge Lewis M. Blanton, Senator Claire McCaskill, Representative Jo Ann Emerson, and Dr. Ken Dobbins, president of Southeast Missouri State University, spoke at the event, which included the first naturalization ceremony in Cape Girardeau since July 2008.

The Judicial Education and History Center depicts the history and function of the federal courts in the Eastern District of Missouri. It is also tells the story of Rush H. Limbaugh Sr., the father and grandfather of two federal judges. Limbaugh Sr. was a highly-regarded attorney who despite an impressive array of legal achievements and honors was known more for his uncompromising integrity and stringent commitment to the highest ideals. Limbaugh Sr. practiced law in Missouri for nearly 80 years and continued to do so even past the age of 100. His grandson, U.S. District Judge Stephen N. Limbaugh Jr., is the first active federal district judge to work full-time in the Cape Girardeau courthouse. His father, Retired Senior U.S. District Judge Stephen N. Limbaugh Sr. presided in 2008 over the first hearing and naturalization ceremony at the new courthouse named after Rush H. Limbaugh Sr.



From Left to Right: U.S. District Judge Henry E. Autrey, Representative Jo Ann Emerson, U.S. District Judge Stephen N. Limbaugh Jr., Senator Claire McCaskill, Chief U.S. District Judge Catherine D. Perry, U.S. District Judge Rodney W. Sippel

The naturalization ceremony at the dedication welcomed fourteen new U.S. citizens from seven different countries. For many of the new citizens, the ceremony was an emotional event. Murat Yalcin, an immigrant from Turkey who came to the U.S. eighteen years ago, said, "I can't put what I'm feeling into words. As I was saying the pledge, I felt like a part of this country. I feel like I now am a part of this great nation."³ In her remarks to the new citizens, Representative Jo Ann Emerson stated, "For those newly naturalized citizens today, your preparation for citizenship and this wonderful day are now part of the history you will tell, and your aspirations for this country are also part of our aspirations".⁴

³ Blackwell, Brian. "14 get citizenship at federal courthouse ceremony." *Southeast Missourian*. 2 May 2010. Newspaper on-line. <http://www.semissourian.com/story/print/1631077.html>. Internet Accessed 2 May 2010.

⁴ Blackwell, Brian. "14 get citizenship at federal courthouse ceremony." *Southeast Missourian*. 2 May 2010. Newspaper on-line. <http://www.semissourian.com/story/print/1631077.html>. Internet Accessed 2 May 2010.



From Left to Right: Chief U.S. District Judge Catherine D. Perry and U.S. District Judge Stephen N. Limbaugh Jr. Judge Limbaugh Jr. administered the Oath of Allegiance to the new citizens.

WASHINGTON UNIVERSITY FIRST-YEAR LAW STUDENTS OUTREACH EVENT

The judges of the Eastern District of Missouri hosted the ninth annual Washington University First-Year Law Students Outreach Event at the Thomas F. Eagleton Courthouse on February 5th, February 12th, and April 2nd. Each year the first-year law class at Washington University in St. Louis 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 operations 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 speaking to first-year law students from Washington University

Due to the number of students in the first-year law class at Washington University in St. Louis, the students were divided into three groups that were assigned to attend the outreach event on one of the three selected dates listed above. On February 5th, Senior U.S. District Judge E. Richard Webber and U.S. Magistrate Judge Terry I. Adelman met with the first group of law students. On February 12th, U.S. District Judge Henry E. Autrey, Chief U.S. Magistrate Judge Mary Ann L. Medler, and U.S. Magistrate Judge David D. Noce met

with the second group of law students. The final group of law students met with Senior U.S. District Judge E. Richard Webber.



U.S. Magistrate Judge Terry I. Adelman met with a group of first-year law students from Washington University.

The 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 have a question-and-answer session with the judges.

MISSOURI HIGH SCHOOL MOCK TRIAL COMPETITION

The Eastern District of Missouri hosted the Missouri High School Mock Trial Competition in cooperation with the Bar Association of Metropolitan St. Louis (BAMSL) from March 26th until the conclusion of the championship round on March 28th. Sixteen teams from across the state of Missouri competed for the state championship in order to represent Missouri in the national competition in Washington, DC.



U.S. Magistrate Judge Thomas C. Mummert III welcomes the visitors for the mock trial competition to the Eagleton Courthouse.

To open the competition on Friday, U.S. Magistrate Judge Thomas C. Mummert III gave a spirited welcome to the 160 students, coaches, and families visiting the Eagleton Courthouse. The students displayed a high level of preparation, skill, and passion during the competition. Chief U.S. District Judge Catherine D. Perry presided over the final round of the competition. Staff from the Clerk's Office assisted in the courtrooms during the competition. The winning team was Mary Institute Country Day School (MICDS).



Students competing in the high school mock trial competition

BAMSL ST. LOUIS YOUNG LAWYERS' DIVISION TRIAL ADVOCACY COMPETITION

The Bar Association of Metropolitan St. Louis (BAMSL) Young Lawyers' Division (YLD) held its fourth annual Trial Advocacy Competition on April 16th at the Thomas F. Eagleton Courthouse. The Trial Advocacy Competition is an award-winning and nationally recognized program that provides aspiring trial lawyers in our community with valuable trial experience. The competition provides young lawyers a realistic litigation experience to practice and refine their skills in all phases of trial. Experienced trial attorneys and judges serve as evaluators and provide feedback on all aspects of the trial presentation. Law students from Saint Louis University School of Law and Washington University School of Law participated in the competition as mock jurors.

A total of ten teams comprised of two members each competed in five mock trials that were restricted to a total "trial time" of 180 minutes. During the trial, lawyers were scored based on advocacy skills utilized during the course of their presentation. Prevailing at trial held no bearing with the participants' standing in the competition.

Five courtrooms in the Eagleton Courthouse were used for the trial advocacy competition. Judges presiding over

the mock trials were from the St. Louis City and St. Louis County Circuit Court.



Attorneys participating in a trial advocacy competition

LAW DAY 2010

On April 29th, the Eastern District of Missouri sponsored Law Day, a commemoration established by President Dwight D. Eisenhower in 1958. The idea for a special national day to mark our commitment to the rule of law was first proposed by American Bar Association (ABA) President Charles S. Rhyne in 1957. The theme for Law Day 2010 was “Law in the 21st Century: Enduring Traditions and Emerging Challenges.” The world in the 21st century has changed dramatically since the first Law Day in 1958. In an increasingly connected world, the economy is global, populations are mobile, and communication technologies bridge great distances and provide real-time information. However, with such advancements in human interaction, the law is challenged to meet the demands of a new era, while maintaining its commitment to long-established legal traditions. In his 2010 Law Day Presidential Proclamation, President Obama stated, the following:

“THE ENDURING LEGAL PRINCIPLES OF DUE PROCESS AND EQUAL PROTECTION OF THE LAW, JUDICIAL INDEPENDENCE, ACCESS TO JUSTICE, AND A FIRM COMMITMENT TO THE RULE OF LAW WILL CONTINUE TO ALLOW US TO ADDRESS TODAY’S CONCERNS WHILE ANTICIPATING TOMORROW’S CHALLENGES.”⁵

⁵ Obama, Barack. “Presidential Proclamation—Law Day, U.S.A.” Office of the Press Secretary. 29 April 2010. Available from: <http://www.whitehouse.gov/the-press-office/presidential-proclamation-law-day-usa>. Internet. Accessed 24 March 2011.

On Law Day, the district court welcomed students from Covenant House to the Eagleton Courthouse. The students were greeted by Clerk of Court Jim Woodward in the morning. The program for the students began with a discussion on illegal downloading in keeping with the 2010 Law Day theme. Assistant U.S. Attorney John Bodenhausen and Attorney John M. Lynch spoke with the students about this growing problem. The students also had a chance to meet and speak with Chief U.S. District Judge Catherine D. Perry after she concluded a change of plea hearing, which the students observed. At the close of the day, the students toured the Judicial Learning Center (JLC) and were visited by a U.S. Marshal for a talk on the duties of the Marshal Service.



Assistant U.S. Attorney John Bodenhausen speaking to the students from Covenant House about illegal downloading

As part of the 2010 Law Day observance, the Eagleton Courthouse hosted a traveling exhibit depicting the events surrounding the murder of Emmett Till and the subsequent criminal trial of the perpetrators in 1955. The exhibit was displayed in the third floor atrium outside of the William H. Webster Courtroom. The exhibit was on loan from the Northwest Academy of Law and Delta State University.

In 1955, Emmett Till was a fourteen year-old African American teen, originally from Chicago, who was kidnapped and murdered while visiting relatives for the summer in the small town of Money, Mississippi. It was reported that Till spoke to a married white woman by the name of Carolyn Bryant several nights before his abduction. Roy Bryant, Carolyn’s husband, and J.W. Milam, Roy’s half-brother, were the two men accused of committing the abduction and murder, but were tried and acquitted by an all-white jury. Shortly after their acquittal, the two men admitted their guilt in the crime. Many believe the murder of Emmett Till sparked the American Civil Rights Movement⁶.

⁶ Delta State University. “Emmett Till Exhibit Travels.” Available from: <http://www.deltastate.edu/pages/2757.asp>. Internet. Accessed 28 April 2010.

The Emmett Till Traveling Exhibit is composed of newspaper articles, personal correspondences, family photographs, and oral histories. The exhibit depicted this infamous miscarriage of justice. Visitors to the exhibit experience what a trial in the state of Mississippi would have been like in 1955⁷.



The Emmett Till Traveling Exhibit was displayed in the atrium outside of the Clerk's Office on the third floor of the Eagleton Courthouse. The start of the exhibit is pictured above.

NOTABLE VISITORS TO THE EASTERN DISTRICT OF MISSOURI

MOSCOW SCHOOL OF POLITICAL STUDIES – On April 30th, the Eastern District of Missouri welcomed twenty-seven participants from the Moscow School of Political Studies to the Thomas F. Eagleton Courthouse. The delegation was comprised mostly of regional and local government officials both elected and appointed. The delegation also included journalists and non-



Pictured along with the participants from the Moscow School of Political Studies are Clerk of Court Jim Woodward (standing far left back) and U.S. District Judge Jean C. Hamilton (sitting center).

⁷ Delta State University. "Emmett Till Exhibit Travels." Available from: <http://www.deltastate.edu/pages/2757.asp>. Internet. Accessed 28 April 2010.

government organization directors. During their visit, the delegation took a tour of the Eagleton Courthouse beginning with the Judicial Learning Center (JLC) on the first floor. After the tour of the courthouse, the group visited U.S. District Judge Jean C. Hamilton in her courtroom for a question and answer session. Simultaneous translation was used during the discussion between the participants and Judge Hamilton.

PROJECT EARN

Project EARN (Expanding Addicts' Recovery Network) was initiated in the Eastern District of Missouri in April 2008. Project EARN, a program name unique to the Eastern District of Missouri, is a type of reentry court program designed to be a voluntary intensive recovery program for individuals on probation or supervised release who suffer substance abuse/dependence issues. Before joining the program, participants must be willing to abide by all the rules and regulations of the program, which includes regularly scheduled court appearances for updates on participant progress. If the participant fails to meet the standards of the agreement, then this may result in termination from the program as well as possible revocation of supervision. Each participant's involvement in the program must be confirmed in a written agreement to be signed by the participant, the Probation Office, United States Attorney's Office, Federal Public Defender's Office, and the U.S. District Court. U.S. District Judge Carol E. Jackson represents the District Court as the program judge.



From Left to Right: Antonio Brady, U.S. District Judge Carol E. Jackson, Andrew Cole. Brady and Cole graduated on May 6, 2010.

The Project EARN team is comprised of the District Court, U.S. Attorney's Office, the Federal Public Defender's Office, the Probation Office, and community treatment providers. Each team member has assigned duties that assist in the participant's progress. In the case of the District Court, when the participant is excelling, the court offers support and praise, but if the participant is found to be in noncompliance with any

part of the agreement, then sanctions may be imposed based upon the severity of the action.

There are four phases each varying in length to complete in Project EARN before a participant is eligible for graduation. Each phase has a primary goal, list objectives and expectations, meeting requirements, and criteria for phase advancement. The four phases to Project EARN are listed below:

- 1) **EARLY RECOVERY**
- 2) **PRIMARY TREATMENT PHASE**
- 3) **CONTINUED CARE AND SUPERVISION**
- 4) **COMMENCEMENT PHASE**

In 2009, Project EARN held its first and second graduation ceremonies for graduates of the program. In 2010, Project EARN performed two graduation ceremonies. The first took place on May 6th for graduates Antonio Brady and Andrew Cole. The second graduation ceremony was on December 16th for graduates Jennifer Keim and Lawrence Haney. In some cases, graduates from this program may receive up to one year reduction in their terms of supervision.



From Left to Right: Lawrence Haney, U.S. District Judge Carol E. Jackson, Jennifer Keim. Haney and Keim graduated on December 16, 2010.

PROJECT GRIP

The Gang Reentry Initiative Project (GRIP) is a voluntary, intensive supervision program that aims to assist gang-involved individuals with their chances of success upon release from incarceration. This program entails a comprehensive approach that connects individuals with resources and training that will improve their social, educational, and vocational abilities. The program team consists of the U.S. District Court, U.S. Attorney's Office, Federal Public Defender's Office, U.S. Probation Office, treatment providers, as well as community partners. Each member has a unique role in the re-entry process. U.S. District Judge Henry E. Autrey represents the District Court as the program judge.

Gangs and their criminal activities continue to not only affect public safety and the criminal justice system, but also affect the gang-involved individual and his chances of success upon release from incarceration. Several studies have found that gang members typically continue criminal associations after being released from prison as they have strengthened these ties while incarcerated for protection. Upon release, these gang-involved subjects have great difficulty in developing new, positive associations in the community as they lack social, educational and vocational skills necessary to successfully reintegrate into society.

Project GRIP is designed as a program for individuals on probation or supervised release that have gang involvement issues. All participants must be able and willing to abide by all the rules of the program, which include regularly scheduled court sessions in order to report on participant progress. Program participation will become a condition of supervision. Failure to abide by the mandates of the program may result in the participant being terminated from the program, and may result in additional consequences, including revocation of supervision or return to traditional supervision. Each participant's involvement in the program is confirmed in a written agreement signed by the participant, the U.S. Probation Office, U.S. Attorney's Office, Federal Public Defender's Office, and the U.S. District Court. Participants who graduate from the program may receive up to one year reduction in their term of supervision.

JUROR APPRECIATION WEEK

The Eastern District of Missouri, along with other courts across the country, observed Juror Appreciation Week during the week of May 10th. Jurors reporting for duty that week received a U.S. District Court Juror Appreciation book bag and Certificate of Appreciation signed by Chief U.S. District Judge Catherine D. Perry and Clerk of Court of Jim Woodward along with other commemorative items. In addition, Judge Perry read the Proclamation in Appreciation of Jury Service to the jurors in attendance.

At the Thomas F. Eagleton Courthouse in St. Louis, juror appreciation was celebrated on May 10th and May 12th. On May 10th, Chief U.S. District Judge Catherine D. Perry spoke to the jurors on the significance of the occasion. Several days later, on May 12th, Clerk of Court Jim Woodward provided observations on the importance of the jury system in protecting constitutional liberties to the assembled group of jurors. In Cape Girardeau, juror appreciation was celebrated on May 20th. U.S. Magistrate Judge Lewis M. Blanton

offered remarks to jurors in attendance about the great responsibility and role the jury system plays in our justice system. Judge Blanton read the Proclamation in Appreciation of Jury Service and presented Certificates of Appreciation to the jurors in attendance.



Clerk of Court Jim Woodward speaks to jurors during Juror Appreciation Week

TEACHER DAYS

In order to bring awareness to educators in the St. Louis community of the Judicial Learning Center (JLC) at the Thomas F. Eagleton Courthouse, the Eastern District of Missouri hosted its second annual series of “Teacher Days” during the summer of 2010. The “Teacher” Days” took place on June 24th, July 15th, and July 29th. For each day, participating teachers were welcomed by Chief U.S. District Judge Catherine D. Perry, Clerk of Court Jim Woodward, and Clerk’s Office staff. Also on hand to greet the teachers on these days were U.S. District and Magistrate Judges who made themselves available to speak with the visiting teachers.



U.S. Magistrate Judge Frederick R. Buckles, sitting at right, spoke to visiting teachers during the series of Teacher Days.

Judge Perry and Jim Woodward began the program by providing the necessary introductions and explaining

the educational opportunities available at the Eagleton Courthouse. Educators were encouraged to use the facilities of the courthouse to provide students an educational experience unavailable in the classroom. The Judicial Learning Center (JLC) is the only facility of its kind in a United States Courthouse. The primary mission of the JLC is to inform visitors about the role of the judicial branch of government and the importance of an independent judiciary. This mission is achieved through the use of high-quality exhibits, interactive displays, and colorful illustrations that provide an engaging narrative about the work of the federal courts and the structure of the judicial branch of government.

NORTHWEST ACADEMY OF LAW CAREER FAIR

On October 20th, members of the U.S. District Court and U.S. Court of Appeals participated in a career fair at the Northwest Academy of Law in St. Louis, Missouri. Students from the Northwest Academy of Law and Big Picture Learning were in attendance at the fair. Middle school students from other area St. Louis Public Schools also attended the event. Court personnel discussed career opportunities with the students that visited their booth.

TEACHER RESOURCE FAIR

On October 20th, personnel from the U.S. District Court, U.S. Court of Appeals, and U.S. Probation Office participated in a resource fair for teachers in the St. Louis community at the St. Louis Zoo. At this fair, court personnel handed out information on the Judicial Learning Center, the Eagleton Courthouse, as well as provided additional literature on internet resources and materials.

SAINT LOUIS UNIVERSITY BILLIKEN BARRISTER INVITATIONAL – MOCK TRIAL COMPETITION

The Eastern District of Missouri hosted the sixth annual Saint Louis University Billiken Barrister Invitational Mock Trial Competition at the Thomas F. Eagleton Courthouse on November 6th. Sixteen teams comprised of six to ten students from colleges and universities in the Midwest region competed in this mock trial tournament. Court personnel from the Clerk’s Office provided support to the teams in the competition. The assistance of the Clerk’s Office in the tournament did not go unnoticed by participants in the competition. Andrea Hampton, an instructor from Truman State University, stated that, “...It was the smoothest run tournament we have been in and without a doubt the nicest courthouse we have competed in...” The winning team was Washburn University followed by Saint Louis University and Truman State University.



The mock trial competition team from Washburn University

OPEN DOORS OF JUSTICE PROGRAM

On December 2nd, the Eastern District of Missouri welcomed students from Francis Howell North High School to the Thomas F. Eagleton Courthouse for the “Open Doors to Federal Courts” event. The Open Doors event encourages high school students to participate in realistic courtroom simulations that focus on issues important to teenagers.



U.S. District Judge Jean C. Hamilton presided over a trial simulation with students from Francis Howell North High School participating as judges, attorneys, witnesses, defendants, and jury members.

Chief U.S. District Judge Catherine D. Perry greeted the group of high school students in the morning. Judge Perry introduced the staff members who would be participating in the day’s events. The next step for the students was to U.S. District Judge Jean C. Hamilton’s courtroom for a trial simulation. Participants in the mock trial included Assistant U.S. Attorney Thomas Mehan and Public Defender Cathy Ditraglia. When the students arrived in the courtroom, they were divided into groups of judges, attorneys, witnesses, defendants, and jury members. The class would hear a case about a teen house party search. The fictional scenario was based upon the decision in *Hudson v. Michigan* 547 U.S. 586

(2006). In *Hudson v. Michigan*, the police had a valid search warrant, but failed to follow the Fourth Amendment “knock and announce” rule, which requires officers to wait 20 to 30 seconds before entering the home after knocking and announcing their presence⁸. In the student’s example, the police violated the “knock and announce” rule in order to search the premise at a teen house party despite having a valid warrant. After hearing the case and taking time to deliberate, Judge Hamilton polled the student juries. To conclude the simulation, Judge Hamilton, Thomas Mehan, and Cathy Ditraglia provided their comments on the case.

To close the day, the students visited a courtroom to observe an actual proceeding. At its conclusion, the students then were given a presentation by an officer from the U.S. Probation Office concerning the goals and responsibilities of their office. Before the students left the courthouse for the day, they toured the Judicial Learning Center (JLC) on the first floor.



A group picture of the students from Francis Howell North High School who visited the Thomas F. Eagleton Courthouse

The Open Doors program was not only enjoyable for the students, but it impacted their lives as well. One student commented at the close of the day that, “I’m eager to serve on a jury because it’s a civic duty and it’s interesting.” Even the parents noticed the positive effect the day had on the students. According to one parent, “I was thoroughly impressed with the participation of the judges and attorneys. Their involvement with the kids was wonderful. They made the day all the more amazing...I have a feeling quite a few of the kids made new career choices at the end of the day.”

⁸ Supreme Court of the United States. “04-1360 Hudson v. Michigan (6/15/06).” Available from: <http://www.supremecourt.gov/opinions/05pdf/04-1360.pdf>. Internet. Accessed 24 March 2011.

ORAL HISTORY PROJECT UPDATE



In 2004, Senior U.S. District Judge E. Richard Webber began the extensive process of creating oral histories on all retired and senior district judges from the Eastern District of Missouri. Dr. Frank Nickell from the Visual Arts Department at Southeast Missouri State University is the Director of the Center for Regional History

and for this project is providing production assistance for the recorded interviews. Each recorded interview requires at least 150 hours of research and preparation. The ultimate goal of the project is to capture the character of each judge and preserve it for historical purposes.

For each oral history, Judge Webber, in addition to his own research, conducts interviews with family, friends, associates, and fellow judges in order to obtain a thorough and balanced understanding of the judge. Once the research is completed, if possible, an interview with the judge is conducted. The final interview with the judge serves as the capstone to each oral history.

At the close of 2010, Judge Webber had completed the oral histories of Senior U.S. District Judge Edward L. Filippine and Senior U.S. District Judge Donald J. Stohr. These two oral histories are in their final edit stage before being installed in the Judicial Learning Center for public viewing. In 2010, the switch was made to high definition cameras. The two most recently completed oral histories were produced in high definition video. By making this change, the high definition cameras will further preserve the legacy of each judge through enhanced video quality. Work is underway on the oral history of retired U.S. District Judge William H. Webster. Judge Webster served in the Eastern District of Missouri from 1970 until 1973. The oral history of Judge Webster is expected to be completed by the close of 2011.

The oral history project led by Judge Webber has served as a valuable reference for author Burton Boxerman, who is in the process of completing a history of the Eastern District of Missouri. At the close of 2010, Mr. Boxerman had completed a significant portion of the book. Having reviewed drafts, Judge Webber was very pleased on what the book has to offer the public. Judge Webber stated “This is an excellent work and will generate excitement on the court.”

In addition to the oral histories, progress was made in 2010 on the profiles of the seventeen most significant

cases from the Eastern District of Missouri. This review of case history will include recorded interviews with those involved with the cases as well as those who have conducted extensive historiographic research on them. Filming on *St. Mary’s Honor Center et al v. Hicks* 509 U.S. 502 (1993) was completed in 2010. The video should be made available to the public in the Judicial Learning Center by early 2011. Included in this case history are interviews with Attorney Jerome A. Diekemper, Attorney Gary L. Gardner, and Rachel E. Marshall, Public Education and Community Outreach Administrator for the Eastern District of Missouri. Both Diekemper and Marshall performed essential research that further clarified the dynamics involved in the case. Marshall completed a review on Charles R. Oldham who argued the cause for the respondent, Mr. Melvin Hicks. Gary L. Gardner served as the Assistant Attorney General of Missouri in the case and argued the cause for the petitioners. Work is underway to begin filming *Spinelli v. United States* 393 U.S. 410 (1969) in 2011. Clerk’s Office staff Adam Zipprich and John Stanka played an important role in the production of both the oral and case histories.

COURTHOUSE TOURS

The Clerk’s Office of the U.S. District Court along with other agencies in the Thomas F. Eagleton Courthouse in St. Louis, Missouri provided a total of fifty-eight tours to the public in 2010. A total of 1,893 people visited the downtown courthouse through a scheduled tour. The tour groups were primarily composed of public and private school students from fifth grade through college from metropolitan St. Louis. There were also several tours provided to various senior citizen groups.



The Judicial Learning Center in the Eagleton Courthouse

The visiting groups typically begin their tour in the Judicial Learning Center on the first floor of the courthouse. From the Judicial Learning Center, the groups visit other notable sites within the courthouse

such as the Blackmun Rotunda on the 27th floor and the En Banc Courtroom on the 28th floor. In addition to the tour, groups were offered opportunities to observe a District Court proceeding, visit the U.S. Marshals Service, and have question and answer session 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.

NATURALIZATION PROGRAMS

In 2010, the Eastern District of Missouri performed twenty-seven naturalization ceremonies. At the district court ceremonies, 1,686 petitioners became United States citizens. Of those new citizens, the League of Women Voters registered a total of 864 new voters at the naturalization ceremonies. Court personnel from the Clerk's Office coordinated and staffed the monthly naturalization ceremonies. These duties were performed by David Braun, Laura Dreon, and Jeanne Patrin. In conjunction with the district court, the U.S. Bankruptcy Court performs naturalization ceremonies as well. In 2010, the bankruptcy court performed fifteen naturalization ceremonies. At the bankruptcy court ceremonies, 833 petitioners became United States citizens. The League of Women Voters registered a total of 467 new voters at these naturalization ceremonies. In total for 2010, 42 naturalization ceremonies were performed, 2,519 petitioners became United States citizens, and 1,331 of those new citizens registered to vote with the League of Women Voters.

As in previous years, numerous individuals and community groups made an assortment of generous contributions to the naturalization programs throughout the year. Their continued support enhances the value of this unique experience. There was a diverse group of individuals from government officials to legal professionals who shared their time and talents as speakers or singers at the ceremonies. Former Missouri Governor Robert L. Holden, St. Louis County Prosecuting Attorney Robert P. McCulloch, and Missouri Supreme Court Justice Michael A. Wolff were each featured guest speakers at naturalization ceremonies during 2010. American Legion posts 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. Troops from the Boy Scouts of

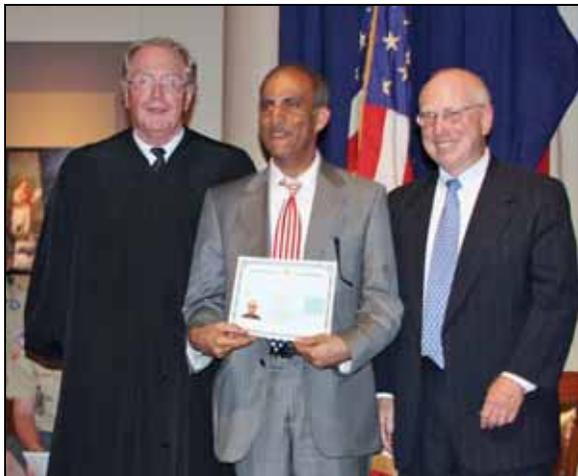
America from across the state of Missouri acted as Color Guard at many of the naturalization ceremonies. Administration and staff from the National Parks Service at the Jefferson National Expansion Memorial, Harris-Stowe State University, and the Ulysses S. Grant National Historic Site graciously made their facilities available for selected ceremonies in 2010.

FLAG DAY CEREMONY – The Flag Day naturalization ceremony was held in the Old Courthouse at the Jefferson National Expansion Memorial on June 14th in St. Louis, Missouri. Senior U.S. District Judge E. Richard Webber presided at the ceremony and administered the *Oath of Allegiance* to 51 new United States citizens. St. Louis Service Women's Post 404 of the American Legion donated flags to the new citizens. David Pratt, minority owner of the St. Louis Cardinals, provided the keynote address. Peter Scales performed *God Bless America* and *The National Anthem*.



Senior U.S. District Judge E. Richard Webber greets a new citizen at the Flag Day naturalization ceremony on June 14, 2010.

INDEPENDENCE DAY CEREMONY – The Independence Day naturalization ceremony is held each year in the Old Courthouse at the Jefferson National Expansion Memorial in St. Louis, Missouri. The special ceremony took place on July 2nd. U.S. District Judge Rodney W. Sippel presided at the ceremony and administered the *Oath of Allegiance* to America's newest citizens. In order to commemorate America's 234th birthday, approximately 3,800 citizenship candidates were naturalized in 55 special ceremonies across the United States and abroad. There were 55 petitioners at the ceremony in St. Louis, Missouri. The new Americans were originally from 27 different countries. Troop 685 from the Boy Scouts of America advanced and retired the colors. Post 37 of the American Legion donated flags to the new U.S. citizens. Attorney Maury Poscover gave the keynote address. Arvelle Keithley performed *God Bless America* and *The National Anthem*.



U.S. District Judge Rodney W. Sippel (far left) and Attorney Maury Poscover (far right) congratulate a new citizen at the Independence Day naturalization ceremony on July 2, 2010.

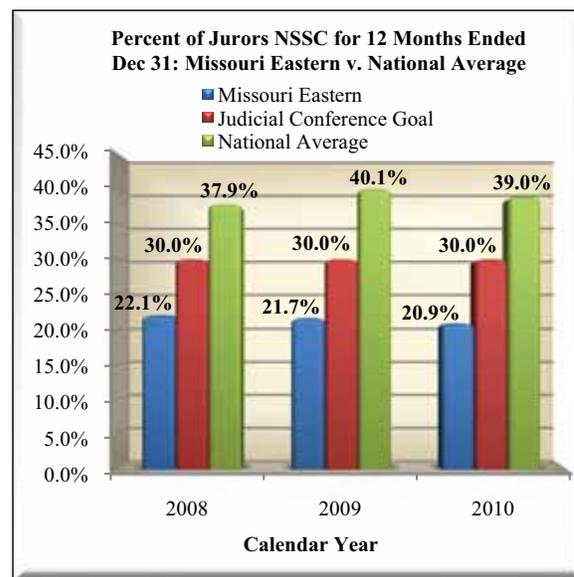
CEREMONY AT HARRIS-STOWE STATE UNIVERSITY IN ST. LOUIS, MISSOURI – A special naturalization ceremony was held at Harris-Stowe State University on September 10th in St. Louis, Missouri. U.S. District Judge Rodney W. Sippel presided at the ceremony. There were 359 petitioners who took the *Oath of Allegiance* at the ceremony. St. Louis Service Women’s Post 404 of the American Legion donated flags to the new citizens. The guest speaker was the Honorable Robert Holden, former Governor of Missouri. *God Bless America* and *The National Anthem* were performed by the Harris-Stowe State University Chorale.

CEREMONY AT THE ULYSSES S. GRANT NATIONAL HISTORIC SITE – A special naturalization ceremony was held at the Ulysses S. Grant National Historic Site on November 10th in St. Louis, Missouri. U.S. Magistrate Judge Frederick R. Buckles presided at the ceremony. There were 30 petitioners who took the *Oath of Allegiance* at the ceremony from 16 different countries. The St. Joseph Memorial Post No. 555 of the American Legion donated flags to the new citizens. The guest speaker was Attorney W. Dudley McCarter who provided an inspiring message to the new citizens. Arvelle Keithley performed *God Bless America* and *The National Anthem*.

JUROR UTILIZATION

The Eastern District of Missouri closely monitors the effectiveness of its juror utilization practices. Effective juror utilization, as defined by the Judicial Conference of the United States, is thirty percent or less of jurors not selected, serving, or challenged (NSSC) on the first

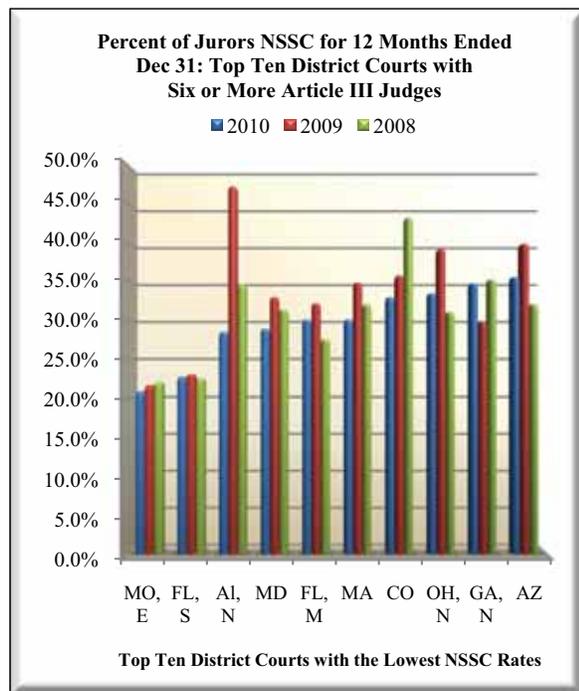
day of service. The NSSC statistic is calculated for each court by combining the percentage of prospective jurors who did not participate in voir dire and the percentage in voir dire that were neither selected nor challenged on the first day of service. Since adopting its juror utilization policy in 1993, the Eastern District of Missouri has traditionally performed better than both the national average and the Judicial Conference goal. At the close of each calendar year, the Administrative Office (AO) of the United States Courts publishes a report of the NSSC rates for the twelve months ended December 31st. Described below are the results on how the Eastern District of Missouri fared nationally during the 2010 calendar year.



2010 CALENDAR YEAR REPORT – For the twelve months ended December 31, 2010, the Eastern District of Missouri exceeded the effective juror utilization standard of thirty percent established by the Judicial Conference with a 20.9 percent in 2010. In comparison, the national average was 39.0 percent, which reversed a two-year increase to national NSSC rates. In comparison to other district courts, the Eastern District of Missouri performed near the top in several different categories for a NSSC rate for the twelve months ended December 31, 2010. At the national level, the court ranked seventh out of ninety-four district courts compared to a ranking of tenth for the year ended December 31, 2009. Among courts with six or more Article III Judges in one location, the Eastern District of Missouri ranked first for the year ended December 31, 2010. Within the Eighth Circuit, the Court ranked second out of ten district courts, compared to a second-place ranking for the year ended December 31, 2009. Several factors contributed to the high-ranking nationally and regionally such as the successful pooling

of jurors, a limited number of late settlements, and no cases of notoriety requiring large numbers of prospective jurors.

By division, St. Louis (Eastern Division) recorded a rate of 17.4 percent, which represented a decrease of 1.5 percent from 2009. In Cape Girardeau (Southeastern Division), the juror utilization rate was 41.0 percent, a 9.1 percent increase from 2009. The juror utilization rate in Hannibal (Northern Division) was 15.6 percent in 2010, which was an 8.9 percent increase from 2009. Since 2005, for the year ended December 31st, the court has seen its NSSC rate improve each year. The level of success the Eastern District of Missouri has achieved since 2005 reflects the dedication and commitment on the part of judicial officers and court personnel in continually seeking to improve juror management.



Order of District Courts above is based upon data for the twelve months ended December 31, 2010

As mentioned previously, the Eastern District of Missouri has been continually improving its juror management over the past several years. Table 1 (on top of next page) displays statistics on juror utilization for calendar years 2008, 2009, and 2010. When comparing the statistics from 2009 and 2010, there are significant increases to several categories. For example, the number of jurors required to appear for jury duty increased 27.2 percent from 2009 to 2010 (1,854 v. 2,358). The number of jurors who participated in voir dire increased 28.5 percent from 2009 to 2010 (1,665 v. 2,140). The number of jurors selected for trial increased

24.8 percent from 2009 to 2010 (577 v. 720). For a complete breakdown of monthly juror usage in 2010, please refer to Appendix G on page 68.

	2008	2009	2010
NUMBER OF PEOPLE SENT QUALIFICATION QUESTIONNAIRES	25,158	26,805	23,970
NUMBER OF JURORS SUMMONED FOR JURY DUTY	8,992	10,674	10,876
NUMBER OF JURORS WHO APPEARED FOR JURY DUTY	3,126	1,854	2,358
NUMBER OF JURORS WHO PARTICIPATED IN VOIR DIRE ¹	2,937	1,665	2,140
NUMBER OF JURORS WHO WERE SELECTED FOR TRIAL	910	577	720
NUMBER OF JURY TRIAL STARTS (CIVIL AND CRIMINAL)	80	60	71

¹ - 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.

EJUROR WEB PAGE PROGRAM

In 2009, the Eastern District of Missouri participated with a select group of district courts in the development and testing of the eJuror Web Page Program. The eJuror program first went live to jurors in the second half of 2009. The calendar year 2010 was the first full year the program was available for use by jurors. The eJuror program enables jurors to complete and submit their initial juror qualification questionnaires and juror information, if summoned, via the internet. Once registered, jurors can update their information, check their juror status, request an excuse or deferment, and obtain reporting instructions online. Once their service is completed, jurors can print out verification of attendance if needed for their employers. The eJuror program facilitates the jury experience by making data collection and processing of juror information more efficient and convenient by being available 24 hours a day 7 days a week from any computer connected to the internet.

At the conclusion of 2010, a random sampling⁹ of jury pools from each division in the Eastern District of

⁹ For the random sampling of jury pools in 2010, there were 11 jury pools selected out of a possible 35 in St. Louis. There were 4 jury pools selected in Cape Girardeau and Hannibal. Jurors in Cape Girardeau and Hannibal are on call for three months; while jurors in St. Louis are on call for two-week terms.

Missouri were taken in order to determine the amount of use the program was receiving from jurors in the 2010 calendar year. In St. Louis (Eastern Division), approximately 39 percent of jurors used eJuror to complete their juror information forms. The Southeastern Division in Cape Girardeau had about 17 percent of jurors use the eJuror program to complete the essential forms. In Hannibal (Northern Division), approximately 19 percent of jurors used the program to complete their juror information forms. In total for 2010, there were 3,754 juror information forms and 1,638 juror qualification questionnaires completed and submitted via eJuror.

JURY SERVICE EVALUATION

Beginning July 1st to December 31st, jurors who reported for selection in each division of the Eastern District of Missouri were asked to complete a brief, confidential survey following their jury service. The surveys were designed to identify jurors’ opinions on the different elements of jury service in the district court. Since 2006, the court has been requesting that jurors take the time to comment on their recent experience. The court reviews each survey and considers ways to address juror concerns. The survey responses assist the court in improving citizens’ satisfaction with the juror experience. *Table 2* below displays in part the results of the survey.

The surveys distributed to jurors after the completion of their jury service were organized into the following categories:

- 1) JURORS WHO DID NOT PARTICIPATE IN THE SELECTION PROCESS
- 2) JURORS WHO COMPLETED VOIR DIRE, BUT WERE NOT SELECTED FOR SERVICE
- 3) JURORS WHO COMPLETED VOIR DIRE AND WERE SELECTED TO SERVE ON A PANEL, DELIBERATED, AND RETURNED A VERDICT

From July 1st to December 31st, 1,015 jurors completed the survey. Organized by division, there were 841 surveys completed in St. Louis, 149 surveys in Cape Girardeau, and 25 surveys in Hannibal. The number of jurors who completed surveys increased 26.7 percent from 2009 to 2010 (801 v. 1,015). Of the 1,015 completed juror surveys, 658 jurors completed voir dire, but were not selected for service, 317 jurors completed voir dire and were selected to serve on a panel, and only 40 jurors did not participate in the selection process.

The jury service questionnaire is divided into seven sections including a comments section. The first section of the survey has two parts. The first part of the section asked jurors if they used the online program, eJuror, to submit their juror qualification questionnaire and/or juror information form. Survey results indicated that 45.1 percent of jurors used eJuror in the district, while 50.4 percent of jurors did not use the program. A marginal number of jurors did not respond to the question. The response in St. Louis revealed 50.3 percent of jurors used eJuror, while 46.5 percent did not use the program. In Cape Girardeau, only 17.4 percent used eJuror and conversely 70.5 percent did not use the program. Jurors in Hannibal used the eJuror program 36.0 percent of the time, while 64.0 percent of jurors did not use the application.

The second part of the first section asked jurors who used eJuror to rate whether it was “helpful” or “not helpful”. The overall results from the district indicated that 96.1 percent of jurors who used the program found it helpful. Although the figure is not unanimous, there were no jurors who rated the program as “not helpful”. This is evidence the eJuror program in its first full year of operation proved to be a helpful and well-used instrument to complete necessary jury service forms.

JURY SERVICE ASPECTS	RATING SCALE (PERCENTAGES ARE ROUNDED TO THE NEAREST TENTH)					
	EXCELLENT	GOOD	SATISFACTORY	FAIR	POOR	NOT RATED
INFORMATION PROVIDED	52.7%	32.2%	8.9%	1.3%	0.7%	4.2%
INITIAL ORIENTATION	55.2%	32.9%	6.5%	1.1%	0.1%	4.2%
TREATMENT BY COURT PERSONNEL	78.2%	15.3%	1.8%	0.5%	0.0%	4.2%
PHYSICAL COMFORTS	57.9%	31.0%	4.9%	1.7%	0.3%	4.2%
PARKING FACILITIES	40.7%	38.5%	10.1%	2.5%	0.9%	7.3%
SCHEDULING YOUR TIME	40.7%	38.3%	12.6%	2.0%	1.5%	4.9%
AUTOMATED PHONE NOTIFICATION	52.1%	28.9%	6.8%	1.7%	0.5%	10.0%
TERM OF SERVICE	39.7%	31.8%	15.5%	4.0%	2.8%	6.2%

“I THOUGHT JURY SERVICE FOR THE U.S. DISTRICT COURT WAS A GREAT EXPERIENCE AND I WAS PROUD TO BE A PART OF IT.”

- JUROR SURVEY COMMENT

The second section of the survey asked jurors to rate their experience after having reported for jury service in the Eastern District of Missouri. The responses from the survey indicated that 46.0 percent found the experience more favorable than first expected, while 45.4 percent found the experience to be about what they expected. There were about 3.5 percent of jurors who found the experience less favorable than first expected and 5.0 percent did not respond to the question.

The third section of the jury service questionnaire asked jurors to rate eight different aspects of jury service particular to the district. The percentages displayed in *Table 2* (pg. 16) reflect an overall high degree of satisfaction with the listed elements of jury service.

The fourth section of the survey asked if the jurors had requested to be excused or deferred from service. The survey results reveal that 12.5 percent of jurors asked to be deferred or excused, while 81.7 percent did not. A marginal amount of jurors (5.8 percent) did not answer the question. The fifth section of the survey asked jurors to select their age group from six possible categories. Survey results indicated the following percent of age groups represented in the 2010 surveys:

AGES 18-24	6.2%
AGES 25-34	15.5%
AGES 35-44	17.2%
AGES 45-54	25.7%
AGES 55-64	21.3%
AGES 65-OVER	9.7%
NOT RATED	4.4%

The sixth section of the survey asked jurors to identify their gender. Of the 1,015 jurors who completed the survey, 49.5 percent were women, 39.5 percent were men, and 11.0 percent did not identify their gender.

The final section of the survey gave jurors the opportunity to make comments regarding the jury service experience. Of the 1,015 completed surveys, 182 jurors (17.9 percent) replied to the comments section at the end of the survey. The majority of the comments were compliments directed towards the experience itself, court personnel, or the presiding judge at the trial. One juror after serving on a jury said, “I thought it was a

great experience and I was proud to be a part of it.” Another juror stated, “It was a very positive experience. Everyone was very appreciative of our service.” All other issues described in the comments section are reviewed by court personnel for possible modifications to current practices and procedures.

§2 – SERVING THE BENCH

E-FILING IN U.S. PROBATION AND PRETRIAL SERVICES OFFICES

What began as a project goal in 2009 became a reality in calendar year 2010. One of the primary objectives of the District Court in 2010 was to expand access to the Case Management/Electronic Case Filing (CM/ECF) database for the filing of documents by United States Probation and Pretrial Services Offices. As agencies of the District Court, Probation and Pretrial users would have access to CM/ECF as e-filers. As e-filers, officers from Probation and Pretrial would have the ability to electronically file documents such as presentence reports, petitions for warrants, and violation reports. Ultimately, the increased access to CM/ECF to other agencies of the District Court would create the following benefits:

- 1) **ELIMINATION OF DOCUMENT DELIVERIES BY HAND TO CHAMBERS**
- 2) **ELIMINATION OF NEED TO SCAN PAPER DOCUMENTS**
- 3) **ENHANCED SECURITY**
- 4) **FASTER COMMUNICATION**
- 5) **IMPROVED EFFICIENCY**
- 6) **SAVINGS IN POSTAGE COSTS**
- 7) **REDUCTION IN PAPER USE**

The benefits of expanding access to CM/ECF to other agencies of the District Court have been observed by other courts around the country. Anita L. Chavez, Chief U.S. Probation Officer from the District of New Mexico, stated that, “In the short time, we have been e-filing violations, we have noticed a faster turnaround on violations, greater accountability, and a savings in

paper and manpower...”¹⁰ By increasing the use of CM/ECF, the different court units stop working unilaterally and begin cooperating more efficiently as partners in a unified process. Chief U.S. District Judge Royce C. Lamberth from the District of Columbia commented that adding Probation and Pretrial filings to CM/ECF has been a significant benefit to the district court. Judge Lamberth added that, “Communication is faster, more secure, and substantially more efficient since judges can access CM/ECF using secure remote connections.”¹¹

The process to make this significant change in District Court operations began in March 2010. An E-Filing Committee was formed with members from the Clerk’s Office, Probation, and Pretrial. The committee was responsible for developing an overall project scope with recommendations on topics such as who should be allowed to e-file, what documents should be e-filed, the creation of new events, and modifications to administrative orders in regards to sentencing documents, developing documentation, testing, training, and implementation. The project was given unanimous support by the judges of the U.S. District Court for the Eastern District of Missouri. The committee decided that the first step in this transition was to create a “test group” of personnel from Probation and Pretrial instead of authorizing the entire staff.

The next step for the committee was to understand the logistics of expanded e-filing access, which included testing docketing events and user rights. By July 2010, the Clerk’s Office began test group docketing with Pretrial. In August 2010, Pretrial went to “live” docketing, while the Clerk’s Office acted in a support role. The U.S. Probation Office began test docketing in late August 2010 and transitioned to “live” docketing in the first part of September 2010. For the next few weeks, Clerk’s Office staff provided assistance with the different issues that arise with a significant change to court operations. By year’s end, the transition was complete and the district court had streamlined operations allowing for greater efficiency and cooperation between agencies. All court personnel have benefited from the expansion of CM/ECF to include Probation and Pretrial.

¹⁰ Cindy Bochantin (Chief U.S. Pretrial Services Officer from the Eastern District of Missouri), e-mail message containing a PDF of CM/ECF Benefit Testimonials in regards to expanded access of CM/ECF to James G. Woodward (Clerk of Court from the Eastern District of Missouri), January 12, 2010.

¹¹ Cindy Bochantin (Chief U.S. Pretrial Services Officer from the Eastern District of Missouri), e-mail message containing a PDF of CM/ECF Benefit Testimonials in regards to expanded access of CM/ECF to James G. Woodward (Clerk of Court from the Eastern District of Missouri), January 12, 2010.

U.S. MAGISTRATE JUDGE UTILIZATION

CIVIL CONSENT DISPOSITIONS – The Eastern District of Missouri consistently has one of the highest numbers of magistrate judge civil consent dispositions not only within the Eighth Circuit, but nationally among the 94 U.S. District Courts. According to the Administrative Office (AO) of the U.S. Courts, the Eastern District of Missouri has ranked first in total civil consent dispositions in the Eighth Circuit since 2000.¹² Nationally, the Eastern District of Missouri has ranked in the top ten in civil consent dispositions since 2003 and was ranked fourth from 2005 until 2009. In 2010, the court ranked sixth among U.S. District Courts.¹³ The Eastern District of Missouri recorded the following number of total civil consent dispositions from 2006 through 2010: 461 in 2006; 458 in 2007; 464 in 2008; 561 in 2009; and 491 in 2010.

CIVIL CASE ASSIGNMENT – The U.S. Magistrate Judges of the Eastern District of Missouri play an integral role in the handling of the court’s workload. By local rule 2.08(a), 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. *Table 3* (top of page 19) identifies, in part, the civil caseload assigned to U.S. Magistrate Judges in the Eastern District of Missouri from 2008 to 2010. As illustrated in *Table 3*, for the past three years, the U.S. Magistrate Judges have been assigned on average 40.9 percent of new civil filings.

THE CIVIL CONSENT PROCESS – In accordance with 28 U.S.C. § 636(c), upon consent of the parties, a United States Judge may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case. The parties involved in the matter have the options of granting full consent to the magistrate judge or, selecting an option out, which is a request for the random reassignment of the case to a

¹² Civil Consent Cases terminated by U.S. Magistrate Judges under 28 U.S.C. Section 636(c) are based on national caseload data for the twelve month period beginning October 1 ending September 30 reported by the Administrative Office of the U.S. Courts (*Table M-5 – U.S. District Courts: Civil Consent Cases Terminated by U.S. Magistrate Judges under 28 U.S.C. Section 636(c)*).

¹³ Civil Consent Cases terminated by U.S. Magistrate Judges under 28 U.S.C. Section 636(c) are based on national caseload data for the twelve month period beginning October 1 ending September 30 reported by the Administrative Office of the U.S. Courts (*Table M-5 – U.S. District Courts: Civil Consent Cases Terminated by U.S. Magistrate Judges under 28 U.S.C. Section 636(c)*).

district judge.¹⁴ In new civil filings initially assigned to magistrate judges in 2010, the full consent rate was 67.1 percent. Since 2007, the full consent rate has remained high with an average of 65.4 percent.

	08	09	10	Totals
NEW CIVIL CASE FILINGS	2281	2374	2746	7401
NEW CIVIL CASE FILINGS ASSIGNED EXCLUSIVELY TO U.S. DISTRICT JUDGES	490	288	316	1094
NEW CIVIL CASES AVAILABLE TO U.S. MAGISTRATE JUDGES	1791	1845	2040	5676
NEW CIVIL CASES ASSIGNED TO U.S. MAGISTRATE JUDGES	770	743	811	2324
PERCENTAGE OF NEW CIVIL FILINGS ASSIGNED TO U.S. MAGISTRATE JUDGES	43.0%	40.3%	39.8%	40.9%

1- 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.

**Percentages are rounded to the nearest tenth*

ALTERNATIVE DISPUTE RESOLUTION

THE ADR PROGRAM

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

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 these 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.

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 designed to achieve the following objectives:

- 1) PROVIDE A SIMPLE AND CONFIDENTIAL STRUCTURE FOR VOLUNTARY DISPOSITION OF CIVIL CASES.**
- 2) IMPROVE TIME TO DISPOSITION FOR CASES REFERRED TO ADR.**
- 3) REDUCE LITIGATION COSTS FOR PARTIES TO CIVIL SUITS.**
- 4) ENABLE PARTIES TO FASHION WIDER RANGE OF REMEDIES.**

To insure that the goals of ADR are being met, an ADR Advisory Committee was formed in June 1999. The committee 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. Listed below are the committee members as of December 31, 2010:

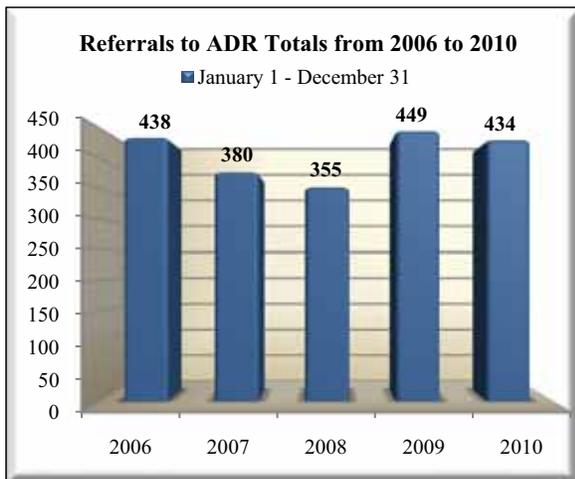
- SENIOR U.S. DISTRICT JUDGE E. RICHARD WEBBER
COMMITTEE CHAIR
- U.S. DISTRICT JUDGE RODNEY W. SIPPEL
- U.S. MAGISTRATE JUDGE DAVID D. NOCE
- U.S. MAGISTRATE JUDGE THOMAS C. MUMMERT III
- JERRY DIEKEMPER – COURT-CERTIFIED NEUTRAL
- PROFESSOR TONIE FITZGIBBON, SAINT LOUIS
UNIVERSITY SCHOOL OF LAW

¹⁴ It should be noted that not every civil case assigned to a magistrate judge results in either full consent or an option out. If neither option is selected, other actions are possible such as a recusal or default. However, the choices of full consent or option out are the most commonly received actions.

- LENNY FRANKEL – COURT-CERTIFIED NEUTRAL
- JUDGE STANLEY GRIMM – COURT-CERTIFIED NEUTRAL
- JAMES REEVES – COURT-CERTIFIED NEUTRAL
- PROFESSOR KAREN TOKARZ, WASHINGTON UNIVERSITY SCHOOL OF LAW IN ST. LOUIS, MISSOURI

2010 ADR CALENDAR YEAR ACTIVITY REPORT

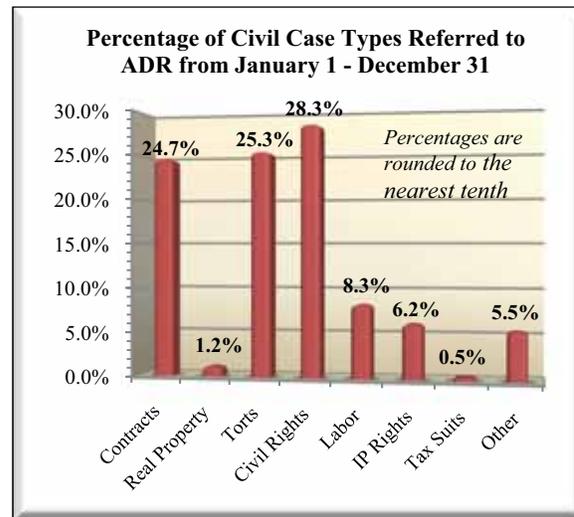
Referrals to ADR totaled 434 for 2010, compared to 449 referrals to ADR in 2009, and compared to 355 referrals to ADR in 2008. The number of referrals to ADR decreased 3.3 percent from 2009 to 2010 (449 v. 434). However, it should be noted that the referral totals for 2009 included 42 Multidistrict Litigation (MDL) cases referred to ADR in September 2009. If the previously mentioned MDL cases are temporarily excluded from the 2009 data set, then the referral totals for 2010 would be the highest since the calendar year 2006 (438).



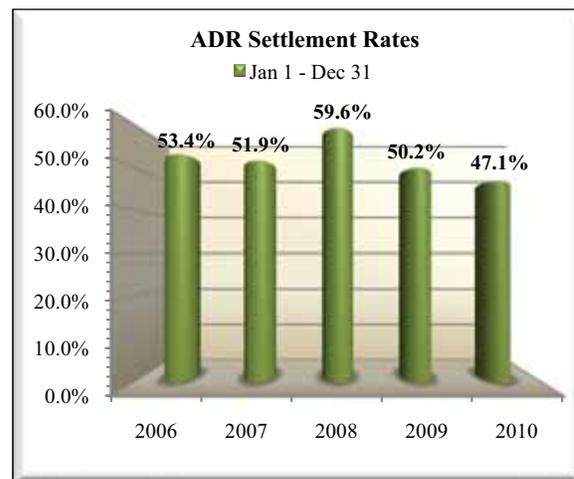
The civil case types that received the most referrals to ADR during 2010 were civil rights, torts, and contracts in that specific order. These three civil case types comprised approximately 78.3 percent of the referrals to ADR during 2010, compared 79.1 percent of the referrals to ADR in 2009, and compared to 78.3 percent of the referrals to ADR in 2008. When comparing 2009 and 2010, the number of civil rights referrals increased 10.8 percent (111 v. 123), tort referrals decreased 22.5 percent (142 v. 110), and contract referrals increased 4.9 percent (102 v. 107).

The nature of suits (NOS) in civil cases that received the most referrals to ADR during 2010 were 442 – *Civil Rights Jobs*; 190 – *Other Contract Actions*; and 440 – *Other Civil Rights*. These three nature of suits comprised approximately 40.8 percent of the referrals to ADR during 2010, compared 39.0 percent of the

referrals to ADR in 2009. It should be noted that the nature of suits in civil cases that received the most referrals to ADR differed slightly in 2009. Nature of suits 365, 442, and 190 were most frequently used in 2009. When comparing 2009 and 2010, the number of civil rights job (NOS 442) referrals increased 28.8 percent (59 v. 76); other contract action (NOS 190) referrals increased 1.8 percent (55 v. 56); and other civil rights (NOS 440) referrals increased 4.7 percent (43 v. 45).



The settlement rate was 47.1 percent among ADR-referred cases in which a compliance report was filed during 2010, compared to 50.2 percent in 2009, and compared to 59.6 percent in 2008. This was the first time since calendar year 2000 that the settlement rate finished the year below 50.0 percent. In 2010, there were 261 compliance reports filed, compared to 257 reports in 2009, and compared to 213 reports in 2008.



Civil rights, torts, and contract cases comprised 78.2 percent of the compliance reports filed in 2010 (204 of 261), 80.9 percent of the compliance reports filed in 2009 (208 of 257), and 80.3 percent of the compliance reports filed in 2008 (171 of 213). Of the three civil case types referred most often, civil rights cases had a settlement rate of 47.2 percent in 2010 (34 settled v. 38 not settled), compared to a settlement rate of 50.0 percent (34 settled v. 34 not settled) in 2009. Tort cases had a settlement rate of 44.4 percent (28 settled v. 35 not settled) in 2010 compared to a settlement rate of 52.9 percent (37 settled v. 33 not settled) in 2009. Contract cases had a settlement rate of 40.6 (28 settled v. 41 not settled) in 2010 compared to a settlement rate of 48.6 percent (34 settled v. 36 not settled) in 2009.

The average time to disposition for ADR-referred cases that terminated in 2010 was 17.2 months compared to 16.4 months for ADR-referred cases that terminated in 2009. The average time to disposition for ADR-referred cases that achieved a settlement and terminated in 2010 was 13.4 months compared to 14.0 months in 2009. The average time to disposition for ADR-referred cases that did not achieve a settlement and terminated in 2010 was 21.8 months compared to 20.3 months in 2009. In 2010, the three nature of suits that had the fastest times to disposition with at least ten terminated (settled and not settled) cases were *NOS 360 – Other Personal Injury* at 14.6 months compared to 17.5 months in 2009, *NOS 442 – Civil Rights Jobs* at 15.8 months compared to 15.7 months in 2009, and *NOS 110 – Insurance* at 15.9 months compared to 12.3 months in 2009. The three nature of suits with the slowest times to disposition with at least ten terminated (settled and not settled) cases in 2010 were *NOS 440 – Other Civil Rights* at 18.2 months compared to 20.1 months in 2009, *NOS 791 – E.R.I.S.A.* at 17.8 months compared to 15.8 months in 2009, and *NOS 190 – Other Contract Actions* at 16.9 months compared to 14.5 months in 2009.

TELEPHONE INTERPRETING PROGRAM

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 of 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 (TIP) 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:

- 1) **PROVIDES EASY ACCESS TO INTERPRETATION SERVICES WHEN LIVE RESOURCES ARE NOT AVAILABLE LOCALLY.**
- 2) **REDUCES INTERPRETER EXPENSE.**
- 3) **REDUCES TIME AND TRAVEL COST ASSOCIATED WITH IMPORTING CERTIFIED INTERPRETERS FROM OUTSIDE OF THE AREA.**
- 4) **ENSURES DEFENDANT ACCESS TO A CERTIFIED AND/OR QUALIFIED INTERPRETER IN COURT PROCEEDINGS.**
- 5) **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. *Table 4 (below)* displays the TIP statistics dating back to 2003.

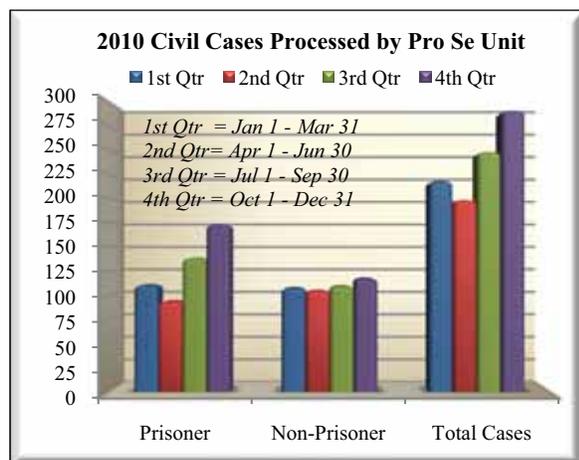
YEAR	TIP EVENTS	TIP COSTS¹	ESTIMATED SAVINGS²
2003	29	\$801	\$8,523
2004	110	\$1,940	\$34,357
2005	145	\$3,656	\$44,296
2006	167	\$5,745	\$49,866
2007	218	\$5,428	\$66,833
2008	193	\$5,015	\$58,921
2009	180	\$4,822	\$55,118
2010	148	\$3,900	\$45,384
TOTAL	1190	\$31,307	\$363,298
AVG.	149	\$3,913	\$45,412

When the Eastern District of Missouri began participating in the TIP program in 2003, there was a steady increase in the number of TIP events until 2008. In 2008, the increase in the number of TIP events leveled off. In 2009, the court performed a total of 180 TIP events. The events cost a total of \$4,822 with an

estimated savings of \$55,118. In 2010, the number of TIP events decreased approximately 18 percent from the number of events in 2009. The court performed 148 events in 2010 at a total cost of \$3,900 with an estimated savings of \$45,384.

PRO SE UNIT STATISTICS

In 2010, there were 2,356 new civil case filings originating in the Eastern District of Missouri excluding Multidistrict Litigation transfer cases (MDL). Of those new civil filings, 945 cases were initially reviewed by the Pro Se Unit, which equals approximately 40.0 percent of the court’s civil docket. In comparison to 2009, the Pro Se Unit initially processed 14.4 percent more cases in 2010 (826 v. 945). The 945 cases initially reviewed by the Pro Se Unit in 2010 included the following case types: 251 prisoner suits; 158 state habeas petitions¹⁵; 112 federal habeas petitions; 123 non-prisoner suits; and 301 social security appeals.



In the case of social security appeals, the Pro Se Unit only conducts a procedural review. By excluding social security appeals from the count, there were 644 new cases filed which received substantive frivolity review from the Pro Se Unit. By removing social security appeals from the total, the 644 cases comprise approximately 27 percent of the court’s civil docket. In comparison to 2009, the Pro Se Unit performed substantive review on 4.7 percent more cases when excluding social security appeals in 2010 (615 v. 644).

In 2010, the preservice dismissal rate for prisoner civil rights suits was approximately 82 percent, compared to 88 percent in 2009. The preservice dismissal rate for state and federal habeas petitions was approximately 42 percent, which was the same figure in

2009. The preservice dismissal rate for non-prisoner civil cases was approximately 53 percent. The dismissal rate for all cases was approximately 59 percent, which means the Pro Se Unit prepared preservice dismissal orders for approximately 16 percent of the entire civil docket, not including partial dismissals.

In 2010, the Pro Se Unit drafted approximately 2,249 proposed orders of which 2,220 were civil orders and 29 were criminal orders. In addition, the Pro Se Unit prepared CJA recommendations, budget orders, and attorney appointment recommendations for several death penalty cases.

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 Clerk’s Office, the U.S. Probation Office, and U.S. Pretrial Services. In 2010, a complete renovation of the audio system components took place in the U.S. Magistrate Judge courtrooms to provide state-of-the-art sound quality. The renovation work included the audio processing equipment, microphones, speakers, and touch panels. Listed below are the upgrades installed in each magistrate courtroom in the Thomas F. Eagleton Courthouse:

- 1) New unidirectional speakers were placed above the jury box to better focus the sound masking sidebar conferences.
- 2) Boundary microphones were installed in the jury box and the gallery allowing for enhanced audio clarity and a more accurate record of the voir dire proceedings.
- 3) Boundary microphones were added to the lectern providing the court reporters improved sound quality to capture events near the podium.
- 4) An enhanced telephone interpreting program (TIP) system was installed in the magistrate courtrooms utilizing wireless lavaliers. This new system allows attorneys to communicate with their non-English speaking clients using a translator. In addition, it also allows non-English speaking audience members in the courtroom to listen to the translated testimony via infrared headsets.
- 5) The control interface has a larger touch panel.
- 6) The upgrade allows for the court to stream the courtroom proceedings’ audio via the intranet to court personnel throughout the courthouse.
- 7) The new digital audio processing equipment allows the volume levels to be much greater than before due to zoning of the speakers in the cour-

¹⁵ The state habeas petitions includes seven miscellaneous petitions, such as audita querela, etc.

room. A “mix-minus” design was installed in the courtrooms to allow audio from the microphones to the different speakers to be individually mixed to reduce feedback.

- 8) The judge and the witness have the option of using lavalier microphones, which are wired into the bench, or the standard gooseneck microphones.
- 9) In both the magistrate and district courtrooms, 65” monitors were installed for jurors to view evidence displayed electronically.



An example of a magistrate courtroom with the renovated audio system components

ANNUAL CLE PROGRAM FOR LAW CLERKS

The annual continuing legal education (CLE) program for law clerks in the Eastern District of Missouri was held on June 18th at Moulin Events and Meetings in St. Louis, Missouri. The event was organized by the Law Clerks’ Educational Programming Committee of the District Court. The program was designed to not only satisfy the CLE requirements of Missouri, but for law clerks to stay current and maintain the requisite knowledge in important areas of law.

The program began with opening remarks from Chief U.S. District Judge Catherine D. Perry. Bridget Hoy, an attorney from Lewis, Rice, and Fingersh, followed Judge Perry and provided a presentation on the intersection of technology and ethics in litigation. Gene Stubblefield, Commissioner of Corrections for the City of St. Louis, next discussed the responsibility of caring for and controlling legally incarcerated individuals.

U.S. District Judge Henry E. Autrey talked to the group about the Gang Reentry Initiative Project (GRIP) commonly referred to as Gang Court. GRIP is a voluntary intensive supervision program that aims to assist gang-involved individuals with their chances of success upon release from incarceration. The program

entails a comprehensive approach that connects individuals with resources and training that will improve their social, educational and vocational abilities.

Harry W. Wellford, the office managing shareholder at the St. Louis office of Littler Mendelson, P.C., discussed arbitration in Major League Baseball. Wellford has represented the St. Louis Cardinals in past contract negotiations, salary arbitrations, as well as other matters. Following the conversation on arbitration in Major League Baseball, Kimberly Yates, an attorney at Littler Mendelson, P.C., presented the growing issue of social media in the workplace. The final session was with Claude Harrell, Regional Director of the National Labor Relations Board (NLRB). The NLRB is an independent federal agency charged with the responsibility of protecting employees’ right to organize as well as preventing and remedying unfair labor practices conducted by businesses in the private sector including unions.

JUDICIAL LEARNING CENTER, INC.

Judicial Learning Center, Inc. (JLC, Inc.) is a not-for-profit organization comprised of attorneys from Greater St. Louis. Chief U.S. District Judge Catherine D. Perry sits on the Board of Directors. The organization’s purpose is to increase the public’s understanding about the judiciary and the federal court system. JLC, Inc. was first created in order to help fund the Judicial Learning Center (JLC), an educational center located in the Thomas F. Eagleton Courthouse in St. Louis, Missouri. The JLC, which opened to the public in February 2009, is dedicated to promoting public understanding and the importance of an independent judiciary and the rule of law in American society. This mission is achieved through the use of high-quality exhibits, interactive displays, and colorful illustrations that provide an engaging narrative about the work of the federal courts and the structure of the judicial branch of government. The JLC is the only educational center in the United States devoted to the judicial process in the Federal Courts.

In addition to the permanent exhibits of the Center, JLC, Inc. works continually to attract traveling exhibits from other legal organizations and government agencies in order to broaden the scope of knowledge available to visitors. With greater financial restraints placed upon schools, JLC, Inc. provided transportation grants in 2010 to ensure that students would not be deprived of this valuable resource. Teacher Sue Lampros from Northwest Academy of Law was very thankful for the support JLC, Inc. gave her school. Lampros commented that the opportunity to visit was really a blessing because, “The opportunities to get

outside our building and neighborhood have become even more difficult because of the tremendous budget deficit facing St. Louis Public Schools (SLPS). So, the visit to the courthouse (Eagleton) was a much appreciated and very beneficial educational experience.”



Members of JLC Inc. pictured above from left to right: Chief U.S. District Judge Catherine D. Perry, Glenn E. Davis, Jennifer E. Hoekel, Thomas E. Wack, Jane Berman Shaw, Monica J. Allen, W. David Wells

Listed below is the complete list of Officers and Board of Directors for Judicial Learning Center, Inc.:

- Thomas E. Wack, President
Bryan Cave, LLP
- Allen S. Boston, Treasurer
Lewis, Rice & Fingersh, L.C.
- Mary M. Bonacorsi, Secretary
Thompson Coburn, LLP
- Monica J. Allen
Vice Chancellor and Assistant General Counsel
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Husch Blackwell Sanders, LLP
- Glenn E. Davis
Gallop, Johnson & Neuman, L.C.
- Thomas R. Green
Law Firm of Thomas R. Green
- James P. Holloran
Holloran White & Schwartz, LLP
- Jennifer E. Hoekel
Senniger Powers, LLP
- The Honorable Catherine D. Perry
Chief U.S. District Judge
Eastern District of Missouri
- Veryl L. Riddle
Bryan Cave, LLP
- Robert F. Ritter
Gray, Ritter & Graham, P.C.
- Jane Berman Shaw, Attorney at Law
Former General Counsel
Board of Police Commissioners
- W. David Wells
Thompson Coburn, LLP

THE THEODORE MCMILLIAN AMERICAN INN OF COURT

The American Inns of Court (AIC) were initially designed to improve the skills, professionalism, and ethics of the bench and bar.¹⁶ The AIC are primarily comprised of judges, lawyers, law professors, and law students. Membership is divided into the following categories: Masters of the Bench – judges, experienced lawyers, and law professors; Barristers – lawyers with some experience, but do not meet the minimum requirements for Masters; Associates – lawyers who recently graduated from law school, and Pupils – law students.¹⁷ From the members of the Inn, “pupilage teams” are formed comprised of individuals from each membership category. The pupilage teams meet outside of regularly scheduled meetings to prepare a program for the Inn. These teams primarily provide the less-experienced attorneys the opportunity to learn side-by-side from the most experienced judges and lawyers in the area. Each Inn meets at least once a month to hold discussions on civility, professionalism, and ethics, to offer presentations on legal issues, and to provide continuing legal education (CLE) programs.¹⁸



Masters of the Bench from the Theodore McMillian American Inn of Court hold a meeting at the Thomas F. Eagleton Courthouse.

In 2010, the Saint Louis University School of Law along with the support of area legal professionals established the Theodore McMillian American Inn of Court, a local chapter of the AIC. The well-respected and admired Judge Theodore McMillian was a pioneer in the legal community. Judge McMillian was not only

¹⁶ American Inns of Courts. “General Information.” Available from <http://www.innsofcourt.org/Content/Default.aspx?Id=2>. Internet. Accessed on 21 March 2011.

¹⁷ American Inns of Courts. “General Information.” Available from <http://www.innsofcourt.org/Content/Default.aspx?Id=2>. Internet. Accessed on 21 March 2011.

¹⁸ American Inns of Courts. “General Information.” Available from <http://www.innsofcourt.org/Content/Default.aspx?Id=2>. Internet. Accessed on 21 March 2011.

the first African-American to be admitted to the Saint Louis University School of Law, but the first to be appointed to the Eighth Circuit Court of Appeals. Judge McMillian, who wrote many landmark decisions on issues such as free speech, desegregation, employment discrimination, affirmative action, and civil rights, was a tireless community leader. Judge McMillian was a founder of the Herbert Hoover Boys and Girls Club. He was the founder of what is now the Legal Services of Eastern Missouri. Judge McMillian was one of the founders of the Human Development Corporation, an anti-poverty agency. He served as the president of the St. Louis Urban League and was a board member of the St. Louis Catholic Charities. In the Thomas F. Eagleton Courthouse, there is a tribute honoring Judge Theodore McMillian on the 27th floor in the United States Court of Appeals for the Eighth Circuit.

Chief U.S. District Judge Catherine D. Perry, U.S. District Judge Henry E. Autrey, and U.S. Magistrate Judge Thomas C. Mummert III serve as Masters in the Theodore McMillian American Inn of Court in St. Louis. Judge Perry, who is also President of the Inn, stated that, “St. Louis has a strong legal history and a talented, committed network of professionals who constantly strive to improve their knowledge and practice of law.”¹⁹

NEW LAW CLERK ORIENTATION

On September 8th and 9th, the Eastern District of Missouri held an orientation for incoming law clerks. The primary aim of the two-day program was to introduce and familiarize the new law clerks with the policies, procedures, and operations of the various agencies in the Thomas F. Eagleton Courthouse in St. Louis, Missouri. There were six new law clerks that joined the district court in the fall of 2010:

- SHEENA HAMILTON, LAW CLERK
CHIEF U.S. DISTRICT JUDGE CATHERINE D. PERRY
- ASHLEY MARTIN, LAW CLERK
U.S. DISTRICT JUDGE CAROL E. JACKSON
- BRENDAN LITTLE, LAW CLERK
U.S. DISTRICT JUDGE CAROL E. JACKSON
- ELISA CLARK, LAW CLERK
U.S. DISTRICT JUDGE RODNEY W. SIPPEL
- AMY TRUEBLOOD, LAW CLERK
U.S. DISTRICT JUDGE STEPHEN N. LIMBAUGH JR.
- MICHAEL JENTE, LAW CLERK
U.S. MAGISTRATE JUDGE DAVID D. NOCE

¹⁹ Garner, Laura. “Saint Louis University School of Law Establishes St. Louis’ First Inn of Court.” Available from: http://law.slu.edu/news_center/press_releases/Inn%20Press%20ReleaRe.pdf. Internet. Accessed on 31 March 2011.

On the first day, the new law clerks were welcomed by Clerk of Court Jim Woodward and Chief U.S. District Judge Catherine D. Perry. The first day of the program had representatives from the different court agencies in the Eagleton Courthouse provide an overview of their office duties and practices. While the first day came as an introduction to life at the courthouse, the second day concentrated more heavily on the knowledge and skills required to perform their jobs successfully. Topics such as local rules, ethics, and TRO practices were presented and discussed. The second day concluded with a question and answer session with current law clerks. This final session provided an important forum for new law clerks to ask questions and learn from more experienced professionals in their field.

JUDGES’ LONG RANGE PLANNING RETREAT

When Judge Catherine Perry began her term as chief judge in June 2009, she proposed to her colleagues that a time and location for a judges’ retreat should be selected. In promoting this idea, Judge Perry noted that this would be the first opportunity since 2001 for judges to gather away from the courthouse to consider the direction of the court, assess court performance and make decisions about priorities for the years ahead. It would also provide a relaxed atmosphere for casual interaction and socialization among judges that is difficult to achieve with busy schedules at the courthouse. There was unanimous agreement among judges that a long range planning retreat should be held.



Judges for the Eastern District of Missouri participating in the Long Range Planning Retreat at Pere Marquette Lodge

For two nearly perfect autumn days in mid-November 2010, district and magistrate judges of the Eastern District of Missouri gathered at Pere Marquette Lodge in Grafton, Illinois to consider challenges facing the federal judiciary, to identify opportunities for im-

provement and to outline a strategic direction for the future. Guided by special guest facilitator Judge Deanell Tacha of the Tenth Circuit Court of Appeals, judges critiqued the newly released *Strategic Plan for the Federal Judiciary* and pondered its relevance as a planning template for the Eastern District of Missouri. They also worked in small groups to identify areas in which the court has performed well and those areas in which improvement is needed. Later in the session there was lively conversation centered on the challenges facing the judiciary, which revealed diverse opinions about the most critical issues confronting the Eastern District of Missouri. Judges also heard from an expert on new media technologies who provided a briefing on implications and opportunities these transformative technologies suggest for courts in the future. Judges also tackled questions about court governance policies and strategies for communicating more effectively with the public and the bar. This two day interlude was regarded a success by all who attended, both for the opportunity it provided to build relationships among judges but also for the focus judges were able to bring to a slate of emerging issues that will affect the district court in the near and distant future.

JUDICIAL TRANSITIONS

The U.S. District Court for the Eastern District of Missouri is allotted eight active Article III judgeships and seven active magistrate judgeships. The Eastern District of Missouri has four senior judges. At the close of 2010, the District Court had one Article III judgeship vacant for the full calendar year. The court also had one magistrate judgeship vacant for six months in 2010.

U.S. DISTRICT JUDGE APPOINTMENT

The Honorable Audrey G. Fleissig took the oath of office on June 11, 2010 to begin her new appointment as a U.S. District Judge for the Eastern District of Missouri. The oath was administered by Chief U.S. District Judge Catherine D. Perry in a private ceremony at the Thomas F. Eagleton Courthouse attended by Judge Fleissig's immediate family and judicial colleagues. Upon the recommendation of U.S. Senator Claire McCaskill, Judge Fleissig was nominated by President Barack Obama on January 20, 2010. The U.S. Senate confirmed Judge Fleissig on Monday, June 7, 2010, five months after she was nominated and three months after a Senate panel approved her nomination without objection.



Chief U.S. District Judge Catherine D. Perry swearing-in U.S. District Judge Audrey G. Fleissig on June 11, 2010

Judge Fleissig has served the District Court since August 3, 2001 when she was first appointed for an eight-year term as a U.S. Magistrate Judge. The judges of the District Court reappointed her to another term in August 2009. Judge Fleissig earned her undergraduate degree, magna cum laude, from Carlton College in 1976 and her juris doctor at Washington University School of Law in 1980, where she graduated Order of the Coif and was on law review. Following graduation, Judge Fleissig joined Peper, Martin, Jensen, Maichel & Hetlage, known now as Husch Blackwell Sanders. Judge Fleissig became a partner at the firm and worked there until she joined the federal prosecutor's office in 1991. Judge Fleissig was named the U.S. Attorney for the Eastern District of Missouri in January 2000 and remained in that position until April 2001. She was the first woman to serve as U.S. Attorney in the district. Judge Fleissig has served as an adjunct instructor at the Washington School of Law for over 20 years and currently teaches Evidence.

The investiture ceremony of Judge Fleissig was held on Tuesday, October 30, 2010 in the En Banc Courtroom of the Eagleton Courthouse. U.S. Senator Claire McCaskill, Judge Patricia Breckenridge of the Missouri Supreme Court, and Professor Karen Tokarz, Charles Nagel Professor of Public Interest Law and Public Service from the Washington University School of Law in St. Louis, Missouri each spoke on the behalf of Judge Fleissig at the ceremony. On a separate occasion, Senator McCaskill stated that, "Her (Judge Fleissig) dedication to public service is impressive and she enjoys a stellar reputation among the legal community."²⁰

²⁰ Walter, Donna. "Magistrate Judge Fleissig nominated for US District Court vacancy here." *The Countian*, 22 January 2010, Vol. 130, No. 21, p. 1 & 4.



Judge Audrey G. Fleissig speaking at her investiture ceremony with Senator McCaskill and Judge Rodney Sippel in the background

Judge Fleissig's duty station is at the Eagleton Courthouse in St. Louis. She also presides over cases as needed in the Cape Girardeau and Hannibal divisions. Judge Fleissig filled a vacancy on the court created when Judge E. Richard Webber assumed senior status on June 30, 2009.

U.S. MAGISTRATE JUDGE SELECTION

On November 5, 2010, the District Judges of the U.S. District Court announced that Nannette A. Baker was selected to fill a vacancy for U.S. Magistrate Judge. The selection was made from nominees submitted by a Merit Selection Panel comprised of attorneys and lay persons from the St. Louis area. Baker filled a vacancy created when Judge Audrey G. Fleissig was appointed in June 2010 to serve as a District Judge after having served nine years as a U.S. Magistrate Judge.



Judge Nannette A. Baker (far left) with the Magistrate Judges for the Eastern District of Missouri

Chief U.S. District Judge Catherine D. Perry stated that the selection process generated an excellent pool of highly-qualified candidates. Judge Perry went on to say that, "For the judges of this court, it was so gratifying to see the caliber of attorneys who sought this appointment. The job of the magistrate is both de-

manding and very important to our system of justice. We know that Judge Baker's experience and exceptional qualifications will make her an asset to our court."²¹

Nanette A. Baker served as a judge on the Missouri Court of Appeals for the Eastern District of Missouri prior to her selection as magistrate judge. Judge Baker held that position since 2004 and served as Chief Judge of that court from 2008 to 2009. Before joining the Missouri Court of Appeals, Judge Baker was a Circuit Judge of the 22nd Judicial Circuit in St. Louis from 1999 to 2004. Earlier in her career, Judge Baker practiced law for the St. Louis firms of Lashly & Baer and for Schlichter, Bogard & Denton. Judge Baker has a long and distinguished record of service to the legal profession and to the St. Louis community. She has served in various capacities as a volunteer with the American Bar Association, the National Association of Women Judges, the Mound City Bar Association, and the Bar Association of Metropolitan St. Louis. In the community, Judge Baker has served on the board of directors of Gateway Greening, Inc., Covenant House Missouri, St. Patrick's Center, the National Museum of Transport, and SSM Rehabilitation Institute.

Judge Baker's duty station is at the Thomas F. Eagleton Courthouse in St. Louis with some duties performed in the Cape Girardeau and Hannibal divisions. Judge Baker earned her undergraduate degree at the University of Tennessee at Knoxville and her juris doctor at the Saint Louis University School of Law.

JUDICIAL HONORS AND AWARDS

LEGAL LEGENDS RECEPTION OF THE MOUND CITY BAR ASSOCIATION HONORS JUDGE SHAW



On March 31, 2010, the Mound City Bar Association (MCBA) held its Legal Legends reception to honor Senior U.S. District Judge Charles A. Shaw. The MCBA is the oldest African-American bar association west of the Mississippi River. The MCBA was organized in 1922 in response to African American attorneys being denied entrance into the all-white St. Louis Bar Association. The Legal Legends awards was created for the purpose of paying tribute to those individuals who have made exceptional contributions to the legal

²¹ Walter, Donna. "Judge Baker to join the Federal Bench." *St. Louis Daily Record*, 8 November 2010, Vol. 121, No. 309, p. 1 & 3.

community in St. Louis or have been tireless advocates of African-American attorneys.

Judge Shaw began his career as a teacher in the St. Louis and District of Columbia Public Schools after graduation from Harris-Stowe State University in 1966. Following his graduations from the University of Missouri at Columbia with a Masters Degree in Business Administration (MBA) and a juris doctor from Catholic University of America's Columbus School of Law, Judge Shaw became an appellate attorney at the National Labor Relations Board (NLRB) at the Division of Enforcement Litigation. From 1976 to 1980, Judge Shaw was an associate at Lashly, Caruthers, Thies, Rava, and Hamel. In 1980, Judge Shaw became an Assistant U.S. Attorney for the Eastern District of Missouri. Judge Shaw was appointed to the circuit bench of the 22nd Judicial Circuit of Missouri in 1987. President William Clinton nominated Judge Shaw to the federal bench in 1993 upon the recommendation of Congressman William Clay Sr. Judge Shaw became the second African-American to serve as a district judge for the Eastern District of Missouri. Judge Shaw has authored over 600 judicial opinions during his tenure as a state and federal judge. Beyond his achievements on the bench, Judge Shaw has served as a mentor to law students and young attorneys, while serving on numerous boards.

BENJAMIN F. EDWARDS III MEMORIAL AWARD PRESENTED TO JUDGE WEBBER



On August 14, 2010, Senior U.S. District Judge E. Richard Webber was honored with the Benjamin F. Edwards III Memorial Award from the Mathews-Dickey Boys' and Girls' Club. At its inception, the

goal of the club was to provide organized recreational activities to neighborhood youths, but as of today, the club offers a more comprehensive program including instruction on topics such as teamwork. Judge Webber is a tireless advocate for prevention programs to keep young people out of the justice system and on the path to making positive contributions in their communities. He also supports various initiatives to help ex-offenders lead productive lives after their incarceration. Through his time and talents, Judge Webber has provided area youth with the structure and compassion to help them reach their full potential. For his other achievements in the community, Judge Webber has received the Fathers' Support Center Award of Recognition, Legal Services Equal Justice Award, and the Theodore McMillian Award of Judicial Excellence.

EXECUTIVE COMMITTEE OF THE JUDICIAL CONFERENCE APPOINTMENT FOR JUDGE SIPPEL

Chief Justice John G. Roberts appointed U.S. District Judge Rodney W. Sippel to the Executive Committee of the Judicial Conference of the United States. Judge Sippel's term began on January 22, 2010. The Judicial Conference is the policy-making body of the Federal Judiciary. The Conference operates through a network of committees created to address and advise on a wide variety of subjects such as information technology, personnel, probation and pretrial services, space and facilities, security, judicial salaries and benefits, budget, defender services, court administration, and rules of practice and procedure. The Chief Justice has sole authority to make committee appointments. The Executive Committee of the Judicial Conference serves as the senior executive arm of the Conference, acting on its behalf between sessions on matters requiring emergency action as authorized by the Chief Justice. Among its responsibilities, the Executive Committee reviews the jurisdiction of Conference committees, prepares proposed consent and discussion calendars for meetings of the Conference, and establishes procedures for assembling agendas and schedules of events in preparation for Conference sessions.



Executive Committee of the Judicial Conference: (Seated L to R) Judge Charles R. Breyer, Chief Judge David B. Sentelle – Chair, Chief Judge Jane A. Restani, Chief Judge William B. Traxler, Jr. (Standing L to R) Chief Judge Harvey Bartle III, Chief Judge Joel F. Dubina, Judge Rodney W. Sippel, AO Director James C. Duff

Judge Sippel's work with the Judicial Conference began in 2001 when he was appointed to the Committee on the Judicial Branch, followed by his election in 2009 to a four-year term as the Eighth Circuit's district judge representative to the Conference. In addition to these assignments, Chief Justice Roberts asked Judge Sippel to serve as liaison for the U.S. Courts to the Conference of Chief Justices of the state courts and to serve as ex officio member of the Judicial Conference Committee on Federal-State Jurisdiction. Judge Sippel was also appointed in 2010 to the Ad Hoc Committee on the Judiciary and the New Media, whose members are studying the policy implications of Web 2.0

§3 – SERVING THE BAR

SECOND ANNUAL DANFORTH-EAGLETON LECTURE

The Honorable William H. Webster was the keynote speaker at the Second Annual Danforth-Eagleton Lecture hosted by Judicial Learning Center, Inc. and the Bar Association of Metropolitan St. Louis (BAMSL) at the Hilton St. Louis at the Ballpark on March 4, 2010.



Judge William H. Webster speaking at the Second Annual Danforth-Eagleton Lecture

Born in St. Louis, Judge Webster earned his Bachelor of Arts degree from Amherst College in Massachusetts. During World War II, he served as a Lieutenant in the United States Navy and again in the Korean War. Following his graduation from Washington University School of Law, Judge Webster practiced law at the law firm of Armstrong, Teasdale, Kramer, and Vaughn from 1949 until 1960. In 1960, he began work as the U.S. Attorney for the Eastern District of Missouri. After a year in the U.S. Attorney's office, he returned to private practice. In 1970, Judge Webster was appointed by President Richard Nixon to the U.S. District Court for the Eastern District of Missouri. Three years later, he was elevated to the U.S. Court of Appeals for the Eighth Circuit. President Jimmy Carter appointed Judge Webster as the Director of the Federal Bureau of Investigation (FBI) in 1978. In 1987, Judge Webster was appointed the Director of the Central Intelligence Agency (CIA) and worked in that position until 1991. During his tenure at the helm of the FBI and CIA, Judge Webster restored public confidence in both agencies through his character and direction. In 1991, Judge Webster decided to retire from government. Shortly after his retirement, Judge Webster received the National Security Medal, the CIA's Distinguished Intelligence Medal, and the Presidential Medal of Freedom.

Following his retirement from government, Judge Webster joined the firm of Milbank, Tweed, Hadley and McCoy in Washington, D.C., where he has served as a senior partner and as chair of the firm's litigation department. Despite retiring from the government, Judge Webster's profile has not diminished. He has served on many public policy commissions and investigative panels such as 9/11 and the shooting in Fort Hood, Texas.

At the lecture, Judge Webster focused his speech on the evolution of intelligence-gathering in the last thirty years. When he first became Director of the FBI in 1978, Judge Webster commented that agencies did not share information, but made decisions from a unilateral perspective. Without all the information available, he remarked that it is difficult to make the best decision. This lack of cooperation between agencies forced communication to be slow and inefficient. After 9/11, many government agencies quickly began sharing information in order to act more swiftly and effectively in all operations. Despite his support of information sharing, Judge Webster made it very clear to the audience that an individual's civil liberties should not be violated in the name of national security. Judge Webster said during his speech, "I think we have to find ways to comfortably expand our intelligence efforts that do not trample upon our civil liberties."²²



Chief U.S. District Judge Catherine D. Perry making a special presentation to Judge William H. Webster

At the conclusion of Judge Webster's speech, Chief U.S. District Judge Catherine D. Perry made a special presentation to Judge Webster. Judge Perry announced that the judges of the District Court had officially designated in his name the special proceedings courtroom located on the third floor of the Thomas F. Eagleton Courthouse in order to honor Judge Webster for his distinguished judicial and public service career.

²² Walter, Donna, "From 'need to know' to 'need to share' at lecture." *The Countian*, 8 March 2010, Vol. 130, No. 66, p. 1.

The courtroom is now known as *The Judge William H. Webster Courtroom*.

CRIMINAL JUSTICE ACT PANEL ATTORNEY SEMINAR

The eighth annual Criminal Justice Act (CJA) Panel Attorney Seminar was held May 20, 2010 at the Thomas F. Eagleton Courthouse in St. Louis. The event was sponsored by the U.S. District Court and the Office of the Federal Public Defender for the Eastern District of Missouri. Sixty-five CJA panel and lead attorneys attended the CJA seminar. In addition to the CJA panel and lead attorneys in the audience, members of the Federal Public Defender's Office, the Clerk's Office, as well as a number of U.S. District and Magistrate Judges were in attendance for the seminar.



From Left to Right: Chief U.S. District Judge Catherine D. Perry, Federal Public Defender Lee Lawless, Chief U.S. Magistrate Judge Mary Ann L. Medler

The seminar opened with welcoming remarks from Chief U.S. District Judge Catherine D. Perry and Lee Lawless, Federal Public Defender for the Eastern District of Missouri. Panel discussions at the seminar addressed timely topics including:

- *CRIMINAL LAW AND PROCEDURE OPINIONS IN THE 2009-2010 TERM OF THE UNITED STATES SUPREME COURT: DISCUSSION, ANALYSIS AND PREDICTIONS.* PRESENTED BY PAUL RASHKIND, ASSISTANT FEDERAL DEFENDER FOR THE SOUTHERN DISTRICT OF FLORIDA.
- *PROTECTING YOUR INTEGRITY AS A CRIMINAL DEFENSE ATTORNEY.* PRESENTED BY JOHN WESLEY HALL JR., AUTHOR OF *PROFESSIONAL RESPONSIBILITY IN CRIMINAL DEFENSE PRACTICE*.
- *COMPETENCY EVALUATIONS.* PRESENTED BY DR. JOHN RABURN, M.D.

- *CJA CLAIMS PROCESSING UPDATE.* PRESENTED BY JIM WOODWARD, CLERK OF COURT, LORI MILLER-TAYLOR, CHIEF DEPUTY CLERK, AND MARIAN MANNION, CJA DEPUTY CLERK.



From Left to Right: Clerk of Court Jim Woodward, Deputy Clerk Laura Robinson, CJA Deputy Clerk Marian Mannion, Chief Deputy Clerk Lori Miller-Taylor

CRIMINAL JUSTICE ACT ATTORNEY APPOINTMENTS

A profile of attorney appointments/assignments in criminal cases over the past three calendar years (2008-2010) is illustrated in *Tables 5-7* (Refer to page 31). Private attorney appointments are made under the Criminal Justice Act. The Federal Public Defender's Office handles the majority of appointed cases. Other attorneys may be privately retained by a defendant.

The total number of attorney appointments (CJA and FPD) decreased 21.0 percent from 2009 to 2010 (1362 v. 1076). In comparison to 2008, the total number of attorney appointments in 2009 (CJA and FPD) decreased 29.3 percent (1523 v. 1076). Criminal case filings were also lower in the 2010 calendar year.

In 2010, 37.3 percent of the attorney appointments were CJA (401 CJA appointments), while in 2009, CJA appointments accounted for 31.7 percent (432 CJA appointments) of attorney appointments. The percentage of CJA appointments increased 5.6 percent from 2009 to 2010 (432 v. 401).

FPD appointments made up 62.7 percent of the attorney appointments in 2010, while in 2009, FPD appointments accounted for 68.3 percent of attorney appointments. The number of FPD appointments decreased 27.4 percent from 2009 to 2010 (930 v. 675). When comparing 2008 to 2010, FPD appointments decreased 39.0 percent (1099 v. 675).

The number of private counsel retained by defendants decreased 28.6 percent from 2009 to 2010 (639 v. 456), while from 2008 to 2009 (611 v. 639), there was a 4.6 percent increase in the number of private counsel retained by defendants.

Criminal defense representation (including CJA, FPD, and RET) decreased 23.4 percent from 2009 to 2010 (2001 v. 1532). When comparing criminal defense representations from 2008 to 2010, representation decreased 28.2 percent (2134 v. 1532). From 2008 to 2010, on average, there were 419 CJA appointments, 901 FPD appointments, and 569 defendants with retained counsel.

LEGEND FOR TABLES 5-7		
CJA = CRIMINAL JUSTICE ACT	FPD = FEDERAL PUBLIC DEFENDER	RET = RETAINED

TABLE 5: CLIENT REPRESENTATIONS ¹ JANUARY 1 – DECEMBER 31 REPORTING PERIOD				
APPOINTMENT	2008	2009	2010	TOTAL
CJA	424	432	401	1257
FPD	1099	930	675	2704
RET	611	639	456	1706
TOTAL	2134	2001	1532	5667

¹ – Includes 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				
APPOINTMENT	2008	2009	2010	TOTAL
1-3	57	50	65	172
4-9	13	14	23	50
10 OR MORE	14	17	10	41
TOTAL	84	81	98	263

TABLE 7: CJA V. FPD APPOINTMENTS JANUARY 1 – DECEMBER 31 REPORTING PERIOD				
APPOINTMENT	2008	2009	2010	TOTAL
CJA	424	432	401	1257
FPD	1099	930	675	2704
TOTAL	1523	1362	1076	3961

FEDERAL PRACTICE FUNDAMENTALS SEMINAR

The sixth annual Federal Practice Fundamentals Seminar, sponsored by the U.S. District Court and The Federal Practice Memorial Trust, was held September 16, 2010 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 for attorneys new to federal practice. More specifically, the seminar discussed the different operations, policies, procedures, and resources that attorneys new to federal practice should be aware of before appearing in court.



Chief Deputy Clerk Lori Miller-Taylor greeting the audience

Chief U.S. District Judge Catherine D. Perry, Attorney Mary Bonacorsi, and Chief Deputy Clerk Lori Miller-Taylor opened the seminar with a greeting to the audience. Jim Woodward, Clerk of Court, began the seminar with a profile of the Eastern District of Missouri. In the profile, Woodward discussed the workload of the District Court, the roles of the different judges, the Magistrate consent process, the responsibilities of the Clerk, and the services provided by the Clerk's Office.

The half-day seminar was divided into seven sessions. Session one, *Federal Civil Procedure*, was presented by Chief U.S. District Judge Catherine D. Perry, Attorney Vanessa Robinson Keith, Karen Moore, Operations Manager, and Melanie Berg, Case Management Team Leader. This session provided an overview of civil case procedure in the district court from case initiation to judgment, including a discussion of the differences between state and federal practices.

Session two, *Ethical Advocacy in Federal Court*, was led by Senior U.S. District Judge E. Richard Webber, Carl Schaeperkoetter, Office of Chief Disciplinary Counsel, and Attorney John Moticka. This session

explored the ethical standards, including civility between lawyers, as they apply to Federal Court.



From Left to Right: Session Two Panel – Senior U.S. District Judge E. Richard Webber, Carl Schaeperkoetter, Office of Chief Disciplinary Counsel, Attorney John Moticka

Session three, *Alternative Dispute Resolution (ADR)*, was presented by Jim Woodward, Clerk of Court, and Attorney James Reeves. These panel members provided an overview of the Alternative Dispute Resolution process and the benefits of mediation for civil cases.

Session four, *Case Management/Electronic Case Filing (CM/ECF)*, was presented by Michele Crayton, Case Management Team Leader, Cathy Gould, Case Management Team Leader, and Kim Klein, Operations Support Unit Clerk. In this panel, an overview of the CM/ECF Administrative Procedures Manual was provided along with filing requirements.

Session five, *Criminal Practice*, was led by Chief U.S. Magistrate Judge Mary Ann L. Medler, Lee Lawless, Federal Public Defender, and Attorney Michael Gorla. This session explained the attorney appointment process as well as the CJA 20, 21, and 24 vouchers, CJA lead panel, and other resources.



From Left to Right: Judges' Roundtable – Judge Mary Ann L. Medler, Judge Henry E. Autrey, Judge Jean C. Hamilton, Judge Catherine D. Perry, Judge Terry I. Adelman, Judge E. Richard Webber

Session six, *Courtroom Logistics*, was presented by Adam Zipprich, Courtroom Technology Administrator, Tim Christopher, Case Manager, and Debbie Kreigshauser, Court Reporter. This group provided an overview of the court layout, courtroom technology, and court reporter services.

Session seven, *Judges' Roundtable*, provided the new practitioners to Federal Court the opportunity to ask questions of U.S. District and Magistrate Judges on a broad range of topics.

REVISIONS TO LOCAL RULES

Local court rules are a constant focus of attention, both from judges and members of the bar. These rules are important because they guide attorneys and the public through the adjudication process for civil and criminal cases and therefore must be clear, fair and coherent. Rules are considered for amendment or revision as new problems come to light, or experience suggests that there may be a better approach. A few of those circumstances surfaced in 2010, resulting in the local rule changes noted below.

On the recommendation of the court's Alternative Dispute Resolution Advisory Committee, an amendment to Local Rule 6.02 (A)(2) was approved granting authority to a neutral to extend the deadline for completion of ADR. This addresses the concern of mediators that when parties are close to a settlement, the neutral should have the option to continue mediation beyond the deadline set by the judge so that additional mediation sessions can take place. The amended rule now provides that the neutral may extend the completion deadline by up to fourteen days by filing a compliance report indicating the neutral's election and the length of the extension.

Another of the alternative dispute resolution rules to come under review in 2010 was Local Rule 6.03(A), which describes the requirements that must be satisfied by those applying to the court for certification as a neutral. Since the inception of the ADR program in 1994, there always had been an expectation that lawyers certified to provide mediation services in district court cases should make themselves available for an occasional pro bono appointment when a party in a dispute appropriate for mediation is unable to bear the cost. To insure that applicants for certification would have no misunderstanding about this expectation, the court amended the rule governing certification to add a requirement that the neutral must agree to serve for reduced or no compensation from a party who has requested and qualified for appointment of a pro bono neutral.

Attorney admission procedures are governed by Local Rule 12. Among other requirements, lawyers admitted to practice in the district court must reregister every four years, and failure to do so will result in their names being removed from the roll. The cost of this quadrennial re-registration is charged to attorneys as a separate fee, previously capped by Local Rule 12 (D). The court approved an amendment to remove the cap, thereby providing flexibility to periodically set the fee by administrative order without amending the local rule in the future.

The most ambitious initiative affecting local rules in 2010 was undertaken by a committee appointed by the court to recommend new rules to govern patent litigation. This group of judges and lawyers not only studied similar rules in other district courts, but reviewed practices by judges in the Eastern District of Missouri before recommending a regimen for the management of patent litigation in this district. With an emphasis on early disclosure of information and staged development of contentions and claim construction on a predictable schedule, the rules provide a standard blueprint for pretrial case management through the claim construction hearing. In so doing, the rules are expected to enable parties to analyze claims fairly and gather information necessary to resolve the patent dispute at the earliest opportunity, and to streamline trial if it becomes necessary. These new rules became effective on January 1, 2011. Members of the Ad Hoc Committee on local patent rules were U.S. District Judge Jean C. Hamilton, U.S. District Judge Audrey G. Fleissig, and Attorneys Ben Clark, Lee Marshall, Susan Heider, and Matt Cutler.

CASE MANAGEMENT/ELECTRONIC CASE FILING

TRAINING AND SUPPORT

In 2010, the Case Management/Electronic Case Filing (CM/ECF) database was upgraded to version 4.0.3. The Eastern District of Missouri provided users of CM/ECF with various levels of support and training opportunities during 2010. Listed below are resources made available to CM/ECF users:

- A help desk number and e-mail address were established for the support of the attorney registration renewal for 2011, which began on October 29, 2010.
- E-filing forms are now accepted electronically.
- CM/ECF training classes for legal professionals and support staff are available each month.

- The website of the U.S. District Court for the Eastern District of Missouri offers access to on-line training, the updated CM/ECF Administrative Procedures Manual, criminal and civil events list, and the local rules.
- The Automation Help Desk is available during courthouse hours to internal and external users.
- Transcripts filed electronically are made available after a waiting period of ninety days.

PARTICIPATION

- **ATTORNEY REGISTRATION TOTALS** – As of December 31, 2010, there have been 11,167²³ attorneys who have created an account for electronic filing with the U.S. District Court since its launch in 2003. Since 2003, 7,270 attorneys have docketed pleadings. As of December 31, 2010, there are 5,676²⁴ active attorneys with logins. In 2010, there were 4,195 attorneys who docketed in CM/ECF.
- **CALENDAR YEAR ATTORNEY REGISTRATIONS** – From January 1 to December 31, 2010, there were 295 new attorney registrations for electronic filing, while in 2009, there were 359 new attorney registrations for electronic filings. From 2009 to 2010, the number of new attorney registrations decreased 17.8 percent (359 v. 295).
- **ATTORNEY DOCKETING** – In 2010, attorneys logged 55,121 transactions in CM/ECF. This is a 4.6 percent increase in the number of logged transactions from 2009 to 2010 (52,698 v. 55,121).
- **STAFF DOCKETING** – In 2010, court personnel and judges logged 126,832 transactions in CM/ECF. This is a 0.4 percent decrease in the number of transactions logged by court personnel from 2009 to 2010 (127,303 v. 126,832). During a limited time in 2010, officers from U.S. Probation and Pretrial Services docketed 2,688 transactions.

ATTORNEY ADMISSIONS

ATTORNEY ADMISSION STATISTICS

In 2010, there were 338 admission fees processed for newly admitted attorneys. There was an 8.2 percent decrease in processed admission fees for newly admitted attorneys from 2009 to 2010 (368 v. 338).

²³ This number includes every attorney who has used electronic filing with the court since 2003.

²⁴ This number represents the cumulative total of attorneys who registered for electronic filing with the court.

The number of fees processed for attorneys granted pro hac vice admission was 749. This was a 0.1 percent increase in the number of fees processed for attorneys granted pro hac vice admission from 2009 to 2010 (748 v. 749).

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 2010 in Jefferson City, Missouri. In the spring session, Senior U.S. District Judge E. Richard Webber along with U.S. District Judge Nanette K. Laughrey from the Western District of Missouri administered the oath of admission to new attorneys on April 21, 2010.

In the fall session, due to the large number of attorneys, there were two admission ceremonies performed on September 15, 2010; one in the morning and one in the afternoon. Senior U.S. District Judge E. Richard Webber and U.S. Magistrate Judge Matthew J. Whitworth from the Western District of Missouri administered the oath of admission to the new attorneys at both ceremonies.

ATTORNEY REGISTRATION RENEWAL

In 2010, lawyers admitted to practice in the United States District Court for the Eastern District of Missouri were required to renew their registration and provide an update of their profile. The registration renewal process is mandated by local rules and takes place every four years. Lawyers who no longer intend to practice in the federal district court need not complete the registration renewal. After the registration ends, the names of lawyers who fail to re-register are removed from the roll of attorneys admitted to practice in the Eastern District of Missouri. Attorney registration renewal began on October 29, 2010 and will conclude on January 31, 2011.

The attorney registration renewal process allows the court to maintain current information on individuals who are admitted to practice in the U.S. District Court for the Eastern District of Missouri. Through the renewal process, the court also controls the growth of the database by removing names of lawyers who are deceased, retired, or moved out of the area. Registration renewal must be completed online.

JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT

CALENDAR YEAR 2010 CASELOAD HIGHLIGHTS
Refer to *Appendices A-F* (pgs. 62-67) for complete Calendar Year 2010 Caseload Reports

CIVIL CASELOAD STATISTICS

- New civil filings in the Eastern District of Missouri increased 15.7 percent from 2009 to 2010 (2374 v. 2746). The new civil filing totals include 390 cases transferred to the district court by the Judicial Panel on Multidistrict Litigation (MDL) in 2010 and 241 such cases in 2009. Each division in the district observed increases in new civil filings from 2009 to 2010. In St. Louis (Eastern Division), new civil filings increased 15.0 percent (2126 v. 2445). New civil filings in Cape Girardeau (Southeastern Division) increased 17.0 percent (182 v. 213). In Hannibal (Northern Division), new civil filings increased 33.3 percent (66 v. 88).
- The following noteworthy trends in new civil filings by case type were identified from 2009 to 2010 in the Eastern District of Missouri: *Contract cases* increased 27.9 percent (262 v. 335); *tort cases* (including personal injury and personal property cases) increased 36.0 percent (480 v. 653); *civil rights cases* increased 7.7 percent (285 v. 307); *civil rights – prisoner petition cases* decreased 1.6 percent (248 v. 244); *prisoner petition cases* as a whole increased 5.5 percent (512 v. 540); *labor cases* decreased 10.6 percent (245 v. 219); *intellectual property rights cases* increased 23.8 percent (80 v. 99); and *social security cases* increased 43.0 percent (221 v. 316).

CRIMINAL CASELOAD STATISTICS

- Felony criminal filings in the Eastern District of Missouri decreased 21.8 percent from 2009 to 2010 (831 v. 650). In St. Louis, felony criminal filings decreased 19.0 percent (705 v. 571). Felony criminal filings in Cape Girardeau decreased 37.3 percent (126 v. 79). In contrast, misdemeanor criminal filings as a whole increased 34.2 percent from 2009 to 2010 (76 v. 102). Misdemeanor criminal filings in Cape Girardeau increased 10.9 percent (46 v. 51). In St. Louis, misdemeanor criminal filings increased 70.0 percent (30 v. 51).
- Felony criminal defendant filings decreased 16.2 percent from 2009 to 2010 (1147 v. 961). In St. Louis, felony criminal defendant filings decreased 14.0 percent (998 v. 858). In Cape Girardeau, felony criminal defendant filings decreased 30.9 percent (149 v. 103). Misdemeanor defendant filings increased 27.5 percent (80 v. 102).

Combined felony and misdemeanor defendant filings decreased 13.4 percent (1227 v. 1063).

- Total criminal filings (including felony and misdemeanor criminal cases) decreased 17.1 percent from 2009 to 2010 (907 v. 752). Criminal filings in St. Louis decreased 15.4 percent (735 v. 622). In Cape Girardeau, criminal filings decreased 24.4 percent (172 v. 130).

TRIAL STATISTICS

- Total trial starts (including jury and bench trials) in the Eastern District of Missouri increased 10.8 percent from 2009 to 2010 (74 v. 82). The number of civil trial starts (including jury and bench trials) was unchanged from 2009 to 2010 (50 v. 50). Criminal trial starts (including jury and bench trials) increased 33.3 percent (24 v. 32).
- In 2010, there were 82 total trial starts (including jury and bench trials) in the Eastern District of Missouri. Of those 82 trial starts, 65 completed the trial process. At the close of 2010, trials had a completion percentage of approximately 79.3 percent. Of the 50 civil trial starts (including jury and bench trials), 38 completed the trial process. Of the 32 criminal trial starts (including jury and bench trials), 27 completed the trial process.

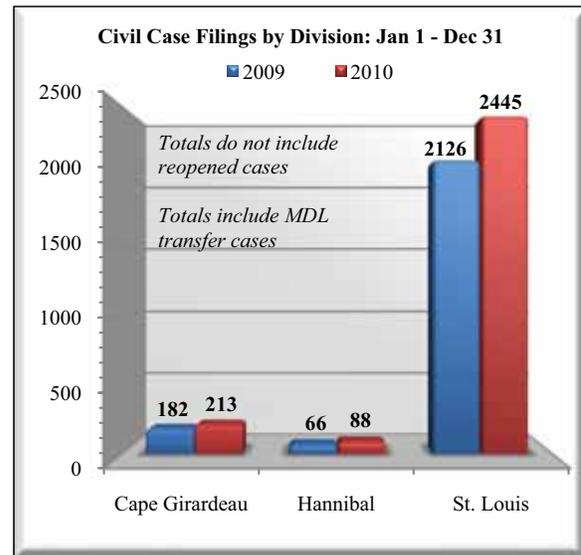
CIVIL CASELOAD

Refer to *Appendices A-C* (pgs. 62-64) for a detailed analysis of the Civil Caseload in 2010

New civil case filings originating in the Eastern District of Missouri increased 10.5 percent from 2009 to 2010 (2133 v. 2356). New civil filings, including Multidistrict Litigation (MDL) cases transferred to the Eastern District of Missouri, increased 15.7 percent from 2009 to 2010 (2374 v. 2746). Each division in the district had increases in new civil filings from 2009 to 2010. In St. Louis (Eastern Division), new civil filings increased 15.0 percent (2126 v. 2445). New civil filings in Cape Girardeau (Southeastern Division) increased 17.0 percent (182 v. 213). In Hannibal (Northern Division), new civil filings increased 33.3 percent (66 v. 88).

New civil cases in 2010 were filed at an average rate of 229 per month compared to an average rate of 198 per month in 2009. With or without MDL cases included, the overall increase (15.7% or 10.5%) in new civil filings in the Eastern District of Missouri during 2010 was greater than the national trend, which had new civil filings in the U.S. District Courts increase 2.4

percent²⁵ over a twelve month reporting period ended September 30, 2010.



The termination rate for civil cases increased from 2009 to 2010 with an average rate of 192 civil case terminations per month in 2010 (2304 civil cases closed) compared to 183 civil case terminations per month in 2009 (2200 civil cases closed). The overall increase in civil case terminations was 4.7 percent from 2009 to 2010 (2200 v. 2304). While civil case terminations increased during 2010 in the Eastern District of Missouri, at the national level, the increase in civil case terminations was significantly higher at 17.5 percent²⁶ over a twelve month reporting period ended September 30, 2010.

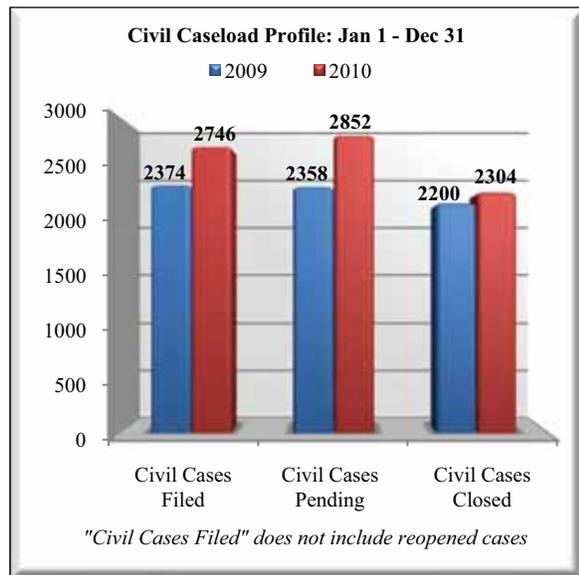
The inventory control index²⁷ is a court performance measure that identifies the number of months it would take to dispose the pending civil caseload based on the average monthly termination rate of the court for the previous twelve months. As of December 31, 2010, the inventory control index of the Eastern District of Missouri was 14.9, higher than the index of 12.9 as of

²⁵ New civil filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table C – U.S. District Courts: Civil Cases Commenced, Terminated, and Pending*).

²⁶ Civil case terminations for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table C – U.S. District Courts: Civil Cases Commenced, Terminated, and Pending*).

²⁷ 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 twelve months (assuming that no new civil cases were filed). A decline in the index suggests more terminations, fewer pending cases, or both.

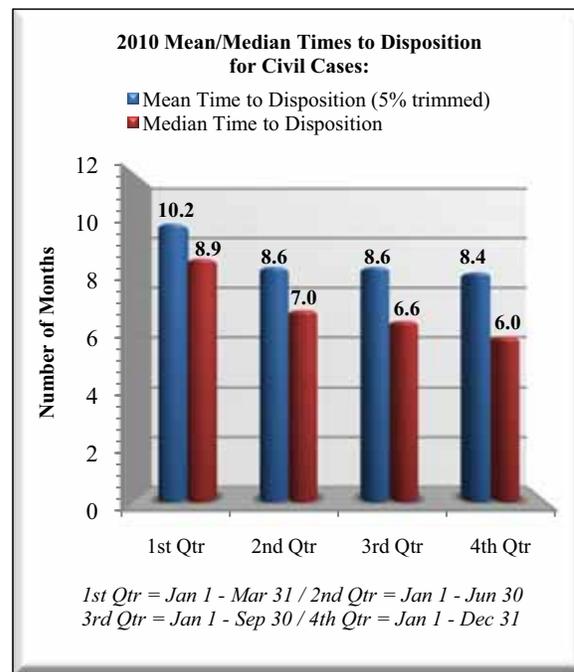
December 31, 2009. The inventory control index has increased 63.7 percent since December 31, 2006.



While civil case terminations increased marginally in 2010 in the Eastern District of Missouri, the number of pending civil cases increased 20.9 percent from 2009 to 2010 (2358 v. 2852). The increase in pending civil cases is in part due to the number of MDL cases transferred to the Eastern District of Missouri in 2010 for pretrial case management by order of the Judicial Panel on Multidistrict Litigation. In addition to the increase in MDL cases, the court has observed significant filing increases to personal injury, social security, and contract cases. Unlike the increases found in the local civil pending caseload, nationally, the U.S. District Courts identified a decrease of 8.6 percent²⁸ in pending civil cases. The average age²⁹ of the pending civil caseload in the Eastern District of Missouri as of December 31, 2010 was 15.0 months compared to 14.0 months on December 31, 2009.

The mean time to disposition³⁰ for all civil cases termed during 2010 was 8.4 months, which was slightly

lower than the mean time to disposition of 8.6 months for all civil cases termed during 2009. In addition, the median time to disposition in 2010 was 6.0 months, which was also slightly lower than the median time to disposition³¹ of 6.4 months for all civil cases termed during 2009. At the national level, the median time to disposition for civil cases termed during the twelve month period ended September 30, 2010 was 7.6 months, which represents a 14.6 percent³² decrease from the previous reporting period.



MULTIDISTRICT LITIGATION TRANSFER CASELOAD

In 2010, 390 MDL cases were transferred to the Eastern District of Missouri for pretrial case management by order of the Judicial Panel on Multidistrict Litigation. The MDL transfer cases comprised 8.4 percent of new civil filings in 2010, compared to 10.2 percent of new civil filings in 2009. As of December

²⁸ Pending civil cases for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (Table C – U.S. District Courts: Civil Cases Commenced, Terminated, and Pending).

²⁹ The average age of the pending civil caseload is calculated by adding the number of days since filing for eligible cases and dividing it by the number of pending civil cases. The count excludes the following from the calculation: reopened cases; cases pending less than 60 days; and cases in unassigned.

³⁰ The mean time to disposition reported is 5 percent trimmed, which means that the lowest and highest 2.5 percent 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.

³¹ The median time to disposition 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 to disposition 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 time to disposition for the Eastern District of Missouri is based on all civil case types termed during a reporting period.

³² The median time to disposition for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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).

31, 2010, there are five consolidations that make up the 915 MDL transfer cases pending in the court. The five consolidations present in the Eastern District of Missouri are the following:

- 1) **MINSHEW ET AL V. EXPRESS SCRIPTS, INC.**
- 2) **IN RE: GENETICALLY MODIFIED RICE LITIGATION**
- 3) **IN RE: CELEXA AND LEXAPRO PRODUCTS LIABILITY LITIGATION**
- 4) **IN RE: NUVARING PRODUCTS LIABILITY LITIGATION**
- 5) **IN RE: AURORA DAIRY CORPORATION ORGANIC MILK MARKETING AND SALES PRACTICES LITIGATION**

Minshew et al v. Express Scripts, Inc. (4:05-md-01672) involves Employee Retirement Income Security Act (ERISA) cases. This MDL had 1 new filing in 2010. At the close of 2010, there are 21 MDL transfer cases pending in this consolidation. *In Re: Genetically Modified Rice Litigation* (4:06-md-01811) involves property damage/product liability cases. This case had 38 new filings in 2010. At year end, there were 304 MDL transfer cases pending in this consolidation. *In Re: Celexa and Lexapro Products Liability Litigation* (4:06-md-01736) and *In Re: Nuvaring Products Liability Litigation* (4:08-md-01964) are both personal injury/product liability cases. *In Re: Celexa and Lexapro Products Liability Litigation* (4:06-md-01736) had 2 new filings in 2010. At year end, there were 28 MDL transfer cases pending in this consolidation. *In Re: Nuvaring Products Liability Litigation* (4:08-md-01964) had 329 new filings in 2010. In this consolidation, 542 MDL transfer cases were pending at year end. *In Re: Aurora Dairy Corporation Organic Milk Marketing and Sales Practice Litigation* reopened in October of 2010. This is also a personal injury/product liability case. There were 20 new filings in 2010. At year end, there were 20 MDL transfer cases pending in this consolidation.

CIVIL CASE FILINGS BY TYPE

Refer to *Appendices D & E* (pgs. 65-66) for a detailed analysis of Civil Case Filings by Type in 2010

There were several noteworthy trends in civil case filings by type when comparing 2009 and 2010 both locally and nationally. *Contract cases* increased 27.9 percent from 2009 to 2010 (262 v. 335), in comparison to the national level, which observed a decrease of 12.7 percent³³. The decrease in contract actions at the

national level can be partially attributed to a 61.6 percent³⁴ decrease in marine contract actions and a 15.9 percent³⁵ decrease in insurance contract actions in the twelve month reporting period ended September 30, 2010. Among tort actions, *personal injury case filings* experienced an increase of 51.1 percent (376 v. 568), while *personal property case filings* decreased 18.3 percent from 2009 to 2010 (104 v. 85). Overall, *tort case filings* in the court increased 36.0 percent from 2009 to 2010 (480 v. 653). At the national level, tort case filings increased 6.4 percent³⁶. Although this remains an increase, it should be noted that in the twelve month reporting period ended June 30, 2010, tort case filings posted a 40.9 percent³⁷ increase nationally based largely on a 77.9 percent³⁸ increase in asbestos filings. The comparatively modest increase during this reporting period can be attributed to a 1.6 percent³⁹ decrease in asbestos filings.

Civil rights cases increased 7.7 percent from 2009 to 2010 (285 v. 307), while there was a 3.3 percent⁴⁰ increase in civil rights filings at the national level. *Prisoner petitions*, including among others *general* (§2254) and *civil rights cases*, observed changes to their filing trends. General cases (§2254), which posted

Courts (*Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District*).

³⁴ Marine contract actions for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2006 through 2010 reported by the Administrative Office of the U.S. Courts (*Table C-2A – U.S. District Courts: Civil Cases Commenced, by Nature of Suit*).

³⁵ Insurance contract actions for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2006 through 2010 reported by the Administrative Office of the U.S. Courts (*Table C-2A – U.S. District Court: Civil Cases Commenced, by Nature of Suit*).

³⁶ Tort case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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*).

³⁷ Tort case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended June 30, 2009 and 2010 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*).

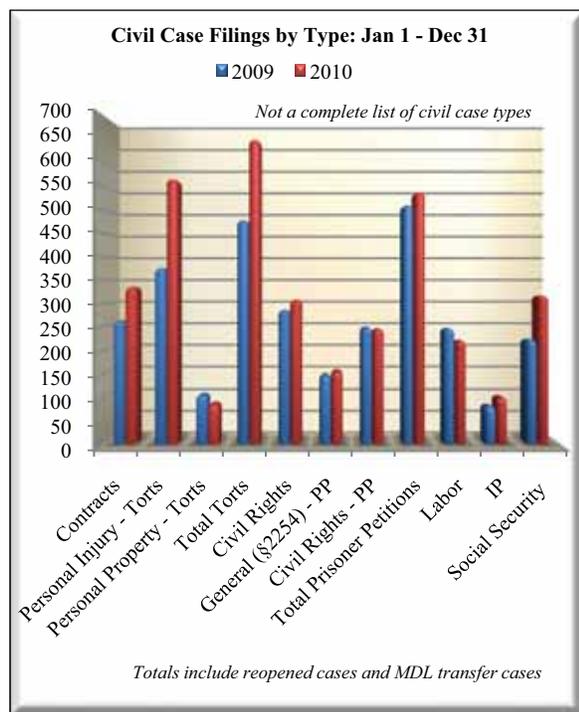
³⁸ Asbestos case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended June 30, 2006 through 2010 reported by the Administrative Office of the U.S. Courts (*Table C-2A – U.S. District Courts: Civil Cases Commenced, by Nature of Suit*).

³⁹ Asbestos case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2006 through 2010 reported by the Administrative Office of the U.S. Courts (*Table C-2A – U.S. District Courts: Civil Cases Commenced by Nature of Suit*).

⁴⁰ Civil rights case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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*).

³³ Contract case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S.

decreases in filings in the Second (-16.0%) and Third Quarter (-1.8%) 2010 Caseload Reports, observed a 5.5 percent increase in filings to close 2010 (146 v. 154). Prisoner civil rights cases decreased 1.6 percent from 2009 to 2010 (248 v. 244). Nationally, prisoner civil rights cases decreased 2.3 percent⁴¹. Overall, prisoner petitions (PP) increased 5.5 percent from 2009 to 2010 (512 v. 540). However, at the national level, prisoner petition cases decreased 0.8 percent⁴².



Labor case filings decreased 10.6 percent from 2009 to 2010 (245 v. 219). At the national level, labor filings increased 5.1 percent⁴³. Intellectual property rights cases (IP) increased 23.8 percent (80 v. 99), compared to a 6.8 percent⁴⁴ increase at the national level. Social

⁴¹ Civil rights prisoner petition case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2006 and 2010 reported by the Administrative Office of the U.S. Courts (Table C-2A – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District).

⁴² Prisoner petition case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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).

⁴³ Labor case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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).

⁴⁴ Intellectual property rights case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the

security filings increased 43.0 percent from 2009 to 2010 (221 v. 316). In comparison, social security filings increased 2.9 percent⁴⁵ at the national level. Other Statute filings increased 24.7 percent (231 v. 288), comparatively, these type of filings increased nationally 7.6 percent⁴⁶. Included within the other statute case type are actions such as “Antitrust”, “Banks and Banking”, and “Consumer Credit”. Locally, there was a 35.8 percent (123 v. 167) increase in the number of consumer credit filings. Nationally, consumer credit filings increased 30.8 percent⁴⁷ in 2010. In the two previous years, nationally consumer credit case filings increased 52.5 percent in 2009 and 31.6 percent in 2008.

CRIMINAL CASELOAD

Refer to Appendices A-C (pgs. 62-64) for a detailed analysis of the Criminal Caseload in 2010

Felony criminal filings in the Eastern District of Missouri decreased 21.8 percent from 2009 to 2010 (831 v. 650). However, at the national level, felony criminal filings increased 1.2 percent⁴⁸. In St. Louis, felony criminal filings decreased 19.0 percent (705 v. 571). Felony criminal filings in Cape Girardeau decreased 37.3 percent (126 v. 79). In contrast, misdemeanor criminal filings as a whole increased 34.2 percent from 2009 to 2010 (76 v. 102). In comparison, misdemeanor criminal filings increased 4.9 percent⁴⁹ at the national level in 2010. Misdemeanor criminal filings in Cape Girardeau increased 10.9 percent (46 v. 51). In St. Louis, misdemeanor criminal filings increased 70.0 percent (30 v. 51).

Administrative Office of the U.S. Courts (Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District).

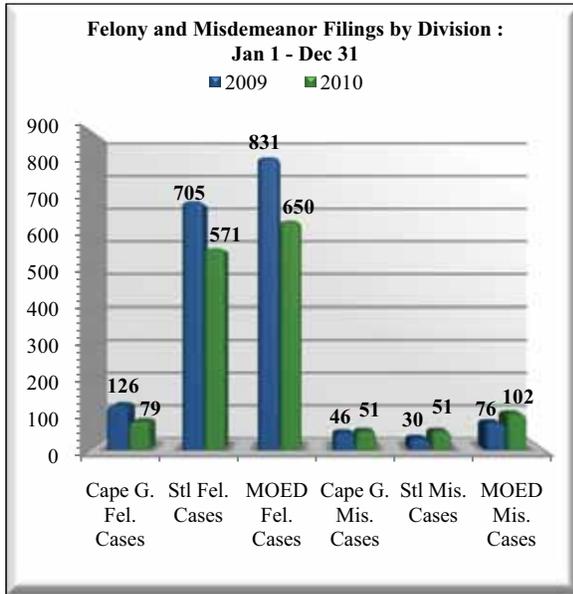
⁴⁵ Social security case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (Table C-3 – U.S. District Courts: Civil Cases Commenced, by Nature of Suit and District).

⁴⁶ Other Statute case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 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).

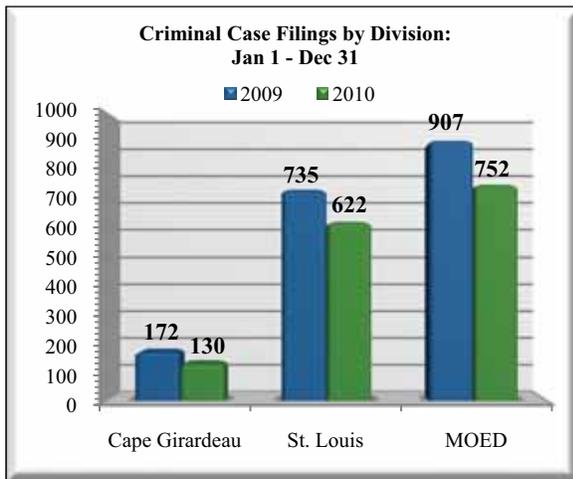
⁴⁷ Consumer credit case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2006 through 2010 reported by the Administrative Office of the U.S. Courts (Table C-2A – U.S. District Courts: Civil Cases Commenced, by Nature of Suit).

⁴⁸ Felony criminal filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (Table D-1 – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending).

⁴⁹ Misdemeanor criminal filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (Table D-1 – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending).



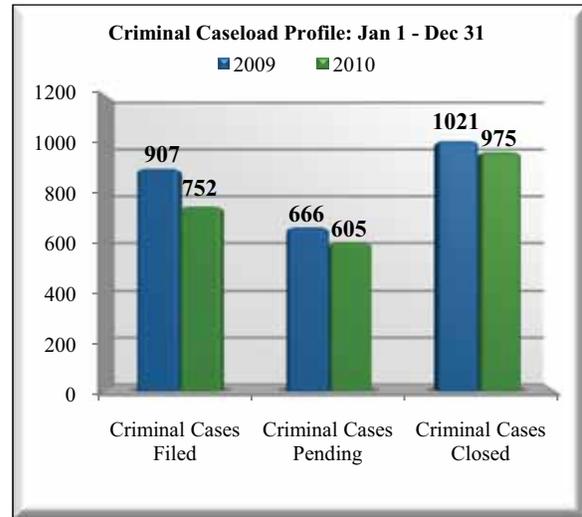
New criminal filings overall (including felony and misdemeanor criminal cases) in the Eastern District of Missouri decreased 17.1 percent from 2009 to 2010 (907 v. 752), while the national trend observed an increase in filings (including felony and misdemeanor criminal cases) of 2.3 percent⁵⁰. New criminal filings in 2010 (excluding probation/supervised release transfers) were filed at an average rate of 63 per month compared to 76 per month in 2009.



New criminal filings in St. Louis decreased 15.4 percent from 2009 to 2010 (735 v. 622). In Cape Girardeau, new criminal filings decreased 24.4 percent

⁵⁰ Criminal case filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 replaced by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

(172 v. 130). The new criminal caseload in 2010 comprised 21.0 percent of the overall workload (excluding miscellaneous cases) of the court, which is a less significant element than it represented in 2009 (27.3%).



The average termination rate for criminal cases in 2010 was 81 cases per month (975 criminal cases closed) compared to 85 terminations per month (1021 criminal cases closed) in 2009. As a whole, criminal case terminations decreased 4.5 percent (1021 v. 975); in comparison to the national level where criminal case terminations increased 4.0 percent⁵¹. The pending criminal caseload of the court decreased 9.2 percent (666 v. 605). At the national level, there was a marginal increase of 0.5 percent⁵² in pending criminal cases. The average age⁵³ of the pending criminal caseload in the Eastern District of Missouri as of December 31, 2010 was 9.8 months compared to 8.5 months on December 31, 2009.

The mean time to disposition⁵⁴ for all criminal cases termed in 2010 was 8.1 months, compared to the 7.7

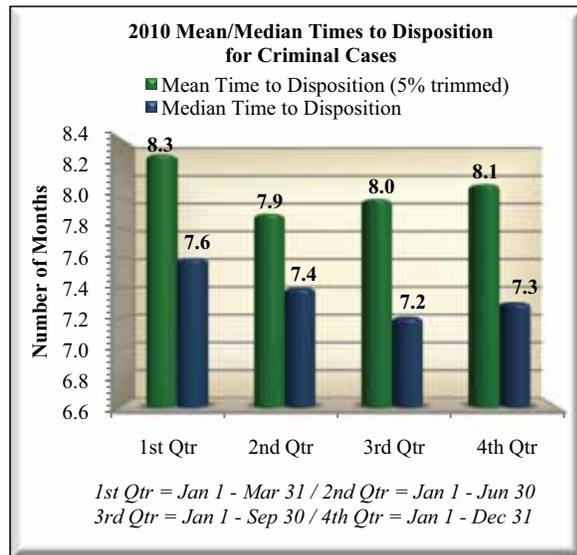
⁵¹ Criminal case terminations for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

⁵² Pending criminal cases for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

⁵³ The average age of the pending criminal caseload is calculated by adding the number of days since filing for eligible cases and dividing it by the number of pending criminal cases. The count excludes the following from the calculation: reopened cases; cases pending less than 60 days; and cases in unassigned.

⁵⁴ The mean time to disposition reported is 5 percent trimmed, which means that the lowest and highest 2.5 percent of disposition

months reported as the mean time to disposition in 2009. This represents an increase of 5.2 percent from 2009 to 2010 (7.7 v. 8.1). The median time to disposition⁵⁵ for criminal cases in 2010 was 7.3 months, which was higher than the 7.0 months reported as the median time to disposition during 2009. These numbers reflect a 4.3 percent increase in the median time to disposition from 2009 to 2010 (7.0 v. 7.3).



At the national level, the median time to disposition for criminal cases for the twelve months ended September 30, 2010 was 6.9 months⁵⁶, which represented a 2.8 percent decrease from the previous reporting period (7.1 v. 6.9).

CRIMINAL DEFENDANT CASELOAD

Refer to *Appendices A-C* (pgs. 62-64) for a detailed analysis of the Criminal Defendant Caseload in 2010

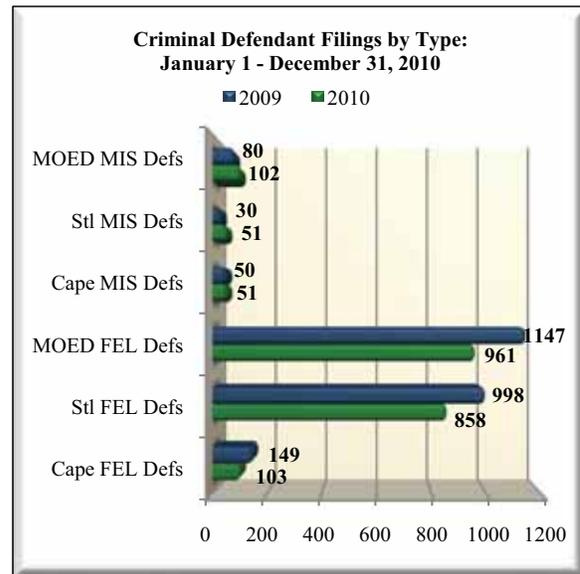
In St. Louis, there were 909 criminal case defendant filings, which is an 11.6 percent decrease from 2009 to 2010 (1028 v. 909). Of those 909 total criminal case defendant filings in St. Louis, there was a 14.0 percent decrease in felony criminal defendant filings (998 v. 858). However, the number of misdemeanor defendant filings in St. Louis increased 70.0 percent (30 v. 51). In

times are excluded from the calculation of the mean. The trimming of the mean reduces the effect of extreme values on the calculated mean.

⁵⁵ The median time to disposition 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 to disposition from filing to disposition for criminal cases is based on all felony cases. The median time to disposition for the Eastern District of Missouri is based on all criminal cases termed during a reporting period.

⁵⁶ *U.S. District Court – Judicial Caseload Profile*. The national median time to disposition is based on felony criminal filings. Data from misdemeanor filings is excluded from the statistic. Retrieved February 28, 2011, from: <http://jnet.ao.dcn/cgi-bin/cmsdSep2010.pl>.

Cape Girardeau, there were 154 criminal case defendant filings in 2010 compared to 199 defendant filings in 2009, which represents a 22.6 percent decrease (199 v. 154). The number of felony defendant filings in Cape Girardeau decreased 30.9 percent in 2010 (149 v. 103). Misdemeanor defendant filings increased marginally at 2.0 percent from 2009 to 2010 (50 v. 51).

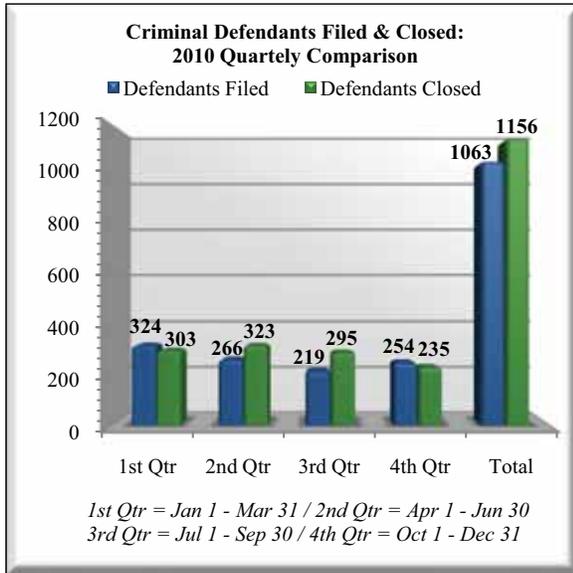


In total, felony defendant filings in the Eastern District of Missouri decreased 16.2 percent from 2009 to 2010 (1147 v. 961). In contrast, at the national level, felony defendant filings increased 1.6 percent⁵⁷. On the whole, there were 1063 criminal defendant filings in 2010, which represents a 13.4 percent decrease in defendant filings from 2009 to 2010 (1227 v. 1063). Nationally, criminal defendant filings have increased 2.4 percent⁵⁸ during 2010. Taken as a whole, misdemeanor defendant filings increased 27.5 percent from 2009 to 2010 (80 v. 102). Comparatively, misdemeanor defendant filings increased 5.3 percent⁵⁹ nationally in 2010.

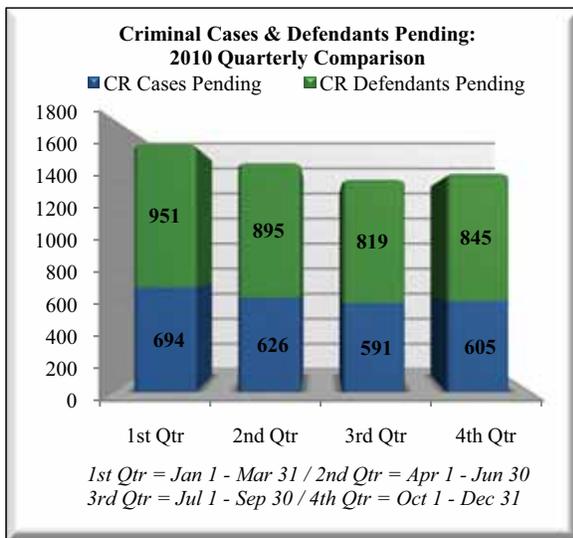
⁵⁷ Felony criminal defendant filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D-1 – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

⁵⁸ Criminal defendant filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D-1 – U.S. District Courts: Criminal Cases Commenced, Terminated, and Pending*).

⁵⁹ Misdemeanor criminal defendant filings for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D – Criminal Defendants Commenced, Terminated, and Pending*).



The average termination rate for criminal defendants in 2010 was 96 per month (1156 criminal defendant terminations) compared to 99 per month (1192 criminal defendant terminations) in 2009. Overall, the number of criminal defendants terminated decreased 3.0 percent from 2009 to 2010 (1192 v. 1156), while the national trend observed an increase of 3.2 percent⁶⁰ in criminal defendant terminations.



The number of criminal defendants pending decreased 9.4 percent from 2009 to 2010 (933 v. 845). In

⁶⁰ Criminal defendant terminations for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D – Criminal Defendants Commenced, Terminated, and Pending*).

comparison, the national level observed an increase of 1.6 percent⁶¹ in pending criminal defendants.

TRIAL STARTS

Refer to *Appendix F* (pg. 67) for a detailed analysis of Trial Starts in 2010

Trial starts overall (including jury and bench trials) in the Eastern District of Missouri increased 10.8 percent from 2009 to 2010 (74 v. 82). Of the 82 trial starts in 2010, there were 67 in St. Louis, 12 in Cape Girardeau, and 3 in Hannibal. At the national level, trial starts (including jury and bench trials) decreased 1.7 percent⁶². The number of civil trial starts (including jury and bench trials) was unchanged from 2009 to 2010 (50 v. 50). Nationally, civil trial starts increased 0.5 percent⁶³. By civil trial type, jury trial starts increased 7.9 percent (38 v. 41) and bench trial starts decreased 25.0 percent (12 v. 9) from 2009 to 2010. At the national level, civil jury trial starts increased marginally at 0.7 percent⁶⁴ and the number of civil non-jury trial starts⁶⁵ remained the same.

The number of criminal trial starts (including jury and bench trials) increased 33.3 percent from 2009 to 2010 (24 v. 32). In comparison to the national level, criminal trial starts (including jury and bench trials) decreased 3.8 percent⁶⁶. By criminal trial type, the number of jury trial starts increased 36.4 percent (22 v. 30) and the number of criminal bench trial starts did not change (2 v. 2). At the national level, criminal jury trial starts

⁶¹ Criminal defendants pending for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table D – Criminal Defendants Commenced, Terminated, and Pending*).

⁶² Civil and criminal trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

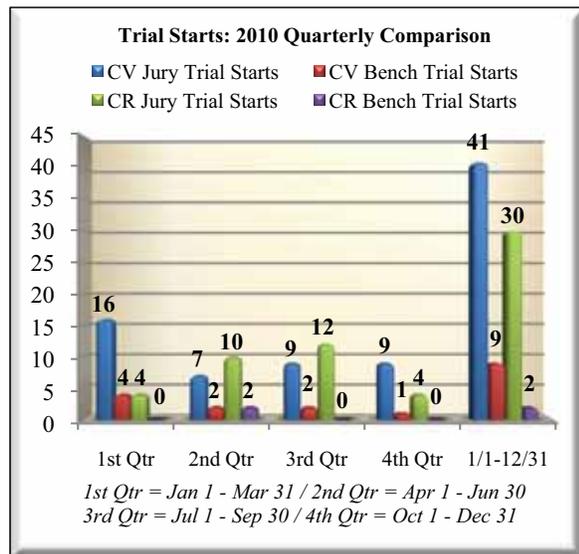
⁶³ Civil trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

⁶⁴ Civil jury trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

⁶⁵ Civil non-jury trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

⁶⁶ Criminal trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

decreased 4.1 percent⁶⁷ and criminal non-jury trial starts decreased 1.0 percent⁶⁸.



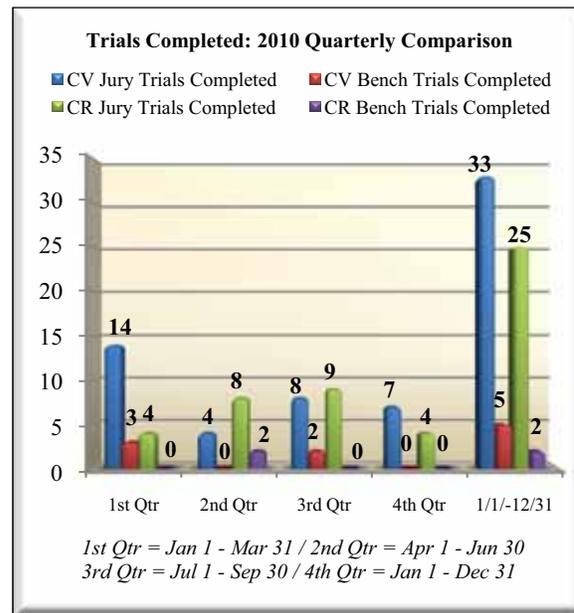
The average time to disposition for all cases (including jury and bench trials) that had a trial start and terminated in 2010 was 23.3 months, compared to 22.3 months in 2009. The average time to disposition for all civil cases (including jury and bench trials) that had a trial start and terminated in 2010 was 30.1 months, compared to 23.9 months in 2009. The average time to disposition for all criminal cases (including jury and bench trials) that had a trial start and terminated in 2010 was 11.6 months, compared to 14.6 months in 2009.

TRIALS COMPLETED

Refer to *Appendix F* (pg. 67) for a detailed analysis of Trials Completed in 2010

Trials completed is a statistic that examines the number of cases that complete the trial process during a specific reporting period. There are a number of reasons a jury or bench trial may not be completed, such as a mistrial or a case settlement. In 2010, there were 82 total trial starts (including jury and bench trials). Of those 82 trial starts, 65 completed the trial process. There were 50 civil trial starts (including jury and bench trials) and 38 completed the trial process. There were 32 criminal trial starts (including jury and

bench trials) and 27 completed the trial process. At the close of 2010, trials had a completion percentage of approximately 79.3 percent. Of the seventeen cases that did not complete the trial process, there were four settlements, four directed verdicts, four mistrials, three bench trial judgments pending, one plea agreement, and one change of plea.



The average length of a completed trial in 2010 (including civil and criminal trials) was 3.8 days, compared to 3.9 days in 2009. This average included an extended trial of an action connected to a MDL consolidation. The average length of a completed civil trial (including jury and bench trials) was 4.7 days, compared to 3.5 days in 2009. The average length of a completed civil jury trial was 5.1 days, compared to 3.8 days in 2009. The average length of a completed bench trial was 2.5 days, compared to 2.7 days in 2009. The average length of a completed criminal trial (including jury and bench trials) was 2.7 days, compared to 4.7 days in 2009. The average length of a completed criminal jury trial was 2.8 days, compared to 3.1 days in 2009. The average length of a completed bench trial was 1.0 day, compared to 20.0 days⁶⁹ in 2009.

The median time interval from filing to trial of civil cases (including jury and bench trials) in which a trial was completed in the Eastern District of Missouri was 25.3 months, compared to 21.8 months in 2009. In comparison, the national level had a median time

⁶⁷ Criminal jury trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

⁶⁸ Criminal non-jury trial starts for the U.S. District Courts are based on national caseload data for the twelve month periods ended September 30, 2009 and 2010 reported by the Administrative Office of the U.S. Courts (*Table T-1 – U.S. District Courts: Civil and Criminal Trials, by District*).

⁶⁹ Two criminal bench trials were completed in 2009. One of these trials had a trial length of 38 days.

interval from filing to trial of 24.3 months⁷⁰, which represented a 4.0 percent decrease from 2009. The median time interval from filing to trial of completed civil bench trials in which a trial was completed was 18.1 months, compared to 17.0 months in 2009. Nationally, the median time interval from filing to trial of completed civil bench trials was 21.4 months⁷¹, which represented a 4.9 percent decrease from 2009. The median time interval from filing to trial of completed civil jury trials was 26.0 months, compared to 22.8 months in 2009. At the national level, the median time interval from filing to trial of completed civil jury trials was 25.6 months⁷², which represented a 2.7 percent decrease from 2009.

§4 – CLERK'S OFFICE REPORTS

FEDERAL COURT LEADERSHIP PROGRAM CANDIDATES

The Federal Judicial Center's (FJC) Federal Court Leadership Program (FCLP) is a two-year program designed to enhance problem-solving, leadership, and communication skills through online computer instruction, face-to-face workshops, and self-directed projects. The FCLP is open to current employees of the Federal Judiciary who have an interest in preparing for managerial positions in the courts. In March 2010, Tim Christopher, Kelley Shirley, Kari Hisaw, and Nicole Rode were admitted to the new class of candidates from the Clerk's Office. This group of candidates will complete the program requirements in the summer of 2012. The FJC received more applications for this year's class than for any previous class.

The FCLP is organized into four phases. The first phase requires individuals to develop a project that

⁷⁰ Time intervals from filing to trial of civil cases in which a trial was completed by district during the twelve month period ended September 30, 2010 reported by the Administrative Office of the U.S. Courts (*Table C-10 – Time intervals from filing to trial of civil cases in which a trial was completed, by district during the twelve month period ended September 30, 2010*).

⁷¹ Time intervals from filing to trial of civil cases in which a trial was completed by district during the twelve month period ended September 30, 2010 reported by the Administrative Office of the U.S. Courts (*Table C-10 – Time intervals from filing to trial of civil cases in which a trial was completed, by district during the twelve month period ended September 30, 2010*).

⁷² Time intervals from filing to trial of civil cases in which a trial was completed by district during the twelve month period ended September 30, 2010 reported by the Administrative Office of the U.S. Courts (*Table C-10 – Time intervals from filing to trial of civil cases in which a trial was completed, by district during the twelve month period ended September 30, 2010*).

analyzes a recurring operational or administrative problem in the court. Individuals must also provide possible solutions to the problem. After the projects are completed, candidates enter phase two, which begins with a leadership seminar at which court unit executives discuss the current and future state of the Federal Judiciary. It is also during phase two that participants begin writing their action plans, which are designed to enhance the leadership skills of participants in their current roles. In phase three, participants choose between a temporary duty assignment and independent research. If a temporary duty assignment is chosen by a candidate, participants are exposed to new management techniques and operations in a workplace other than the participant's home court. The final phase requires participants to attend a capstone seminar focusing on the leader's role as a change agent within the court.



From Left to Right: Kari Hisaw, Tim Christopher, Kelley Shirley, Nicole Rode

DEPARTMENT AND UNIT REPORTS

MANAGEMENT RETREAT AND GOAL-SETTING EXERCISE

At the close of each year, the Clerk's Office Management Team meets at an offsite location to both review its performance in the year just ended and identify goals for the coming year. While setting the goals for the following year, the management team consults the Trial Court Performance Standards (TCPS) established by the National Center for State Courts (NCSC)⁷³. The TCPS are divided into five performance areas: (1) Access to Justice; (2) Expedition and Timeliness; (3) Equality, Fairness, and Integrity; (4) Independence and Accountability; and (5) Public Trust and Confidence. Within each performance area, standards are outlined and associated measures are

⁷³ National Center for State Courts. "Trial Court Performance Standards & Measurement System." Available from http://www.ncsconline.org/D_Research/tcps/index.html. Internet. Accessed 1 March 2010.

provided to facilitate self-evaluation. The TCPS provide a framework for assessment based on clear objectives that are hallmarks of exceptional court performance.

Table 8 (Refer to pg. 45) provides an overview of the goal-setting exercise for 2011 at the management retreat in 2010. The performance standard or standards associated with each goal links activities with essential court objectives.

The long-term goals and the associated performance standards for 2010 were agreed upon by the management team at the 2009 fall annual retreat. The following were the long-term goals identified for 2010:

- 1) **CASE MANAGEMENT SUPPORT / CORE COMPETENCIES;**
- 2) **LAUNCHING IT USERS ADVISORY COMMITTEE;**
- 3) **STRATEGIC PLANNING;**
- 4) **OVERHAUL OF THE DISTRICT COURT'S WEBSITE;**
- 5) **REVAMPING JURY ORIENTATION;**
- 6) **MAXIMIZING THE JUDICIAL LEARNING CENTER;**
- 7) **FEDERAL PRACTICE FUNDAMENTALS SEMINAR FOR PARALEGALS AND LEGAL SECRETARIES;**
- 8) **E-PERFORMANCE.**

The following long-term goals were fully realized in 2010: First, in order to support case management, U.S. Probation and Pretrial Services Offices were given access to CM/ECF as e-filers in 2010. As e-filers, officers from Probation and Pretrial have the ability to electronically file documents such as presentence reports, petitions for warrants, and violation reports. Expanded access to CM/ECF allows for faster communication, improved efficiency, and enhanced security. In further support of case management, a set of core competencies were developed by case managers in the Clerk's Office in order to serve as a basis for developing performance expectations, understanding of organizational values, and the recruitment and training of new employees with the capacity for exceptional performance. More specifically, core competencies are defined as the skills, knowledge, and abilities that the best employees are expected to have in order to contribute successfully to the mission of an organization. These competencies are an integrated constellation of skills rather than a single discrete skill. Listed below are the core competencies accompanied by a brief description developed for case managers in the Clerk's Office:

- 1) **INITIATIVE**
Identification of flawed processes and takes appropriate action before the situation requires it.

- 2) **PERSONAL CREDIBILITY**
Accountable for personal mistakes. Responsible, reliable, and trustworthy.
- 3) **SERVICE-ORIENTED**
Understands the public's reliance on the court to perform its work competently and timely. Treats members of the public, litigants, attorneys and judges with respect.
- 4) **RESULTS DRIVEN**
Develops challenging personal and workplace goals, focusing on the desired result of the work.
- 5) **COMMUNICATION SENSITIVE**
Communicates ideas clearly as circumstances require. Avoids surprises by open communication. Interactions with others are always calm and professional. Individual correctly interprets the communications received from others.
- 6) **SOLUTION-SEEKING**
Individual thinks anticipatorily, analytically, conceptually, strategically and diagnostically. Individual is able to create, gather, analyze, organize and disseminate information needed to clarify a situation, policy or procedure or solve a problem.
- 7) **MISSION/VISION AWARENESS**
Accurately grasps and concisely communicates the Court's mission to co-workers and "customers". Focuses effort toward workplace goals that are relevant to the mission.
- 8) **SELF-MANAGEMENT**
Confidence in one's own abilities and judgment to set and accomplish goals. Individual possesses the ability to function effectively under pressure. Maintains self-control.
- 9) **DECISIVENESS**
Making difficult and not so difficult decisions in a timely, thorough and equitable manner. Taking the lead, when appropriate, to facilitate change or overcome an impasse.
- 10) **BUILDING COLLABORATIVE RELATIONSHIPS**
The ability to foster teamwork and maintain partnerships with others inside or outside the immediate work unit who can provide information, assistance or support. Individual respects institutional boundaries.
- 11) **PROPRIETY**
Observes and assesses a situation to determine the best action. Conforms behavior to the norms of the workplace and exhibits sensitivity to the circumstances of those who may be exposed to compromising conditions.
- 12) **SELF-AWARENESS**
Demonstrates a personal commitment to continuous improvement and change. Clarity of vision and purpose. Ability to be introspective.

TABLE 8 – OVERVIEW OF GOALS AND PERFORMANCE STANDARDS FOR 2011

LONG-TERM GOALS FROM 2010	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>
CORE COMPETENCIES	<p>STANDARD 2.1 – CASE PROCESSING The trial court establishes and complies with recognized time lines 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 4.3 – PERSONNEL PRACTICES AND DECISIONS The trial court uses fair employment practices.</p>
OVERHAUL OF THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI WEBSITE	<p>STANDARD 1.3 – EFFECTIVE PARTICIPATION The trial court gives all who appear before it the opportunity to participate effectively, without undue hardship or inconvenience.</p> <p>STANDARD 4.4 – PUBLIC EDUCATION The trial court informs the community about its programs.</p> <p>STANDARD 4.5 – RESPONSE TO CHANGE</p>
REVAMPING JURY ORIENTATION	STANDARD 4.4 – PUBLIC EDUCATION
FEDERAL PRACTICE FUNDAMENTALS: PARALEGALS & LEGAL SECRETARIES	<p>STANDARD 4.4 – PUBLIC EDUCATION</p> <p>STANDARD 4.5 – RESPONSE TO CHANGE</p>
LONG-TERM GOALS FOR 2011	COURT PERFORMANCE STANDARD
E-PRO SE – V2	<p>STANDARD 1.3 – EFFECTIVE PARTICIPATION</p> <p>STANDARD 1.5 – AFFORDABLE COSTS OF ACCESS The costs of access to trial court proceedings and records – whether measured in terms of money, time or the procedures that must be followed – are reasonable, fair, and affordable.</p> <p>STANDARD 4.4 – PUBLIC EDUCATION</p>
SUCCESSION PLANNING	STANDARD 4.5 – RESPONSE TO CHANGE
MDL: DEVELOPING PROCEDURES AND INTERNAL RESOURCE ALLOCATION	<p>STANDARD 2.1 – CASE PROCESSING</p> <p>STANDARD 3.6 – PRODUCTION AND PRESERVATION OF RECORDS</p> <p>STANDARD 5.1 – ACCESSIBILITY</p>
SOCIAL NETWORKING POLICY/ WEB 2.0 / OUTREACH AND INTERNAL COURT USES	<p>STANDARD 1.3 – EFFECTIVE PARTICIPATION</p> <p>STANDARD 4.4 – PUBLIC EDUCATION</p>
JUDICIARY INVENTORY CONTROL SYSTEM (JICS): REVIEW AND IMPLEMENTATION	<p>STANDARD 4.2 – ACCOUNTABILITY FOR PUBLIC RESOURCES The trial court responsibly seeks, uses, and accounts for its public resources.</p>
WORDPERFECT TO WORD	<p>STANDARD 1.3 – EFFECTIVE PARTICIPATION</p> <p>STANDARD 4.5 – RESPONSE TO CHANGE</p>
CASE ASSIGNMENT: HOW TO MAINTAIN A EQUAL DISTRIBUTION	<p>STANDARD 5.3 – JUDICIAL INDEPENDENCE AND ACCOUNTABILITY The public perceives the trial court as independent, not unduly influenced by other components of government and accountable.</p>
COMMUNITY OUTREACH	<p>STANDARD 4.4 – PUBLIC EDUCATION</p> <p>STANDARD 4.5 – RESPONSE TO CHANGE</p>

- The Trial Court Performance Standards (TCPS) listed above were established by the National Center for State Courts (NCSC).
- The description of each performance standard is provided only once when it is first mentioned.

Secondly, an Information Technology (IT) Users Advisory Committee was formed to maximize the use of information technology and courtroom automation in the District Court. The committee is a cross-section of users from Chambers staff, the Clerk's Office, Court Reporters, Probation, and Pretrial Services. This committee acts to facilitate communications and to provide a forum for discussion of IT requirements, priorities, and related issues.

Thirdly, a strategic planning session among district and magistrate judges of the Eastern District of Missouri was held in 2010. With a new frontier facing the federal judiciary, the judges met to consider these new challenges, to identify opportunities for improvement, and to develop a strategic outline for the future. Fourthly, the District Court was also able to successfully inform the public about the Judicial Learning Center (JLC) in the Thomas F. Eagleton Courthouse. Through the series of Teacher Days as well as other courthouse events, the JLC was utilized by a diverse set of visitors from students to senior citizens who all gained a better understanding of the courts' history and function. In order to further assist in this effort, the court hired a public education administrator to oversee and promote community outreach.

Although not all long-term goals were achieved in 2010, a number of them made substantial progress in the calendar year and should be ready to go in 2011. Projects such as the overhaul of the district court's website or the organization of a Federal Practice Fundamentals Seminar designed for paralegals and legal secretaries.

OPERATIONS DEPARTMENT

In a major departure from prior department practices, access to Case Management/Electronic Case Filing (CM/ECF) was expanded to include U.S. Probation and Pretrial Services. As agencies of the District Court, Probation and Pretrial users gained access to CM/ECF as e-filers in the latter half of 2010. As e-filers, officers from Probation and Pretrial now have the ability to process documents created by their own respective offices. Before this transition, case managers in the Clerk's Office were responsible for processing such documents created in paper by Probation and Pretrial personnel. Expanded access is not only more efficient, but it also reduces the use of paper. Before the expansion of e-filing, case managers were required to forward a hard copy of the document to Chambers' staff. The use of e-filing reduces the use of paper as well as provides enhanced security with the elimination of loose papers.

Data quality is a high priority; therefore 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, timeliness, and conformity. This is just one aspect of the case managers' responsibilities. Court is covered by each case 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 judge 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 2010 are listed below:

NEW CASES OPENED

- 2,746 CIVIL CASES
- 752 CRIMINAL CASES
- 826 MISCELLANEOUS CASES

ORDERS PROCESSED

- 20,672 CIVIL ORDERS
- 20,834 CRIMINAL ORDERS

ELECTRONIC FILING TRANSACTIONS

- 55,121 ATTORNEY TRANSACTIONS
- 126,832 COURT PERSONNEL TRANSACTIONS

TRIAL STARTS COVERED BY STAFF

- 50 CIVIL TRIAL STARTS –
41 JURY TRIALS AND 9 BENCH TRIALS
- 32 CRIMINAL TRIAL STARTS –
30 JURY TRIALS AND 2 BENCH TRIALS

CRIMINAL CASE PROCESS

- GUILTY PLEAS – 918 DEFENDANTS
- SENTENCINGS – 1,045 DEFENDANTS
- JUDGMENTS – 1,345 DEFENDANTS

TRANSCRIPTS FILED

- 712 TRANSCRIPTS FILED BY COURT REPORTERS

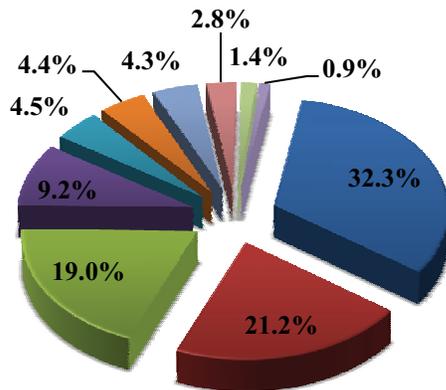
MDL TRANSFER CASE MANAGEMENT

- 1) MINSHEW ET AL V. EXPRESS SCRIPTS, INC.
- 2) IN RE: GENETICALLY MODIFIED RICE LITIGATION
- 3) IN RE: CELEXA AND LEXAPRO PRODUCTS LIABILITY LITIGATION
- 4) IN RE: NUVARING PRODUCTS LIABILITY LITIGATION
- 5) IN RE: AURORA DAIRY CORPORATION ORGANIC MILK MARKETING AND SALES PRACTICES LITIGATION

ADMINISTRATIVE SERVICES DEPARTMENT

The Administrative Services Department handled many process improvement projects during 2010. System upgrades were installed, server consolidation projects were completed, and new processes were implemented with the Treasury. The focus for the 2010 calendar year was facilities upgrades and maintenance projects for the Eastern District of Missouri.

**Table 9: Eastern District of Missouri
FY-10 - Appropriated Fund Expenditures**



- Courtroom Technology
- IT Hardware & Software
- Maintenance, Repairs, & Tenant Alterations
- Training & Travel
- Office Supplies
- Phone Services & Maintenance
- Furniture & Equipment
- Postage & Parcel
- OT Utilities
- Printing

Note: The graphic above represents non-personnel expenditures from FY-10 Appropriated Funds

FINANCE – In 2010, the district court participated in an AO project to upgrade the Criminal Justice Act (CJA) Panel Attorney Payment System. As a Wave One Court member, the Eastern District of Missouri assisted in strategy development, such as training needs assessment, security issues, and user documentation. The district court’s function as a Wave One Court team participant encompassed vendor data cleanup and conversion, system performance load testing and evaluation, implementation preparedness, and the eventual successful installation and application of the CJA 6.1.5 web-based product upgrade.

In October 2010, the district court’s CJA Specialists participated in the National CJA Voucher Policy Training session in Chicago, Illinois. The training seminar provided a valuable opportunity for CJA knowledgeable court staff to review CJA procedures, processes, and policies. On return to their districts, court personnel were able to provide training for groups of panel attorneys and court staff that process, review, and approve vouchers. The training program’s purpose was to promulgate the information contained in Volume 7 of the *Guide to Judiciary Policy*.

The Auto CJA 20 voucher usage by CJA Attorneys continued to increase from 44 percent in 2009 to 54 percent usage in 2010, a 10 percent increase. Even more significant was the difference in the error rate between the automated CJA 20 voucher and the manual CJA 20 voucher of 6 percent and 24 percent respectively. The use of the automated voucher helps speed the processing time by the court by making the review more efficient and reducing the need for voucher revisions, resulting quicker payments to the attorney.

The court continues to redefine and upgrade the CJA Benchmarks project for the future not only as a training tool, but also to enhance the timeliness and efficiency for all involved in the CJA process. The additional attorneys added to the Lead and Training CJA are likely to benefit from such guidance.

The finance department also developed a *Case Related Financial Issues* brochure geared towards probation officers and a *Financial Issues for Criminal Cases* brochure geared towards offenders. The goal of these brochures was to provide detailed information on how criminal financial matters are handled in the district court from the perspective of a probation officer or offender. The brochure is concise, but a detailed source to answer most questions from parties outside of the district court. These documents have been passed to other district courts and probation officers. The brochures have received rave reviews from all users. In the coming year, the first revision will be issued to update and include a few more pieces of requested information within these brochures.

District Court finance also implemented a new Treasury initiative called Paper Check Conversion - Over the Counter (PCC-OTC). The Administrative Office (AO) asked the district court to join this early implementation project with the Treasury and the Eastern District of Missouri readily joined. As a result of this successful implementation, checks and money orders received at the front counter of the clerk’s office or by mail are scanned and deposited electronically

with the Federal Reserve. This new process has resulted in faster collection of funds with less manual procedures performed and monitored. This was also implemented in the Southeastern Division office in Cape Girardeau and has greatly increased the efficiency in depositing funds received and virtually eliminated the manual procedures to transfer funds from the Southeastern Division to the Eastern Division.

The financial department also assisted other district courts through the year with mentoring assignments, participation on AO project committees, and other implementation projects throughout the year.

The finance department's disbursing support and payment certification continued during 2010 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 2010 transaction totals from the financial department:

- \$5,735,648.39 WAS COLLECTED IN RESTITUTION, CIVIL GARNISHMENTS, AND REFUNDS. OF THIS FIGURE, \$615,885.91 WAS COLLECTED THROUGH THE TREASURY OFFSET PROGRAM.
- THERE WERE 9,144 RESTITUTION, CIVIL GARNISHMENTS, AND REFUND PAYMENTS ISSUED TO VICTIMS AND CREDITORS IN THE AMOUNT OF \$5,756,365.07.
- AS OF DECEMBER 31, 2010, THE RESTITUTION BALANCE (TO BE PAID TO VICTIMS) WAS \$683,611.98.

PROCUREMENT - The procurement department worked extensively with the General Services Administration (GSA) and their contractors to schedule and manage projects throughout the Thomas F. Eagleton and Rush H. Limbaugh Sr. Courthouses funded by the American Recovery and Reinvestment Act 2009. Lighting controls were installed in the courtrooms, chambers and public spaces to enhance energy management. The cold air infiltration project added insulation and enhanced energy efficiency in areas of the clerk's office and jury assembly room.

After almost 10 years of occupancy in the Eagleton Courthouse, cyclical maintenance was necessary throughout several areas. Electrical transformers were upgraded to add space for additional technology, and additional cooling units were added to accommodate upgraded computer rooms. Carpeting was also replaced in seven judges' chambers over the course of five months. During this five month period, the chambers of Senior Judges Shaw and Webber were also relocated from the 12th floor to newly constructed space on the 8th floor.

Newly confirmed U.S. District Judge Audrey G. Fleissig was moved into her district judge chambers in 12 South after wall covering and carpet had been replaced. New furniture was also installed to accommodate additional chamber's personnel. Several court reporters were also relocated from their third floor offices to what was previously unoccupied space on chamber's floors. This move enables all court reporters to be in closer proximity to the courtrooms.

INFORMATION SYSTEMS DEPARTMENT

The Information Systems Department (ISD) is a combined unit that provides information technology support to the U.S. District Court, which includes Chambers, the Clerk's Office, the U.S. Probation Office, and the U.S. Pretrial Services Office. One of the services ISD provides to these agencies as well as attorneys and their support staffs is a "Help Desk". The help desk offers technical support primarily with electronic case filing in CM/ECF to attorneys and levels of support to court staff.

In 2010, Faith Jones from ISD was promoted to the position of Assistant Manager in the department. In addition to her existing duties, Faith will now manage the day-to-day operations of the unit, administer blackberries and iPads, and monitor employee leave and attendance.

ISD was involved in a number of projects during 2010. The most prominent of them was the audio system upgrade of the magistrate judge courtrooms. The renovation work in the courtrooms included new digital audio processing equipment, microphones, speakers, and touch panels. A more detailed description of the courtroom audio upgrade can be found in the section entitled "Enhancing Courtroom Technology" (*Refer to pages 22-23 for Enhancing Courtroom Technology*).

Listed below are the other projects completed by ISD in 2010:

- Installed a wireless network in the Rush H. Limbaugh Sr. U.S. Courthouse in Cape Girardeau for court personnel;
- Installed and configured new Comply System for U.S. Probation and Pretrial Services Offices, which allows defenders to call in to see if they are scheduled for a drug test;
- Setup the IT components of U.S. Probation's new Drug Lab;
- Consolidated the cash register system with the national servers along with implementing the check scanners for the new system;
- Created CM/ECF 2 PACTS application that transfers documents filed in CM/ECF to PACTS;
- Provided new blackberries and replaced current aircards with MiFis to court personnel;
- Initiated *Project Home*, a program for offenders designed to track the requirements and process for purchasing a home, offering a means of assistance for offenders under court supervision;
- Completed conversion to Lotus Notes 8.5.1;
- Created and provided new court IDs;
- Installed Glycol units in wiring closet and server room to reduce heat load conditions;
- New Storage Area Networks (SAN) were installed in the server room; and
- Deployed iPads to most judges of the District Court.

Listed below are the cyclical replacements that were completed in 2010:

CLERK'S OFFICE AND CHAMBERS

- 68 PERSONAL COMPUTERS
- 14 LAPTOP COMPUTERS
- 61 PRINTERS
- 4 SCANNERS
- REPLACED FINGERPRINT SCANNING STATION

U.S. PROBATION OFFICE

- 45 PERSONAL COMPUTERS
- 24 LAPTOP COMPUTERS
- 35 SCANNERS
- 41 PRINTERS

U.S. PRETRIAL SERVICES OFFICES

- 14 PERSONAL COMPUTERS
- 3 LAPTOP COMPUTERS
- 2 PRINTERS

Throughout 2010, ISD offered a variety of training opportunities for court personnel. Training classes offer staff the opportunity to develop new skills or refine old ones. ISD staff also participated in outside training in order to improve their job performance.

In 2010, ISD was proud to welcome Mark Minasi to the Thomas F. Eagleton Courthouse in St. Louis. Minasi is a best-selling author, popular technology columnist, keynote speaker, and IT consultant. Minasi, known as the "Windows Guru", has authored numerous books on networking, microcomputer operating systems, and PC hardware maintenance. Minasi visited the Eagleton Courthouse to teach *Windows 7 Migration*. The training session was attended by over fifty ISD staff members throughout the country. The course provided attendees insight on how to install, manage, and troubleshoot Windows 7.



Mark Minasi instructs attendees on Windows 7 Migration

Listed below are the training opportunities offered and attended by district court staff in 2010:

2010 IT TRAINING FOR COURT PERSONNEL

- **LEAVE TRACKING** – This training session took all court employees through the new electronic leave system. The system is used to assist Human Resources (HR) with tracking employee leave.
- **TIME APPROVER TRAINING** – Focused on the managerial roles of the newly introduced leave system.
- **LOTUS NOTES 8.5 CHAMBERS TRAINING** – Individual training with all chambers' staff members on the new features of the Lotus Notes Upgrade.
- **NEW OFFICER TRAINING** – The two half-days of training provided a general overview of software used in the U.S. Probation Office.
- **JPORT TRAINING** – Consists of instructing court employees how to access information from work remotely.
- **iPAD TRAINING** – Introductory training for all employees that received iPads. The purpose was to show employees how the iPad is a useful tool for court-related duties.
- **BLACKBERRY TRAINING** – Prepared all users receiving a blackberry smart phone how to conduct day-to-day business using their smart phone.

- **ROSETTA STONE TRAINING** – This training introduced employees to Rosetta Stone online learning through federal access.
- **CM/ECF UPGRADE TRAINING** – Trained Clerk's Office employees on new features and changes to the upgraded CMECF 3.4.1 system.
- **U.S. PROBATION AND PRETRIAL SERVICES CM/ECF DOCKETING TRAINING** – Worked with U.S. Probation and Pretrial Services officers to introduce them to docketing their case reports into the CM/ECF system
- **WORD PERFECT SIGNATURE MACRO TRAINING** – Training Focused on instructing the Clerk's Office employees to use the custom signature macros in WordPerfect.
- **PROJECT HOME SOFTWARE TRAINING** – U.S. Probation's *Project Home* called for training on the new software. Once the software went live, U.S. Probation officers were trained on how to use this new useful tool.
- **INTRODUCTION TO THE NEW COURTROOM AUDIO SYSTEM** – After the upgrade to the courtroom systems, court personnel were taught the features of the new equipment.
- **TELEPHONE INTERPRETER PROTOCOL TRAINING ON NEW COURTROOM AUDIO SYSTEM** – Clerk's Office employees were trained one case management team at a time on holding TIP procedures with the new courtroom systems.
- **GETTING TO KNOW THE JUDICIARY ONLINE UNIVERSITY** – This was an overview of a training portal that is run by the Administrative Office (AO) of the U.S. Courts. Employees were encouraged to use this resource to educate themselves on various topics.
- **OCCUPANT EMERGENCY PLAN/COOP TRAINING** – This training instructed employees on all the emergency plans and procedures in conjunction to the Continuity of Operations Plan.

2010 NON-IT TRAINING FOR COURT PERSONNEL

- **MINDLESS EATING** – Dietitian Jennifer McDaniel helped employees understand the eating habits that plague many Americans and encourage unhealthy eating.
- **LAUGHING AT STRESS** – Erica Quade explained the effects of stress and techniques to reduce the amount of stress in work and home life.
- **LABEL READING AND PORTION CONTROL** – Dietitian Jennifer McDaniel educated employees on how to effectively understand what your food intake is as well as some simple techniques for limiting it if necessary.
- **2011 BENEFITS REVIEW** – Human Resources used this training to discuss Employee Health Benefit options and how to change insurance providers.

- **HEALTHY HOLIDAY EATING STRATEGIES** – This health training by Jennifer McDaniel gave employees tips on how to survive the holidays without overextending ourselves on unhealthy foods.
- **BOOK CLUB** – This is a new training initiated by HR in 2010. At the onset, a work-related book was chosen for the group. Each member was assigned a chapter to read. All attendees came together and discussed how their chapter related to our work environment.
- **BEST OF THE DECADE** – Jason Diaz delivered an eye-opening presentation into the generational differences between today's employees. He offered insight into why certain generations act the way they do.
- **LEAVE TRACKING REFRESHER** – Enlightened employees on new leave-based HR policies.
- **FIVE STEPS TO A HEALTHIER LIFE** - Jennifer McDaniel discussed 5 things that can turn your life down a healthier path.

2010 EXTERNAL TRAINING FOR ISD STAFF

- **CME/CF ATTORNEY TRAINING** – This training class is designed to introduce or refresh interested parties on the Case Management Electronic/Case Filing System. In 2010, training has moved online, which allows an unlimited amount of attendees to login remotely to receive training and ask questions.
- **CJA 20 EXCEL FORM TRAINING FOR CRIMINAL JUSTICE ATTORNEYS** – THIS TRAINING FOCUSED on new automated CJA 20 forms that simplify the filling out process.
- **ATTORNEY COURTROOM TECHNOLOGY TRAINING** – This training is offered on a by-request basis to any party that wishes to get more comfortable with our courtroom technology.
- **8TH CIRCUIT IT CONFERENCE IN NEW ORLEANS** – IT Training Conference for the Eighth Circuit, where IT staff are updated on current and upcoming events, exposed to new technologies, training on new software, and ideas in the court IT world.
- **CM/ECF DISTRICT OPERATIONAL PRACTICES FORUM** – Case Management/Electronic Case Filing Conference where staff working with CMECF are updated and trained on new features, are able to provide input on future ideas, and are exposed to other districts' software additions.
- **PACTS ADOBE DESIGNER FORMS** – Adobe Forms training for creating custom portable document format documents.
- **ADOBE CAPTIVATE** – Electronic Learning Software used to create training videos.

- **HOTDOCS** – Document assembly software training used in our court for E Pro Se Template Building.
- **LMS WORKSHOP** – The Learning Management System (LMS) Workshop is offered by the AO to train an IT representative to function as a system manager for the LMS. This software will be used to track, organize, and house all training data.
- **NATIONAL AUTOMATION TRAINER'S CONFERENCE** – This conference is held every two years to address new training issues, expose IT trainers to new concepts and technologies, and provide networking amongst national trainers.



Teachers took a tour of the Judicial Learning Center in the Thomas F. Eagleton Courthouse in St. Louis, Missouri.

MANAGEMENT SUPPORT DEPARTMENT

Management Support is a diverse department that performs an assortment of duties including, but not limited to attorney admissions, naturalization support, ADR support, policy research and development, statistical analysis, telecommunications service, appeals, and case initiation. In order to consolidate its areas of responsibility, Management Support is organized into four main units: (1) Courthouse Events and Information; (2) CM/ECF Assistance; (3) Telecommunications; and (4) Statistical Reporting and Analysis. Under courthouse events and information, management support completed the following projects:

- Coordinated with outside agencies to provide courtrooms for the use of visiting judges.
- Revised and created various internal manuals, brochures, pamphlets, and newsletters.
- Coordinated and staffed monthly naturalization ceremonies.
- Assisted with the planning and preparation of information at the CJA Seminar and Federal Practice Fundamentals Seminar.
- Assisted with the planning of courthouse events such as the series of Teacher Days.
- Provide ADR case management support



U.S. Magistrate Judge Lewis M. Blanton speaking at a naturalization ceremony in Cape Girardeau on April 30, 2010. U.S. District Judge Stephen N. Limbaugh Jr. is seated to his right and Senator Claire McCaskill is seated to his left.

For CM/ECF assistance, management support performed the following responsibilities:

- Provided scanning, docketing, appeal processing, and intake assistance with CM/ECF.
- Maintained Northern Division Court docket
- Provided case report information to various public researchers.
- Performed disbursing clerk duties.
- Attorney admission applications.
- CJA applications.

The court's telephone administrator performs all telecommunications functions for over 600 court personnel in the Thomas F. Eagleton Courthouse. In 2010, the telephone administrator completed the following projects:

- Administrator performed all maintenance, administration, installation, engineering and training of telecommunications functions in the Eastern District of Missouri.
- Provided technical support to various court units with telecommunications discrepancies.
- Submitted cost data analysis for the AO's "Budget Call", which requested procurement support to upgrade the existing digital telephone system with a voice-over internet protocol system.
- Revised Blanket Purchase Agreement to GSA providing 24/7 monitoring of the telephone system to include time and materials support in the event of catastrophic telephone system failure.
- Managed the transition of 45 commercial telecommunications circuits from the FTS2001 contract to the new AT&T Network contract.
- Relocated the telecommunications facilities for court personnel in the Eastern District of Missouri.
- Partnered with GSA representatives to select a servicing telecommunications vendor reducing the annual cost of commercial telecom services by 50 percent.

Regarding statistical reporting and policy analysis, the court's policy and research analyst completed the following projects in 2010:

- Prepared reports based upon data tabulated from various court surveys and evaluations.
- Created and distributed monthly and quarterly statistical reports on various facets of the court's caseload and programs.
- Provided monthly analysis and reports concerning the status of the ADR program.
- Created and distributed the monthly State of the Docket reports.
- Assisted in the development of reports to monitor the status of court programs and objectives.
- Conducted independent research to understand and improve various court programs and operations.
- Prepared Annual Report for the Clerk's Office with the support and input from managers and staff members.

HUMAN RESOURCES DEPARTMENT

Human Resources (HR) is a diverse department that provides many services to the Clerk's Office and Chambers' staff. Some of the services that Human Resources provides are benefits information and guidance, training and development programs, recruitment, and compensation information and assistance. In 2010, HR was busy with the many health care reform changes and understanding their effects on district court personnel. Moreover, HR implemented a new paperless leave tracking system through our current Human Resources Information Management System. The new system continues to support the Judiciary-wide effort to become a paperless environment. The system also creates better accountability and improved business continuity.



From Left to Right: Career Fair at Northwest Academy of Law – Yvette Lisenby, Case Management from the U.S. Court of Appeals, Michele Crayton, Case Management from the U.S. District Court, Nicole Rode, Human Resources Manager from the U.S. District Court

In 2010, the HR department in conjunction with ISD continued to provide many training and development opportunities for employees to improve their knowledge, skills and abilities (*Please refer to pages 49-51 for the list of training opportunities in 2010*). This year the court invited employees to apply for the Federal Court Leadership Program (FCLP) sponsored by the Federal Judicial Center (FJC). The FCLP program helps employees to learn and develop leadership skills that will help them reach their career aspirations. Four employees from the Clerk's Office were selected by the AO to participate in the FCLP program.

JURY UNIT

In 2010, the Jury Unit sent out 23,970 Juror Qualification Questionnaires to prospective jurors and 10,876 people were summoned for jury service. Seven of the thirty-five jury pools in St. Louis (Eastern Division) were special panels summoned for specific cases.

The eJuror online program completed its full year of operation in 2010. The eJuror program enables jurors to complete and submit their initial juror qualification questionnaires and juror information, if summoned, via the internet. Once registered, jurors can update their information, check their juror status, request an excuse or deferment, and obtain reporting instructions online. Once their service is completed, jurors can print out verification of attendance if needed for their employers. The eJuror program facilitates the jury experience by making data collection and processing of juror information more efficient and convenient.

The Eastern District of Missouri was a member of the Administrative Office's (AO) JMS/eJuror Working Group. This group reviewed modification requests from federal courts and made recommendations for enhancements and modifications to both the Jury Management System (JMS) program and the eJuror program. Future releases of JMS and eJuror will incorporate modifications provided in part by the members of the working group to enhance the jurors' experience using the eJuror program.

The work of the Jury Unit plays a significant role in the efficient utilization of juror resources (*Refer to pages 14-15 for Juror Utilization*) in the U.S. District Court for the Eastern District of Missouri. The proof is evident in the numbers: the court finished seventh nationally out of ninety-four district courts; first among courts with six or more Article III judges; and second in the Eighth Circuit. The proof exists not only in the statistics, but also in the public comments made in the jury surveys. A number of former jurors made mention

in their exit surveys (*Refer to pages 16-17 for Jury Service Evaluation*) about the professionalism of the Jury Unit staff, and an overall positive impression of their jury experience.

NEW OFFICE COMMITTEES

INFORMATION TECHNOLOGY USERS ADVISORY COMMITTEE

Under the guidance and support of Chief U.S. District Judge Catherine D. Perry, the Information Technology (IT) Users Advisory Committee was formed in 2010. The committee provides a forum in which members collaborate to identify, evaluate, and recommend effective strategies for making optimum use of information technology and automation services in the district court. In fulfilling this responsibility, advisory committee members are encouraged to consider that the district court's information technology systems and services have three elements: (1) the public-facing technologies that are intended to serve the information needs of those outside the court; (2) the internal judiciary systems used by judges and court staff; and (3) the technical infrastructure that supports both the external and internal stakeholder groups. The committee is guided generally by the strategic priorities identified in the *Long Range Plan for Information Technology in the Federal Judiciary*.

The committee includes a cross section of users from all areas of court operations, including judges, Chambers' staff, the Clerk's Office, U.S. Probation and Pretrial Services officers, and Court Reporters. Judge Henry E. Autrey and Faith Jones, Assistant ISD Manager, serve as Co-Chairs of the committee. Judges Stephen N. Limbaugh Jr. and Audrey G. Fleissig also serve on the committee. The first meeting was held on March 3, 2010. Committees meetings are held quarterly.



From Left to Right: Assistant ISD Manager Faith Jones, Chief U.S. District Judge Catherine D. Perry, and U.S. District Judge Henry E. Autrey

Listed below are some of the areas of discussion to be considered at the committee meetings:

- 1) Identify opportunities for which new existing information technology can assist the district court in providing better service to the public.
- 2) Recommend methods for maximizing and encouraging more efficient or effective uses of existing technology to benefit judges and court staff.
- 3) Propose effective strategies for delivering training and support to internal and external users of IT.
- 4) Suggest solutions for standardizing or redesigning judicial and non-judicial core processes that can be automated for better integration, data-sharing, and efficiency.
- 5) Monitor court-based information technology developments nationally and investigate private sector industries for applications and IT solutions that may have promise for use in the district court.
- 6) Solicit suggestions and regular feedback from users across court functions concerning existing technologies and enhancements to IT services.

QUALITY CONTROL COMMITTEE

The quality and accuracy of case management data entered in CM/ECF is a high priority for clerk's office staff. Judges, attorneys and the public must be confident that the orders, events, dates and documents that become part of the district court's official record of each case are entered promptly and without errors. This objective is achieved by continuously focusing attention on the integrity of the court record as a fundamental clerk's office responsibility.



*Seated from left to right: Cathy Gould, Michele Crayton
Standing from left to right: Jim Woodward, Lori Rife, Karen Moore, Kim Klein, Lori Miller-Taylor, Melanie Berg*

In 2010, data quality was monitored regularly by experienced case management staff members who reviewed entries for accuracy and drew errors to the attention of those deputy clerks whose errors were

identified. The primary data quality oversight duties are assigned to Case Management Team Leaders Melanie Berg and Michele Crayton, as well as Deputy-in-Charge Cathy Gould. To ensure communication with the management team about data quality trends and concerns, a Data Quality Monitoring Group meets quarterly. In addition to the data quality controllers, the Group members include Jim Woodward, Clerk of Court, Lori Miller-Taylor, Chief Deputy Clerk, Karen Moore, Operations Manager, Lori Rife, CM/ECF Systems Administrator, and Kim Klein, Operations Support Deputy. At these quarterly meetings, the discussions cover any recurring errors that have been observed, reports on progress to resolve past issues that may have been identified, brainstorming about CM/ECF modifications that may help eliminate or minimize a particular docketing error, and strategies for encouraging a high level of docketing performance by deputy clerks. The aim is 100% accuracy for all data entered into the official court record in CM/ECF. The data quality monitoring group is on the job, no matter how long it may take to achieve perfection.

TELEPHONE INTERPRETING PROGRAM COMMITTEE

The telephone interpreting program (TIP) utilizes telephone interpreting for non-English speaking defendants in lieu of live interpreters for courtroom proceedings. First authorized as a pilot experiment by the Judicial Conference in 1989, the Eastern District of Missouri began participating in the TIP program in 2003. Since its initiation in the district court, the program has accrued a total estimated savings of \$317,914 (or a 12-month average of \$45,416). With such cost savings gained from the use of the program, it is imperative that it operate properly at all times to maximize its value. As a result, a TIP committee comprised of Jeff Jones, Nathan LaNasa, Tim Christopher, Jessica Carter, and Carol Long from the Clerk's Office was created to be the first responders for operational problems in the courtroom during TIP proceedings. Members of the TIP committee underwent specialized troubleshooting training to prepare for this duty. (Refer to Table 4 for TIP Statistics on page 21)

As a further safeguard against potential problems during TIP proceedings, refresher training for TIP was offered for each case manager in the Clerk's Office. In addition, a new policy was implemented requiring the testing of TIP equipment fifteen minutes prior to each proceeding with the interpreter present by phone. The presence of the TIP committee as well as the testing before the proceeding is helping to ensure the continued success of the TIP program in the district court.

INTERNSHIP PROGRAMS

CLERK'S OFFICE INTERNSHIP PROGRAM – The internship program of the Clerk's Office for the Eastern District of Missouri offers practical experience in the field of judicial administration to qualified candidates. Interns are provided unique opportunities to work on different projects for various office departments. Since the program began, interns have participated in data collection, independent research, and provided administrative support. While at the courthouse, interns also have the chance to observe courtroom proceedings and gain a better understanding of the rule of law in action. The work experience provided by the District Court allows an intern to determine their level of interest in a career in the Federal Judiciary, or other law-related opportunities.

In the summer of 2010, the Clerk's Office selected the following individuals to participate in the internship program: Daniel Maher, an undergraduate student from Saint Louis University, Amy Martin, an undergraduate student from University of Missouri at Columbia, Nino Przulj, an undergraduate student from Saint Louis University, and Emily Autrey, an undergraduate student from Truman State University. Each intern provided assistance to the various departments and units of the Clerk's Office. Their dedication and contributions throughout the summer were appreciated by all in the Clerk's Office.



From Left to Right: Amy Martin, Emily Autrey, Chance Parker, Nino Przulj, Daniel Maher

THE HONORABLE GEORGE F. GUNN JR. DEDICATED INTERNSHIP – The St. Louis Internship Program (SLIP) is an organization that provides job training and internship placement for high school students in the St. Louis area. Students who participate in SLIP must display the following skills and traits: a desire to learn, initiative, an understanding of business etiquette, excellent communication skills, and the ability to adapt

to a changing work environment⁷⁴. SLIP candidates must also complete an interviewing process and additional weekend training and development sessions in order to successfully qualify for the program⁷⁵. A dedicated internship is an option available to an organization that cannot offer an internship to a student, but still would like to contribute to SLIP. Dedicated Internships are a way for donors to honor an individual who made an impact in their organization or community⁷⁶. A Dedicated Internship was created in honor of U.S. District Judge George F. Gunn who served for the Eastern District of Missouri from 1985 until his death in 1998. In 2010, Chance Parker was the recipient of the Honorable George F. Gunn Jr. Dedicated Internship. Chance attends Gateway Institute of Technology High School in St. Louis.

FEDERAL COURT CLERKS ASSOCIATION CONFERENCE

In 2010, the Federal Court Clerks Association (FCCA) Conference was held in Eugene, Oregon from June 27th to July 1st. The conference is a combination of diverse educational workshops, panel discussions, and roundtable sessions. Attendees include court management and support personnel from across the country. The primary goal of the conference is to promote professional development among attendees and preview technological innovations assured to increase efficiency and effectiveness in the field of court management. The following members from the Clerk's Office represented the Eastern District of Missouri at the conference: Don D'Agostino, Kim Klein, Kelley Shirley, Katie Spurgeon, and Carol Tullock.



From Left to Right: Kelley Shirley, Carol Tullock, Kim Klein, Katie Spurgeon, Don D'Agostino

⁷⁴ St. Louis Internship Program. "Overview." Available from <http://www.stlouisinternship.org/overivew.html>. Internet. Accessed on 7 March 2011.

⁷⁵ St. Louis Internship Program. "Overview." Available from <http://www.stlouisinternship.org/overivew.html>. Internet. Accessed on 7 March 2011.

⁷⁶ St. Louis Internship Program. "Dedicated Internship." Available from <http://www.stlouisinternship.org/internships.html>. Internet. Accessed on 7 March 2011.

The conference offered a wide selection of professional development workshops such as financial management, retirement planning, and leadership lessons. The conference also made available credit-bearing courses sponsored through the School of Criminal Justice at Michigan State University. Terry Nafisi, Clerk of Court for the Central District of California, was the course instructor for *Purposes and Responsibilities of Courts*. Combined with additional coursework, this conference may serve as a jumping off point to the completion of a credit-bearing or noncredit judicial administration certificate. The coursework presented at this conference could also be applied to Master of Science of Criminal Justice degree with a specialization in judicial administration.

In addition to the coursework, conference participants were given the opportunity to visit various sites and events near Eugene as a group. On the first day, participants of the conference had the option to attend a baseball game of the Eugene Emeralds, Class A Affiliate of the San Diego Padres. The following night the attendees had a countryside dinner at Sweet Cheeks Winery, which sits on 140 acres in the Willamette Valley wine appellation. On the final night, the group was treated to a trip to the picturesque Heceta Head Lighthouse overlooking the Pacific Ocean. The Heceta Head Lighthouse is over one hundred years old and was originally constructed to provide light over the dark waters between Coos Bay and Newport. Each of these excursions allowed participants to interact with their professional counterparts from other district courts. The conference served as a valuable learning experience for attendees professionally, personally, and socially.

TEAM DEVELOPMENT RETREAT

For August 11th and 12th, Clerk's Office staff visited Pere Marquette Lodge and Conference Center in Grafton, Illinois for the sixth annual team development experience organized and directed by the Team Building Committee. Attendance at the program was voluntary. There were 31 employees from the Clerk's Office who participated in this event.

There were two primary goals for this team development experience: (1) encourage teamwork among court personnel; and (2) develop leadership skills. One of the first activities attendees participated in was called wheels for the world. To complete this challenge, attendees were separated into teams and had to work together to assemble a bicycle. All of the bicycles were donated to the children of Puentes de Esperanza (Bridge of Hope), an organization dedicated to supporting the Hispanic/Latino community in Southern

“THIS IS JUST ANOTHER ELEMENT (*CHARITY EVENT FOR HAITI RELIEF FUND*) OF OUR STAFF’S COMMUNITY OUTREACH PROGRAM THAT HAS BECOME A VIBRANT PART OF THE WORKPLACE HERE.”

- JIM WOODWARD, CLERK OF COURT

Illinois. The children were in attendance for the event and were very excited to receive the bicycles. It was a memorable experience for everyone involved.



Participants from the Clerk’s Office at the Team Development Retreat at Pere Marquette Lodge and Conference Center

To close the retreat, keynote speaker Steve Gilliland gave a presentation entitled “Enjoy the Ride” to the attendees. Steve has earned the Certified Speaking Professional (CSP) designation, which is conferred by the National Speakers Association (NSA) and the International Federation of Professional Speakers. Steve provided an inspirational speech that offered ways to manage conflict and stress in a fast-paced and demanding world.



Keynote speaker Steve Gilliland entertains the group

COMMUNITY SERVICE

HAITI RELIEF FUND

In response to the horrific earthquake that struck Haiti in January 2010, the Clerk’s Office took action and raised more than \$4,000 for the people of Haiti at a charity event at the Thomas F. Eagleton Courthouse in St. Louis. The Clerk’s Office sponsored a spaghetti dinner and conducted a Super-Bowl themed raffle on February 2, 2010 with all the funds raised donated to the American Red Cross Haiti Relief Fund. “This is just another element of our staff’s community outreach program that has become a vibrant part of the workplace here,” commented Clerk of Court Jim Woodward.



Some members of the Clerk’s Office display a banner used to publicize a charity event to raise funds for Haitian relief

HABITAT FOR HUMANITY SERVICE PROJECT

On June 5, 2010, a group of 17 volunteers from the Clerk’s Office and Chambers, including Chief U.S. District Judge Catherine D. Perry, donated their time and talent to a building project for Habitat for Humanity. The primary mission of Habitat for Humanity is to replace substandard housing with a decent, safe, and affordable place to live. The build site was in the

Jeff-Vander-Lou (JVL) Neighborhood in St. Louis, Missouri. 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.

The group of volunteers was assigned the task of completing the final stages of home building, which included floor installation, installing siding, and cleaning up. The future homeowner was on hand and contributed to the effort. She was very grateful for the work of the volunteers. Through teamwork, dedication and hard work, the volunteers achieved the project goal by the end of the day. This was teambuilding with a special purpose.



Volunteers from the Clerk's Office

SAINT LOUIS CRISIS NURSERY

On December 11, 2010, members of the U.S. District Court visited Saint Louis Crisis Nursery to provide a Christmas party for the children. The Saint Louis Crisis Nursery (SLCN) is an independent, not-for-profit agency funded by donations and committed to preventing child abuse and neglect by providing short-term, emergency shelter for children, birth through age 12, whose families are faced with emergencies or who are in crisis⁷⁷.

In order to celebrate the season, court volunteers brought in an artificial Christmas tree, which was decorated with ornaments by the children. Once the tree was trimmed, the children had a visit from Santa Claus, who passed out presents that court volunteers purchased for the children. Each child got a picture with Santa Claus and it was placed in a card that they

⁷⁷ Saint Louis Crisis Nursery (n.d.). *What We Do*. Retrieved March 1, 2010, from http://www.crisisnurserykids.org/what_we_do.htm.

could color later. After opening presents, the volunteers and the children decorated cookies. The children also met Obi, a service dog from Support Dogs, Inc.⁷⁸ Obi 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. To conclude the day, the volunteers and the children sang Christmas carols. The volunteers left that day proud that they were able to bring joy into these children's lives.



Volunteers from the Clerk's Office

MOTION FOR KIDS HOLIDAY PARTY

On December 18, 2010, volunteers from the Clerk's Office and U.S. District Judge Rodney W. Sippel participated in the Motion for Kids Holiday Party (formerly known as Project Angel Tree) sponsored by the St. Louis Rams and the Bar Association of Metropolitan St. Louis (BAMSL) to bring some joy to children and families who are going through difficult times especially during the holiday season. The party serves children in foster care, children with a parent in the Missouri prison system, and children with a parent serving in the Armed Forces overseas.

The heart and soul of Motion for Kids are the hundreds of members from the legal community who agree to sponsor a child. Each sponsor is asked to purchase and wrap two gifts chosen from the child's wish list and stuff a stocking. The event served more than 3,600 children from Metropolitan St. Louis.

⁷⁸ 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.



U.S. District Judge Rodney W. Sippel (back right) and Court Staff at Motion for Kids on December 18, 2010

CHARITABLE CONTRIBUTIONS

The following private charitable contributions were made in 2010 as a result of the Hospitality Committee's fund-raising efforts and the generosity of individual Clerk's Office staff members:

MEMORIALS:

THE STANLEY COOPER MEMORIAL FUND	\$50
AMERICAN CANCER SOCIETY	\$50
DISABLED AMERICAN VETERANS	\$50
MISSOURI VETERANS HOME	\$50
ST. JUDE	\$50
ALZHEIMER'S ASSOCIATION	\$50
JUVENILE DIABETES	\$60
WASHINGTON PARK CEMETERY	\$65
LUPUS FOUNDATION	\$250
TOTAL	\$675

FUND-RAISING

CRISIS NURSERY CENTER	\$50
STRAY RESCUE	\$50
U.S. PROBATION TOY DRIVE	\$50
SUSAN G. KOMEN	\$60
HABITAT FOR HUMANITY	\$100
RONALD MCDONALD HOUSE	\$225
HAITI RELIEF FUND	\$4,017
TOTAL	\$4,552

§5 – TRANSITIONS

Even though the mission of the U.S. District Court remains steadfast, the court personnel who comprise it experience various transitions during the calendar year. Whether it is introducing a new hire or congratulating an employee on his/her retirement, the district court adapts to these personnel changes while continuing to provide the same level of commitment to public service. This section is dedicated to welcoming new hires, identifying staff position changes, acknowledging career service to the court, and recognizing personal achievement.

NEW HIRES

CLERK'S OFFICE

Carol Long was hired as an Assistant Case Manager for the Clerk's Office at the Eastern Division office in St. Louis, Missouri. She officially began her duties on January 19, 2010.

Rachel E. Marshall was hired as the Public Education and Community Outreach Administrator for both the U.S. Court of Appeals and U.S. District Court. She officially began her position on August 30, 2010.

CHAMBERS

Antonia Miceli was hired as a law clerk to U.S. District Judge Audrey G. Fleissig. She officially began her position on June 21, 2010.

Michael Jente was hired as a law clerk to U.S. Magistrate Judge David D. Noce. He officially began his duties on August 2, 2010.

Ashley Martin was hired as a law clerk to U.S. District Judge Carol E. Jackson. She officially began her position on August 16, 2010.

Brendan Little was hired as a law clerk to U.S. District Judge Carol E. Jackson. He officially began his duties on August 23, 2010.

Elisa Clark was hired as a law clerk to U.S. District Judge Rodney W. Sippel. She officially began her duties on August 23, 2010.

Amy Trueblood was hired as a law clerk to U.S. District Judge Stephen N. Limbaugh Jr. at the Southeastern Division office in Cape Girardeau, Missouri. She officially began her position on August 23, 2010.

Sheena Hamilton was hired as a law clerk to Chief U.S. District Judge Catherine D. Perry. She officially began her position on August 24, 2010.

RETIREMENTS AND TRANSFERS

CLERK'S OFFICE

Marilyn Tanaka retired from the Federal Judiciary after 32 years of service. Marilyn began her career working for the U.S. Court of Appeals on October 2, 1978. On April 14, 2006, she became a Law Clerk for the district court. Her final day at the U.S. District Court was September 30, 2010.

Lynn Stone began her career at the U.S. District Court as a Judicial Assistant to Senior U.S. District Judge Stephen N. Limbaugh Sr. on August 15, 1983. After more than 25 years of service, she retired on September 30, 2008, but the retirement was brief. On February 2, 2009, Lynn was hired as Administrative Support for the Clerk's Office at the Eastern Division office in St. Louis, Missouri. On August 16, 2010, Lynn transferred from the Clerk's Office to become the Judicial Assistant to Senior U.S. District Judge Donald J. Stohr.

CHAMBERS

Linda Wehner served as the Judicial Assistant to Senior U.S. District Judge Donald J. Stohr from May 8, 1992 to August 16, 2010. On August 16th, Linda became the Judicial Assistant to Senior U.S. District Judge Charles A. Shaw.

AWARDS AND HONORS

SERVICE AWARD CEREMONY

Each quarter the Clerk's Office recognizes court personnel with service awards. However, in special circumstances, the Clerk's Office celebrates those employees who have achieved milestones of 20, 25, or 30 years or more of service to the court. At a ceremony on December 1, 2010, the Clerk's Office acknowledged the following five employees who have served the court at least 20 years:

- Lynne Shrum has served the court for 30 years. She began her term of service on June 30, 1980. Lynne is currently a Court Reporter assigned primarily to U.S. District Judge Stephen N. Limbaugh Jr.

- Karen R. Moore has served the court for 30 years. She began her term of service on August 11, 1980. Karen is currently the Operations Manager in the Clerk's Office.
- Lisa Holwitt has served the court for 30 years. She began her term of service on November 24, 1980. Lisa is currently an Assistant Case Manager for U.S. District Judge Rodney W. Sippel, U.S. District Judge Stephen N. Limbaugh Jr., and Chief U.S. Magistrate Judge Mary Ann L. Medler.
- Lisa Kresko has served the court for 20 years. She began her term of service on October 29, 1990. She is currently an Assistant Case Manager for U.S. District Judge Rodney W. Sippel, U.S. District Judge Stephen N. Limbaugh Jr., and Chief U.S. Magistrate Judge Mary Ann L. Medler.
- Beverly Goff has served the court for 20 years. She began her term of service on November 5, 1990. Beverly is currently the Judicial Assistant to U.S. District Judge Jean C. Hamilton.

For the occasion, Chief U.S. Magistrate Judge Mary Ann L. Medler presided over the ceremony and spoke of the qualities inherent to each recipient. Judge Medler thanked the employees for their great service to the court and the public. Each recipient serves as an inspiration to their court colleagues.



From Left to Right: Chief U.S. Magistrate Judge Mary Ann L. Medler, Beverly Goff, Lynne Shrum, Karen R. Moore, Lisa Kresko, Lisa Holwitt, Clerk of Court Jim Woodward



APPENDICES A – H

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Appendix A

NEW CASE FILINGS ¹					
2008-2010 (JANUARY 1 – DECEMBER 31)					
DIVISION/CASE TYPE	2008	08-09 PERCENT CHANGE	2009	09-10 PERCENT CHANGE	2010
<i>PERCENTAGES ARE ROUNDED TO THE NEAREST TENTH</i>					
CIVIL CASES²					
EASTERN CIVIL CASES	2033	4.6%	2126	15.0%	2445
SOUTHEASTERN CIVIL CASES	179	1.7%	182	17.0%	213
NORTHERN CIVIL CASES	69	-4.3%	66	33.3%	88
TOTAL CIVIL CASES	2281	4.1%	2374	15.7%	2746
CRIMINAL CASES³					
EASTERN CRIMINAL CASES	703	4.6%	735	-15.4%	622
▪ <i>FELONY CASES</i>	651	8.3%	705	-19.0%	571
▪ <i>MISDEMEANOR CASES</i>	52	-42.3%	30	70.0%	51
SOUTHEASTERN CRIMINAL CASES	168	2.4%	172	-24.4%	130
▪ <i>FELONY CASES</i>	111	13.5%	126	-37.3%	79
▪ <i>MISDEMEANOR CASES</i>	57	-19.3%	46	10.9%	51
TOTAL CRIMINAL CASES	871	4.1%	907	-17.1%	752
CRIMINAL DEFENDANTS					
EASTERN CRIMINAL DEFENDANTS	1004	2.4%	1028	-11.6%	909
▪ <i>FELONY DEFENDANTS</i>	952	4.8%	998	-14.0%	858
▪ <i>MISDEMEANOR DEFENDANTS</i>	52	-42.3%	30	70.0%	51
SOUTHEASTERN CRIMINAL DEFENDANTS	183	8.7%	199	-22.6%	154
▪ <i>FELONY DEFENDANTS</i>	126	18.3%	149	-30.9%	103
▪ <i>MISDEMEANOR DEFENDANTS</i>	57	-12.3%	50	2.0%	51
TOTAL CRIMINAL DEFENDANTS	1187	3.4%	1227	-13.4%	1063
MISCELLANEOUS CASES⁴					
EASTERN MISCELLANEOUS CASES	683	1.0%	690	13.0%	780
SOUTHEASTERN MISCELLANEOUS CASES	23	91.3%	44	4.5%	46
TOTAL MISCELLANEOUS CASES	706	4.0%	734	12.5%	826
TOTAL NEW CASE FILINGS⁵	3858	4.1%	4015	7.7%	4324

1 – New case filings do not include civil or criminal reopened cases.

2 – Civil case filings include sealed civil cases and Multidistrict Litigation (MDL) transfer cases.

3 – Criminal case filings include sealed criminal cases and exclude probation/supervised release transfers.

4 – Miscellaneous case filings include sealed miscellaneous cases.

5 – Total new case filings are comprised of civil, criminal, and miscellaneous case filings.

Appendix B

2010 MONTHLY CASELOAD REPORT													
	JAN 2010	FEB 2010	MAR 2010	APR 2010	MAY 2010	JUN 2010	JUL 2010	AUG 2010	SEP 2010	OCT 2010	NOV 2010	DEC 2010	2010
CIVIL CASES													
CASES FILED ¹	194	199	233	273	210	186	262	248	243	253	207	238	2746
CASES REOPENED	6	4	7	4	3	7	5	6	7	23	5	8	85
CASES CLOSED	153	197	254	169	171	166	214	181	238	171	196	194	2304
CURRENT CASES PENDING	2403	2406	2389	2496	2535	2561	2610	2680	2690	2792	2805	2852	2852
AVERAGE AGE OF PENDING CASES ³ (MTHS)	14.2	14.4	14.2	14.4	14.4	14.4	14.6	14.9	14.9	14.8	14.8	15.0	15.0
FILED/CLOSED RATIO	1.31	1.03	0.94	1.64	1.25	1.16	1.25	1.40	1.05	1.61	1.08	1.27	1.23
MEAN DISP. TIME (MTHS)	7.9	11.5	13.3	7.4	7.0	9.7	9.5	8.7	10.9	9.4	9.9	8.7	9.7
MEAN DISPOSITION TIME [5% TRIMMED ⁴]	7.1	10.3	12.3	6.6	6.1	8.3	8.3	7.6	9.8	7.8	8.3	7.4	8.4
MEDIAN DISPOSITION TIME	4.9	8.8	12.1	4.7	4.2	6.4	5.8	5.0	5.9	4.0	5.0	4.6	6.0
CRIMINAL CASES													
TOTAL CASES FILED ²	68	76	98	56	38	65	69	47	53	53	55	74	752
▪ FELONY CASES FILED	42	70	80	48	38	54	62	39	53	43	49	72	650
▪ MISDEMEANOR CASES FILED	26	6	18	8	0	11	7	8	0	10	6	2	102
CASES CLOSED	85	55	106	97	96	79	98	62	96	74	65	62	975
CURRENT CASES PENDING	662	688	694	666	623	626	620	623	591	582	581	605	605
AVERAGE AGE OF PENDING CASES ³ (MTHS)	8.6	8.4	8.4	8.5	9.2	9.2	9.5	9.7	10.3	10.4	10.0	9.8	9.8
FILED/CLOSED RATIO	0.80	1.38	0.92	0.58	0.40	0.82	0.70	0.76	0.55	0.72	0.85	1.19	0.77
DEFENDANTS FILED	94	106	124	78	51	137	84	58	77	72	70	112	1063
▪ FELONY DEFS FILED	68	100	106	70	51	126	77	50	77	62	64	110	961
▪ MISDEMEANOR DEFS FILED	26	6	18	8	0	11	7	8	0	10	6	2	102
DEFENDANTS CLOSED ⁵	108	66	129	113	112	98	112	70	113	99	72	64	1156
DEFENDANTS PENDING	919	957	951	915	855	895	867	857	819	793	795	845	845
DEFS FILED/CLOSED RATIO	0.87	1.61	0.96	0.69	0.46	1.40	0.75	0.83	0.68	0.73	0.97	1.75	0.92
MEAN DISP. TIME (MTHS)	8.6	9.7	9.1	7.7	7.4	8.8	11.5	10.1	8.6	8.7	11.4	9.4	9.1
MEAN DISPOSITION TIME [5% TRIMMED ⁴]	8.0	8.7	8.4	7.5	7.0	8.0	9.2	7.8	8.1	7.8	9.7	7.6	ATOR
MEDIAN DISPOSITION TIME	7.9	7.9	7.0	7.3	6.4	7.3	6.9	6.9	7.0	7.2	8.4	5.9	7.3

1 – Civil case filings include sealed civil cases and Multidistrict Litigation (MDL) transfer cases.

2 – Criminal case filings include sealed criminal cases.

3 – Count begins with the case filing date. The count excludes (1) reopened cases; (2) cases pending 60 days or less; and (3) cases in unassigned.

4 – 5% trimmed mean excludes the lowest and highest 2.5% of disposition times from the calculation of the mean.

5 – Defendants whose probation/supervised release were revoked during the reporting period are not included in the closed defendants' totals.

Appendix C

2009-2010 MONTHLY CASELOAD PERCENTAGE CHANGE REPORT													
PERCENTAGES ARE ROUNDED TO THE NEAREST TENTH	JAN 09-10	FEB 09-10	MAR 09-10	APR 09-10	MAY 09-10	JUN 09-10	JUL 09-10	AUG 09-10	SEP 09-10	OCT 09-10	NOV 09-10	DEC 09-10	09-10
CIVIL CASES													
CASES FILED ¹	2.1%	20.6%	17.0%	47.6%	9.4%	-9.7%	25.4%	26.5%	-7.3%	25.2%	19.7%	22.7%	15.7%
CASES REOPENED	500.0%	300.0%	16.7%	-33.3%	NC	133.3%	150.0%	50.0%	40.0%	283.3%	400.0%	166.7%	107.3%
CASES CLOSED	-10.5%	7.1%	3.7%	-16.3%	3.6%	-12.6%	16.9%	4.6%	4.4%	-4.5%	49.6%	30.2%	4.7%
CASES PENDING	10.7%	11.7%	13.0%	18.9%	19.1%	19.3%	20.1%	21.7%	20.1%	23.2%	21.4%	20.9%	20.9%
AVG. AGE PENDING ³	6.8%	7.5%	6.8%	5.1%	3.6%	2.9%	3.5%	5.7%	7.2%	4.2%	7.2%	7.1%	7.1%
FILED/CLOSED RATIO	17.0%	14.4%	11.9%	72.6%	5.9%	5.5%	8.7%	20.7%	-10.3%	38.8%	-18.8%	-3.8%	11.8%
MEAN DISPOSITION	-10.2%	36.9%	20.9%	-20.4%	-22.2%	NC	11.8%	-10.3%	-13.5%	5.6%	10.0%	-9.4%	0.0%
MEAN DISPOSITION [5% TRIMMED ⁴]	-10.1%	41.1%	23.0%	-22.4%	-24.7%	-2.4%	18.6%	-12.6%	-16.9%	6.8%	NC	-12.9%	-2.3%
MEDIAN DISPOSITION	-9.3%	63.0%	39.1%	-30.9%	-27.6%	-7.2%	34.9%	-27.5%	-41.0%	-7.0%	-20.6%	-30.3%	-6.3%
CRIMINAL CASES													
TOTAL CASES FILED ²	-39.8%	-16.5%	32.4%	-44.6%	-49.3%	41.3%	1.5%	-40.5%	-14.5%	-19.7%	-9.8%	4.2%	-17.1%
▪ FELONY CASES	-60.4%	-1.4%	8.1%	-43.5%	-40.6%	17.4%	-8.8%	-50.0%	3.9%	-34.8%	-5.8%	2.9%	-21.8%
▪ MISDEMEANOR CASES	271.4%	-70.0%	NS	-50.0%	NS	NS	NS	700.0%	NS	NS	-33.3%	100.0%	34.2%
CASES CLOSED	13.3%	-38.2%	37.7%	22.8%	28.0%	-10.2%	-9.3%	-23.5%	-5.0%	-23.7%	-12.2%	-19.5%	-4.5%
CASES PENDING	-5.2%	-3.5%	-1.7%	-9.4%	-16.8%	-12.4%	-9.0%	-9.6%	-11.9%	-11.4%	-11.7%	-9.2%	-9.2%
AVG. AGE PENDING ³	24.6%	23.5%	31.3%	34.9%	41.5%	27.8%	26.7%	40.6%	25.6%	22.4%	44.9%	15.3%	15.3%
FILED/CLOSED RATIO	-47.0%	35.3%	-4.2%	-54.7%	-60.0%	57.7%	11.1%	-22.4%	-9.8%	5.9%	3.7%	29.3%	□□□□
DEFENDANTS FILED	-36.1%	-2.8%	4.2%	-33.3%	-51.9%	128.3%	-31.7%	-38.9%	-6.1%	-13.3%	-1.4%	-2.6%	-13.4%
▪ FELONY DEFS	-51.4%	12.4%	-10.9%	-30.7%	-46.3%	110.0%	-37.4%	-46.8%	8.5%	-25.3%	10.3%	-3.5%	-16.2%
▪ MISDEMEANOR DEFS	271.4%	-70.0%	NS	-50.0%	NS	NS	NS	700.0%	NS	NS	-53.8%	100.0%	27.5%
DEFENDANTS CLOSED	8.0%	-35.9%	51.8%	29.9%	25.8%	-6.7%	-4.3%	-24.7%	-5.0%	-12.4%	-20.0%	-29.7%	-3.0%
DEFS PENDING	-3.1%	0.3%	-3.3%	-9.7%	-17.0%	-9.0%	-12.3%	-13.5%	-14.3%	-14.5%	-12.5%	-9.4%	-9.4%
DEFENDANTS FILED/CLOSED RATIO	-40.8%	51.9%	-31.4%	-48.5%	-61.3%	145.6%	-28.6%	-18.6%	-1.4%	NC	22.8%	38.9%	-10.7%
MEAN DISPOSITION	10.3%	11.5%	13.8%	-13.5%	-17.8%	7.3%	59.7%	26.3%	-5.5%	14.5%	NC	-14.5%	4.6%
MEAN DISPOSITION [5% TRIMMED ⁴]	5.3%	13.0%	18.3%	-10.7%	-6.7%	8.1%	35.3%	1.3%	3.8%	9.9%	-4.0%	-18.3%	5.2%
MEDIAN DISPOSITION	11.3%	11.3%	7.1%	-8.8%	-4.5%	9.0%	16.9%	1.5%	2.9%	7.5%	NC	-20.3%	4.3%

nc = No change in civil or criminal numbers

ns = Percent change not significant (when one number is zero)

Appendix D

2010 MONTHLY CIVIL CASE FILINGS BY TYPE REPORT														
[NUMBERS ARE DISPLAYED AS FILED AND REOPENED/REOPENED; I.E. 27/1]														
	JAN 2010	FEB 2010	MAR 2010	APR 2010	MAY 2010	JUN 2010	JUL 2010	AUG 2010	SEP 2010	OCT 2010	NOV 2010	DEC 2010	2010	
1. CONTRACTS	18	29	28/1	35	30	19/2	24	29/1	27/1	39/5	30/2	27/1	335/13	
2. REAL PROPERTY	6/1	0	0	1	2	2	6	4	5	3	1	1	31/1	
3. TOTAL TORTS	50/2	32/1	69	95/1	54/1	36/1	57	66	56/3	65/9	16/1	57/1	653/20	
TORTS	A. PERSONAL INJURY	41/2	24	63	93/1	51/1	31/1	52	56	49/2	50/5	10/1	48/1	568/14
	B. PERSONAL PROPERTY	9	8/1	6	2	3	5	5	10	7/1	15/4	6	9	85/6
4. CIVIL RIGHTS	21	31/2	25/3	41/1	32	24	23/1	24/1	24/1	17	19	26/1	307/10	
5. TOTAL PRISONER PETITIONS	35/2	36/1	44/1	39	27	32/3	55/3	39/2	53/2	69/1	63/1	48/3	540/19	
HABEAS CORPUS	A. PRISONER PETITIONS (§2255)	11	5	9	8	7	9/1	11	11	9/2	17	8	7	112/3
	B. GENERAL (§2254)	7	6/1	15	15	8	12	17/3	11/1	18	16	15	14/1	154/6
	C. DEATH PENALTY (§2254)	0	0	0	0	0	0	0	0	0	0	0	1	1
D. MANDAMUS & OTHER	0	1	1	0	1	1	2	2	1	1	0	2	12/1	
E. CIVIL RIGHTS	15/2	19	17	15	11	10/2	23	15/1	24	33/1	39/1	23/1	244/8	
F. PRISON CONDITION	2	5	2/1	1	0	0	2	0	1	2	1	1	17/1	
6. FORFEITURE/PENALTY	1	3	0	1	0	1	6	3	4	2	6	4	31	
7. LABOR	17/1	20	21	6	11	24	17/1	22/1	27	22/1	14	18/2	219/6	
8. IMMIGRATION	2	0	0	1	0	0	0	0	0	0	0	0	3	
9. INTELLECTUAL PROPERTY RIGHTS	8	5	10/2	5	7	14/1	13	8/1	3	7/1	10	9	99/5	
10. SOCIAL SECURITY	25	22	26	29/1	28/1	20	34	26	17	23	27	39	316/2	
11. FEDERAL TAX SUITS	0	0	0	1	0	1	0	1	0	0	1/1	0	4/1	
12. BANKRUPTCY	0	0	3	0	0	0	0	1	0	1	0	0	5	
13. OTHER STATUTES	17	25	14	23/1	22/1	20	32	31	34	28/6	25	17	288/8	
TOTAL CIVIL CASE FILINGS	200/6	203/4	240/7	277/4	213/3	193/7	267/5	254/6	250/7	276/23	212/5	246/8	2831/85	

- Civil case filings by type include: (1) Sealed Civil Cases; (2) Multidistrict Litigation (MDL) transfer cases; and (3) Reopened Cases
- The first term in the ratio includes both new and reopened civil filings. The second term only reflects the number of reopened cases.

Appendix E

2009-2010 MONTHLY PERCENTAGE CHANGE IN CIVIL CASE FILINGS BY TYPE REPORT														
PERCENTAGES ARE ROUNDED TO THE NEAREST TENTH		JAN 09-10	FEB 09-10	MAR 09-10	APR 09-10	MAY 09-10	JUN 09-10	JUL 09-10	AUG 09-10	SEP 09-10	OCT 09-10	NOV 09-10	DEC 09-10	09-10
1. CONTRACTS		-28.0%	20.8%	47.4%	9.4%	233.3%	18.8%	71.4%	52.6%	8.0%	34.5%	NC	35.0%	27.9%
2. REAL PROPERTY		NS	NS	NS	NS	NS	NS	500.0%	NS	NC	NS	NS	NS	19.2%
3. TOTAL TORTS		127.3%	14.3%	43.8%	216.7%	35.0%	2.9%	119.2%	94.1%	-53.7%	116.7%	-42.9%	50.0%	36.0%
TORTS	A. PERSONAL INJURY	141.2%	-11.1%	46.5%	220.7%	30.8%	-3.1%	160.0%	75.0%	-12.5%	163.2%	-63.0%	37.1%	51.1%
	B. PERSONAL PROPERTY	NS	NS	NS	NS	NS	NS	-16.7%	400.0%	-89.2%	36.4%	NS	NS	-18.3%
4. CIVIL RIGHTS		10.5%	121.4%	-7.4%	51.9%	14.3%	33.3%	4.5%	9.1%	4.3%	-50.0%	5.6%	-21.2%	7.7%
5. TOTAL PRISONER PETITIONS		-2.8%	-21.7%	-12.0%	18.2%	-43.8%	-39.6%	-9.8%	-20.4%	60.6%	102.9%	85.3%	37.1%	5.5%
HABEAS CORPUS	A. PRISONER PETITIONS (\$2255)	120.0%	-68.8%	NS	NS	-30.0%	-25.0%	-21.4%	57.1%	NS	183.3%	NS	NS	12.0%
	B. GENERAL (\$2254)	-46.2%	NC	-25.0%	50.0%	-42.9%	NC	41.7%	-15.4%	63.6%	45.5%	15.4%	27.3%	5.5%
	C. DEATH PENALTY (\$2254)	NS	NS											
	D. MANDAMUS & OTHER	NS	NC	NS	NS	NC	NS	NC	NS	NS	NS	NS	NS	NS
	E. CIVIL RIGHTS	-11.8%	-13.6%	-15.0%	-11.8%	-52.2%	-64.3%	-30.3%	-44.4%	50.0%	106.3%	143.8%	76.9%	-1.6%
F. PRISON CONDITION		NS	NS	NC	NS	NS								
6. FORFEITURE/PENALTY		NS	NS	NS	NS	NS	NS	NC	NS	NS	NS	NS	NS	-36.7%
7. LABOR		-55.3%	33.3%	-27.6%	-70.0%	-31.3%	-7.7%	-39.3%	29.4%	237.5%	NC	55.6%	5.9%	-10.6%
8. IMMIGRATION		NS	NS											
9. INTELLECTUAL PROPERTY RIGHTS		NS	NS	66.7%	NS	NS	366.7%	116.7%	NS	NS	NS	100.0%	-18.2%	23.8%
10. SOCIAL SECURITY		127.3%	144.4%	333.3%	222.2%	64.7%	-39.4%	21.4%	30.0%	-26.1%	-17.9%	12.5%	200.0%	43.0%
11. FEDERAL TAX SUITS		NS	NS	NS	NC	NS	NC	NS	NS	NS	NS	NC	NS	NS
12. BANKRUPTCY		NS	NS											
13. OTHER STATUTES		-45.2%	25.0%	-6.7%	-11.5%	10.0%	33.3%	77.8%	34.8%	142.9%	154.5%	31.6%	-10.5%	24.7%
TOTAL CIVIL CASE FILINGS		4.7%	22.3%	16.5%	45.0%	9.2%	-7.7%	26.5%	27.0%	-6.4%	32.7%	21.8%	24.9%	17.2%

Civil case filings include: (1) Sealed Civil Cases; (2) Multidistrict Litigation (MDL) transfer cases; and (3) Reopened Cases
 ns = Percentage change not significant (there must be at least 10 cases in one month and 20 cases annually for comparative analysis)
 nc = No change in civil case filings

Appendix F

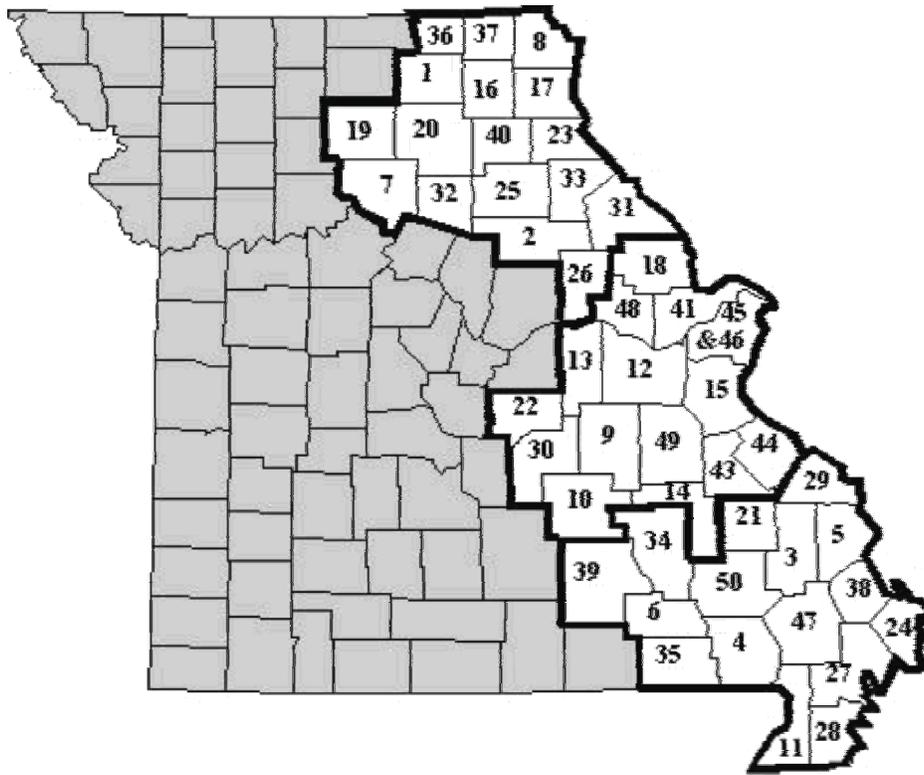
2010 MONTHLY TRIAL STARTS AND COMPLETIONS REPORT													
	Jan 2010	Feb 2010	March 2010	Apr 2010	May 2010	Jun 2010	Jul 2010	Aug 2010	Sep 2010	Oct 2010	Nov 2010	Dec 2010	Total
CIVIL TRIAL STARTS													
JURY TRIAL STARTS	8	4	4	3	1	3	2	5	2	6	1	2	41
BENCH TRIAL STARTS	1	0	3	0	0	2	0	1	1	0	1	0	9
TOTAL	9	4	7	3	1	5	2	6	3	6	2	2	50
CIVIL TRIALS COMPLETED													
JURY TRIALS COMPLETED	6	4	4	2	1	1	3	2	3	3	2	2	33
BENCH TRIALS COMPLETED	1	0	2	0	0	0	0	1	1	0	0	0	5
TOTAL	7	4	6	2	1	1	3	3	4	3	2	2	38
CRIMINAL TRIAL STARTS													
JURY TRIAL STARTS	1	1	2	4	4	2	4	5	3	1	2	1	30
BENCH TRIAL STARTS	0	0	0	0	0	2	0	0	0	0	0	0	2
TOTAL	1	1	2	4	4	4	4	5	3	1	2	1	32
CRIMINAL TRIALS COMPLETED													
JURY TRIALS COMPLETED	1	1	2	3	3	2	3	5	1	1	2	1	25
BENCH TRIALS COMPLETED	0	0	0	0	0	2	0	0	0	0	0	0	2
TOTAL	1	1	2	3	3	4	3	5	1	1	2	1	27
TRIAL START TOTALS													
JURY TRIAL STARTS	9	5	6	7	5	5	6	10	5	7	3	3	71
BENCH TRIAL STARTS	1	0	3	0	0	4	0	1	1	0	1	0	11
TOTAL	10	5	9	7	5	9	6	11	6	7	4	3	82
TOTAL TRIALS COMPLETED													
JURY TRIALS COMPLETED	7	5	6	5	4	3	6	7	4	4	4	3	58
BENCH TRIALS COMPLETED	1	0	2	0	0	2	0	1	1	0	0	0	7
TOTAL	8	5	8	5	4	5	6	8	5	4	4	3	65

Appendix G

2010 JUROR USAGE REPORT													
JANUARY 1 – DECEMBER 31 REPORTING PERIOD													
DISTRICT	JAN 2010	FEB 2010	MAR 2010	APR 2010	MAY 2010	JUN 2010	JUL 2010	AUG 2010	SEP 2010	OCT 2010	NOV 2010	DEC 2010	TOTALS
JUROR USAGE IN DISTRICT													
CIVIL JURIES*	8	4	4	3	1	3	2	5	2	6	1	2	41
CRIMINAL JURIES*	1	1	2	4	4	2	4	5	3	1	2	1	30
TOTAL NUMBER OF JURORS	293	136	206	214	191	233	227	305	156	231	90	76	2358
SELECTED JURORS	77	49	57	75	60	53	67	104	54	61	34	29	720
CHALLENGED JURORS	99	67	87	118	112	132	107	159	84	91	48	40	1144
JURORS WHO PARTICIPATED IN VOIR DIRE [EXCESS JURORS]	42	19	21	20	0	8	12	42	18	79	8	7	276
JURORS WHO DID NOT PARTICIPATE IN VOIR DIRE	75	1	41	1	19	40	41	0	0	0	0	0	218
JUROR USAGE STATISTICS IN DISTRICT													
JURORS NOT SELECTED OR CHALLENGED WHO PARTICIPATED IN VOIR DIRE	14.3%	14.0%	10.2%	9.3%	0.0%	3.4%	5.3%	13.8%	11.5%	34.2%	8.9%	9.2%	11.7%
JURORS NOT SELECTED OR CHALLENGED WHO DID NOT PARTICIPATE IN VOIR DIRE	25.6%	0.7%	19.9%	0.5%	9.9%	17.2%	18.1%	0.0%	0.0%	0.0%	0.0%	0.0%	9.2%
JURORS WHO PARTICIPATED IN VOIR DIRE	74.4%	99.3%	80.1%	99.5%	90.1%	82.8%	81.9%	100.0%	100.0%	100.0%	100.0%	100.0%	90.8%
JUROR UTILIZATION	39.9%	14.7%	30.1%	9.8%	9.9%	20.6%	23.3%	13.8%	11.5%	34.2%	8.9%	9.2%	20.9%

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

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	

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SERVING THE PUBLIC, THE BENCH, AND THE BAR IN 2010
UNITED STATES DISTRICT COURT – EASTERN DISTRICT OF MISSOURI
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