

# **FEDERAL JUDICIAL CENTER**

Annual Report 2014

## Contents

- 1 A Message from the Director
- 2 2014 Federal Judicial Center Staff
- 3 About the Federal Judicial Center
  - Statutory Mission
  - Governance
  - Organization
  - Board
  - Coordination Within the Judicial Branch
  - Staffing and Appropriation
  - Senior Staff
- 4 2014 at a Glance
- 5 Education and Training
  - Education Programs and Resources for Judges
  - Team Workshops for Judges and Staff
  - Continuing Education for Legal Staff
  - Education Programs and Resources for Court Staff
  - Presentations Delivered
  - Center Educational Activities in Partnership with Other Agencies
  - Print and Media Resources
- 10 Research
  - Alternative Dispute Resolution
  - Bankruptcy Courts
  - Civil Litigation
  - Criminal Litigation
  - Multidistrict Litigation
  - Other Center Research
- 11 Federal Judicial History
- 12 Programs for Foreign Judicial Officials
- 13 Resources
  - Websites
  - Publications
  - Media Library
  - Information Services
- 14 Federal Judicial Center Foundation
- 15 Advisory Committees

## A MESSAGE FROM THE DIRECTOR

After several years of fiscal austerity and the resulting attrition of both staff and services, 2014 was a year of modest growth and increased innovation at the Federal Judicial Center. For the first time since 2010, we were able to fill a small number of long-vacant positions and implement several new educational programs.

In consultation with our education advisory committees, our Education Division worked to identify the specific competencies that will be the basis of a standard curriculum for each of our judicial and court staff user groups. Members of our advisory committees also participated in a two-day faculty-development workshop that provided them with direct personal experience in the fundamentals of interactive adult learning. We introduced several new in-person programs for judges, including a seminar at Vanderbilt Law School for mid-career district judges, a seminar at the National Constitution Center on the judicial legacy of James Madison, and a workshop at NYU Law School on bankruptcy basics for district judges. We also expanded and enhanced our excellent leadership programs for court unit executives and for new managers and supervisors.

Our Research Division produced solid work in support of the various committees of the Judicial Conference of the United States. Among the more than fifty ongoing projects are a congressionally mandated study of the Patent Pilot Program and a critical review of the way in which cases are weighted in determining the need for additional judges. Another significant project is a survey of civic education efforts throughout the federal judiciary. The data from the survey, which were presented at an annual conference for judges and journalists in December, will be invaluable in identifying best practices in this important area.

Our History and International Judicial Relations Offices once again had broad impact that belies their small size. In addition to curating the official biographies of all past and current federal judges and organizing an acclaimed annual training program for secondary teachers, the History Office has worked closely with the Supreme Court Historical Society to produce a comprehensive history of the federal judiciary that is scheduled for publication later this year. The International Judicial Relations Office hosted dozens of visiting delegations and continues to play an important role in supporting the State Department's rule-of-law initiatives.

In addition to producing, updating, and disseminating a wealth of high-quality publications and other resources, our Editorial and Information Services Office and our Information Technology Office have collaborated on a dynamic Web interface that we think will transform the way our end users interact with us. The site should be fully operational by the time this annual report is released.

Going forward, events during the past year have reminded us that the true “end users” of our judicial system—the people who appear in our courts as parties, witnesses, and jurors—often have diverse expectations and assessments of the responsiveness and fairness they experience. We will do what we can to give judges and court staff opportunities to reflect upon and think constructively about the implications of these differing views and to develop thoughtful ways of responding to them.

Finally, I want to acknowledge the retirement of two exemplary members of our senior staff: Education Division Director Bruce Clarke and History Office Director Bruce Ragsdale. Both of them have been an inspiration to their colleagues and to the members of the judicial community who have had the privilege of working with them. We will miss both of them very much, and we wish both of them nothing but the best in the next phase of their lives.



JEREMY D. FOGEL

## 2014 Federal Judicial Center Staff

Adrian Alvarado	Hieu Duong	Carol Krafka	Marilyn Queen
Marlene Annoni	Trung Duong	Jennifer Krause	Bruce Ragsdale
Chuck Arberg	Jim Eaglin	Elizabeth Lambert	David Rauma
Marvin Astrada	Geoff Erwin	Timothy Lau	Tim Reagan
Norman Baker	Rebecca Eyre	Hai Le	Alyssa Rice
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Jo Ann Barnes	Kim Fisher	Emery Lee	Jennifer Richter
Jared Bataillon	Brian Foxworth	Frank Leidy	Robin Rowland
Linda Beavers	Sarah Garrison	Angelia Levy	Steve Saltzgeber
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Craig Bowden	Vashty Gobinpersad	Dwayne Livingston	Michael Siegel
Jim Buchanan	Samuel Golant	Tom Lo	Deena Smith
Kerry Budd	Dexter Green	Angela Long	Jessica Snowden
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Joe Cecil	Krishna Gunupati	Richard Marshall	Donna Stienstra
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Nathan Dotson	Martha Kendall	Gloria Pleasure	LaTonja Wright
Phyllis Drum	Jake Kobrick	Maisha Pope	
Meghan Dunn	David Kolm	Dana Przesmitzki	

# 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 2014.

## 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 2014, the Judicial Conference elected Judge Kent A. Jordan, of the U.S. Court of Appeals for the Third Circuit, to the Center’s Board, replacing Judge Edward C. Prado, of the U.S. Court of Appeals for the Fifth Circuit, whose term expired.

The Board appoints the Center’s director and deputy director; the director appoints the Center’s staff. All but one of the Center’s ten directors have been federal judges, including its current director, Judge Jeremy D. Fogel, of the U.S. District Court for the Northern District of California.

## 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

## Board of the Federal Judicial Center

The Chief Justice of the United States, *Chair*

Judge John D. Bates, Director of the Administrative Office of the U.S. Courts

Judge Catherine C. Blake, U.S. District Court for the District of Maryland

Magistrate Judge Jonathan W. Feldman, U.S. District Court for the Western District of New York

Judge James F. Holderman, Jr., U.S. District Court for the Northern District of Illinois

Judge Kent A. Jordan, U.S. Court of Appeals for the Third Circuit

Judge Michael M. Melloy, U.S. Court of Appeals for the Eighth Circuit

Chief Judge C. Ray Mullins, U.S. Bankruptcy Court for the Northern District of Georgia

Judge Kathryn H. Vrtil, U.S. District Court for the District of Kansas

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 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 & Information Services Office—support Center missions through technology, editorial and design assistance, and organization and dissemination of Center resources.

## Coordination Within the Judicial Branch

Numerous 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 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.

### **Staffing and Appropriation**

The Center had a fiscal 2014 appropriation of \$26,200,000, and it employed 121 people at the end of calendar year 2014. The Center’s 2015 appropriation is \$26,959,000. Approximately 75% of Center expenditures support its education and training activities, with the remainder devoted almost entirely to its research activities.

### **Senior Staff of the Federal Judicial Center**

Hon. Jeremy D. Fogel, Director

John S. Cooke, Deputy Director

Bruce M. Clarke, Director, Education Division

Esther DeVries, Director, Information Technology Office

James B. Eaglin, Director, Research Division

Mira Gur-Arie, Director, International Judicial Relations Office

Bruce A. Ragsdale, Director, Federal Judicial History Office

Sylvan A. Sobel, Director, Editorial & Information Services Office

## **2014 at a Glance**

In 2014, the Center

- completed 14 major research and evaluation projects, continued work on 52 others, and responded to 32 other requests for short-term research assistance;
- provided 213 in-person and technology-based educational programs for some 17,813 federal judges, legal staff, and court employees and helped to design, conduct, and teach another 13 programs, produced by other organizations, for 2,059 court staff participants;
- produced 16 new educational video programs, either for online delivery or use in other education and training programs;
- published or updated 14 reports, manuals, monographs, or reference guides;
- distributed 21,307 printed copies of its publications, as well as 1,641 audio, video, and multimedia programs;
- conducted the ninth annual teacher institute on historic cases in the federal courts; and
- hosted 680 visiting foreign judges, court officials, and attorneys from 58 different countries.

# EDUCATION AND TRAINING

The Center produces its educational programs and resources in coordination with its Board and advisory committees. It also works closely with subject-matter experts from the courts, with scholars, and with staff from other government agencies to provide instruction on substantive legal topics, case and court management, and leadership development.

Center educational programs and products are designed and produced in a variety of formats appropriate for the audiences they serve. These formats include in-person seminars and workshops as well as distance-education methods, including Web conferences, e-learning programs, audioconferences, videos, and other online resources.

In 2014, the Center delivered 46 programs for 2,344 federal judges and 167 programs for 15,469 legal and court staff. (“Programs” includes both in-person and distance-education programs.) The tables on page 9 contain detailed statistical information listed by program type. Center staff also assisted in the development and delivery of 13 programs produced by other organizations and attended by 2,059 court staff.

## Education Programs and Resources for Judges

### *Orientation Programs*

The pace of nominations and confirmations of federal judges increased in 2014. As a result, the Center delivered four Phase I orientation seminars for newly confirmed district judges and two each for new bankruptcy and magistrate judges. All Phase I seminars include sessions on judicial ethics, case management, pretrial and trial issues, evidence, judicial security, and the role and demeanor of the judge. Judges in each seminar also examine matters germane to their specific jurisdictions and roles. For example, the Phase I seminar for district judges includes sessions on sentencing, including group discussion of sentencing hypotheticals.

Later in their first year on the bench, new district, bankruptcy, and magistrate judges attend a week-long Phase II orientation seminar. These cover ethics, case management, the role of the judge, and substantive legal topics. New court of appeals judges attend an orientation program that covers chambers management, case management, and collegiality, and a joint program with dis-

trict judges on judicial ethics, opinion writing and editing, wellness, and managing caseloads using information technology.

### *Continuing Education Programs*

National workshops provided continuing education for district, bankruptcy, and magistrate judges on new developments in the law, the Codes of Conduct and judicial ethics, case- and court-management techniques, and effective use of technology. The district and magistrate judges’ workshops also included breakout sessions on evidence-based treatment approaches and use of incentives and sanctions in reentry courts. The Center also conducted one circuit-based workshop for Article III judges in the Seventh Circuit.

A conference for chief district judges provided discussions on new Judicial Conference policies, legislation of interest to the judiciary, the budget outlook for fiscal year 2015, and leadership and management practices. The Director of the Federal Bureau of Investigation provided an overview of recent Department of Justice and FBI initiatives. A conference for chief bankruptcy judges included discussion of their role as leaders and budget issues affecting the bankruptcy courts.

A triennial national symposium brought together about 120 court of appeals judges to analyze trends in recent criminal and civil cases decided by the Supreme Court and to examine factors affecting the Court’s decision to grant or deny certiorari. The symposium also included small-group discussions of chambers and case-management issues and practices of common interest, an interactive discussion of judicial ethics (including ethical issues posed by use of social media), and a presentation on how Internet services track information about users. Administrative Office Director John D. Bates provided an update on budget and administrative issues facing the courts.

### *Special-Focus Seminars*

In 2014, the Center produced fourteen special-focus seminars on the following subjects: neuroscience (three programs); water rights law; employment law; intellectual property; law and genetics; law and society; patent litigation; bankruptcy; mediation; the humanities and science; the judicial legacy of James Madison; and judging at mid-career.

## Team Workshops for Judges and Staff

The Leadership Role of the Chief District Judge program, attended by fifteen teams of new (and soon-to-be) chief judges and their court unit executives, examined the leadership and management responsibilities of the position and the role of the chief district judge in setting the strategic direction of the court.

Two Executive Institutes for Chief District Judges and their court unit executives fostered strategic thinking and leadership.

The Center held two Quality Improvement Seminars for drug and reentry court teams.

Two Judges IT Training: Training for Court Teams workshops taught twelve court teams (one judge and four staff members per team) how to design information technology (IT) training for the judges in their courts.

The Center conducted a train-the-trainer workshop to develop faculty for its planned Pretrial Release and Detention Decision Making Seminar. Participants included magistrate judges, chief probation and pretrial services officers, assistant U.S. attorneys, and federal defenders.

A Smart on Crime Implementation Workshop, co-sponsored with the U.S. Department of Justice, brought together executive-level decision makers from five districts—chief district judges (or a district judge designee), chief probation and pretrial services officers, U.S. attorneys, federal defenders, and Bureau of Prisons wardens/regional directors—to discuss how to make smarter, evidence-based decisions in their districts with regard to pretrial and postconviction interventions. The workshop was a project of the federal reentry roundtable, which is chaired by the Office of the Deputy Attorney General and consists of representatives of the U.S. Department of Justice; the Federal Bureau of Prisons; the Administrative Office of the U.S. Courts Probation and Pretrial Services Office and Defender Services Office; the United States Sentencing Commission; federal/community defender organizations; and the Center.

The Juror Management and Utilization Workshop, attended by sixteen teams of judges, clerks of court, chief deputies, and court staff, provided strategies for effective juror management and ways to improve jurors' experiences.

## Continuing Education for Legal Staff

The biennial national conference for appellate staff attorneys addressed new developments in the law. The National Seminar for Federal Defenders, held annually, is for federal defenders who have been practicing criminal

law for a minimum of three years. The Center delivered a conference for federal defender administrators and an orientation for new federal defenders.

Forty career law clerks attended the Judicial Clerkship Institute, while seventy-seven term law clerks enrolled in the online interactive law clerk orientation seminar, which contains exercises to help new law clerks understand the ethical responsibilities of their position.

A Center webcast series for court attorneys delivered webinars on electronic discovery; class actions; law and technology; neuroscience; criminal procedure; ethical concerns and social media; federal jurisdiction; evidence; social security; and performance management, development, and evaluations.

## Education Programs and Resources for Court Staff

The Center provides blended-learning programs for court personnel in several categories. These programs consist of a combination of in-person workshops, Web-based sessions, and homework assignments.

The Center's second year-long Judiciary Executive Leadership Program began in December 2014. The curriculum enhances the ability of seasoned court unit executives to lead their organizations and develop the skills of potential future court leaders. The year-long program includes one-on-one executive coaching, competency-based webinars, individual development projects, and two in-person leadership development programs.

Appellate court unit executives and their deputies participated in a two-day leadership and management program.

The National Conference for Chief U.S. Probation and Pretrial Services Officers consisted of a one-day session for new chiefs and a three-and-a-half-day conference for all chiefs.

The Institute for New Court Unit Executives taught participants strategies and techniques to use their leadership skills to effect change.

The Institute for Chief Deputies, Deputy Chiefs, and Circuit Staff in Comparable Positions helped participants strengthen their strategic thinking, leadership, and management skills.

The New Deputy Chief Program helped new deputies transition into their role and increase their leadership skills. The curriculum addressed three leadership competencies deputy chiefs must possess to do their jobs well: thinking with the big picture in mind; showing courage (by confronting problems early, persevering on difficult



issues, and taking a stand in the face of controversy); and fostering information sharing.

The Alternative Dispute Resolution (ADR) Administrators workshop enhanced participants' knowledge about the procedures, tasks, functions, and ethical issues involved in ADR cases.

Participants in the Experienced Supervisors Seminar: Targeting Leadership Excellence developed three leadership competencies: establishing a professional presence; empowering others; and leading with maturity and passion.

Fifty-one participants graduated from the two-year Federal Court Leadership Program.

Recently appointed supervisors from clerks and probation and pretrial services offices attended the New Supervisors Development Program to acquire the leadership and management competencies necessary for them to serve successfully as supervisors. The program takes twelve months.

An in-person Leadership Development Program for probation and pretrial services officers consisted of skill-building activities and presentation of participants' in-district projects.

The Center also conducted three training-for-trainers workshops. A combination of retired court unit executives and Center staff were recruited and trained to serve as executive coaches for three years for the Judiciary Executive Leadership Program mentioned above. In support of the new Personality and Temperament Instrument Program, the Center trained thirty new faculty on how to use the National Curriculum and Training Institute instrument and how to teach the in-district program for courts who request it. Also, thirty new faculty were trained for the Supervising Officers in an Evidence-Based Environment program, which will be offered as a new in-district program in 2015.

### ***In-District Programs***

In response to requests from individual districts, the Center provided trained faculty to deliver in-district programs. It also provided one self-study course. Topics included Personality Temperament Instrument; Structured Writing; Code of Conduct; Time Management; Preventing Workplace Harassment; Performance Management; Trust in the Workplace; and Foundations of Management.

### ***Technology-Based Programs***

The Center delivered webinars and e-learning programs to court personnel. Most webinars are a component of

blended-learning programs and are offered to a targeted group of participants. E-learning courses, such as the ethics courses, project management, and the interactive Bankruptcy Online Tutorial and Bankruptcy e-Reference, are available any time and enable users to work through the course at their own pace.

## **Presentations Delivered**

Center staff made presentations at conferences and educational programs held by the Administrative Office, individual courts, and associations of court employees.

## **Center Educational Activities in Partnership with Other Agencies**

Center staff assisted with the instructional design and delivery of the Long Range Facilities Planning Workshop for the Administrative Office's Space and Facilities Division staff and contracting teams. Thirty-two participants learned key terms and concepts integral to long range planning and discussed how the plan is used in the courts.

Managing a Capital Construction Project (CapCon), a workshop designed for judges, court managers, and staff involved in the planning and delivery of a courthouse building project, featured faculty from the Space and Facilities Division, circuit architects, and court managers experienced with managing capital building projects. The Center provided instructional design and faculty support.

## **Print and Media Resources**

### ***Publications and Web-Based Resources***

The following titles were printed or in press in 2014 and are also available on FJC Online:

- *Consumer Bankruptcy Law: Chapters 7 & 13*
- *The Foreign Sovereign Immunities Act: A Guide for Judges*
- *Managing the Chapter 15 Cross-Border Insolvency Case: A Pocket Guide for Judges, Second Edition*
- *Motor Voter: The National Voter Registration Act*
- *Section 1983 Litigation, Third Edition*
- *Ten Steps to Better Case Management: A Guide for Multidistrict Litigation Transferee Judges, Second Edition*
- *Ten Steps to Better Case Management: A Guide for Multidistrict Litigation Transferee Court Clerks, Second Edition*

The Center posted the following new or updated online publications and resources on FJC Online in 2014:

- *Deskbook for Chief District Judges of U.S. District Courts, Fourth Edition*
- *International Extradition: A Guide for Judges*
- *Jurors' and Attorneys' Use of Social Media During Voir Dire, Trials, and Deliberations: A Report to the Judicial Conference Committee on Court Administration and Case Management*
- *Mutual Legal Assistance Treaties and Letters Rogatory: A Guide for Judges*
- *National Security Prosecutions: Protective Orders*
- *Recent Developments in Bankruptcy Law*
- *Study of Class Action Objector Appeals in the Second, Seventh, and Ninth Circuit Courts of Appeals: Report to the Advisory Committee on Appellate Rules of the Judicial Conference of the United States*

### ***Video Programs***

New or updated video programs released in 2014 for judges, legal staff, and court staff, and made available in streaming format on FJC Online, are listed below:

- *A Review of Fourth Circuit Bankruptcy Decisions (2014)*
- *A Review of Eighth Circuit Bankruptcy Decisions (2014)*
- *A Review of Ninth Circuit Bankruptcy Decisions (2014)*
- *Court to Court: Bankruptcy Appellate Panels*
- *Court to Court: Court of Federal Claims*
- *Court to Court: Outreach Through History*
- *Court to Court: 2nd Chance Reentry Court*
- *Digital Forensic Analysis for Judges*
- *Evidence-Based Case Staffing (vignettes)*
- *Facilitation Skills (used for Center-trained faculty only)*
- *How Criminal Cases Move Through the District Court*
- *Middle Manager Professionalism (vignettes)*
- *Organizational Agility Scenarios*
- *Pretrial Decision Making for Magistrate Judges*
- *Supreme Court: The Term in Review (2013–2014)*
- *Writing, Preparing for Sentencing, and What Every Law Clerk Needs to Know*

## Seminars and Workshops for Judges, January 1–December 31, 2014

	Number of Programs	Number of Participants
Orientation for newly appointed circuit judges	1	10
Orientations for newly appointed district judges	5	102
Orientations for newly appointed bankruptcy judges	3	56
Orientations for newly appointed magistrate judges	3	75
Conference for chief district judges	1	102
Conference for chief bankruptcy judges	1	78
National symposium for court of appeals judges	1	126
National workshops for district judges	2	334
National workshop for bankruptcy judges	1	281
National workshops for magistrate judges	2	315
Circuit workshop	1	37
Team workshops*	10	426
Special-focus seminars	14	394
In-court program	1	8
<b>TOTAL</b>	<b>46</b>	<b>2,344</b>

\*Includes team-management workshops for judges and court unit executives.

## Education Programs for Legal Staff, January 1–December 31, 2014

	Number of Programs	Number of Participants
Judicial clerkship institute for career law clerks	1	38
Conference for federal defender administrators	1	104
Orientation seminar for assistant federal defenders	1	125
National conference for appellate staff attorneys	1	72
National seminar for federal defenders	1	552
Technology-based programs	12	7,961
<b>TOTAL</b>	<b>17</b>	<b>8,852</b>

## Education and Training Programs for Court Staff, January 1–December 31, 2014

	Number of Programs	Number of Participants
<b>Seminars and Workshops</b> (national and regional, but not including programs developed with other organizations)		
Leadership and management programs for chief judges, court unit executives, deputy unit executives, supervisors, managers, and aspiring leaders	15	720
<b>In-District Programs</b> (programs using curriculum packages, training guides, and computer-assisted instructional programs, but not including programs developed with other organizations)		
In-court programs for court unit executives, deputy unit executives, supervisors, managers, aspiring leaders, court staff, and trainers	114	3,610
<b>Technology-Based Programs</b> (e-learning programs, videoconferences, audioconferences, and online conferences, but not including programs developed with other organizations)		
Technology-based programs for court unit executives, deputy unit executives, supervisors, managers, aspiring leaders, court staff, and trainers	21	2,287
<b>TOTAL</b>	<b>150</b>	<b>6,617</b>
<b>GRAND TOTAL</b>	<b>213</b>	<b>17,813</b>

# RESEARCH

The Center conducts empirical and evaluative research on various aspects of federal judicial administration and case management, with most of the Center's research undertaken at the request of committees of the Judicial Conference of the United States. Some of the Center's projects involve large-scale national surveys of federal judges, court executives, and attorneys to generate empirical data on important topics and issues being considered by Conference committees. In 2014, the Center completed 14 major research projects and continued work on 52 others. The results of most of the Center's research are available in print, on its websites, or both.

## Alternative Dispute Resolution

The Center continued its multiyear cost-effectiveness study of alternative dispute resolution programs in the district courts as requested by the Judicial Resources and the Court Administration and Case Management (CACM) committees.

## Bankruptcy Courts

The Center conducted a systematic survey of the bankruptcy courts to identify and collect information the courts make available to assist unrepresented debtors and creditors. The information has been organized and posted on a new webpage on FJC Online, the Center's judiciary intranet site, enabling the courts to access and share a wide range of resources to assist unrepresented litigants.

The Center conducted research on fees and fee waivers to assist the Consumer Subcommittee of the Bankruptcy Rules Committee. Center staff also provided ongoing assistance with the Committee's updates of the bankruptcy forms.

At the request of the Committee on the Administration of the Bankruptcy System, the Center assisted with an assessment of the impact of Chapter 11 megacases on a court's workload. Based on this work, the Committee recommended an adjustment to the weighted caseload calculation; the adjustment was adopted by the Judicial Conference.

## Civil Litigation

The Center assisted the Case Management Statistics Subcommittee of the CACM Committee to identify the

core causes of long-standing civil case delay in certain districts. The research pointed to many factors, including the number of complex civil cases, the percentage of cases having a large number of motions, and the size of the court's criminal docket.

In an effort to better assess the possible impact of digital recording of court proceedings, the Center surveyed judges in the fourteen districts participating in the digital video recording pilot program.

## Criminal Litigation

As part of a multiyear study of the federal offender reentry programs requested by the Criminal Law Committee, the Center completed an assessment of the major court resources utilized by the judge-involved offender supervision programs in the five districts included in the Center's randomized study.

At the request of the CACM Committee, as well as the Defender Services and Criminal Law Committees, the Center began collecting information from district judges, federal probation officers, federal prosecutors, federal defenders, and Criminal Justice Act panel attorneys regarding sentenced federal inmates who were threatened or harmed because of their cooperation with the government.

## Multidistrict Litigation

In cooperation with the Judicial Panel on Multidistrict Litigation (MDL) executive, the Center completed a study of how non-aggregated litigation proceeds through the courts following the MDL Panel's denial of a motion to centralize. The results of the study will supplement the findings of the prospective study of MDL cases that the Center is currently conducting.

## Other Center Research

For more than four decades, the Center has conducted case-weighting studies in support of the Judicial Conference's efforts to determine appropriate judgeship needs of the federal judiciary. The Center continued that work with the Statistics Subcommittee of the Committee on Judicial Resources to update some or all of the 2004 district court case weights.

At the request of the Judicial Resources Committee and in cooperation with the CACM Committee, the Cen-

ter conducted a survey to count the number of people who have volunteered in the federal courts over the last three years. The study also provided descriptive information regarding what services were performed by the volunteers as well as how volunteers tend to be recruited for service. Also at the request of the Judicial Resources Committee, with input from the CACM Committee, Center staff developed a study design for a project to assess the impact of the pilot Court Law Clerk Program in district courts.

At the request of the Committee on the Judicial Branch, Center staff conducted a federal judiciary-wide

online survey of civic education activities of the federal courts. A similar survey of the federal courts' community outreach activities was conducted by the Center for the committee in 2002.

The Center, at the request of the Committee on the Rules of Practice and Procedure, commenced a follow-up to its 2009 assessment of the frequency with which unredacted Social Security numbers can be found in PACER searches of federal court filings.

## FEDERAL JUDICIAL HISTORY

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

The Center continued to work in partnership with the Supreme Court Historical Society on a project to produce the first-ever narrative history of the federal judiciary. The Center and the Society convened a meeting of the project's advisory board, consisting of judges and scholars. Center staff reviewed a completed draft of the manuscript and, following further revisions by the authors, members of the advisory board reviewed the manuscript.

The Center continued to expand the historical reference materials available on the History of the Federal Judiciary section of the Center's websites on the Internet and the federal judiciary's intranet. It presented judicial succession charts for all federal courts; compiled and presented online biographies of judges on the U.S. Court of Federal Claims; and compiled and presented data on unsuccessful judicial nominations and declined judicial confirmations since 1789. It also completed research on the organization of Judicial Conference committees and

continued the preparation of a third and final volume of *Debates on the Federal Judiciary: A Documentary History*. Center staff continue to consult with courts about the preservation of their history, organized the annual meeting of representatives from federal and state court historical programs, and met with social studies educators to promote the study of the federal courts in the history curriculum.

In partnership with the American Bar Association Division for Public Education, the Center held a ninth annual teacher institute on historic cases in the federal trial courts. History teachers from across the country met with federal judges, scholars, and curriculum experts to examine the Sedition Act trials of the 1790s, *Olmstead v. United States*, and the Pentagon Papers cases. The teachers also attended a Supreme Court session and visited the U.S. District Court for the District of Columbia. The Center will offer a tenth teacher institute in Washington, D.C., in June 2015. The institutes are based on the Center's online Teaching Judicial History project.

## PROGRAMS FOR FOREIGN JUDICIAL OFFICIALS

As directed by its statute, the Center assists foreign judiciaries by disseminating information about the U.S. judicial system and hosting judges, court officials, and judicial educators from around the world for informational briefings about judicial administration and judicial branch education. In 2014, the Center hosted 680 visitors from the following 58 countries:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Bangladesh, Barbados, Botswana, Brazil, Bulgaria, Cambodia, Croatia, Estonia, France, Gambia, Georgia, Germany, Hungary, Iraq, Israel, Jamaica, Japan, Jordan, Kenya, Kosovo, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Macedonia, Mexico, Moldova, Montenegro, Namibia, Nepal, Nigeria, Oman, Pakistan, Peru, Philippines, Russia, Seychelles, South Africa, South Sudan, Sri Lanka, Sweden, Tanzania, Thailand, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Arab Emirates, Uzbekistan, Venezuela

These meetings covered a number of different topics, including case management, judicial ethics, judicial selection and performance evaluation, empirical research to further the administration of justice, and distance education.

The Center also develops more specialized programs that address the specific needs and interests of visiting delegations. The Chief Justice of Namibia and represen-

tatives from the Ministry of Justice visited the Center to discuss strategies for transferring responsibility for judicial administration from the executive branch to the judiciary. The Center hosted representatives from Kenya's Judicial Services Commission for a series of meetings on topics related to the Commission's mandate. Other programs included a week-long seminar on judicial administration for Argentine judges and an exchange with members of Uzbekistan's Judicial Qualification Commission.

The Center's Visiting Foreign Judicial Fellows Program provides an opportunity for judges, court administrative personnel, and lawyers to be scholars-in-residence. Fellows conduct research in fields of relevance to legal and judicial reforms being implemented in their home countries. In 2014, the Center hosted an administrative law judge from Egypt, a federal judge and prosecutor from Brazil, and attorneys from Argentina and the Republic of Georgia.

At the invitation of foreign judiciaries, Center staff participate in international conferences and provide technical assistance abroad. Recent exchanges include judicial education programs in Argentina, Brazil, Canada, Colombia, Kosovo, the Republic of Georgia, and Uzbekistan as well as projects to develop judicial manuals in Kosovo, Serbia, and Ukraine. As with all of the Center's international work, these initiatives were funded by other U.S. government agencies or the host country.

# RESOURCES

## Websites

The Center's website on the judiciary's intranet, FJC Online (<http://fjconline.fjc.dcn>), provides a convenient and accessible 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. Audio recordings of many conferences and workshops are available on FJC Online. Most Center publications, and some other resources, are also available to the public on the Center's Internet site (<http://www.fjc.gov>).

## Publications

Center manuals, monographs, and research reports are described throughout this report. In 2014, the Center distributed 21,307 printed copies of its publications. Commercial publishers reprint several Center publications for sale to the public, including the *Reference Manual on Scientific Evidence, Third Edition*; *Manual for Complex Litigation, Fourth*; *Patent Case Management Judicial Guide*; and *Anatomy of a Patent Case, Second Edition*. The Government Printing Office also carries several Center titles in its public sales program.

## Media Library

The media library contains 5,471 audio and video programs, including Center-produced educational video programs, video and audio recordings of seminars and workshops, and 736 commercially produced educational video programs. In 2014, the media library loaned 304 programs to federal judges and judicial branch personnel on request and sent some 1,641 Center-produced media programs directly to the courts for them to keep and 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 national clearinghouse for information on federal judicial administration. During the year it answered numerous requests for information from judges and court staff, 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 a judge. Foundation Board members in 2014 were:

James M. Wagstaffe, San Francisco, Cal., *Chair*

Richard D. Casey, Sioux Falls, S.D.

Dana K. Chipman, Arlington, Va.

Laurie L. Michel, Washington, D.C.

Blake D. Morant, Winston-Salem, N.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 2014:

- Funds provided by the American Association for the Advancement of Science to cover travel expenses for federal judges to attend two programs on emerging issues in neuroscience.
- Funds provided from Vanderbilt University via the MacArthur Foundation to cover travel expenses for federal judges to attend a seminar on law, neuroscience, and criminal justice.
- Funds provided by Vanderbilt University to cover travel expenses for mid-career federal judges to attend a seminar on issues and challenges faced by judges who have served from five to ten years on the bench.
- Funds provided by Akron Law School to cover travel expenses for federal judges to attend a seminar on patent litigation.
- Funds from the Judiciary Leadership Development Council and non-earmarked grants to support a judicial seminar on the humanities and science at Princeton University (the Harold Medina Seminar).



# ADVISORY COMMITTEES

Advisory committees provide guidance on 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 committees, which typically meet by telephone conference or during other Center programs, had the following membership as of December 2014.

## **Committee on Appellate Judge Education**

Judge R. Guy Cole, Jr. (6th Cir.), *Chair*  
Judge Sandra Segal Ikuta (9th Cir.)  
Judge Kent A. Jordan (3d Cir.), *Center Board Representative*  
Judge Michael J. Melloy (8th Cir.), *Center Board Representative*  
Judge Thomas I. Vanaskie (3d Cir.)  
Michele E. Reed (Administrative Office of the U.S. Courts)

## **Committee on Bankruptcy Judge Education**

Bankruptcy Judge Dennis R. Dow (W.D. Mo.), *Chair*  
Bankruptcy Judge Shelley C. Chapman (S.D.N.Y.)  
Bankruptcy Judge John E. Hoffman, Jr. (S.D. Ohio)  
Chief Bankruptcy Judge C. Ray Mullins (N.D. Ga.), *Center Board Representative*  
Judge Pamela Pepper (E.D. Wis.)  
Bankruptcy Judge Erithe A. Smith (C.D. Cal.)  
Troy McKenzie (New York University School of Law)  
Michele E. Reed (Administrative Office of the U.S. Courts)

## **Committee on District Judge Education**

Chief Judge Marcia S. Krieger (D. Colo.), *Chair*  
Judge Helen Ginger Berrigan (E.D. La.)  
Judge Catherine C. Blake (D. Md.), *Center Board Representative*  
Judge Curtis Lynn Collier (E.D. Tenn.)  
Judge Carol E. Jackson (E.D. Mo.)  
Chief Judge William E. Smith (D.R.I.)  
Judge Kathryn H. Vratil, (D. Kan.), *Center Board Representative*  
Michele E. Reed (Administrative Office of the U.S. Courts)

## **Committee on Magistrate Judge Education**

Magistrate Judge Lisa P. Lenihan (W.D. Pa.), *Chair*  
Magistrate Judge Jonathan W. Feldman (W.D.N.Y.), *Center Board Representative*  
Magistrate Judge Paul S. Grewal (N.D. Cal.)  
Magistrate Judge Robert M. Levy (E.D.N.Y.)  
Magistrate Judge Thomas C. Mummert III (E.D. Mo.)  
Magistrate Judge Cheryl R. Zwart (D. Neb.)  
Michele E. Reed (Administrative Office of the U.S. Courts)

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

Judge John W. Lungstrum (D. Kan.), *Chair*  
Judge James F. Holderman (N.D. Ill.), *Center Board Representative*  
Judge Irene M. Keeley (N.D. W. Va.)  
Judge Ann D. Montgomery (D. Minn.)  
Judge Robert H. Whaley (E.D. Wash.)  
Chief Judge Patti B. Saris (D. Mass. and U.S. Sentencing Commission)

## **Committee on Court Attorney Education**

Delores Simmons (Career Law Clerk, District Judge, D.D.C.), *Chair*  
Melissa Benoit (Career Law Clerk, Appellate Judge, 5th Cir.)  
Jason Brener (Senior Staff Attorney, 11th Cir.)  
Jill Novak Dalrymple (Career Law Clerk, Bankruptcy Judge, N.D.N.Y.)  
Sally R. Doerner (Pro Se Law Clerk, District Judge, E.D. Va.)  
Eileen Garcia-Wirshing (Career Law Clerk, Chief District Judge, D.P.R.)  
Corrie Long (Career Law Clerk, Magistrate Judge, M.D. Ala.)  
Lauren Mandel (Career Law Clerk, District Judge, E.D. Mich.)  
Deborah E. Moore (Career Law Clerk, District Judge, N.D.N.Y.)  
D. Robert Smith (Death Penalty Law Clerk, N.D. Tex.)  
Gloria J. Malkin (Administrative Office of the U.S. Courts)

## **Defender Services Advisory Group Panel on Defender Education**

Jon M. Sands (Federal Public Defender, D. Ariz.), *Chair*  
David Beneman (Federal Public Defender, D. Me.)  
Michael S. Nachmanoff (Federal Public Defender, E.D. Va.)  
Henry A. Martin (Federal Public Defender, M.D. Tenn.)  
Marjorie A. Meyers (Federal Public Defender, S.D. Tex.)

## **Committee on Circuit and Appellate Court Staff Education**

Betsy Paret (Circuit Executive, D.C. Cir.), *Chair*  
Douglas Cressler (Chief Deputy Clerk, 10th Cir.)  
Molly Dwyer (Clerk of Court, 9th Cir.)  
Elaine Fenton (Circuit Librarian, 11th Cir.)  
Kim P. Jones (Senior Staff Attorney, 8th Cir.)  
Mary Sharon (Bankruptcy App. Panel Clerk, 1st Cir.)  
Catherine O'Hagan Wolfe (Clerk of Court, 2d Cir.)  
Mark Zanchelli (Chief Deputy Clerk, 4th Cir.)

**Committee on Bankruptcy Court Staff Education**

Diane Zech (Clerk of Court, Bankr. D. Neb.), *Chair*

Daniel M. LaVille (Clerk of Court, Bankr. W.D. Mich.)

Margie Lynch (Bankruptcy Administrator, Bankr. E.D.N.C.)

Becky Vail (Chief Deputy Clerk, Bankr. S.D. Ind.)

**Committee on District Court Staff Education**

Frank G. Johns (Clerk of Court, W.D.N.C.), *Chair*

Angela Denise Caesar (Clerk of Court, D.D.C.)

David Provines (Chief Deputy Clerk, E.D. Tex.)

**Committee on Probation and Pretrial Services  
Education**

Karen-Lee Moody (Chief U.S. Probation Officer, D. Me.), *Chair*

Shiela Adkins (Chief U.S. Pretrial Services Officer, D. Nev.)

Melissa Alexander (Chief U.S. Probation Officer, M.D.N.C.)

Philip Miller (Chief U.S. Probation Officer, E.D. Mich.)

Mary Lee Ranheim (Chief U.S. Probation Officer, D. Neb.)

Connie Smith (Chief U.S. Probation Officer, W.D. Wash.)

Janette Sheil (Administrative Office of the U.S. Courts)