

Federal Judicial Center

ANNUAL REPORT

2018

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A MESSAGE FROM THE DIRECTOR

The Federal Judicial Center’s purpose is to “further the development and adoption of improved judicial administration in the courts of the United States.” In 2018, the commemoration of the Center’s fiftieth anniversary was a reminder of the many ways the Center has fulfilled that purpose throughout its history. The Center has helped the federal courts to identify and implement better ways to operate and bring cases to a “just, speedy, and inexpensive” resolution.

Some principles of judicial administration are timeless, and they remain at the core of the Center’s work. But developments in our broader society inevitably affect the courts, and when they do, the Center responds to new needs. Changes—in law, science, technology, the economy, social trends and norms, demographics, and more—affect the kinds and numbers of cases brought to the courts and, often, the internal operations of the courts themselves.

The Center’s strength is in staying true to its high standards and trusted methods in education and research, while embracing new approaches and innovations. In 2018, Center research and education addressed perennial topics, such as case management, cost containment and court management, and ethics, using traditional research and education methods, as well as newer ones. The latter included interactive online dashboards to help courts manage cases, podcasts on leadership skills and offender supervision, and webcasts on sentencing and new case law.

When needed, the Center has taken on new subject matter, fostered new expertise, and aligned its resources to address issues of greatest significance to the judiciary. The Center expanded its education efforts on two important subjects in 2018: cyber security and workplace conduct. Both issues have recently gained greater national attention, and the courts have acted thoughtfully to address them internally.

The Judicial Conference of the United States has made cybersecurity a priority, and the Center has responded. In 2018, the Center included sessions on cybersecurity at many of its programs. In cooperation with the Administrative Office of the U.S. Courts and the Judicial Conference Committee on Information Technology, the Center produced a series of videos on IT security for judges and court personnel. And the Center conducted a two-day seminar for judges in key leadership roles on cyber threats to the judiciary. In 2019, the Center will build on this work, to continue to help protect the

judiciary’s IT systems from intrusion and manipulation while preserving access to public information.

Ensuring that each courthouse is an exemplary workplace for all judiciary employees is also a top priority. In January 2018, acting at the request of the Chief Justice, the director of the Administrative Office created a Workplace Conduct Working Group to examine the judiciary’s practices and procedures for addressing inappropriate conduct. The Working Group made several recommendations in its June 2018 report, including expanded education. The Center had already begun this work, and throughout 2018 Center seminars and workshops for judges, court executives, and other employees included sessions specifically devoted to workplace conduct. The Center also modified guidance in several publications and produced a video describing expectations for conduct in the workplace and ways to deal with inappropriate behavior when it occurs. These steps are only a start. Changes in policies and procedures being developed by the Judicial Conference, the Administrative Office, and courts around the country will necessitate the Center’s continued efforts on this important issue.

In 2019, the Center will be called upon to help meet new challenges for the judiciary. It will do so by staying true to timeless principles, by continuing to rely on trusted methods, and by addressing perennial issues in judicial administration. At the same time, as the Center has done throughout its first fifty years, it will embrace change, adapt to new methods, and address emerging issues important to the courts.

On a personal note, I was honored to be appointed by the Center’s Board to become the Center’s eleventh director, a role I assumed in September 2018. I was equally pleased when the Board selected Clara Altman, previously the director of the Center’s Federal Judicial History Office, to succeed me as deputy director.

Clara and I thank the Board for its trust in us. We thank the Board and the entire judiciary for their outstanding support of the Center. And we thank my predecessor, Judge Jeremy Fogel, for his leadership of the Center from 2011 to 2018. We could not have inherited a finer organization. Finally, we thank the outstanding people who work at the Center. It is a privilege and a pleasure to work with them every day.


JOHN S. COOKE

2018 FEDERAL JUDICIAL CENTER STAFF

Morgan Alamo	Meghan Dunn	Jake Kobrick	Maisha Pope
Stephanie Alaniz	Hieu Duong	David Kolm	Dana Przesmitzki
Somayah Allibhai-Mawani	Trung Duong	Jennifer Krause	David Rauma
Clara Altman	Jim Eaglin	Elizabeth Lambert	Tim Reagan
Marlene Annoni	Geoff Erwin	Emma Lane	Joy Richardson
Chuck Arberg	Rebecca Eyre	Timothy Lau	Jennifer Richter
Marvin Astrada	Charles Fenaoui	Hai Le	Christina Ruffino
Brenda Baldwin-White	Kim Fisher	Marie Leary	Christina Sabato
Elia Bendavid	Jessica Folk	Emery Lee	Steve Saltzgeber
Craig Bowden	Brian Foxworth	Ken Lee	Nanticha Sangsung
Travatia Bowden	Kristin Garri	Frank Leidy	Matt Sarago
Winston Bowman	Sarah Garrison	Angelia Levy	Mark Sherman
Kerry Budd	Vashty Gobinpersad	Ed Liberatore	Michael Siegel
Myrt Burge	Samuel Golant	Julie Linkins	Michelle Slavin
Jason Cantone	Dexter Green	Lee Lipscomb	Claire Smearman
Joe Cecil	Mary Greiner	Dwayne Livingston	Deena Smith
Jim Chance	Krishna Gunupati	Angela Long	Jessica Snowden
Garbo Cheung-Jasik	Naveen Gupta	Kris Markarian	Cassandra Snyder
Dana Chipman	Mira Gur-Arie	Richard Marshall	Rhonda Starks
Jackie Clark	Mark Hannan	Ursula Maurer	Donna Stienstra
Sally-Anne Cleveland	LaVerne Heade	Susanna McCrea	Mark Trimble
Jennifer Clifford	Stephanie Hemmert	Susie Merchant	Elizabeth Tyler
Jasmin Cook	Marquita Henry	Dean Miletich	Paul Vamvas
John Cooke	Marland Holloway	Doug Mitchell	Micheline Verdant
Katharine Corcoran	Cassandra Holmes	Lori Murphy	Danielle Vestal
George Cort	Laural Hooper	Christopher Murray	Clint Wang
LaTonja Cox	Beth Johnson	Denise Neary	Frank Washington
Tyeika Crawford	Molly Johnson	Jane Nelson	Yvonne Washington
Missy Cross	Tracee Jones	Matt Nixon	Melissa Whitney
Adrian Dales	Andrew Kaplan	Hanna Ortiz	Beth Wiggins
Esther DeVries	Tracy Keels	Nancy Payne	Margaret Williams
Joseph Donahoe	Mary Keller	Olivia Pennock	Robb Wilmot
Nathan Dotson	Martha Kendall	Raiyda Pigman	Jefri Wood
Phyllis Drum	Satnam Khalsa	Gloria Pleasure	

ABOUT THE FEDERAL JUDICIAL CENTER

Statutory Mission

Congress created the Federal Judicial Center in 1967 “to further the development and adoption of improved judicial administration in the courts of the United States.” The Center provides education and training for judges and employees of the federal courts and conducts empirical and exploratory research into various aspects of judicial administration, including case management and potential changes to the federal rules of procedure. This annual report, mandated by statute, describes the Center’s activities in calendar year 2018.

Governance

The Chief Justice of the United States chairs the Center’s Board, which by statute also includes two circuit judges, three district judges, one bankruptcy judge, and one magistrate judge, who are elected to four-year terms by the Judicial Conference of the United States, and the director of the Administrative Office of the U.S. Courts, who serves *ex officio*. The Board oversees the Center’s activities, and its members serve on standing committees on education and research and on advisory committees on judicial education programs (listed on pages 15–16).

In March 2018, the Judicial Conference elected Duane Benton of the U.S. Court of Appeals for the Eighth Circuit to the Center’s Board, replacing Kent A. Jordan, of the U.S. Court of Appeals for the Third Circuit, whose term expired.

The Board appoints the Center’s director and deputy director; the director appoints the Center’s staff. The Center’s director is John S. Cooke.

Organization

The organization of the Center reflects its primary statutory mandates. The Education Division plans and produces education and training for judges and court staff, including in-person programs, video programs, publications, curriculum packages for in-district training, and web-based programs and resources. The Research Division examines and evaluates current and alternative federal court practices and policies. This research assists Judicial Conference committees, who request most Center research, in developing policy recommendations. The Center’s research also contributes substantially to its educational programs. The Federal Judicial History Office helps courts and others

Board of the Federal Judicial Center

The Chief Justice of the United States, *Chair*

Magistrate Judge Tim A. Baker, U.S. District Court for the Southern District of Indiana

Judge Duane Benton, U.S. Court of Appeals for the Eighth Circuit

Judge Curtis L. Collier, U.S. District Court for the Eastern District of Tennessee

Chief Judge Barbara J. Houser, U.S. Bankruptcy Court for the Northern District of Texas

Judge Kimberly J. Mueller, U.S. District Court for the Eastern District of California

Judge George Z. Singal, U.S. District Court for the District of Maine

Judge David S. Tatel, U.S. Court of Appeals for the District of Columbia Circuit

James C. Duff, Director of the Administrative Office of the U.S. Courts

study and preserve federal judicial history. The International Judicial Relations Office provides information to judicial and legal officials from foreign countries and informs federal judicial personnel of developments in international law and other court systems that may affect their work. Two units of the Director’s Office—the Information Technology Office and the Editorial and Information Services Office—support Center missions through technology, editorial and design assistance, and organization and dissemination of Center resources.

Coordination Within the Judicial Branch

Many programs and projects described in this annual report involve coordination, cooperation, and consultation with committees of the Judicial Conference, the Administrative Office, the U.S. Sentencing Commission, the U.S. Judicial Panel on Multidistrict Litigation, and the courts. Advisory committees of judges, court staff, and others help in planning and producing education programs and publications. These committees are listed on pages 15–16.

Senior Staff of the Federal Judicial Center

John S. Cooke, Director

Clara Altman, Deputy Director

Dana Chipman, Director, Education Division

Esther DeVries, Director, Information Technology Office

James B. Eaglin, Director, Research Division

Mira Gur-Arie, Director, International Judicial Relations Office

Nancy Payne, Director, Office of Administration

Vacant, Director, Federal Judicial History Office

Staffing and Appropriation

The Center had a fiscal year 2018 appropriation of \$29,265,000, and it employed 122* people at the end of calendar year 2018. The Center's 2019 appropriation had not been enacted when this report was prepared. Approximately 75% of Center expenditures support its education and training activities, with the remainder devoted almost entirely to its research activities.

* The employee count of 122 includes all full- and part-time staff. It does not include employees who resigned or retired in 2018.

2018 AT A GLANCE

In 2018, the Center

- completed 24 major research and evaluation projects and continued work on 47 others
- provided 249 in-person and technology-based educational programs for over 26,000 federal judges, legal staff, and court employees and helped to design, conduct, and teach another 33 programs, produced by other organizations, for 4,213 judges and court staff participants
- produced 36 new educational video programs, either for online delivery or for use in other education and training programs, and 8 new podcasts
- published or updated 24 reports, manuals, monographs, or reference guides
- distributed 10,659 printed copies of its publications, as well as 6,400 audio, video, and other multimedia programs
- conducted the 13th annual teacher institute on historical cases in the federal courts
- hosted over 400 visiting foreign judges, court officials, and attorneys from 60 different countries and jurisdictions

EDUCATION AND TRAINING

The Center produces educational programs and resources for the judges and court staff of the federal judiciary. Center staff work in consultation with the Board and education advisory committees.

Center programs use a competency-based curriculum, meaning that they focus on delivering relevant knowledge, skills, and attributes in a structured, progressive fashion.

In 2018, the Center provided the following educational products:

- 9 programs for 572 executives, including chief judges, clerks and deputy clerks of court, and probation and pretrial services chiefs and deputy chiefs
- 33 orientation and continuing education programs for 1,536 judges
- 7 in-person programs for 1,092 legal staff
- 150 in-district programs for 4,922 supervisors, managers, and court staff
- 13 programs for 413 senior probation and pretrial services officers
- 36 new videos and 24 new or updated publications
- 9 webcasts for 12,346 court attorneys and judges
- 8 new podcast episodes
- 6 e-learning programs for 1,429 managers, supervisors, legal staff, and court staff
- 41 educational components for programs produced by the Administrative Office, individual courts, and other organizations and attended by 4,213 court staff and judges

The figures listed above include both in-person and distance education events. The tables on page 9 contain detailed statistics organized by audience and delivery method.

In addition to its education programs and resources, the Center engages, on request, in organizational consulting projects. These projects address a range of organizational issues in the courts that require customized solutions. Topics may include strategic planning, leadership development and coaching, organizational development, and problem solving. Education Division staff conducted eight organizational consulting projects in 2018.

Judicial and Legal Education

The Center offers programs and resources for judicial officers from orientation through senior status. Such offerings address substantive law, administration and management, and personal growth and development. Sessions help participants enhance relevant competencies for U.S. judges. The Center also offers programs for court attorneys that address topics relevant to their professional development.

Orientation Seminars for New Judges. Within the first year of taking the bench, district, bankruptcy, and magistrate judges are invited to attend a two-phase orientation program. Each week-long program addresses their duties and responsibilities, reviews critical substantive law, and introduces judges to people who can serve as resources and mentors.

In 2018, the Center provided six Phase I orientation seminars (four for district judges, one for bankruptcy judges, and one for magistrate judges), and two Phase II orientations (one for district judges and one for magistrate judges). The Center also conducted a two-day orientation program for new circuit judges.

Continuing Education for Judges. The Center held midcareer seminars for circuit and bankruptcy judges. These programs addressed matters of interest to those who have been on the bench for roughly five to ten years and included topics such as effective strategies for dealing with difficult situations, the role of judges as leaders, and judicial decision making amid social and technological changes.

The Center hosted national workshops for magistrate, bankruptcy, and district judges (two apiece). Topics for magistrate judges included civil and pro se litigation, psychological states of litigants, ethics, and maintaining an exemplary workplace. Topics for bankruptcy judges included mediation skills, judicial ethics, the 2008 financial crisis, significant Supreme Court cases, and maintaining an exemplary workplace. Topics for district judges were managing evidence in the digital age, challenges with classified information and electronic surveillance, ethical considerations that govern judicial comments on social media platforms, and maintaining an exemplary workplace.

In 2018, the Center offered special-focus seminars on antitrust law and economics, artificial intelligence, cyber threat and cyber security, electronic discovery, employment law, intellectual property, judicial indepen-

dence, law and society, managing complex litigation, mediation skills, and neuroscience.

The Center also provided a workshop for judges of the Federal Circuit and supported attendance of a limited number of appellate judges at the Appellate Judges Education Institute Summit.

Programs for Federal Judiciary Attorneys. The Center offers programs for federal defenders and attorneys in the judiciary, including appellate staff attorneys, district court pro se and death penalty law clerks, circuit and district mediators, circuit librarians, bankruptcy administrators, and chambers law clerks.

In 2018, appellate staff attorneys and clerk's office attorneys examined new developments in the law and emerging issues that affect their work. Sessions addressed such topics as the importance of an independent judiciary, ethics and implicit bias, managing across generations, changes in immigration law, and the lawfulness of qualified immunity. Career law clerks focused on topics such as section 1983 actions, ethics, the psychology of litigation, and preparing for sentencing.

The Center offered a range of programs for federal defenders, including an orientation seminar, a national seminar, a conference for the Capital Habeas Unit, and an appellate writing workshop. These programs included, among other topics, substantive federal criminal law, sentencing, trial tactics, evidence, ethics, legal writing, appellate advocacy, case management, and forensics.

Executive Education

The Center offers chief judges, court unit executives (CUEs), and deputy court unit executives (DCUEs) educational programs, online tools, and print resources that address their leadership roles.

Programs for Chief Judges. At separate national conferences, chief district and chief bankruptcy judges examined their leadership and management roles. They focused on approaches to leadership, decision making, and workplace conduct. New chief judges from all court types participated in a two-part leadership seminar. Part one invited the judges to focus on their leadership values, their vision for their courts during their tenure, and the culture of their respective courts. In part two, the judges were joined by their court unit executives to strengthen their executive teams and develop plans for implementing a shared vision for the court.

Programs for Court Unit Executives. The National Leadership Conference for Court Unit Executives brought almost 200 participants to Pittsburgh for three days to develop and practice essential managerial

and leadership competencies. Participants engaged in conversations with leaders of some of the private, public, and nonprofit organizations that have transformed Pittsburgh over the last twenty-five years. Topics included, among others, power and leadership, inclusive leadership, organizational culture, and maintaining an exemplary workplace, as well as issues of particular interest to each court unit. The Center also launched an online tool kit for new CUEs. This resource page provides guidance about CUE responsibilities and roles, suggested actions to take in the first few years, information about where to find resources locally and nationally, a leadership reading list, and advice from experienced colleagues.

Programs for Deputy Court Unit Executives. In 2018, the Center hosted two programs for new DCUEs. Sessions addressed the transition from supervisory to executive responsibilities, the unique facets of the deputy role, individual leadership strengths and challenges, and specific skills for developing trust and using influence effectively and appropriately. Two programs for experienced DCUEs focused on the relationship between CUEs and DCUEs, organizational thinking, strategic staffing, and managerial courage. The Center also provided leadership workshops at the Administrative Office's New CUE and DCUE Orientation.

Management and Professional Development Education

The Center assists the courts by providing instruction in common workplace skills for all court staff. In addition, supervisors and managers may participate in Center programs designed to strengthen their proficiency in leadership and management competencies.

Programs for Court Employees. The Center provides programs on topics of broad applicability to new and experienced court employees working in appellate, district, and bankruptcy courts; in probation and pretrial services offices; and in circuit offices. These programs are delivered by in-district court trainers. In 2018, offerings included programs on the code of conduct, dealing with difficult situations, developing training plans, and more. Of particular interest this year was the workshop on preventing workplace harassment, which was delivered to nearly 2,500 participants.

Programs for Managers and Supervisors. Two of the Center's flagship programs wrapped up their final sessions in December of 2018. The twenty-month Federal Court Leadership Program (FCLP) enhanced the leadership knowledge and skills of supervisors and managers in the federal courts. The thirty-month

Probation and Pretrial Services Leadership Development Program taught leadership skills through small-scale research projects, workshops and seminars, individual development planning, and a temporary-duty assignment in an office outside the regular place of employment. New programs designed to address the leadership development needs of staff and supervisors will begin in 2019.

Probation and Pretrial Services Education

The Center provides continuing education for probation and pretrial services officers who have completed basic training. Programs address issues specific to probation and pretrial work, as well as common competencies and leadership competencies.

Programs for Supervisors. Incorporating evidence-based principles into case management is the focus of the year-long Supervising Officers in an Evidence-Based Environment in-district program. Through such practices, supervisors learn to reduce risk in the community. As part of this program, the Center conducted three initial consultations, two in-district programs, and one capstone seminar in 2018.

Programs for Officers. In 2018, the Center held a new seminar, How Being Trauma-Informed Improved Criminal Justice System Responses. The program prepared trainers to launch a new one-day in-district program on engaging people with histories of trauma.

Participants examined research on substance use and mental health disorders, treatment services in the community, and development of job-related skills in the Treatment Services: Negotiating Pathways and Supporting Successful Transitions program. It focused on the competencies of confidence in decision making, supervision for success, everyday leadership, and resilience. The program comprises an online course open to all interested members of the judiciary, plus an in-person seminar available by application for probation and pretrial treatment specialists only.

Programs for Court Teams. In 2018, the Center enhanced its Tailoring Justice: Science-Informed Decision Making program by offering a follow-up seminar for the 2017 participants. The full program (offered to a new set of participants in 2018) focuses on helping federal criminal justice stakeholders improve the way they work with offenders and defendants with mental-health and substance-use disorders. This program brings together teams consisting of a district judge, magistrate judge, pretrial services officer, presentence officer, defense attorney, and prosecutor to learn how research can be applied at key criminal case decision points.

Four problem-solving court teams learned how to apply the formal Quality Improvement approach to their operations in 2018. The Quality Improvement approach facilitates deeper team and systems integration. The program addresses the competencies of proactive planning, supervision for success, and team orientation.

The in-district Coaching for Problem-Solving Courts seminar introduced participating teams to principles related to evidence-based problem-solving court operations and includes one year of expert consultation. This program focuses on improving defendant and offender outcomes (e.g., reduced recidivism, fewer supervision violations, improved behavioral health, improved vocational and educational achievement, and improved interpersonal relationships). The program addresses the competencies of supervision for success, proactive planning, and team orientation.

Online Resources and Publications

Online content on topics including leadership, chambers and case management, substantive law, ethics, workplace conduct, supervision of defendants and offenders, and relevant science-oriented topics supplements the in-person programs the Center provides. Such materials take the form of videos, podcasts, e-learning programs, interactive webcasts, discussion forums, and more. New in 2018, listeners could subscribe to the Center's podcasts and have them delivered directly to their personal devices.

In 2018, the Center produced the following educational videos for judges, attorneys, and court staff:

- *A Review of Eighth Circuit Bankruptcy Decisions (2018)*
- *A Review of Ninth Circuit Bankruptcy Decisions (2018)*
- Bankruptcy Orientation:
 - Chapter 11*
 - Chapter 13*
 - Handling Motions*
 - Handling Trials*
 - Pretrial Procedures*
- *Basics of Employment Discrimination Law for Law Clerks*
- Court to Court:
 - Historic Courthouses in the 21st Century*
 - Mission Statements*
 - Thinking for a Change*
- *Fair Labor Standards Act*
- *Information Technology Security Awareness (8 segments)*
- *Neuroscience (12 segments)*

- *Pension and Employment Issues in Chapter 9 Bankruptcy*
- *Supreme Court: The Term in Review (2017–2018)*
- *Workplace Conduct*

The Center produced the following podcasts in 2018:

- Executive Edge:
 - Episode 1: *Why Smart Executives Fail*
 - Episode 2: *Demonstrating Courageous Leadership in Times of Crisis*
 - Episode 3: *Closing the Gender Gap*
 - Episode 4: *Scientific Secrets of Perfect Timing*
- Off Paper:
 - Episode 6: *A Conversation with Chief U.S. Probation Officer Doug Burris*
 - Episode 7: *The Role of Empirical Research in Federal Probation and Pretrial Practice*
 - Episode 8: *The New Post-Conviction Supervision Policy for U.S. Probation Officers*
 - Episode 9: *Neurodevelopment, Adversity, and Trauma: What Research Tells Us and Why It Matters for Criminal Justice Professionals*

Technology-based programs, such as webinars and e-learning programs, as well as webcasts, enable the Center to reach learners on demand, providing a degree of flexibility otherwise unattainable. The Center offered the following technology-based programs in 2018:

- *Avoiding Ethics Pitfalls* (for clerk's office staff)
- Court Web:
 - The Admissibility of Opinion Testimony in Federal Courts*
 - Current and Emerging Issues on Prisoners' Rights*
 - Federal "Home Run Motions"—Hot Topics*
 - Navigating Ethics as the New Clerking Year Begins*
 - The Neuroscience of Memory—Implications for the Courtroom*
 - Recent Developments in Federal Sentencing*
 - Supreme Court's October 2017 Term*
 - Workplace Interactions—Scenario-Based Discussion of Acceptable Conduct*
 - Writing Well*
- *Everyday Ethics: A Matter of Choice* (for probation and pretrial services staff)
- *Interactive Orientation Seminar for Federal Judicial Law Clerks*
- *Making the Transition to Supervisor*

- *Negotiating Pathways and Supporting Successful Transitions*
- *Workforce Management* (jointly produced with the Administrative Office)

The Center published the following titles in 2018 (these titles are also available on FJC.dcn):

- *Annual Report 2017*
- *Case Studies in Emergency Election Litigation* (eleven updated case studies)
- *Competencies for Court Employees*
- *Competencies for Experienced U.S. Probation and Pretrial Services Officers*
- *Competencies for United States Judges*
- *Consumer Law Update*
- *Court Leadership and Managerial Competencies for Chief Judges*
- *Court Leadership and Managerial Competencies for Court Unit Executives*
- *Court Leadership and Managerial Competencies for Deputy Court Unit Executives*
- *Debates on the Federal Judiciary: A Documentary History, Volume III: 1939–2005*
- *The Foreign Sovereign Immunities Act: A Guide for Judges*, 2d ed.
- *A Guide to the Preservation of Federal Judges' Papers*, 3d ed.
- *Law Clerk Handbook*, rev. 3d ed.
- *Leadership and Management Competencies for Supervisors and Managers*
- *Maintaining the Public Trust*, rev. 4th ed.
- *Managing Related Proposed Class Actions in Multidistrict Litigation*
- *Overview of Section 1983 Litigation*
- *Patent Mediation Guide*
- *Recent Developments in Bankruptcy Law*
- *Section 1983: Qualified Immunity*
- *Third-Party Litigation Finance*
- *Tutorials on Science and Technology*
- *United States v. Clay: Muhammad Ali's Fight Against the Vietnam Draft*

Judicial Education Programs (Jan. 1–Dec. 31, 2018)	Number of Programs	Number of Participants
Orientations for newly appointed district judges	5	74
Orientations for newly appointed bankruptcy judges	1	14
Orientations for newly appointed magistrate judges	2	74
National workshops for district judges	2	248
National workshops for bankruptcy judges	2	259
National workshops for magistrate judges	2	370
Appellate judge programs	3	25
Circuit workshops	1	33
Special-focus seminars	15	439
TOTAL	33	1,536

Legal Staff Education Programs (Jan. 1–Dec. 31, 2018)	Number of Programs	Number of Participants
Appellate writing for federal defenders	1	47
National conference for pro se law clerks	1	130
National seminar for federal defenders	1	550
Judicial clerkship institute	1	47
Workshop for federal court mediators	1	41
Orientation seminar for assistant federal defenders	1	111
Capital habeas unit national conference	1	166
TOTAL	7	1,092

Programs and Planning Meetings for Executives, Managers, Supervisors, Probation and Pretrial Services Officers, and Staff (Jan. 1–Dec. 31, 2018)	Number of Programs	Number of Participants
Leadership and management programs for chief judges, court unit executives, and deputy court unit executives	9	572
Programs for supervisors, managers, aspiring leaders, court staff, and trainers	10	960
Programs specifically for probation and pretrial services officers	13	413
In-district programs for supervisors, managers, aspiring leaders, court staff, and trainers	150	4,992
TOTAL	182	6,937

Distance Education (Jan. 1–Dec. 31, 2018)	Number of Programs	Number of Participants
Technology-based programs (e-learning programs, videoconferences, audioconferences, and online conferences) for judges and legal staff	11	16,173
Technology-based programs for court unit executives, deputy court unit executives, legal staff, supervisors, managers, aspiring leaders, court staff, and trainers	16	961
TOTAL	27	17,134
GRAND TOTAL (Does not include programs developed with other organizations.)	249	26,699

RESEARCH

The Center conducts empirical and legal research on a broad range of issues facing the federal courts. Nearly all of the Center's research is conducted at the request of committees of the Judicial Conference of the United States. In 2018, the Center completed twenty-four major research projects and continued work on forty-seven others. Many of the Center's research reports, along with descriptions of research projects underway, can be found on the Center's internet site at FJC.gov.

Bankruptcy Courts

The Center conducted two surveys at the request of the Advisory Committee on Bankruptcy Rules. One survey of bankruptcy judges asked about their views regarding restyling the bankruptcy rules. Another survey asked bankruptcy clerks about compliance with Rule 2013 of the Federal Rules of Bankruptcy Procedure, which requires that courts maintain a public record of fees awarded to trustees, professionals employed by trustees, and examiners.

At the request of the Committee on the Administration of the Bankruptcy System, the Center worked with committee members and staff of the Administrative Office to design a multiyear project for updating the current bankruptcy court case weights.

The Center continued to monitor and collect data from the four courts participating in two multiyear Judicial Conference-approved pilots: the bankruptcy judgeship vacancy pilot and the horizontal consolidation of bankruptcy clerks' offices pilot.

The Center worked on other bankruptcy-related projects in 2018, including surveys of the staff and pro se litigants in the Bankruptcy Court for the District of Maryland regarding court access issues. At the request of the Committee on Federal-State Jurisdiction, the Center began work on a new pocket guide about bankruptcy law for state judges.

Civil Litigation

At the request of the Advisory Committee on the Rules of Evidence, the Center surveyed a sample of district judges and practitioners to obtain their views about a possible rule change governing the admissibility of certain prior inconsistent statements that are in audiovisual format and that have not been sworn to in court.

The Center continued to work with the Committee on Rules of Practice and Procedure and its Advisory Committee on Rules of Civil Procedure to evaluate

the experiences of courts participating in the Judicial Conference-authorized mandatory initial discovery pilot. The three-year pilot commenced on May 1, 2017.

In another pilot on the use of initial discovery protocols for employment cases alleging adverse action, the Center collected and analyzed data on more than 900 study cases. In response to a request from the Civil Rules Committee, the Center completed an assessment of how often parties in federal court were denied a desired jury trial for failure to specifically request one.

Criminal Litigation

At the request of the Committee on Defender Services, the Center continued work on a white paper on the likely effect of the Department of Justice's opt-in regulations under Chapter 154 of Title 28 (the Antiterrorism and Effective Death Penalty Act of 1996) on the district courts in states with certified procedures. Also at the request of the Defender Services Committee and in cooperation with staff of the Defender Services Office of the Administrative Office, the Center began assessing differences in representation cost efficiencies between criminal habeas units and Criminal Justice Act panel attorneys.

Multidistrict Litigation

At the request of the Judicial Panel on Multidistrict Litigation (JPML), the Center surveyed judges with recently concluded multidistrict litigation (MDL) regarding their experiences with the litigation. The Center also surveyed all district judges to gauge their interest in serving as MDL transferee judges and developed a database of orders entered in MDL proceedings that allowed for direct filings of cases in the transferee courts. The database will assist the JPML's understanding of the scope of direct case filings. For the Judicial Resources Committee, the Center gathered and analyzed data to assess the impact of the transfer of MDL proceedings on the caseloads of the district courts since 1997. The Center also continued work on a pocket guide on common benefit funds highlighting attorney fee issues that frequently arise in multidistrict and class-action litigation.

Other Center Research

Along with staff of the Administrative Office, the Center assisted the Committee on the Administration of the Magistrate Judges System with analyzing the current and

projected workloads of magistrate judges in individual districts.

The Center continued to monitor activities in the thirteen designated districts participating in the ten-year congressionally mandated pilot of patent case assignments and reported on its findings in the winter

2018 report to the Committee on Court Administration and Case Management.

At the request of the Committee on Intercircuit Assignments, the Center continued to evaluate the experiences of districts and judges participating in a three-year district judge sharing pilot.

FEDERAL JUDICIAL HISTORY

The Center's statute directs it to conduct, coordinate, and encourage programs relating to the history of the judicial branch.

The Center published *A Guide to the Preservation of Federal Judges' Papers*, 3d ed. The guide provides information for judges about organizing, managing, and storing physical documents and electronic material in chambers. It also discusses the importance of federal judges' papers as a documentary record of their careers and the work of the federal courts and offers guidelines for judges' selection of a repository to house a collection.

The Center continued to expand the historical reference materials available on the History of the Federal Judiciary section of its website. In 2018, the Center expanded and refined its information on historic federal courthouses and added material to its Famous Federal Trials series. The Center also continued its efforts to

increase knowledge of the history of the federal courts through outreach and public education. The Center's Twitter account, @FedJudicialHist, includes tweets with links to material on the History of the Federal Judiciary section of the website, as well as facts about the history of the federal courts.

In partnership with the American Bar Association Division for Public Education, the Center held the twelfth annual teachers institute on historical cases in the federal courts. History teachers from across the country met with federal judges, scholars, and curriculum experts to examine *Ex parte Merryman*, the flag salute cases, and the Rosenberg trial. The teachers attended a U.S. Supreme Court session and visited the U.S. District Court for the District of D.C. The Center will offer the fourteenth annual teachers institute in Washington, D.C., in 2019. The institutes are based on the Center's online Teaching Judicial History project.

INTERNATIONAL JUDICIAL RELATIONS

The Center's International Judicial Relations Office participates in exchanges with judiciaries from around the world, receiving judges and other justice-sector professionals at the Center's Washington, D.C., offices and coordinating technical consultations abroad. Executive branch agencies, international organizations, and foreign countries fund particular programs on which the Center collaborates in its international efforts.

In 2018, the Center hosted over 400 visitors from sixty countries and jurisdictions for informational briefings exploring different aspects of the U.S. judicial system. These delegations included representatives from Afghanistan, Argentina, the Bahamas, Bahrain, Bosnia and Herzegovina, Brazil, Burkina Faso, Chad, China, Côte d'Ivoire, Croatia, Egypt, France, Georgia, Guinea, Guinea-Bissau, Hong Kong, Hungary, India, Iraq, Israel, Japan, Jordan, Kosovo, Kuwait, Laos, Latvia, Lebanon, Libya, Malawi, Malaysia, Mauritania, Mexico, Moldova, Mongolia, Morocco, Nepal, Nigeria, Pakistan, Palestinian Territories, Philippines, Qatar, Saudi Arabia, Senegal, Serbia, Somalia, South Africa, South Korea, South Sudan, Sri Lanka, Sudan, Tanzania, Togo, Tunisia, Turkey, Uganda, Ukraine, Uzbekistan, Vietnam, and Zambia.

The director of India's National Judicial Academy and justices from eight regional high courts spent two days at the Center for a program focusing on the adjudication of terrorism cases. The Center also hosted

judges from Georgia for three programs that included sessions on judicial leadership and case management.

The Center continued its collaboration with the judiciaries of Namibia, Pakistan, Ukraine, and Uzbekistan, working on projects related to court automation, case management, and judicial administration. Center staff provided support to the judiciary of Vietnam, consulting on the design of court-annexed mediation programs. The Center also participated in an international conference on judicial independence. This program included judges and ministry of justice officials from more than seventy-five countries and celebrated Morocco's recent judicial reforms.

Under the auspices of the Visiting Foreign Judicial Fellows Program, the Center hosts judges, prosecutors, and other legal professionals as scholars in residence. Fellows spend one to three months at the Center researching an area relevant to judicial and legal reforms in their home countries. The 2018 Fellows included judges, lawyers, and academics from Australia, Bangladesh, Brazil, Bulgaria, China, Japan, Pakistan, the Philippines, South Korea, Trinidad and Tobago, Turkey, and Uzbekistan. Their research interests were varied and included, among other topics, alternative dispute resolution, judicial independence, international insolvency, the judiciary's budget process, criminal justice, transparency, court management, and labor law.

RESOURCES

Websites

FJC.dcn, the Center's website on the judiciary's intranet, provides a convenient place for judges and court staff to find information on the Center's research, education, history, and international programs and activities and to find print, video, and audio materials. Digital recordings of many conferences and workshops are available on the site. All federal judicial history and international judicial relations material, most Center publications, and some other resources are available to the public on the Center's internet site, FJC.gov.

Civil Justice Reform Act of 1990 Research Collection

In May 2018, the Center published an online research collection documenting the federal judiciary's implementation of the Civil Justice Reform Act of 1990. The collection includes legislative documents related to the development of the law, actions the judiciary was required to undertake, and correspondence and other documents that were generated during implementation. The materials were digitized and published on FJC.gov at the request of the Administrative Office of the U.S. Courts to facilitate access for research purposes.

Records Management

In 2017, the Center updated its records disposition schedule to accommodate digital records and online resources. The schedule was approved by the archivist of the United States in June of that year. The first transfer of the Biographical Directory of Article III Federal Judges, 1789–present to the National Archives as permanent records took place in 2018.

Publications

Center manuals, monographs, and research reports are described throughout this report. In 2018, the Center distributed 10,659 printed copies of its publications. Digitization of out-of-print Center titles is ongoing. Commercial publishers make several Center publications available for sale to the public, including the *Reference Manual on Scientific Evidence*, 3d ed., *Manual for Complex Litigation*, 4th ed., and *Patent Case Management Judicial Guide*, 3d ed.

Media Library

The media library contains 6,400 audio and video programs, including Center-produced educational video programs, video and audio recordings of seminars and workshops, and commercially produced educational video programs. In 2018, the media library loaned 286 programs to federal judges and judicial branch personnel on request and sent 582 Center-produced media programs directly to the courts for their use in local education and training programs.

Information Services

Drawing from a specialized collection of books, journals, and published and unpublished documents on the work of the federal courts, the Center serves as a clearinghouse for information on federal judicial administration. During the year, the Center answered requests for information from judges and court staff, visiting foreign judicial fellows, congressional staff, other government agencies, academics, researchers, the media, and others.

FEDERAL JUDICIAL CENTER FOUNDATION

The Federal Judicial Center Foundation is a private, non-profit corporation that Congress established to receive gifts to support the work of the Center. The Foundation has sole authority to decide whether to accept gifts and thereby to determine the suitability of would-be donors. The Foundation may not accept gifts earmarked for projects that have not previously been approved by the Center's Board, and the Center has sole control over the design and conduct of activities supported by donations.

The Foundation is governed by a seven-person board appointed by the Chief Justice, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. No Foundation board member may be an active judge. Foundation board members at the close of 2018 were:

James M. Wagstaffe, San Francisco, Cal., *Chair*
Hon. Rebecca Love Kourlis (Ret.), Denver, Colo.
Peter A. Kraus, Dallas, Tex.
Laurie L. Michel, Washington, D.C.
Blake D. Morant, Washington, D.C.
John B. White, Jr., Spartanburg, S.C.
Benjamin L. Zelenko, Washington, D.C.

In creating the Foundation, Congress directed that in its annual report the Center describe the purposes for which Foundation gifts were used in the reporting year. The Center used the following Foundation gifts in 2018:

- Funds from the American Association for the Advancement of Science paid the travel expenses for federal judges to attend two programs on emerging issues in neuroscience.
- Funds from the Electronic Discovery Institute paid the travel expenses for federal judges to attend a program on discovery.
- Funds from the American Bar Association Litigation Section paid the travel expenses for federal judges to attend a seminar on antitrust litigation.
- Funds from the Department of State covered travel expenses for providing technical assistance to the judiciary in the Republic of Namibia.
- Restricted settlement funds provided support for a judicial seminar on complex litigation.

EDUCATION ADVISORY COMMITTEES

Advisory committees provide guidance on curriculum development and education programs and publications. The Chief Justice appoints the members of the advisory committees on appellate, bankruptcy, district, and magistrate judge education and the benchbook committee, and Center Board members serve on each of these committees. The advisory committees had the following membership as of December 2018.

Committee on Appellate Judge Education

Judge Thomas I. Vanaskie (3d Cir.), *Chair*
Judge Duane Benton (8th Cir.), Center Board Representative
Judge David F. Hamilton (7th Cir.)
Judge Catharina Haynes (5th Cir.)
Judge David S. Tatel (D.C. Cir.), Center Board Representative
Michele E. Reed (Chief, Judicial Services Office, Administrative Office of the U.S. Courts)

Committee on Bankruptcy Judge Education

Bankruptcy Judge Shelley C. Chapman (S.D.N.Y.), *Chair*
Bankruptcy Judge Mildred Caban (D.P.R.)
Bankruptcy Judge John E. Hoffman, Jr. (S.D. Ohio)
Chief Bankruptcy Judge Barbara J. Houser (N.D. Tex.), Center Board Representative
Bankruptcy Judge William J. Lafferty III (N.D. Cal.)
Troy McKenzie (Professor, New York University School of Law)
Chief Bankruptcy Judge Cynthia A. Norton (W.D. Mo.)
Michele E. Reed (Chief, Judicial Services Office, Administrative Office of the U.S. Courts)

Committee on District Judge Education

Chief Judge William E. Smith (D.R.I.), *Chair*
Judge Edward M. Chen (N.D. Cal.)
Judge Brian Cogan (E.D.N.Y.)
Judge Curtis Lynn Collier (E.D. Tenn.), Center Board Representative
Judge Catherine C. Eagles (M.D.N.C.)
Judge Amy J. St. Eve (7th Cir.)
Judge George Z. Singal (D. Me.), Center Board Representative
Michele E. Reed (Chief, Judicial Services Office, Administrative Office of the U.S. Courts)

Committee on Magistrate Judge Education

Magistrate Judge Evelyn J. Furse (D. Utah), *Chair*
Magistrate Judge Tim A. Baker (S.D. Ind.), Center Board Representative
Magistrate Judge Sonja F. Bivins (S.D. Ala.)
Magistrate Judge Jonathan E. Hawley (C.D. Ill.)
Magistrate Judge Anthony E. Porcelli (M.D. Fla.)
Magistrate Judge David A. Sanders (N.D. Miss.)
Michele E. Reed (Chief, Judicial Services Office, Administrative Office of the U.S. Courts)

Committee on the Benchbook for U.S. District Court Judges

Judge Ann D. Montgomery (D. Minn.), *Chair*
Judge Irene M. Keeley (N.D. W. Va.)
Judge Kimberly J. Mueller (E.D. Cal.), Center Board Representative
Judge Danny C. Reeves (E.D. Ky.)
Chief Judge Julie A. Robinson (D. Kan.)
Judge Robert H. Whaley (E.D. Wash.)

Committee on Court Attorney Education

D. Robert Smith, Staff Attorney (N.D. Tex.), *Chair*
Kimberly Berger, Pro Se Law Clerk (D. Md.)
Lisa Fitzgerald, Senior Staff Attorney (9th Cir.)
Eileen Garcia-Wirshing, Career Law Clerk, Chief District Judge (D.P.R.)
Terees Jenkins, Pro Se Law Clerk (E.D. Tex.)
Jennifer Knight, Career Law Clerk, District Judge (D.D.C.)
Lauren Mandel, Career Law Clerk, District Judge (E.D. Mich.)
Delores Simmons, Career Law Clerk, District Judge (D.D.C.)
Tamala Wayne, Supervisory Staff Attorney (2d Cir.)
Gloria J. Malkin (Attorney Advisor, Court Services Office, Administrative Office of the U.S. Courts)
Henry Wigglesworth (Senior Attorney, Judicial Services Office, Administrative Office of the U.S. Courts)

Defender Services Advisory Group Panel on Defender Education

Jon Sands (Federal Public Defender, D. Ariz.), *Chair*
Denise Barrett (Sentencing Resource Counsel Project)
Lisa Freeland (Federal Public Defender, W.D. Pa.)
Christina Hunt (Federal Community Defender, M.D. Ga.)
David McCann (CJA Panel Attorney Representative, D.S.C.)
Marjorie Meyers (Federal Public Defender, S.D. Tex.)
Anthony Natale (Supervisory Assistant Federal Public Defender, S.D. Fla.)
David Patton (Federal Community Defender, E.D.N.Y. and S.D.N.Y.)
Gilbert Schaffnit (CJA Panel Attorney Representative, N.D. Fla.)
Carlos Williams (Federal Community Defender, S.D. Ala.)
James Wyda (Federal Public Defender, D. Md.)

Committee on Executive Education

James Corpening (Chief U.S. Probation and Pretrial Services Officer, E.D.N.C.), *Chair*
Chief Bankruptcy Judge Kathryn C. Ferguson (D.N.J.)
Chief Judge David Nuffer (D. Utah)
Diane F. Bauersfeld (Deputy Circuit Librarian, 10th Cir.)
Robert Carr (Clerk of Court, E.D. Ky.)
Vikram Chandhok (Chief Circuit Mediator, 5th Cir.)
Janet Medlock (Clerk of Court, Bankr. E.D. Wis.)
Kathleen Shambaugh (Chief Deputy, N.D. Cal.)
Todd Stickle (Chief Deputy, Bankr. E.D. Mich.)
Mitsi Westendorff (Chief U.S. Probation Officer, W.D. Tex.)
Robert Lowney (Chief, Court Services Office, Administrative Office of the U.S. Courts)
Edyta Malik (Probation Administrator, Probation and Pretrial Services Office, Administrative Office of the U.S. Courts)

Committee on Management and Professional Development Education

Katherine Gullo (Clerk of Court, Bankr. E.D. Mich.), *Chair*
Jane Bauer (Operations Manager, D. Conn.)
Kito Bess (Chief U.S. Probation Officer Designee, D. Minn.)

Beryl Dixon (Officer of Planning and Personnel Management, Bankr. C.D. Cal.)
Daniela Guido (Supervisory Pretrial Services Officer, D.N.J.)
Dailin Pena (Training Manager, Bankr. S.D. Fla.)
Paula Rogers (Training Specialist, N.D. Ill.)
Brit Shelton (Supervisory Probation Officer, M.D. Tenn.)
Eric Storms (Chief Deputy, D. Me.)
Christopher Wolpert (Chief Deputy, 10th Cir.)
William Hicks, Jr. (Probation Administrator, Probation and Pretrial Services Office, Administrative Office of the U.S. Courts)
Gary McCaffrey (Chief, Operations Division, Administrative Office of the U.S. Courts)

Committee on Probation and Pretrial Services Education

Yador Harrell (Chief U.S. Probation Officer, N.D. Cal.), *Chair*
Scott Anders (Chief U.S. Probation Officer, E.D. Mo.)
Tony Anderson (Chief U.S. Probation Officer, E.D. Tenn.)
Robin Grimes (Chief U.S. Probation Officer, N.D. Ohio)
Kandice Mullivan (Assistant Deputy Chief U.S. Probation Officer, D.S.D.)
Andrea Neumann (Supervisory U.S. Probation Officer, S.D. Iowa)
Jennifer Simone (U.S. Pretrial Services Officer Specialist, D. Nev.)
January Welks (U.S. Probation Officer, D. Conn.)
Amanda Garcia (Probation Administrator, Probation and Pretrial Services Office, Administrative Office of the U.S. Courts)
Cynthia Mazzei (Probation Administrator, Probation Training Academy)