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CIVIL JUSTICE REFORM ACT ("BIDEN BILL") WILL REQUIRE CIVIL JUSTICE EXPENSE AND DELAY PLANS IN ALL DISTRICT COURTS

The Judicial Improvements Act of 1990 (Public Law No. 101-650) was signed by the President on December 1, 1990. Title I of that legislation consists of the Civil Justice Reform Act of 1990 (the

"Act") which has been commonly known as the "Biden Bill." The Act authorizes up to \$25 million in funds to be appropriated for implementation, but no funds have been appropriated yet by Congress. The Executive Committee of the Judicial Conference, on December 12, 1990, approved submission of a supplemental request for funds for implementation of the Act.

Civil Justice Reform Act

1. Overview

The *Civil Justice Reform Act* requires the implementation of civil justice expense and delay reduction plans in all district courts within three years following enactment. Each court may develop its own plan or adopt a model plan to be developed by the Judicial Conference. The district courts must assess their plans annually and, in so doing, must consult with their advisory groups.

The purpose of each plan must be "to facilitate deliberate adjudication of civil cases on the merits, monitor discovery, improve litigation management, and ensure just, speedy, and inexpensive resolutions of civil disputes."

2. Advisory Groups

The chief judge of each district court must appoint an advisory group within 90 days after enactment of the bill (March 1, 1991) to assist in the development of an expense and delay reduction plan. The group must include the United States attorney (or designee) and "attorneys and other persons who are representative of major categories of litigants in such court." The chief judge may designate a reporter for the group, who may be compensated according to guidelines established by the Judicial Conference if implementation funds become available.

Each advisory group is required initially to submit a report containing an assessment of the court's workload and a recommendation that the court adopt a model plan or recommend measures, rules, and programs that would constitute the court's plan. After considering the group's recommendations, the court must implement a plan and distribute copies to the judicial council of the circuit and all chief district judges in the circuit. The chief district judges and the chief judge of the circuit then serve as a committee to review each court's plan and suggest revisions. Each plan must be reviewed by the Judicial Conference, which may request the district court to make additional revisions.

A memorandum from the Administrative Office is being prepared which will contain a more detailed discussion relating to the appointment of advisory groups and contain the recommendations of the Subcommittee on Case Management of the Conferences Committee on Court Administration and Case Management.

3. Contents of Plans

The components of each court's plan are not mandated; however, Section 473 of the Act lists six principles and six techniques of litigation management and cost and delay reduction which the courts

and advisory groups *must consider* and *may include* in their plans. The principles refer to the involvement during pretrial case management of a "judicial officer," which, by definition, includes a magistrate judge.

The first principle concerns differentiated case management of civil cases based upon such factors as complexity, pretrial time required, and the availability of judicial resources. The second principle proposes that a judicial officer plan the progress of the cases. Early, firm trial dates are to be set within 18 months of filing the complaint unless the judicial officer makes a certification as to the unusual complexity of the case, the volume or complexity of the pending criminal cases, or that the "ends of justice" would not be met. It further proposes that the judicial officer control the extent and duration of discovery and establish early deadlines for motions along with a framework for their disposition. The third guideline provides that for cases determined to be complex, the judicial officer is to conduct one or more discovery-case management conferences to explore settlement, identify issues, prepare the discovery schedule and attempt to limit discovery, and set early deadlines for motions and a framework for their disposition. The fourth and fifth principles encourage the voluntary exchange of information among parties and the conservation of judicial resources by precluding the consideration of discovery motions unless the moving party certifies that a reasonable and good faith effort to resolve the issue has been made. The last guideline suggests that a plan incorporate alternative dispute resolution programs.

The six suggested techniques for litigation management are: 1) that counsel for each party submit a discovery-case management plan at the initial pretrial conference; 2) that an attorney with binding authority for each party be present at every pretrial conference; 3) that all requests for extensions of discovery or trial deadlines be signed by the attorney and the party making the request; 4) that a neutral case-evaluation program be established; 5) that representatives of the parties with binding authority be present or available by telephone during settlement conferences; and 6) such other features as the court considers appropriate.

4. Pilot Program

The Act further requires the Judicial Conference to conduct a pilot program, in ten districts to be designated by the Conference, five of which must encompass major metropolitan areas. The courts in this program must have plans implemented by December 31, 1991. The ten districts must include the six principles of litigation management and cost and delay reduction set forth in section 473(a) in their plans. The Judicial Conference is in the pro-

cess of selecting the courts.

The Act requires that an independent organization with expertise in the area of federal court management compare the results from the ten pilot courts with ten comparable districts which were not required to adhere to the litigation management principles. The Judicial Conference must present the results of this independent study to Congress by December 31, 1995, and recommend whether some or all courts should be required to incorporate the six principles. If the principles do not prove effective, the Judicial Conference must adopt and implement alternative cost and delay reduction programs.

5. Demonstration Program

In addition, the Conference must conduct demonstration programs in the Western District of Michigan and the Northern District of Ohio, focussing upon assignment of cases to appropriate processing tracks. Demonstration programs also must be established in the Northern District of California, the Northern District of West Virginia, and the Western District of Missouri, which must include alternative dispute resolution.

6. Early Implementation Program

Courts which implement their plans by December 31, 1991, will be "Early Implementation District Courts" and may receive additional resources, such as technological and personnel support assuming funds for implementation are appropriated. Early implementation may take place no sooner than June 30, 1991.

7. Statistical Reports

The Director of the Administrative Office is required to prepare a semiannual report, available to the public, that discloses certain information concerning the caseload of each federal district judge and magistrate judge, namely: 1) the number of motions pending for more than six months and the name of each case in which the motion has been pending; 2) the number and case names of bench trials that have been submitted for more than six months; and 3) the number and names of cases that have not been terminated within three years of filing.

8. Additional Reports and Litigation Manual

In addition to the report on the pilot program, the Conference must transmit a comprehensive report on and a copy of the plans implemented in each early implementation district by June 1992. A report on the status of and copies of the plans submitted by all courts is due on December 1, 1994. A report on the demonstration program is due on December 31, 1995. The Judicial Conference is required to prepare, periodically revise, and transmit to the District Courts, a Manual for Litigation

Management and Cost and Delay Reduction. The Act provides that the Directors of the Administrative Office and the Federal Judicial Center may make recommendations regarding the preparation of the manual.

9. Training

The Directors of the Administrative Office and the Federal Judicial Center are required to develop and conduct comprehensive education and training programs to ensure that all judicial officers, clerks of court, courtroom deputies and other appropriate court personnel are thoroughly familiar with the most recent available information about litigation management and other techniques for reducing cost and expediting the resolution of civil litigation. ■

FEDERAL COURT STUDY COMMITTEE RECOMMENDATIONS INCLUDED IN JUDICIAL IMPROVEMENTS ACT OF 1990

In addition to containing the *Civil Justice Reform Act of 1990* (the "Biden Bill") and providing for additional judgeships, the *Judicial Improvements Act of 1990* enacted a number of suggestions of the Federal Court Study Committee in Title III of the legislation. The provisions of Title III are summarized below. Memoranda discussing a number of these provisions in greater detail have or will be sent to the courts in the near future. A more detailed discussion of the bankruptcy items are contained in an article in this issue entitled *Bankruptcy Administrator Program and Recent Legislation* by Judith Benderson.

Sec. 302. Study of Intercircuit Conflict and Structural Alternatives for the Court of Appeals by Federal Judicial Center.

The Federal Judicial Center is to conduct a study and report to Congress by January 1, 1992 on the number and frequency of conflicts that arise between circuits in interpreting the law that remain unresolved because they are not heard by the Supreme Court.

Sec. 303. Effect of Appointment of Judge as Director of Certain Judicial Branch Agencies.

When a judge of the United States assumes the duties of a full-time office of Federal judicial administration an additional judge for the court on which that judge serves will be appointed by the President. If the judge resumes the duties of an active judge the President will not appoint a judge to fill the first vacancy which occurs in that court.

Sec. 304. Extension of Terms of Office of Bankruptcy Judges.

A bankruptcy judge, with the approval of the judicial council of the circuit, upon expiration of

their term may continue to perform the duties of that office for 180 days or the date of the appointment of a successor whichever occurs earlier.

Sec. 305. Appeals of Judgments, Orders, and Decrees of Bankruptcy Courts.

A bankruptcy appellate panel may be established, if authorized by the Judicial Conference of the United States, of 2 or more circuits.

Sec. 306. Retirement System of Claims Court Judges.

United States Claims Court Judges who attain the age and service requirements upon retirement will be entitled to an annuity equal to the salary payable to Claims Court judges in regular active service.

Sec. 307. Appointment of Director and Deputy Director of the Administrative Office.

The Director and Deputy Director will be appointed by the Chief Justice of the United States, after consultation with the Judicial Conference.

Sec. 308. Magistrates.

District court or magistrate judges may advise parties of the availability of a magistrate to hold a trial and advise them of their right to withhold consent.

Sec. 309. Appeal of Certain Determinations Relating to Bankruptcy Cases.

Limits the review and appeal of abstention and remand determinations to the district court only.

Sec. 310. Supplemental Jurisdiction.

A new section (§1367) has been added to Chapter 85 of Title 28, on supplemental jurisdiction of claims. District courts having original jurisdiction, except in diversity cases and as expressly provided for by Federal statute, shall have supplemental jurisdiction of any claim so related that it forms part of the same case or controversy under Article III of the Constitution.

Sec. 311. Venue.

Revises venue for diversity and Federal question cases and actions where the United States (or its employees) are defendants. The new venue provisions for diversity and Federal question cases are substantially identical.

Sec. 312. Removal of Separate and Independent Claims.

Authorizes the district court in Federal question cases to remand matters in which State law predominates.

Sec. 313. Statute of Limitations.

A new section (§1658) has been added to Chapter 111 of Title 28, on time limitations. This section

provides for a four-year statute of limitations for civil actions accruing under Acts of Congress enacted after December 1, 1990.

Sec. 314. Witness and Juror Fees.

The fee for a witness has been increased to \$40 per day. The fee for a juror has been increased to: \$40 per day attendance. An additional \$10 for service over thirty days may be given to a petit juror, and an additional \$10 for service over forty-five days may be given to a grand juror at the discretion of the court.

Sec. 315. Power of Supreme Court to Define Final Decision for Purposes of section 1291 of Title 28, United States Code.

The general rules as prescribed by the Supreme Court may define when a district court ruling is "final" for appeal purposes under 28 U.S.C. § 1291.

Sec. 316. Extension of Life of Parole Commission.

Extends the life of the Parole Commission for five years beyond the 1992 date for abolition set out in the Sentencing Reform Act of 1984.

Sec. 317. Bankruptcy Administrator Program.

Extends the life of the Bankruptcy Administrator program by 10 years to 2002; gives bankruptcy administrators standing to raise issues and appear and be heard in the same manner as U.S. trustees; and makes uniform the power of courts to act *sua sponte* under 11 U.S.C. § 105.

Sec. 318. Study of Federal Defender Program.

The Judicial Conference shall conduct a study of the Federal defender program. The report of their findings will be transmitted to the Committees on the Judiciary of the Senate and the House of Representatives by the Judicial Conference no later than March 31, 1992.

Sec. 319. Amendments to the Ethics in Government Act of 1978.

Provides that compensation for teaching received by federal senior judges is not subject to an outside income limitation.

Sec. 320. Biennial Circuit Judicial Conference.

Requires that circuit judicial conferences be held once every two years (instead of every year as in current law) with the option to hold it every year if so desired.

Sec. 321. Change of Name of United States Magistrates.

Magistrates will be known upon enactment of the Act as "United States Magistrate Judges."

Sec. 322. Length of Service Required for Eligibility Under the Judicial Survivors' Annuities Act.

This area has been changed extensively.

Sec. 323. Composition of Judicial Councils.

Composition of the council shall include: chief judge of that circuit, and an equal number of circuit judges and district judges, as determined by a majority vote of all such judges.

Sec. 324. Miscellaneous Provisions.

Additional places of holding court include: Ely and Lovelock in Nevada, and Watertown in New York. Two of South Dakota Divisions are changed, the Central Division to include Harding and the Western Division to delete Washabaugh and Washington.

Sec. 325. Miscellaneous Technical Amendments. ■

PROCEDURES FOR COLLECTION OF FEDERAL DEBTS WILL BE CHANGING

*Abel Mattos, Chief, Court Programs Branch
Court Administration Division*

Title XXXVI of the *Crime Control Act of 1990*, which was signed by the President on November 29, 1990, provides for a uniform set of procedures for collecting debt owed to the federal government. The *Federal Debt Collection Procedures Act of 1990* will create a new chapter 176 for Title 28 and eliminate the need for federal debt collection to be subject to the vagaries of state law. The Justice Department has indicated to the Administrative Office that it interprets the effective date as being 180 days from the date of enactment (which would be May 30, 1991) and will not begin to implement the procedures provided in the Act until that date.

The changing responsibilities of the clerk and the court under the legislation will be the subject of future communications, and the Administrative Office will be working with the Executive Office for United States Attorneys to ensure a smooth transition prior to the effective date.

NATURALIZATION AMENDMENTS OF 1990

*Abel Mattos, Chief, Court Programs Branch
Court Administration Division*

On November 29, 1990, the President signed the *Immigration Act of 1990*. Title IV of this Act, known as the "Naturalization Amendments," greatly affects the judiciary's role in the naturalization process. Under the Amendments, the Attorney General has the primary responsibility for processing petitions, collecting fees, preparing naturalization certificates, organizing naturalization ceremonies and administering oaths of allegiance. The judiciary's proposal that the legislation be amended to

provide for a 45-day exclusive period, after an applicant had been approved the INS, during which the Judiciary would have exclusive authority to administer the oath of allegiance was not adopted by Congress.

The Amendments, however, do not eliminate the courts from the naturalization process entirely. Applicants for naturalization can choose to have any United States district court, the Attorney General, or any state court meeting certain requirements administer the oath of allegiance. Additionally there are certain functions discussed below which the courts will continue to perform.

The legislation provides that the courts can continue to naturalize persons who have filed petitions with the court until October 1, 1991. The statute states: "[n]o court shall have jurisdiction, . . . , to naturalize a person unless a petition for naturalization with respect to that person has been filed with the court before October 1, 1991." (Sec. 408(a)(1)) and that "[t]he amendments to section 339 of the Immigration and Nationality Act (relating to functions and duties of clerks) shall not apply to functions and duties respecting petitions filed before October 1, 1991." (Sec. 408(c)) and those petitions ". . . shall be heard and determined in accordance with the requirements of law in effect when the petition was filed." (Sec. 408(a)(2)(A)).

However, the statute also permits a petitioner to withdraw an application for naturalization pending on November 19, 1990, the date of enactment, from any court no later than three months after that date in order to have it considered under the new amendments. The deadline for withdrawing applications is February 28, 1991. (Sec. 408(a)(2)(B)). Thus, the courts and the Attorney General will jointly have authority to naturalize for a time.

Even after the authority for naturalization has completely shifted over to INS, the courts will continue to perform a number of duties with respect to naturalization:

- (1) Conduct the oath taking ceremony when the applicant for naturalization so requests.
- (2) Make a de novo review of a denial of a naturalization petition, if the petitioner seeks such a review after a confirmation of such denial following a hearing before an immigration officer. The court is to prepare ". . . its own findings of fact and conclusions of law and shall, at the request of the petitioner, conduct a hearing de novo on the application." (Sec. 401(a)). The court ". . . may either determine the matter or remand the matter, with appropriate instructions, to the Service [INS] to determine the matter." (Sec. 407 (14)(B)).

- (3) Issue subpoenas to aid the Immigration and Naturalization Service employees in the conduct of examinations of applicants for naturalization. (Sec. 407(a)(13)).
- (4) Issue orders enforcing the subpoenas described in (3).
- (5) Hear proceedings for revocation of naturalization and send the Attorney General a copy of the order and judgment of revocation.

With respect to those naturalized by the Attorney General and choosing to have the oath administered by the court the clerk will have the following responsibilities:

- (1) issue to each person to whom such an oath is administered a document evidencing that such an oath was administered,
- (2) forward to the Attorney General information concerning each person to whom such an oath is administered by the court, within 30 days after the close of the month in which the oath was administered,
- (3) make and keep on file evidence for each such document issued, and
- (4) forward to the Attorney General certified copies of such proceedings and orders instituted in or issued out of the court affecting or relating to the naturalization of persons as may be required from time to time by the Attorney General. (Sec. 339, (1) through (4)).

It is anticipated that the Administrative Office and clerks from courts with significant naturalization responsibilities will be meeting with representatives from the INS to work out a smooth transition between the two systems. We will keep the courts informed of the procedures that are developed. ■

BANKRUPTCY ADMINISTRATOR PROGRAM AND RECENT LEGISLATION

Judith Benderson
Attorney, Division of Bankruptcy

Legislative Developments

The Federal Courts Study Committee Implementation Act of 1990, signed by President Bush on December 1, 1990, will make some important changes in the administration of a judiciary-based alternative program for supervising bankruptcy estates called the bankruptcy administrator program. This program, which operates in the six judicial districts of Alabama and North Carolina, would have expired on the sunset date of October 1, 1992, absent the enactment of this additional legislation. Section 317(a) of the Act extends the

program for an additional 10 years, until October 1, 2002.

Other provisions make further important changes in this program. Section 317(b) of the Act allows bankruptcy administrators to "raise and . . . appear and be heard on any issue in any case under § 307 of the Code. This amendment should clarify the relationship between the bankruptcy judge and the bankruptcy administrator regarding case-related issues, and bring the powers and duties of the bankruptcy administrators into line with those of the United States trustees.

The intent of the standing provision is to formalize the right of bankruptcy administrators to bring matters of estate administration and issues concerning the conduct of chapter 11 cases before the court for hearing. Under this provision, the bankruptcy administrator, like the United States trustee, will have the same right to be heard as a party in interest, retaining the discretion to decide whether a matter of concern to the proper administration of the bankruptcy laws should or should not be raised. The only constraint on the matters that can be raised is that the bankruptcy administrator may not file a chapter 11 plan, a restriction also imposed on the United States trustees under § 307 of the Code.

The new legislation establishes a uniform right of bankruptcy administrators to raise issues with the bankruptcy court formally by way of a motion. Under this legislation, the bankruptcy courts should treat the bankruptcy administrator like any other litigant in all contested matters and adversary proceedings. The bankruptcy administrator must bear his or her burden of proof like any other litigant.

Finally, § 105(a) of the Code has been amended, extending the *sua sponte* power of the court to the courts located in the bankruptcy administrator districts. A drafting quirk in the 1986 Bankruptcy Amendments had resulted in the expanded *sua sponte* powers being granted only to courts that are served by the United States trustee program.

Background

One of the basic legislative objectives of Congress in enacting the *Bankruptcy Reform Act of 1978* was to separate judicial functions from administrative functions in bankruptcy cases. Bankruptcy judges would no longer be responsible for the administration of bankruptcy cases. One example of an area in which most bankruptcy judges no longer have responsibility is in the appointment and supervision of bankruptcy trustees. Beginning in 1979 with 18 pilot districts, and later in 84 of 90 judicial districts, pursuant to the 1986 Bankruptcy Amendments, the United States trustee program took over this responsibility. In the remaining six districts,

located in the states of North Carolina and Alabama, the judiciary-based bankruptcy administrator program provides oversight of the administration of bankruptcy estates by case trustees.

Regulations of the Judicial Conference of the United States govern the appointment of bankruptcy administrators by the judicial council of the circuit to serve as independent, non-judicial officers of the Judiciary. Judicial Conference regulations also authorize bankruptcy administrators to (1) establish, maintain, and supervise panels of private trustees in bankruptcy cases under chapter 7 of the Bankruptcy Code; and (2) supervise both trustees and the administration of estates in cases under chapters 7, 11, 12, and 13 of the Code. Pub. L. No. 99-554 (1986 Bankruptcy Amendments), § 302(d)(3)(I).

The bankruptcy administrator appoints and oversees the panel of private trustees within the judicial district. This oversight includes determining the number and qualifications of the panel trustees, as well as their supervision and removal, if necessary. The bankruptcy administrator recommends members of the panel to the court for appointment in cases under both chapter 7 and chapter 11 cases. Under the bankruptcy administrator program, however, actual appointment of a panel trustee to a specific case is made by the court.

Bankruptcy administrators conduct the § 341 meeting of creditors, pursuant to court authorization. The bankruptcy administrator also makes recommendations to the court concerning persons to be appointed by the court to serve on creditors' committees. Bankruptcy administrators also make recommendations regarding the appointment by the court of standing chapter 13 trustees and trustees in chapter 12 cases. Supervision of these trustees is also the responsibility of the bankruptcy administrator.

Other duties include, but are not limited to: implementing and supervising the system of trustee bonding as required under 11 U.S.C. § 322(a); monitoring the filing of required reports by trustees and debtors-in-possession; monitoring and commenting on applications for compensation filed by professionals, on disclosure statements and plans in chapter 11 cases, and verification of vote tallies on chapter 11 plans.

Under the new legislation, bankruptcy administrators will be able to exercise a full range of trustee supervision and estate administration oversight functions, including the appeal of decisions of bankruptcy judges in cases being administered by trustees and debtors-in-possession under the supervision of the bankruptcy administrator. ■

ALERT REGARDING FUNDS LOCATORS

From the General Counsel of the Administrative Office

Several bankruptcy and district court clerks have reported to the Administrative Office that representatives of Coastland Group, Inc., an unclaimed funds locator, are proposing to donate hardware, software and data entry services to automate the unclaimed funds information contained in their courts' records. Some clerks report that the proposal has been presented as approved by the Administrative Office.

The Administrative Office has not approved any program to automate unclaimed funds records and has no contractual relationship with Coastland Group. The agency has accepted the donation to one of one computer with software and data entry services from Coastland Group. If you have any questions about the policy or actions of the Administrative Office in this regard, please call Gregory Mahin, Assistant Chief of the Bankruptcy Division, at FTS or (202) 633-6232, or John Chastain, Assistant General Counsel, at FTS or (202) 633-6127.

A subcommittee of the Clerks' Advisory Committee is presently considering a standard policy and procedure for dealing with claims and requests for information on unclaimed funds. ■

PROJECT HERMES TO DISTRIBUTE SUPREME COURT OPINIONS TO DEPOSITORY LIBRARIES

On November 1, 1990, the U.S. Government Printing Office inaugurated the Project Hermes Bulletin Board (PHBB). PHBB offers the full text of Supreme Court opinions within 8 hours of their release by the Supreme Court.

The opinions will be available in ASCII format, and can be downloaded. The PHBB will be available 24 hours a day, 7 days per week.

If no opinions have been released during the current session of the Supreme Court, several test files will be available. The test files will represent one opinion: one test file will be formatted so that footnotes are embedded in the text of the opinion following the paragraph in which they occur; a second test file will be formatted with the footnotes following the text of the opinion; additional test files will provide alternative physical/logical file arrangements.

After some time during which they have had an opportunity to experiment with the files and the alternative file formats, they will be surveyed to

determine which of the file formats is most useful. Additionally, access by law and regional depositories should uncover any unanticipated difficulties with the system.

Depending on the success of the beta test phase, GPO anticipates making the PHBB available to all depositories beginning December 1, 1990. The twelve circuit headquarters libraries plus the following branch libraries will also have access: Los Angeles, Phoenix, Seattle, Anchorage, and Baltimore.

For more information, contact Pat Thomas, Chief, Legal Research and Library Services Branch, on 202/FTS 633-6314. ■

CHANGE OF TITLE OF UNITED STATES MAGISTRATES

Section 321 of the *Judicial Improvements Act of 1990* changes the title of a United States magistrate to United States magistrate judge. The section states:

After the enactment of this Act, each United States magistrate appointed under section 631 of title 28, United States Code, shall be known as a United States magistrate judge, and any reference to any United States magistrate or magistrate that is contained in title 28, United States Code, in any other Federal statute, or in any regulation of any department or agency of the United States in the executive branch that was issued before the enactment of this Act, shall be deemed to refer to a United States magistrate judge appointed under section 631 of title 28, United States Code.

Pub. L. No. 101-650, § 321 (December 1, 1990).

Future correspondence from the Administrative Office addressed to "United States Judges" will include United States magistrate judges.

In an effort to minimize the budgetary impact from the name change, please continue to use existing stationery until supplies are depleted.

LOCAL TRAINING PROGRAM

Historical Overview

Since the mid-1970's, the Federal Judicial Center has helped local courts conduct in-district training programs by providing funding, faculty, and curriculum development assistance as appropriate. Until the early 1980's, Center staff provided most of this assistance by developing and conducting training programs for local court groups, typically on supervisory skills topics.

Beginning in the early 1980's there has been a steady growth in the number of locally initiated training programs. These programs have typically been developed in response to local needs, have been organized and/or conducted by training coor-

dinators, and have been funded in full or in part by the Center.

The growth of such locally initiated programs has closely paralleled the expansion of the training coordinator network. In 1977, the Center established the Local Training Branch within the Division of Continuing Education and Training and encouraged clerks to appoint training coordinators to serve as liaisons to the Center. In 1979, the Center established a quarterly newsletter, *What's Happening*, to update and inform training coordinators and in 1981 conducted the first orientation workshops for new training coordinators.

Given formal FJC training in program design and provided with an awareness of existing Center resources, training coordinators initiated considerably more local programs beginning in the early 1980's. This number has gradually increased each year since 1981. See pages 25 through 29 for a list of locally initiated programs conducted with Center funding in FY90.

Requests for funding or curriculum development assistance for locally initiated programs are typically made by the training coordinator, who submits a formal, written request to the Center. A request form has been developed to expedite this process. See page 24 for a graph depicting the "Local Training Process."

[For information on requesting the Center's publications, "1990 Catalog of Audiovisual Media Programs" and "1990 Catalog of Publications," telephone 202/FTS 633-6011. Also see Information & Management Bulletin June 1990 at 8 and January 1990 at 8.] ■

ANNUAL REPORT ON QSI USAGE

The Judicial Conference at its October 1976 session approved the use of Quality Step Increases (QSI) to enable managers to recognize and reward employees who display continuing high-quality performance. All employees of the Judiciary occupying graded positions who have not reached the top step of their grade are eligible for QSI's. No more than one QSI may be granted to an employee within any period of 52 consecutive calendar weeks. Any court officer or supervisor may recommend an employee for a QSI. Final approval rests with the Chief Judge or, as appropriate, the Federal Public Defender.

Included, on page 21, is the Annual QSI Report for FY-90, as required by the *Guide to Judiciary Policies and Procedures*. This report summarizes activity by court. Two thousand seven hundred and seventy eight (2,778) QSI's were awarded at a total cost of \$2,814,692.12. The figures indicate that of 18,736 employees on the rolls as of September 30,

1991, Public Law 101-509. President Bush signed the law on November 5, 1990.

Although the legislation increases the statutory limit on compensation for standing trustees, the bankruptcy court retains the responsibility to fix the maximum annual compensation for each standing trustee on the recommendation of the bankruptcy administrator. (In districts served by United States trustees, the Attorney General sets the maximum compensation for standing trustees on the recommendation of the United States trustee.)

Pursuant to section 305 of the Act, the amendment takes effect on a date determined by the President, which must be not earlier than 90 days nor later than 180 days after the enactment on November 5, 1990. The date has not yet been established. ■

BANKRUPTCY STATISTICS

Edward M. Flynn

Bankruptcy filings continue to rise. Over 725,000 bankruptcy cases were filed during the year ended June 30, 1990 (SY 1990), an increase of 12.8% over the previous year. The Administrative Office of the United States Courts projects that filings will rise to 810,000 cases in FY 1991, and to 890,000 cases in FY 1992. These projections are based on interest rates and consumer debt levels, as these factors have been found to be the two best indicators of future bankruptcy case filings.

Total bankruptcy case filings were relatively stable between SY 1981 and SY 1985, but have nearly doubled since then. All of the increase has come in filings of chapter 7 and chapter 13 cases. Chapter 11 case filings peaked during SY 1986, and have dropped by nearly 20% since that time. Chapter 12 filings have also dropped substantially during the past three years [also see *BANKRUPTCY CASE FILINGS SY 1981-1990 and BANKRUPTCY FILINGS BY DECADE* on page 19].

Please direct questions to Ed Flynn on 202/633-6215. ■

VERA INSTITUTE STUDYING USE OF "DAY FINES"

[The following article appeared in the Courts Technical Assistance Reporter, Adjudication Technical Assistance Project, The American University, Fall 1990 at 11.]

The Vera Institute of Justice is conducting a National Institute of Justice (NIJ) sponsored study of the use of "day fines" by trial courts in the U.S. and has specifically focused on the experiences of Richmond County (Staten Island), New York and Maricopa County (Phoenix), Arizona.

The concept of a "day fine" is to impose a fine geared to a defendant's daily income so that the impact of the fine is roughly comparable among defendants, regardless of their income. Imposition of the day fine is generally determined in a two-step process. First, the judge sentences an offender to a certain number of "fine units" based on the severity of the offense but regardless of income. Next, a value is assigned to each fine unit as a share of the offender's daily income. The judge then multiplies that value by the number of fine units.

Day fines were first used in Finland in 1921 and are widely used in Western Europe. Courts in Sweden, England and West Germany impose fines as the sole penalty in 80-85% of convictions. Day fines appear to be most useful when an individual has a steady job and will continue to work in the community. The fines are also a vehicle for restitution because judges can order that they be turned over to the victim.

In Staten Island, the use of day fines began in August 1988 in the Criminal Court (the limited jurisdiction court). Seventy-one percent of the fines imposed during the first year used the day-fine procedures, with an 18% increase in the total dollar amounts ordered by the Court. ■

LEGISLATION AND JUDICIAL DECISIONS

Two New Laws Which Affect the Scope of the Chapter 13 Discharge

There are two new laws which affect the scope of the chapter 13 discharge. *The Student Loan Default Prevention Initiative Act of 1990*, Pub. L. No. 101-508, was signed into law on November 5, 1990. Section 3007 of that legislation amended section 1328(a)(2) by striking "section 523(a)(5)" and inserting "paragraph (5) or (8) of section 523(a)." That amendment, however, does not apply to any case commenced before the date of enactment of the Act (November 5, 1990). Therefore, educational loans as described in section 523(a)(8) are not dischargeable in any chapter 13 case commenced after November 5, 1990.

Congress further amended the chapter 13 discharge provisions in the *Criminal Victims Protection Act of 1990*, Pub. L. No. 101-581, which was enacted into law on November 15, 1990. That Act amends section 523(a)(9) to read as follows:

"(9) for death or personal injury caused by the debtor's operation of a motor vehicle if such operation was unlawful because the debtor was intoxicated from using alcohol, a drug, or another substance; or."

Congress then made two modifications to section 1328. The Act modifies section 1328(a)(2) to make the type of debt described in section 523(a)(9) non-dischargeable in chapter 13 cases, and adds a new section 1328(a)(3) to make debts "for restitution

included in a sentence on the debtor's conviction of a crime" also nondischargeable in chapter 13 cases. The amendments made by the Criminal Victims Protection Act of 1990 do not apply with respect to cases commenced before November 15, 1990.

**Magistrate Jurisdiction
to Preside Over Prisoner Civil
Rights Suit Pursuant to
28 U.S.C. § 636(b)(1)(B)**

In a decision of the United States Court of Appeals for the Tenth Circuit in *Clark v. Poulton*, 914 F.2d 1426 (10th Cir. 1990), the court held that a prisoner's civil rights action under 42 U.S.C. § 1983 was improperly referred to a magistrate for disposition under 28 U.S.C. § 636(b)(1)(B) because it did not concern conditions of confinement. The court interpreted *Gomez v. United States*, 109 S.Ct. 2237 (1989) as requiring a narrow construction of Congress' delegation of authority to magistrates under the Magistrates Act. The court also stated that the plaintiff's failure to object to the referral was not harmless error, thus holding that questions of a magistrate's authority under the Magistrates Act are jurisdictional issues not subject to waiver.

**A Creditor's Right to a
Jury Trial after Filing a Claim
against the Bankruptcy Estate;
Remand of Insurance Co. of
Pennsylvania v. Ben Cooper, Inc.**

On November 13, 1990, the United States Supreme Court rendered two decisions on the right to a jury trial in proceedings arising in or related to bankruptcy cases.

*A Creditor's Right
to a Jury Trial after Filing a
Claim against the Bankruptcy Estate*

The Supreme Court reversed the judgment of the Court of Appeals for the Tenth Circuit in the case of *Langenkamp v. Culp*, 59 U.S.L.W. 3361 (U.S. Nov. 13, 1990). In a *per curiam* decision, the Court reaffirmed its holding in *Granfinanciera, S.A., v. Nordberg*, 492 U.S. ____ (1989) that "a creditor's right to a jury trial on a bankruptcy trustee's preference claim depends on whether the creditor has submitted a claim against the bankruptcy estate." *Langenkamp*, at 3362, (quoting *Granfinanciera*, at ____ [slip op. 23-24]).

The debtors in *Langenkamp* were uninsured, non-bank financial institutions doing business in Oklahoma. *Langenkamp*, the successor trustee for the debtors, filed preference actions against the investors who redeemed thrift and passbook savings certificates issued by the debtors during the 90-day period prior to the bankruptcy filing.

A bench trial was held, and the bankruptcy court found that the transfers constituted avoidable pref-

erences. The district court affirmed. The Tenth Circuit reversed, holding that the investors who had not filed claims against the estate were entitled to jury trials. The Tenth Circuit went further and concluded that the investors who had filed claims also were entitled to jury trials because the preference actions were plenary, rather than summary, proceedings. *Langenkamp v. Huckler*, 897 F.2d 1041, 1046-47 (1990).

The Supreme Court restated its prior ruling that a creditor who files a claim against the bankruptcy estate has subjected itself to the bankruptcy court's equitable power. *Langenkamp*, at 3362, (citing *Granfinanciera* and *Katchen v. Landy*, 382 U.S. 323 [1966]). If the creditor is met, in turn, by a preference action from the trustee, that action is triable in equity by the bankruptcy court. *Id.* If the creditor has not filed a claim, however, the trustee can recover the alleged preference only by filing what amounts to a legal action to recover the transfer. In those circumstances, the defendant is entitled to a jury trial. *Id.*

*Remand of Insurance Co. of
Pennsylvania v. Ben Cooper, Inc.*

The Supreme Court remanded the case *Insurance Co. of Pennsylvania v. Ben Cooper, Inc.*, 59 U.S.L.W. 3362 (U.S. Nov. 13, 1990) after the Solicitor General questioned the court of appeals' jurisdiction. In a summary disposition, the Supreme Court remanded the case to the Court of Appeals for the Second Circuit for consideration of the jurisdictional issue.

The Solicitor General, who intervened on behalf of the United States in September, questioned whether the order appealed to the Court of Appeals for the Second Circuit was a final, reviewable decision within the meaning of 28 U.S.C. § 158(d) or 28 U.S.C. § 1291 and whether it was subject to the prohibition on review set out at 28 U.S.C. § 1334(c)(2). Brief for the United States at 6-7, *Ben Cooper, supra*.

The debtor filed an adversary proceeding in the bankruptcy court seeking payment of an insurance claim and punitive damages. The insurance company urged the district court to withdraw the proceeding from the bankruptcy court on the grounds that it was not a core proceeding and was triable by a jury as a matter of right. The district court agreed and withdrew the proceeding. The district court also entered two other orders: pursuant to 28 U.S.C. § 1334(c)(1) and (c)(2), it abstained in favor of a state court action filed by the insurer and it dissolved the bankruptcy court's injunction staying the state court litigation. The debtor appealed only the first order, the withdrawal of the reference. Brief for the United States at 2-10. The court of appeals reversed, holding that the proceed-

ings were core and that the bankruptcy court could preside over a jury trial.

In his brief, the Solicitor General contended that, although an order only withdrawing the reference is interlocutory and not an appealable final decision, the order withdrawing the reference in this case "merged" into the abstention order, which was a final decision. Furthermore, the Solicitor General argued that the statutory bar to review of mandatory abstention decisions contained in 28 U.S.C. § 1334(c)(2) was inapplicable because the district court's decision should be viewed as a discretionary abstention pursuant to 28 U.S.C. § 1334(c)(1). Brief for United States at 6-7.

Legislative Response to *Duro v. Reina*

The potential impact of the Supreme Court's recent opinion in *Duro v. Reina*, 110 S.Ct. 2053 (1990), which severely limited the criminal jurisdiction of Indian tribal courts, was examined in the November 1990 issue of the *Court Administration Bulletin* [at 6]. The *Duro* opinion could have resulted in a significant increase in petty offense and misdemeanor caseloads for magistrate judges who hold court near Indian reservations. However, in response to concerns about the possibility of lawlessness on Indian reservations in the wake of *Duro*, Congress recently enacted a statute intended to reestablish the criminal jurisdiction of tribal courts as it existed prior to the *Duro* opinion.

On November 5, 1990, the President signed the measure into law. It was attached as an amendment to the Department of Defense Appropriations Act, 1991, P.L. 101-511. Section 8077(b) of the statute amends 25 U.S.C. § 1301(2), the statute which defines the "powers of self-government" of Indian tribes, to include the power of tribal courts to exercise criminal jurisdiction over all Indians. The statute also includes an all-inclusive definition of the term "Indian." The measure finally includes a "sunset" provision and will thereby pass out of effect on September 30, 1991 if Congress does not enact more comprehensive legislation on the issue.

Due to questions about the constitutionality of the measure and uncertainties inherent with the "sunset" provision, it is not clear whether the issues raised by *Duro* have been finally resolved. At present, however, tribal courts once again have criminal jurisdiction over all Indians in Indian country.

-Douglas A. Lee

HISTORICAL PERSPECTIVE

National State-Federal Judicial Council Formed

[This article previously appeared in the "State Court Journal" published by the National Center for State Courts, Vol. 14, No. 4, Fall 1990; Washington Perspective by Harry W. Swegle at 2.]

The Chief Justice of the United States has appointed four federal judges to the National State-Federal Judicial Council. The purpose of the eight-judge panel, whose members will be appointed in equal numbers by the chief justice and the president of the Conference of Chief Justices, is to consider "issues of mutual concern to the state and federal courts, to advise the Judicial Conference and the Conference of Chief Justices on improving the relationship between the two systems, and to seek methods to enhance operations of the local state-federal councils." Creation of the council was approved in March 1990 by the Judicial Conference, and had previously been endorsed by the Conference of Chief Justices.

Named to the council were:

Judge Peter T. Fay
(11th Cir.),

Judge John F. Grady
(N.D. Ill.),

Judge Morris Arnold
(W.D. Ark.), and

Judge Patrick E. Higginbotham
(5th Cir.).

Four state chief justices have already been appointed to the panel by the Conference of Chief Justices. They are:

Chief Justice Robert F. Stephens
(Kentucky),

Chief Justice Harry L. Carrico
(Virginia),

Chief Justice Malcolm M. Lucas
(California), and

Chief Judge Sol Wachtler
(New York).

Staff support for the council will be provided by the Administrative Office and the National Center for State Courts. Vincent L. McKusick, chief justice of the Supreme Judicial Court of Maine and president of the Conference of Chief Justices, said the national council will greatly expand the intersystem cooperation that now results from the membership of nine state judges, eight of them chief justices, on committees of the Judicial Conference of the United States. "After all," he said, "both court systems are in the same business. We both can learn a lot from joint study and discussion of how to do our common business better." ■

AUTOMATION UPDATE*Neal Dillard***District Court**

The following courts will receive docketing training at the Automation Training Centers during December:

Phoenix Training Center*New Mexico - Two classes***San Antonio Training Center***Alabama (S)**Rhode Island**Delaware*

The Phoenix Training Center has scheduled dictionary reviews in the following courts during December:

*Oklahoma (W)**Nebraska*

The San Antonio Training Center will be conducting its first ICMS Criminal Docketing Training Class for the pilot court, the Western District of Texas, during the second and third weeks of December.

An orientation meeting of the Civil/Criminal User Group subcommittee chairs is scheduled for December. The establishment of operating procedures, clarification of assignments, and other items necessary to ensure a productive meeting of the entire group in January/February top the agenda.

Clerks and one systems staff person from large metropolitan courts, met in Washington D.C. on December 4th and discussed computer equipment issues. The clerks attending were:

Michael Kunz PA(E),
Leonard Brosnan CA(C),
H. Stuart Cunningham IL(N),
James Gallas OH(N),
Jesse Clark TX(S),
William Walsh NJ,
Thomas Cheleotis FL(S),
Nancy Doherty TX(N),
John Mayer MI(E), and
Robert Heinemann NY(E).

Also attending was Keenan Casady, District Executive from the Southern District of Florida, and representatives from the two Training Centers. This meeting was similar to the one conducted by the large bankruptcy courts implementing BANCAP.

Bankruptcy

Dictionary reviews are planned for Maryland and the Western District of Kentucky in December.

The six clerks who participated in an earlier review of the National Print Center RFP returned to Washington, D.C. on December 4th for the final review.

BANCAP Bug Reporting Process

The document describing the bug reporting process was distributed to all BANCAP courts. In addition to providing a form on which each bug should be submitted the document also describes the process in which a priority will be assigned to each bug and eventually assigned to a new release.

New AIMS

The New Aims user group met in Washington, D.C. November 14th & 15th. Issues discussed included training, equipment issues, bugs and enhancements, and statistical reporting as well as other items.

PACER

A PACER meeting was held on December 5th in Washington, D.C. to discuss options for charging for this public access service. Invited to participate were the clerks of the pilot PACER courts:

*District of Massachusetts,
District of Kansas,
Western District of Texas, and*

Karen Eddy, Clerk of the Southern District of Florida in her role as Chair of the Automation Subcommittee, Bankruptcy Clerks Advisory Committee. ■

BULLETIN BORED?**FEDERAL JUDICIAL CENTER:**

[The following item has been added to the Federal Judicial Center's Media Library and is available for circulation to judicial system personnel. To order, please submit requests in writing to Media Library, Federal Judicial Center, 1520 H Street, N.W., Washington, DC 20005. Please include the media id number in your order. In addition, if ordering videotapes, please specify the format (1/2-inch VHS or 1-inch U-matic) of the equipment in your court or office.]

"Leading the Way"
(media id #1431-V/90)

This 40-minute videotape is an excellent resource for court managers because it provides an effective strategy for dealing with change. At the outset, the narrator, Robert Gilbreath, indicates that change

cannot be ignored or postponed and that those who cannot deal with change are not suited to be managers in today's world. Indeed, today's winning managers are going after change with a passion, according to Gilbreath.

The video outlines four distinct phases of the change process, which managers need to understand so that they can initiate change by design and not preside over change by default. The four phases are as follows:

1. Vision: Know your organization's destination and what you want it to be. Create a compelling and attractive picture for organization members. Make the big picture seem real with your own activities. Focus on what is being gained, not on what is being lost.

2. Decision: Execute the steps needed to carry out the vision. Set some goals that can be achieved immediately. Appoint a leader of the change process.

3. Action: Get the organization moving quickly in step with the new directions you have set. Don't get bogged down by cynicism and other forces of inertia that dog almost every organization.

4. Extension: Sustain the changes you have made, consolidate gains, and move ahead. Document and communicate improvements made.

Gilbreath discusses the objectives, activities, guidelines, and pitfalls of each phase and gives viewers tips on meeting the particular challenges and risks that each poses.

This video would be useful for courts anticipating the introduction of automated case processing or any other major technological change. It would be wise for managers and staff to view it together and try to develop their own "change maps" to take them through the transitional process.

[The previous was from "What's Happening," Vol. 15, No. 2, 1990 at 2.]

BLUE NYLON MAIL SACKS: The Administrative Office has negotiated a non-mandatory contract with A. Rifkin Co. of Wilkes-Barre, Pennsylvania to supply, directly to the courts, the blue nylon mail sacks. The pouches were previously ordered through the Printing and Distribution Facility in Forestville, Maryland. This new procedure will eliminate several steps in procurement and handling. There will be no cost to individual courts who order from the vendor. This will be a centrally managed and funded account. In order to keep costs as low as possible, where practicable, please order in lots of 50 or more.

Order these sacks directly from:

A. Rifkin Co.
1400 Sans Souci Parkway

P.O. Box 878
Wilkes-Barre, PA 20782

Please direct questions to Jim Homanich on 202/FTS 633-6299 [also see *MEMO, Simmons Nov. 13, 1990*].

SEMINAR ON JUROR UTILIZATION AND MANAGEMENT: The following letter, received from a district court clerk may be of interest:

Since attending the Seminar on Juror Utilization and Management in Rancho Mirage, California, on August 28-30, 1989, our Court has effectively improved its juror utilization. We have reduced our Not Selected, Serving or Challenged rate from 40.92% . . . to 22.73% for the six month period of September, 1989 - February, 1990. This has been accomplished through staggered jury selection, multiple voir [dire] on orientation day and discouragement of late settlements . . .

PERSONNEL MANUAL: The U.S. Bankruptcy Court for the District of Kansas [Clerk: Russell L. Brenner] recently completed a "*Personnel Manual for Employees of the Clerk's Office*." This manual is available on disk. Contact Patsy Wise, Chief Deputy on (316) 269-6486 or FTS 752-6436.

DISTRICT COURT CHIEF DEPUTY CLERKS' ORIENTATION MANUAL: A Chief Deputy Clerk Orientation Manual has been prepared under the supervision of the Chief Deputy Clerks' Planning Committee.

This guide, which was delivered to all district court chief deputy clerks who attended the workshop this past July in Chicago, consists of four main sections:

*Federal Court Structure;
District Court Clerk's
Office—Administrative;
District Court Clerk's
Office—Operations; and
Court Family and Related Agencies.*

Copies are available from Gary J. Drake, Chief Deputy Clerk, Northern District of Georgia, on (404) 332-6496 or FTS 841-6496.

AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE AND AN AMENDMENT TO THE FEDERAL RULES OF EVIDENCE: The Congress has taken no action to defer the effective date of the amendments to the Federal Rules of Criminal Procedure and an amendment to the Federal Rules of Evidence. The Evidence Rule was adopted by the Supreme Court in January 1990, and the Rules of Criminal Procedure were adopted by the Supreme Court in May 1990, pursuant to 28 U.S.C. § 2072. Therefore, these amendments became effective on December 1, 1990, as provided in the Supreme Court Order of January 29, 1990, for the Rules of Evidence, and May 1, 1990, for the Rules of Criminal Procedure. They are as set out in House Documents 101-142

and 101-185 previously forwarded to the courts [see MEMO, Director Mecham Nov 27, 1990]. ■

STAFF NOTES

Status of Bankruptcy Judgeships (As of November 31, 1990)

Of the 291 bankruptcy judgeships authorized, there were two vacancies in November. There was one vacant judgeship in the District of New Jersey (v. Commisa) and a second in the District of Massachusetts (Bankruptcy Judge Harold Lavien passed away on November 23, 1990).

The 13 retired bankruptcy judges serving during the month were the same as in October [see *Court Administration Bulletin*, October 1990 at 18].

Bankruptcy Judge Howard C. Buschman, III, Resigns

Chief Judge James L. Oakes announced, on December 7, 1990, the appointment of a Merit Selection Panel to screen applications for the position of United States Bankruptcy Judge. The new appointee will succeed Judge Howard C. Buschman, III, who has resigned effective January 11, 1991 to enter the private practice of law. For further information please contact Steven Flanders, Circuit Executive on (212) 791-0982 or FTS 662-0982.

Joseph F. Spaniol, Jr. to Retire

Joseph F. Spaniol, Jr., the clerk of the U.S. Supreme Court for the past five and a half years and the former deputy director of the Administrative Office, has announced his retirement.

Joe served as a division chief, general counsel, assistant director, and deputy director during his 34-year tenure at the Administrative Office. He was appointed clerk of the Supreme Court on August 1, 1985.

He will retire upon appointment of his successor.

Hotline

An "800" hotline telephone service, for reporting complaints of racial violence and harassment by "hate" groups that lead to racial disputes in communities, has been established by the Community Relations Service of the Department of Justice. This hotline service was announced by President Bush at the White House Ceremony during the signing of the Hate Crime Statistics Act.

To report incidents of racial harassment and hate violence and to request assistance, call the Department of Justice, Community Relations Service hotline, at 1-800-347-HATE.

Leave Sharing Program

It is with sorrow that we note the death of Colene Larew, Courtroom Assistant to Magistrate John B. Wooley in Wichita, Kansas on November 23, 1990.

Collene suffered from ovarian cancer and was an approved leave recipient under the leave sharing program. In the October, 1990 issue of the *Court Administration Bulletin* donation of leave was requested for her; the response, from across the Nation, was overwhelming.

"On behalf of the United States District Court, District of Kansas, I would like to thank the employees of our court and the employees of all other courts around the country for the thoughtfulness and generosity expressed through the donation of annual leave during Collene's battle with cancer."

-Ralph L. DeLoach, Clerk

[All unused leave will be returned to contributors.]

Bob Feidler Called Up

As a member of the Army Reserve, Bob Feidler, the Administrative Office's Legislative and Public Affairs Officer, has been called to active duty. Effective December 3, 1990, Arthur White was appointed Acting Legislative and Public Affairs Officer and Karen Kremer became Deputy. Paul Summit returned to the office full-time as a senior member of the staff.

Mary M. Stickney Joins CAD

Mary M. Stickney will be joining the Court Administration Division from the Integrated Case management System Programming Branch, Court Systems Division in January.

Mary began her career at the Administrative Office in 1983 as a Management Analyst for the Office Systems Branch. In 1985 she transferred to the Court Systems Branch and served as the lead analyst for the implementation and management of the Appellate Information Management System (AIMS) in the Ninth and Seventh Circuit Courts of Appeals. In 1988, Mary accepted the position of Systems Manager for the U.S. District Court for the District of Columbia and served in that capacity for one and a half years.

Mary received her undergraduate degree (BFA) from Texas Christian University and her graduate degree (MPA) from Golden Gate University.

Mary Lynn Sullivan Joins CAD

Mary Lynn Sullivan will be joining the Automation Section of the Court Administration Division as

Section Chief of the District Automation Management section in January.

Mary Lynn began her career with the Federal Courts in 1981 as an intern with the Circuit Executive's Office for the D.C. Circuit, while completing her bachelor's degree in Criminology/Court Administration. After completing her internship, Mary Lynn began working for the U.S. District Court for D.C. in the Jury Office, first as a deputy clerk and then as Jury Administrator. In 1985, she joined the Systems Office to assist in piloting the ICMS Civil electronic docketing system. She is currently the Systems Manager.

New Salary Rates for Judges

Following, on page 19, are the new salary rates for judges, which include a 25 percent salary increase together with a 3.6 percent cost-of-living adjustment. Both increases are effective January 1, 1991 and will be reflected in the February 1, 1991, paycheck. Questions should be directed to Carol S. Sefren, Personnel Division, on 202/FTS 633-6063.

[NOTE: Justices and judges retired from regular active service (senior status) under 28 U.S.C. § 371(b), who are not certified under 28 U.S.C. § 371(f), will not receive the 25 percent salary increase. Therefore, the 3.6 percent cost-of-living adjustment will be applied to their present salaries.]

THRIFT SAVINGS PLAN HIGHLIGHTS FOR PARTICIPANTS: Included, on pages 22 and 23, is a fact sheet from the Federal Retirement Thrift Investment Board. Changes include:

-FERS PARTICIPANTS

C and F Fund Restrictions removed

-CSRS PARTICIPANTS

Can now invest in all three funds

-ALL PARTICIPANTS

Can now make up to four interfund transfers each year

-RETIRED AND SEPARATED PARTICIPANTS

Can now receive automatic cashouts for accounts of \$3,500 or less

Judges and their staff with questions should contact Carla DeLauder on 202/FTS 633-6063. Employees of the Administrative Office, the Federal Judicial Center, and the U.S. Sentencing Commission should contact Joy Savage on 202/FTS 633-6116. Court personnel should direct their questions to one of the following supervisory personnel management specialists:

Judy Robinson 202/FTS 633-6065

Circuits: 1st, 3rd, 6th and 7th

Anne Gibson 202/FTS 633-5891

Circuits: 9th, D.C. Circuit and

National Courts

Walter Simon 202/FTS 633-6060

Circuits: 5th, 8th and 10th

Brenda Bradford 202/FTS 786-6770

Circuits: 2nd, 4th and 11th

[Also see MEMO, Director Mechem, Nov. 6, 1990.]

NOTE: A copy of TSP-30, "Interfund Transfer Fund" with instructions, will be included in the January 1991 Bulletin.

SUBMISSION OF FORM I-9, "EMPLOYMENT ELIGIBILITY VERIFICATION" FOR NEW APPOINTMENTS: Appointing Officers are reminded that the Immigration Reform and Control Act of 1986 requires employers to complete a Form I-9 for all new employees within three business days of their entrance on duty date.

Appointing officers must check documents establishing an employee's identity and eligibility to work in the United States. The appointing officer's signature on the form certifies that the documents have been examined and the individual is eligible for employment.

Upon completion of the I-9, it must be forwarded, with all other appointment forms, to the Administrative Office, Division of Personnel. Forms for the personal staff of judicial officers should be sent to the Judicial Officers Branch. Forms on all other employees should be sent to the Court Branch. Please direct any questions to supervisory personnel listed in the previous article. [also see MEMO, Peddicord, Nov. 1, 1990].

Excess WANG Equipment

The U.S. Bankruptcy Court for the District of Oregon has the following equipment available for parts (hard drives removed):

| | |
|-------------------|------------|
| 6 WANG Monitors | PM-004-B |
| 4 WANG Printers | PC-PM014 |
| 6 WANG Computer/ | |
| Keyboards | PC-002 |
| 3 Lanier Printers | RP1600/LP; |
| | L200; L100 |

Contact John Wester on (503) 326-6430 or FTS 423-6430.

Vacancies

The U.S. District Court for the Eastern District of Missouri has a position vacancy for Clerk of Court (JSP-17). To apply send letter of application with resume to Chief Judge Edward L. Filippine, U.S. District Court, 1114 Market Street, U.S. Court House and Custom House, St. Louis, Missouri 63101. Applicants may be required to travel to St. Louis at their own expense for interviews. Applications and resumes must be received by February 4, 1991.

The Bankruptcy Court for the Eastern District of New York has an opening for *CLERK OF COURT (JSP 16)*. Applicants must have a minimum of ten years of administrative or appropriate professional experience in public service or business and a thorough understanding of the organizational and procedural aspects of court management; three (3) years of which must be specialized in Bankruptcy Court activities demonstrating progressively responsible administrative, supervisory and professional work which provided the opportunity to acquire and utilize a knowledge of managerial principles, policies, and practices. A working knowledge of computers and the Federal Judiciary and its administrative procedures is required. A graduate degree in business or judicial administration is preferred. Educational equivalents may be substituted.

To apply, please submit an original plus five copies of cover letter and resume *on or before January 2, 1991*, to Hon. Conrad B. Duberstein, Chief Judge, U.S. Bankruptcy Court, 75 Clinton Street, Brooklyn, New York 11201.

Applications are being accepted for *CIRCUIT LIBRARIAN (JSP 15-16)* for the U.S. Courts for the Ninth Circuit, in San Francisco; *this position closes January 11, 1991*. Telephone 415/FTS 556-6129.

The Bankruptcy Court for the Western District of Michigan will have a vacancy for *CHIEF DEPUTY CLERK (JSP 14)* upon the retirement of the present chief deputy in March, 1991; *this position is open until filled*. Contact Mark Van Allsburg, Clerk, (616) 456-2693 or FTS 372-2693.

The Bankruptcy Court for the Central District of California has a vacancy for *DIVISIONAL MANAGER, COURT SERVICES (JSP 13-14)*, in Los Angeles; *this position is open until filled*. Contact Sheila Thornton, Personnel Staffing Specialist, on (213) 894-5974 or FTS 798-5974.

There is an immediate vacancy for *FINE CENTER MANAGER FOR THE NATIONAL FINE CENTER PILOT PROJECT (JSP 7-13)* in the Office of the Clerk, U.S. District Court for the Eastern District of North Carolina; *this position is open until filled*. Contact Michael Brooks, Administrative Manager, on (919) 856-4019 or FTS 672-4019.

The Bankruptcy Court for the Western District of Wisconsin is accepting applications for *SYSTEMS MANAGER (JSP 11-13)*; *this position is open until filled*. Contact the Clerk, Ann B. Manley, on (608) 264-5178 or FTS 364-5178.

A vacancy exists for *PC SYSTEMS ADMINISTRATOR (JSP 9-11)* in the Circuit Executive's Office, Eighth Circuit, in St. Louis; *position is open until January 18, 1991*. Telephone (612) 290-3311 or FTS 777-3311.

SYSTEMS MANAGER (JSP 11-13), U.S. District Court for Washington, DC. This position requires a broad working knowledge of the UNIX operating system as well as responsibility for supervising and coordinating automation activities of large organizations. Telephone Val Pulley on 202/FTS 535-3515.

TECHNICAL ASSISTANT (TERM APPOINTMENT) (JSP 9-14), U.S. Court of Appeals for the Federal Circuit in Washington, D.C. *This position is open until filled*. Brief Description of Duties: assists in reviewing panel-approved opinions intended for publication, in reviewing briefs, in preparing Evaluation Reports, and in advising judges and law clerks on legal or technical matters; conducts technological and legal research; prepares research memos; and performs such other duties in accomplishing the mission of the court as directed by the Senior Technical Assistant. Work involves patent and all other areas within the court's jurisdiction.

ADMINISTRATIVE ANALYST (JSP 7-11), U.S. District Court, Northern District of Ohio; *position open until filled*. Contact Ronnie Adarno on FTS 942-7258.

A vacancy exists for *SYSTEMS MANAGER (JSP 11-13)* in the Bankruptcy Court for the Southern District of California; *position open until filled*. Contact Shirley McCullough, Personnel Specialist on (619) 557-5112 or FTS 895-5112.

A vacancy exists for *COURTROOM DEPUTY (COMPLETE CALENDAR RESPONSIBILITIES) (JSP 9-11)* in the District Court for the Southern District of Illinois in Benton (but may require frequent travel to other offices); *position open until filled*. Contact the Clerk, Stuart J. O'Hare, on (618) 482-9371 or FTS 277-9371.

A vacancy exists for *PROPERTY AND PROCUREMENT ADMINISTRATOR (JSP 5-11)* in the Bankruptcy Court for the Southern District of Ohio in Dayton; *position closes January 31, 1991*. Contact John Cooke, Personnel Specialist, on 9614) 469-2429 or FTS 943-2429.

Vacancies exist for *TRAINING CENTER MANAGER (JSP 9 - 13)*, *APPLICATIONS TRAINING SPECIALIST (JSP 9-12)* and *ECR OPERATOR (JSP 5 - 8)*, in the District Court, District of Arizona at Phoenix; *positions are open until filled*. Contact Jackie Moore on 602 or FTS 261-4937.

A vacancy exists for *SYSTEMS MANAGER (JSP 11-13)*, in the District Court for the Northern District of New York in Syracuse; *this position is open until filled*. Contact the Clerk, George A. Ray, on (315) 423-6510 or FTS 950-6510.

A vacancy exists for *DEPUTY-IN-CHARGE (JSP 13)* in the District Court for the Eastern District of

Tennessee, in Chatanooga; *position open until filled.* Contact the Clerk, R. Murry Hawkins, on (615) 673-4227 or FTS 854-4227.

ROOM DEPUTY (JSP 7-9) in the District Court for the District of Oregon, in Portland; *position closes January 18, 1991.* Contact Pamela Johnson, Personnel Officer, on (503) 326-2631 or FTS 423-2631.

A vacancy exists for *MAGISTRATE COURT.*

SALARY INCREASE

| | <i>Present Salary</i> | <i>25 Percent Enhancement</i> | <i>Final Salary</i> |
|-----------------------------|---------------------------|-----------------------------------|-------------------------|
| Chief Justice | \$124,000 | \$155,000 | \$160,000 |
| Associate Justices | 118,600 | 148,300 | 153,600 |
| Circuit Judges | 102,500 | 128,100 | 132,700 |
| District Judges | 96,600 | 120,800 | 125,100 |
| Court of Int'l Trade | 96,600 | 120,800 | 125,100 |
| U.S. Claims Court | 96,600 | 120,800 | 125,100 |
| Bankruptcy Judges | 88,872 | 111,136 | 115,092 |
| Magistrate Judges (FT only) | 88,872 | 111,136 | 115,092 |

[see MEMO, Director Mecham, November 8, 1990]

BANKRUPTCY CASE FILINGS SY 1981-1990 *continued from page*

| YEAR ENDED JUNE 30 | TOTAL FILINGS | CHAPTER 7 | CHAPTER 11 | CHAPTER 12 | CHAPTER 13 | OTHER* CASES |
|-----------------------------------|--------------------------|----------------------|-----------------------|-----------------------|-----------------------|-------------------------|
| 1981 | 360,329 | 265,719 | 7,828 | N/A | 86,778 | 4 |
| 1982 | 367,866 | 255,095 | 14,058 | N/A | 98,705 | 8 |
| 1983 | 374,734 | 251,319 | 21,206 | N/A | 102,201 | 8 |
| 1984 | 344,275 | 232,991 | 19,913 | N/A | 91,358 | 13 |
| 1985 | 364,536 | 244,647 | 21,420 | N/A | 98,452 | 17 |
| 1986 | 477,856 | 332,675 | 24,442 | N/A | 120,726 | 13 |
| 1987 | 561,278 | 397,548 | 22,564 | 4,824 | 136,300 | 42 |
| 1988 | 594,567 | 423,789 | 18,889 | 3,099 | 148,771 | 19 |
| 1989 | 642,993 | 457,234 | 17,447 | 1,717 | 166,539 | 56 |
| 1990 | 725,484 | 505,332 | 19,591 | 1,351 | 199,186 | 24 |

*— Includes chapter 7 stockbroker, chapter 9, chapter 11 railroad, and Section 304 cases.

— The Bankruptcy Code of 1978 went into effect on October 1, 1979. Through June 30, 1990, there had been 5,024,285 cases commenced under the Code.

— Approximately 40% of bankruptcy filings are joint filings involving a husband and wife.

BANKRUPTCY FILINGS BY DECADE

Bankruptcy case filings were far higher during the 1980's than in any other decade. On a per capita basis, filings during the 1980's were about double the level of the 1970's, and nearly ten times as high as during the 1940's.

| DECADE | TOTAL FILINGS | U. S. POPULATION (AT END OF DECADE) | FILINGS PER 1,000 POP. |
|-----------|------------------|--|------------------------------|
| 1900-1909 | 173,298 | 92,228,496 | 1.88 |
| 1910-1919 | 215,296 | 106,021,537 | 2.03 |
| 1920-1929 | 410,475 | 123,202,624 | 3.33 |
| 1930-1939 | 614,938 | 132,164,569 | 4.65 |
| 1940-1949 | 296,021 | 151,325,798 | 1.96 |
| 1950-1959 | 584,272 | 179,323,175 | 3.26 |
| 1960-1969 | 1,695,416 | 203,302,031 | 8.34 |
| 1970-1979 | 2,086,189 | 226,545,805 | 9.21 |
| 1980-1989 | 4,583,391 | 249,605,000* | 18.36 |

— Case filings through 1979 are for statistical years ended June 30th; filings since 1980 reflect calendar years. Population figures reflect census totals as of April 1, of each decade.

*— Estimated population as of January 1, 1990.

ANNUAL QSI REPORT
FOR FY-90

| | <u>Number of OSIS</u> | <u>Number of Employees</u> | <u>Rate Per 100</u> | <u>Cost</u> |
|--|---------------------------|--------------------------------|-------------------------|--------------------|
| <u>Judges Personal Staff</u> | | | | |
| <u>Law Clerks</u> | | | | |
| Appeals Cts. | 11 | 571 | 1.9 | \$13,235.60 |
| District Cts. | 33 | 1,404 | 2.3 | \$45,956.88 |
| Magistrates | 8 | 305 | 2.6 | \$12,383.00 |
| Bankruptcy Cts. | 15 | 317 | 4.7 | \$19,459.00 |
| All Special Cts. | <u>0</u> | <u>44</u> | 0 | <u>0</u> |
| Total | 67 | 2,597 | | \$91,034.48 |
| <u>Secretaries</u> | | | | |
| Appeals Cts. | 107 | 375 | 28.5 | \$103,352.20 |
| District Cts. | 245 | 768 | 31.9 | \$239,408.60 |
| Magistrates (Including Clerical Assistants) | 80 | 319 | 25.0 | \$77,727.08 |
| Bankruptcy Cts. | 77 | 295 | 26.1 | \$75,647.00 |
| All Special Cts. | <u>11</u> | <u>34</u> | 32.3 | <u>\$10,250.00</u> |
| Total | 520 | 1,791 | | \$506,384.88 |
| <u>Clerks Offices</u> | | | | |
| Appeals Cts. | 95 | 589 | 16.1 | \$88,461.40 |
| District Cts. | 750 | 4,534 | 16.5 | \$717,942.16 |
| Bankruptcy Cts. | 372 | 3,599 | 10.3 | \$377,531.20 |
| All Special Cts. | <u>13</u> | <u>73</u> | 17.8 | <u>\$14,552.00</u> |
| Total | 1230 | 8,795 | | \$1,198,486.76 |
| <u>Appeals Courts</u> | | | | |
| Staff Attorney Ofcs. | 41 | 253 | 16.2 | \$40,728.60 |
| Library Ofcs. | 13 | 243 | 5.3 | \$12,753.00 |
| Pre-argument Ofcs. | <u>1</u> | <u>6</u> | 16.6 | <u>\$1974.00</u> |
| Total | 55 | 502 | | \$55,455.60 |
| <u>District Courts</u> | | | | |
| Probation/Pretrial Ofcs. | 816 | 4,530 | 18.0 | \$880,089.40 |
| District Court Executive Ofcs. | <u>5</u> | <u>10</u> | 50.0 | <u>\$3,863.00</u> |
| Total | 821 | 4,540 | | \$883,952.40 |
| <u>Circuit Executives Ofcs.</u> | | | | |
| | 34 | 99 | 34.3 | \$36,652.00 |
| <u>Bankruptcy Administrators Office</u> | | | | |
| | 2 | 33 | 6.0 | \$2,367.00 |
| <u>Federal Public Defenders Office</u> | | | | |
| | <u>49</u> | <u>335</u> | <u>14.6</u> | <u>\$40,359.00</u> |
| Grand Total | 2,778 | 18,736 | 14.8 | \$2,814,692.12 |



Thrift Savings Plan Highlights for Participants

November 1990

Your Thrift Savings Plan has changed! Public Law 101-335 (July 17, 1990) made major improvements in the TSP. We have also made other changes that will enhance your participation in the Plan. This edition of the *Highlights* summarizes these changes, but we urge you to read the:

Summary of the Thrift Savings Plan for Federal Employees, September 1990—detailed information about the TSP and recent changes. All employees should receive the Plan Summary from their agencies. If you have not received a copy, contact your agency employing office. If you have left Federal service, a copy has been mailed to you; contact the TSP Service Office at the address on your Participant Statement if you did not receive it.

Open Season Update, November 15, 1990 - January 31, 1991—a brief description of the TSP and the changes that affect employees' TSP decisions this open season. All Federal employees should receive the Update from their agencies. If you have not received a copy, contact your agency employing office.

FERS employees: Investment restrictions have been removed. You can now invest all or any portion of your TSP account in any of the three TSP Funds: G Fund (Government securities), C Fund (stocks), and F Fund (bonds). This means that you can allocate all future contributions to your account—both your own and your agency's contributions—without restriction among the three Funds. You can also now transfer all or any portion of your account balance (including agency contributions) among the three Funds.

Your investment decisions will apply to both your own and your agency's contributions to your account beginning in January 1991. If you now contribute to the C or F Fund, and you wish to continue contributing without interruption, you must submit a new Election Form (TSP-1) this open season. Submit your form to your agency employing office early enough so that it will be accepted by your agency before the first full pay period in January 1991. Otherwise, future contributions to your account will be invested in the G Fund until you make another election (either later in this open season or in a subsequent open season). A new Form TSP-1 was recently mailed to C and F Fund investors with a letter explaining this requirement. If you have questions about your contributions, contact your agency employing office.

CSRS employees: Can now invest in the C and F Funds. Beginning this open season, you can invest all or any portion of your future contributions in the G, C, and F Funds by submitting Form TSP-1 to your agency. You can also now move all or any portion of your account balance among the three Funds through an interfund transfer.

All participants: Can make up to four inter-fund transfers a year. Beginning in 1991, you can make these transfers in any months that you choose. An Interfund Transfer Request (Form TSP-30) is enclosed for all eligible participants. If the TSP Service Office receives your Form TSP-30 by the 15th of the month, your transfer will be effective as of the end of the month. You can obtain another copy of Form TSP-30 by calling the TSP Inquiry Line at the number on your Participant Statement. Beginning in early 1991, these forms will also be available from your agency employing office (but they should always be returned to the TSP Service Office).

A new bond index fund will be selected for the F Fund. The new index fund will include mortgage-backed securities, which will further diversify the F Fund and potentially increase earnings.

You can now recover lost earnings. Your agency must now make up earnings lost to your TSP account as a result of certain agency errors. (This does not include lost

earnings on contributions of your own money that your agency may have failed to deduct from your pay.) This requirement is retroactive to the date when you became eligible to participate in the TSP.

TSP annuities are now exempt from state and local premium taxes. All TSP annuities purchased on or after August 16, 1990 are exempt from state and local premium taxes. Before, six jurisdictions imposed a premium tax on the purchase of TSP annuities, Alabama, California, the District of Columbia, Kentucky, Puerto Rico, and West Virginia.

Several changes will affect TSP withdrawals:

Automatic cashouts. Beginning in January 1991, when your agency reports that you have left Government service, you will be notified if your vested account balance is \$3,500 or less. You will receive an automatic cash payment, **unless** you choose another withdrawal option for which you are eligible. This automatic cashout will be made regardless of your eligibility for retirement benefits. Spouse notice and consent requirements will not apply to automatic cashouts (or to any other withdrawal election if your vested account balance is \$3,500 or less at disbursement).

Break in service. Beginning in January 1991, if you leave the Government and are rehired, your break in service must be more than 30 consecutive days in order for you to be eligible (or required) to withdraw your TSP account.

Change to a final single payment. If you are withdrawing your TSP account in a series of monthly payments, you can request at any time to receive your remaining account balance in a single payment. Contact the TSP Service Office at the address on your Participant Statement for an Application for a Final Single Payment (Form TSP-12-A).

TDD for hearing impaired participants. The TSP Service Office has installed a Telecommunications Device for the Deaf. Call (504) 255-5113 Monday through Friday, between the hours of 7:45 a.m. and 4:15 p.m. (Central Standard Time).



Do we have your correct address? If you have moved or are planning to move, be sure to notify your agency so that they can submit your new address to the TSP. If you have left Federal service, notify the TSP Service Office by submitting a Change of Address (Form TSP-9) or a separate letter (include your name, Social Security number, date of birth, complete new mailing address, daytime telephone number, and signature).

Information about TSP Investment Funds

Management of the Funds. The Thrift Investment Board manages the G Fund. Through December 31, 1990, the Board has contracts with Wells Fargo Institutional Trust Company (Wells Fargo), a company jointly owned by Wells Fargo Nikko Investment Advisors and Wells Fargo and Co., to manage C and F Fund assets. The Board will select investment managers for the C and F Funds through a competitive proposal process, and new contracts will be in effect on January 1, 1991.

Following is a brief description of the three TSP Funds. For more detailed information, see the *Summary of the Thrift Savings Plan for Federal Employees*.

The G Fund is invested in short-term nonmarketable U.S. Treasury securities specially issued to the TSP. The G Fund interest rate equals the average of market rates of return on U.S. Treasury marketable securities outstanding with four or more years to maturity. There is no credit risk (risk of nonpayment of principal or interest) for the Treasury securities in the G Fund. In addition, market risk (the risk that investments may fluctuate in value as interest rates change) is minimized by the Board's current policy of investing the G Fund in short-term rather than longer-term securities.

The table below presents the calendar-year total rates of return for the last 10 years for G Fund related securities, based on the monthly rates (compounded) for such securities. These figures are stated without deducting administrative expenses. The table also shows the actual G Fund rates of return in 1988 and 1989, after deducting administrative expenses of the Plan. Plan expenses reduced the 1989 return by 0.21%, or \$2.10 for every \$1,000 of G Fund account balance. There is no assurance that future rates of return will resemble any of these rates:

| Year | G Fund | Related Securities |
|---|--------|--------------------|
| 1980 | | 11.57% |
| 1981 | | 14.18% |
| 1982 | | 13.56% |
| 1983 | | 11.61% |
| 1984 | | 13.13% |
| 1985 | | 11.33% |
| 1986 | | 8.29% |
| 1987 | | 8.73% |
| 1988 | 8.81% | 9.19% |
| 1989 | 8.81% | 9.01% |
| 1980 - 1989 average annual rate of return | | 11.04% |

The C Fund is invested primarily in a commingled Standard & Poor's (S&P) 500 stock index fund. The C Fund gives participants the opportunity to diversify their investments and to earn the relatively high investment return sometimes available through stock ownership, while lessening the effect that the poor performance of an individual stock or industry will have on overall investment performance. The risk of investing in the C Fund is that the value of stocks can decline sharply. The total return on the C Fund could be negative, resulting in a loss.

The table below presents the calendar-year total rates of return for the S&P 500 stock index for the last 10 years. It also presents the returns for the Wells Fargo Equity Index Fund, in which the C Fund has been invested since it began in 1988. These rates are stated without deducting administrative, investment management, and trading expenses. The table also shows the actual 1988 and 1989 C Fund rates of return (after expenses). Expenses reduced the 1989 C Fund return by 0.20%, or \$2.00 for every \$1,000 of C Fund account balance. There is no assurance that future rates of return will resemble any of these rates:

| Year | C Fund | Wells Fargo Equity Index Fund* | S&P 500 Index** |
|---|-----------|--------------------------------|-----------------|
| 1980 | | 32.50% | 32.38% |
| 1981 | | -4.62% | -5.10% |
| 1982 | | 21.52% | 21.09% |
| 1983 | | 22.37% | 22.36% |
| 1984 | | 6.55% | 6.12% |
| 1985 | | 32.32% | 32.02% |
| 1986 | | 18.49% | 18.55% |
| 1987 | | 5.23% | 5.23% |
| 1988 | 11.84%*** | 16.60% | 16.83% |
| 1989 | 31.03% | 31.61% | 31.53% |
| 1980 - 1989 average annual rate of return | | 17.62% | 17.46% |

* Tracks the S&P 500 index.
 ** Calculated by Wiltshire Associates.
 *** The first C Fund investment in the stock market occurred on January 29, 1988

The F Fund is a bond index fund that, beginning in January 1991, will track either the Shearson Lehman Hutton Aggregate (SLHA) bond index or the Salomon Brothers Broad Investment Grade (SBBIG) bond index. These bond indexes consist primarily of high-quality fixed-income securities representing the U.S. Government, corporate, and mortgage-backed securities sectors of the U.S. bond market. Adding mortgage-backed securities to the F Fund will provide greater diversification and the potential for somewhat higher returns.

The F Fund offers the opportunity for increased rates of return in periods of generally declining market interest rates. At such times, the values of the longer-term bonds held in the

F Fund should increase, unlike those of the short-term securities held in the G Fund. The F Fund has the potential for a negative return (especially when market interest rates are increasing), resulting in a loss.

The table below presents the calendar-year total rates of return for the SLHA bond index and the Shearson Lehman Hutton Government/Corporate bond index (SLHGC) for the last 10 years. It also presents the returns for the Wells Fargo Bond Index Fund, in which the F Fund has been invested since it began in 1988. (The Wells Fargo Bond Index Fund tracks the SLHGC.) These rates are stated without deducting administrative, investment management, and trading expenses. The table also shows the rates of return for the F Fund (after expenses). Expenses reduced the 1989 F Fund return by 0.23%, or \$2.30 for every \$1,000 of F Fund account balance. There is no assurance that future rates of return will resemble any of these rates:

| Year | F Fund | Wells Fargo Bond Index Fund* | SLHGC Bond Index** | SLHA Bond Index** |
|---|----------|------------------------------|--------------------|-------------------|
| 1980 | | | 3.06% | 2.70% |
| 1981 | | | 7.26% | 6.25% |
| 1982 | | | 31.09% | 32.62% |
| 1983 | | | 8.00% | 8.35% |
| 1984 | | 15.06% | 15.02% | 15.15% |
| 1985 | | 21.32% | 21.30% | 22.11% |
| 1986 | | 15.53% | 15.62% | 15.26% |
| 1987 | | 2.25% | 2.29% | 2.76% |
| 1988 | 3.63%*** | 7.58% | 7.58% | 7.89% |
| 1989 | 13.89% | 14.37% | 14.24% | 14.53% |
| 1980 - 1989 average annual rate of return | | 12.51% | 12.51% | 12.78% |
| 1980 - 1989 average annual rate of return | | 12.24% | 12.24% | 12.43% |

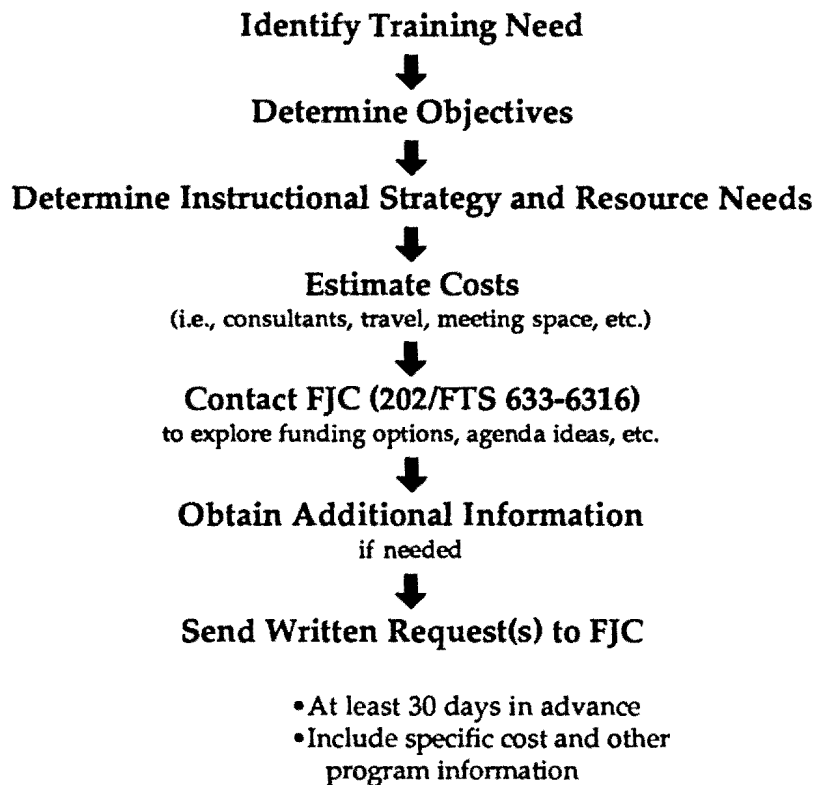
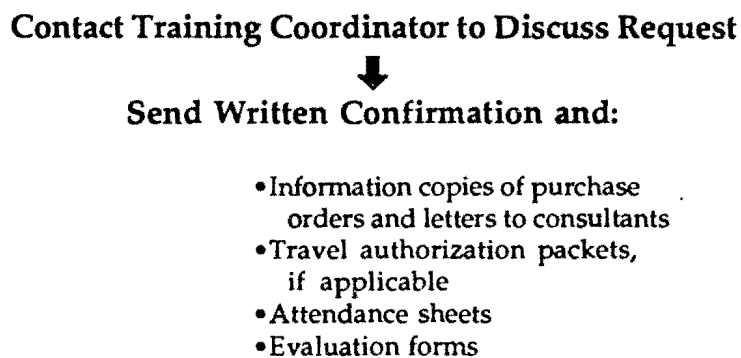
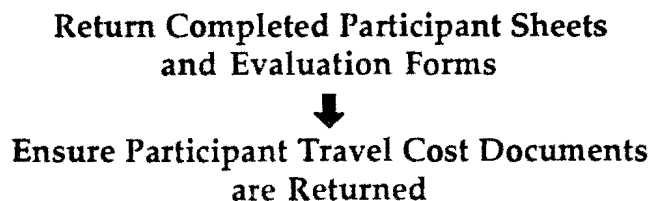
* Established in 1984. Tracks the SLHGC bond index.
 ** Calculated by Shearson Lehman Hutton, Inc. Beginning in January 1991 the F Fund will be invested in an SLHA (or SBBIG) bond index fund. The SLHA returns are used for illustrative purposes. The 1980-1989 SBBIG average annual rate of return was 12.38%.
 *** The first F Fund investment in the bond market occurred on January 29, 1988

Recent performance of the TSP Funds. The monthly rates of return (after expenses) for the 12 months through September 1990 are presented below. These rates of return are used in crediting earnings to your account each month:

| Month | G Fund | C Fund | F Fund |
|-------------|--------|--------|--------|
| 1989 | | | |
| October | 0.71% | -2.33% | 2.45% |
| November | 0.65% | 2.05% | 0.86% |
| December | 0.67% | 2.37% | 0.16% |
| 1990 | | | |
| January | 0.68% | -6.59% | -1.38% |
| February | 0.64% | 1.26% | 0.21% |
| March | 0.72% | 2.64% | 0.01% |
| April | 0.71% | -2.52% | -0.94% |
| May | 0.76% | 9.44% | 2.80% |
| June | 0.71% | -0.71% | 1.56% |
| July | 0.72% | -0.36% | 1.24% |
| August | 0.72% | -8.65% | -1.42% |
| September | 0.73% | -4.85% | 0.81% |
| 12 months | 8.74% | -9.13% | 6.45% |

You can calculate your approximate earnings for any month by multiplying the rate of return for that month by the sum of the prior month-end balance (MEB on your Participant Statement) and one-half of the total of that month's deposits and loan payments.

The 12-month returns in the above tables assume a constant dollar balance during the 12-month period, with no deposits (except the crediting of earnings), interfund transfers, adjustments, loans, or withdrawals. The amount and timing of such activity in your account affect the weight of each monthly return in the calculation of the 12-month period return, and each participant's account activity is different. Thus, TSP participants with activity in their accounts cannot use the 12-month returns to calculate their actual earnings for the 12-month period.

Training Coordinator will:**The Federal Judicial Center will:****Training Coordinator will:**



Division of Continuing Education & Training Local Training Programs FY 1990

Report - Programs by Date

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|-----------------------|---------|------------|--|---------------------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Oct. 2 | 4004 | D/DC | AIDS and the Workplace | Washington, DC | 4 | | | 3 | |
| Oct. 2-3 | 4005 | 9th Circ. | Legal Writing and Editing Skills Workshop | San Francisco, CA | | | | 18 | |
| Oct. 3 | 4002 | 10th Circ. | CPR Training | Denver, CO | | | | 12 | |
| Oct. 3-Dec. 7 | 4104 | D/UT | Spanish-Speaking Training | Salt Lake City, UT | 1 | 5 | 3 | | |
| Oct. 4 | 4003 | 11th Circ. | Effective Writing Skills | Atlanta, GA | | | | 14 | |
| Oct. 5-6 | 4101 | ED/NC | Staff Safety Training | Emerald Isle, NC | | | | 16 | |
| Oct. 17-18, Nov. 8 | 4011 | ND/OH | CPR Training | Cleveland/Toledo/Youngstown, OH | 28 | | | | |
| Oct. 17 | 4012 | WD/WA | Managing Assertively | Tacoma, WA | | | 15 | | |
| Oct. 18-19 | 4013 | WD/VA | Enhancing Comm. Skills and Interpersonal Relations | Roanoke, VA | | | 25 | | |
| Oct. 19 | 4014 | D/CO | Dealing with Difficult People | Denver, CO | | | | | 23 |
| Oct. 23-Nov. 4 | 4017 | WD/KY | CPR Training | Louisville, KY | | | 15 | | |
| Oct. 24 | 4009 | D/DC | Managing Change | Washington, DC | 31 | | | 1 | |
| Oct. 24-25 | 4018 | D/NE | District-Wide Training | Louisville, NE | | | 27 | | |
| Oct. 24-27 | 4103 | SD/MS | District-Wide Training | Hattiesburg, MS | | | | 16 | |
| Oct. 24-25 | 4105 | SD/CA | First Aid Class | San Diego, CA | 4 | | | 16 | |
| Oct. 25-27 | 4016 | WD/VA | Presentence Report Preparation | Roanoke, VA | | | | 17 | |
| Oct. 25-Dec. 6 | 4022 | ND/IN | Legal Research and Related Topics | Ft Wayne/Gary/S Bend, IN | | | 37 | | |
| Oct. 26-Nov. 30 | 4019 | WD/KY | Freedom From Smoking Clinic | Louisville, KY | | | 9 | | |

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|----------------|---------|------------|---|---------------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Oct. 26 | 4020 | ED/CA | Teambuilding Workshop | Fresno, CA | | | 26 | | |
| Oct. 27 | 4106 | D/AZ | CPR Training | Phoenix, AZ | | | | 18 | |
| Oct. 30 | 4007 | D/ID | Performance Appraisals for Supervisors | Boise, ID | 1 | 7 | | | |
| Oct. 30 | 4021 | D/SD | Teambuilding and Managing Conflict | Sioux Falls, SD | | | 15 | | |
| Oct. 31-Nov. 1 | 4006 | ND/GA | Motivation Seminar | Atlanta, GA | 44 | 54 | 7 | 1 | 1 |
| Nov. 3 | 4001 | D/DC | Senior Management Seminar | Washington, DC | 5 | 2 | 4 | 9 | |
| Nov. 6 | 4026 | ED/VA | AIDS in the Workplace | Alexandria, VA | | | 17 | | |
| Nov. 7 | 4023 | D/DC | Developing a Professional Image | Washington, DC | 17 | | | 2 | 1 |
| Nov. 7 | 4024 | 10th Circ. | Express Yourself-Communicate for Success | Denver, CO | 5 | | | 16 | |
| Nov. 8-9 | 4010 | D/AZ | Stress Management & Teambuilding Workshop | Phoenix/Tucson, AZ | | | 61 | | |
| Nov. 8-9, 16 | 4107 | D/MD | HIV Risk Assessment and Prevention Strategies | Baltimore/Hyattsville, MD | | | | 52 | |
| Nov. 15-16 | 4025 | WD/VA | Managing Multiple Priorities | Roanoke, VA | 22 | 11 | 4 | | |
| Nov. 15 | 4031 | D/DC | ADR: Early Neutral Evaluation | Washington, DC | 65 | | | | |
| Nov. 15 | 4108 | D/KS | Ritual Abuse: Identification, Assessment in Treatment | Overland Park, KS | | | | 20 | |
| Dec. 1 | 4008 | SD/NY | Teambuilding Overview Session | Governor's Island, NY | | | 8 | | |
| Dec. 1 | 4027 | 7th Circ. | 7th Circ. Bankruptcy Judges Seminar | Chicago, IL | | | 27 | | |



Division of Continuing Education & Training Local Training Programs FY 1990

Report - Programs by Date

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|-----------------|---------|------------|---|------------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Dec. 6-7 | 4029 | SD/1A | DISC Personal Profile System | Des Moines, IA | | 22 | | | |
| Dec. 7-8 | 4028 | D/SC | Stress Management | W. Columbia, SC | 40 | | | | |
| Dec. 7 | 4038 | D/DC | ADR: Mediation and Early Neutral Evaluation in the District Court | Washington, DC | 8 | | | 4 | |
| Dec. 15 | 4030 | ED/NC | Teambuilding Workshop | Raleigh, NC | 31 | | | | |
| Dec. 15 & 18 | 4037 | D/SD | CPR Training | Sioux Falls/Pierre, SD | | 18 | | | |
| Dec. 19 | 4032 | 10th Circ. | Assertive Communication | Denver, CO | | | | 8 | |
| Jan. 4 | 4109 | ED/MO | Legal Implications of Recent Legislation | St. Louis, MO | | | 22 | | |
| Jan. 8-9 | 4036 | 9th Circ. | Bankruptcy Courtroom Deputy Training | San Francisco, CA | | 10 | | | |
| Jan. 9 | 4033 | 10th Circ. | Communication Through Humor | Denver, CO | | | | 11 | |
| Jan. 9 | 4041 | ED/VA | AIDS in the Workplace | Richmond, VA | 8 | 17 | 8 | 5 | 2 |
| Jan. 10-Mar. 28 | 4044 | ED/MO | Supervisory Training | St. Louis, MO | | 14 | | | |
| Jan. 10-11 | 4110 | D/OR | CPR Training | Portland, OR | 12 | 2 | 8 | | |
| Jan. 12 | 4034 | D/ND | Basic First Aid | Fargo, ND | 4 | 10 | | | |
| Jan. 12 | 4113 | D/MN | Working with AIDS Clients | Minneapolis, MN | | | 21 | | |
| Jan. 17-19 | 4112 | D/HI | Sentencing Guidelines: Processes & Procedures | Honolulu, HI | 7 | | 11 | | 27 |
| Jan. 20 | 4043 | 6th Circ. | Allocation and Use of Resources | Phoenix, AZ | 9 | 6 | | 2 | 0 |
| Jan. 20 | 4043 | 7th Circ. | Allocation and Use of Resources | Phoenix, AZ | 7 | 7 | | 2 | 2 |

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|-----------------|---------|-----------|--|--------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Jan. 22-24 | 4111 | D/DC | Interviewing Skills and Behavioral Assessment | Washington, DC | | | 24 | | |
| Jan. 29-Feb. 28 | 4053 | ED/WA | Women's Self-Defense | Spokane, WA | 5 | | | | 4 |
| Jan. 30 | 4046 | ED/MI | Teambuilding Seminar | Detroit, MI | | 75 | | | |
| Jan. 30 | 4050 | D/DC | Burnout and You | Washington, DC | 12 | | | 14 | |
| Feb. 7 | 4051 | D/UT | Civil Judgments & the Fed. Rules of Civil Procedure | Salt Lake City, UT | 12 | | | | |
| Feb. 8 | 4045 | 7th Circ. | Conflict Management Strategies | Chicago, IL | 26 | 24 | 7 | 31 | 1 |
| Feb. 9 | 4049 | ND/FL | Dealing With Life Stresses | Tallahassee, FL | 60 | 25 | 25 | 15 | 10 |
| Feb. 15 & 21 | 4115 | D/OR | CPR Training | Portland, OR | 10 | | 8 | | |
| Feb. 15-16 | 4047 | ND/TX | Stress Management | Lubbock, TX | 4 | 15 | 1 | | |
| Feb. 21 | 4054 | D/UT | AIDS Awareness | Salt Lake City, UT | 22 | 21 | | 2 | 2 |
| Feb. 23 | 4042 | D/CO | Coping with Change | Denver, CO | | 25 | | | 6 |
| Feb. 27-Mar. 1 | 4116 | ED/VA | District-Wide Training for New US Probation Officers | Alexandria, VA | | | 4 | | |
| Feb. 28 | 4039 | CD/CA | Assertiveness Training and Conflict Resolution | Los Angeles, CA | 5 | 12 | 5 | | |
| Feb. 28 | 4048 | ND/CA | Stress Management for Court Managers | San Francisco, CA | 11 | | | | |
| Mar. 3-10 | 4052 | WD/TN | CPR Training | Memphis, TN | | 20 | | | |
| Mar. 9-10 | 4058 | ND/TX | Group Development Assessment | Dallas, TX | 11 | | | | |
| Mar. 16 | 4040 | CD/CA | Assertiveness Training and Conflict Resolution | Los Angeles, CA | 30 | | | | |



Division of Continuing Education & Training Local Training Programs FY 1990

Report - Programs by Date

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|---------------|---------|------------|---|------------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Mar. 19-20 | 4055 | D/SC | Judgment Seminar | West Columbia, SC | 33 | 6 | | | |
| Mar. 19-20 | 4059 | ED/OK | CPR Training | Muskogee, OK | 10 | | 10 | | |
| Mar. 21-23 | 4061 | ED/MI | Court Recorder Training | Detroit, MI | 20 | | | | |
| Mar. 21-29 | 4066 | WD/KY | Federal Rules of Civil Procedure | Louisville/Paducah, KY | 28 | | | 1 | |
| Mar. 22 | 4056 | 10th Circ. | Creating a Professional Image | Denver, CO | | | | 28 | |
| Mar. 22-23 | 4060 | 6th Circ. | FEDSTRIP Training | Cleveland, OH | 12 | 1 | 5 | 1 | 4 |
| Mar. 23 | 4118 | ED/KY | Drug Aftercare Awareness | Florence, KY | | | 15 | | |
| Mar. 26-30 | 4114 | SD/FL | Rational Behavior Training | Miami, FL | | | 36 | | |
| Mar. 29 | 4117 | WD/WA | Personal Excellence | Orcas Island, WA | | | 22 | | 1 |
| May 31-Jun. 2 | 4133 | D/AK | Sentencing Guidelines: Processes & Procedures | Anchorage, AK | | | 8 | | |
| Apr. 9 | 4057 | ED/LA | Teambuilding Seminar | New Orleans, LA | | 12 | | | |
| Apr. 18 | 4072 | 9th Circ. | Quality Control Issues in the U.S. Bankruptcy Court | San Diego, CA | | 11 | | | |
| Apr. 19 | 4069 | 4th Circ. | Legal Writing Workshop | Richmond, VA | 2 | | | 17 | |
| Apr. 19-20 | 4124 | ND/OH | District-Wide Conference | Westlake, OH | | | 46 | | |
| Apr. 19-20 | 4131 | ED/NC | District-Wide Training Meeting | Atlantic Beach, NC | | | 38 | | |
| Apr. 20 | 4071 | CD/CA | Assertiveness Training & Conflict Resolution | Los Angeles, CA | 10 | 15 | | | |
| Apr. 24 | 4065 | 8th Circ. | Listening Skills | Bismarck, ND | 13 | 8 | | 2 | |
| Apr. 25-27 | 4125 | D/SC | District-Wide Training | McCormick, SC | | | 51 | | |
| Apr. 30 | 4121 | CD/IL | Identifying Drug Abusers and | Peoria, IL | | | 30 | | |

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|---------------|---------|----------|--|--------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| | | | Referral for Treatment | | | | | | |
| Apr. 30-May 2 | 4127 | ED/CA | Kinesic Interviewing Techniques | Sacramento, CA | | | 31 | | |
| May 2-Jun. 6 | 4122 | WD/NY | Assertiveness Training | Buffalo, NY | | 3 | 10 | | |
| May 3-4 | 4126 | ED/CA | Kinesic Interviewing Techniques | Burlingame, CA | | | 1 | | |
| May 3-4 | 4126 | ND/CA | Kinesic Interviewing Techniques | Burlingame, CA | | | 33 | | |
| May 6-8 | 4135 | ND/TX | District-Wide Training Conference | Brownwood, TX | | | 14 | | |
| May 7-9 | 4128 | WD/TX | Bi-District Training | Boerne, TX | | | 23 | | |
| May 7-9 | 4128 | SD/TX | Bi-District Training | Boerne, TX | | | 29 | | |
| May 7-9 | 4128 | ND/TX | Bi-District Training | Boerne, TX | | | 2 | | |
| May 7-9 | 4129 | WD/TX | District-Wide Training Seminar | Austin, TX | | | 54 | | |
| May 7-9 | 4130 | SD/TX | District-Wide Training | Houston, TX | | | 80 | | |
| May 8 & 15 | 4076 | SD/NY | Adult CPR Training | New York, NY | | | | | 12 |
| May 9-11 | 4119 | SD/MS | Inter-District Training | Meridian, MS | | | 15 | | |
| May 9-11 | 4119 | ND/MS | Inter-District Training | Meridian, MS | | | 11 | | |
| May 10 | 4063 | D/UT | Workshops on Motivation and Stress | Salt Lake City, UT | 16 | 35 | 7 | | |
| May 10 & 18 | 4097 | MD/CA | Stress, Good Mental Health, & Physical Fitness | Columbus/Macon, CA | | 40 | | | |
| May 10 & 17 | 4123 | WD/NY | Standard First Aid | Buffalo, NY | | | 25 | | |
| May 12 | 4081 | ED/CA | Non-Verbal Communication Skills | Modesto, CA | 27 | | 10 | | 2 |



**Division of Continuing Education & Training
Local Training Programs FY 1990**

Report - Programs by Date

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|---------------|---------|-----------|---|--------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| May 14 | 4077 | 9th Circ. | Prebriefing Conference Workshop | San Francisco, CA | | | | 4 | |
| May 15-16 | 4073 | D/AZ | Stress Management in The Courts | Phoenix/Tucson, AZ | | 84 | | | |
| May 15 | 4134 | D/MA | AIDS Issues | Boston, MA | | | 25 | | |
| May 16-17 | 4120 | SD/MS | Workshop on Time and Stress Management | Jackson/Biloxi, MS | 28 | 34 | 24 | | 15 |
| May 16-17 | 4120 | ND/MS | Workshop on Time and Stress Management | Jackson/Biloxi, MS | 2 | | 2 | | |
| May 16-17 | 4120 | ED/LA | Workshop on Time and Stress Management | Jackson/Biloxi, MS | | | 5 | | |
| May 21 | 4075 | SD/FL | District-Wide Training | Miami, FL | 29 | 14 | 23 | | |
| May 21-22 | 4080 | WD/VA | Enhancing Teambuilding | Roanoke, VA | | 17 | | | |
| May 22-23 | 4074 | D/AZ | Effective Presentation Skills | Phoenix, AZ | 12 | | | | |
| May 23 | 4132 | D/KS | CPR Training | Wichita, KS | 5 | | 4 | | |
| May 23 | 4136 | D/CO | District-Wide Training Seminar | Denver, CO | | | 50 | | |
| May 24 | 4068 | ED/WA | Leadership Skills for the Successful Office Manager | Spokane, WA | | 13 | | | |
| May 30-Jun. 8 | 3904 | SD/NC | Bankruptcy Overview Workshops | Charlotte, NC | | 15 | | | |
| May 30 | 4078 | D/MA | An Overview of the Appellate Process | Boston, MA | 2 | | | 2 | |
| May 30 | 4078 | D/NH | An Overview of the Appellate Process | Boston, MA | 3 | | | | |
| May 30 | 4078 | D/PR | An Overview of the Appellate Process | Boston, MA | 1 | | | | |

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|-----------------|---------|-----------|---|-------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| May 30 | 4078 | D/ME | An Overview of the Appellate Process | Boston, MA | 4 | | | | |
| May 30 | 4078 | D/RI | An Overview of the Appellate Process | Boston, MA | 5 | | | | |
| May 30-31 | 4079 | 1st Circ. | Short & Long Term Memory Techniques | New York, NY | | | | 32 | |
| May 31 | 4084 | ED/LA | Retirement Programs Overview | New Orleans, LA | 45 | 10 | 12 | 2 | |
| Jun. 4-5 | 4062 | ED/WA | Communication Styles Workshop | Spokane, WA | 5 | 25 | | | |
| Jun. 4-6 | 4082 | 6th Circ. | CPR Training | Cincinnati, OH | 24 | | | 24 | |
| Jun. 4-5 | 4083 | ND/IA | Stress Management Seminar | Cedar Rapids, IA | | 42 | | | |
| Jun. 7 | 4091 | SD/FL | Professionalism and How to Deal with the Public | Miami, FL | | 27 | | | |
| Jun. 12-Jul. 19 | 3920 | SD/IL | FLL: Fostering Improvement Through Innovation | E. St. Louis, IL | 19 | 2 | | | |
| Jun. 12-15 | 4085 | D/NV | Community CPR | Las Vegas, NV | 26 | | | | |
| Jun. 12-13 | 4086 | D/ND | District-Wide Training Seminar | Fargo, ND | 29 | 12 | 16 | | 1 |
| Jun. 15 | 4087 | ED/WA | Managing Time and Stress on the Job | Spokane, WA | | 27 | | | 5 |
| Jun. 19-20 | 4139 | WD/VA | District-Wide Training for Probation Clerks | Mountain Lake, VA | | | 11 | | |
| Jun. 21 | 4070 | 4th Circ. | Interviewing Skills and Techniques | Richmond, VA | | | | 14 | |



**Division of Continuing Education & Training
Local Training Programs FY 1990**

Report - Programs by Date

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|-----------------|---------|------------|--|------------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Jun. 22 & 26 | 4064 | WD/WI | Teambuilding Workshop | Madison/Eau Claire, WI | 8 | 14 | 2 | | |
| Jun. 22, Jul. 6 | 4094 | D/NV | CPR Training | Reno, NV | | 15 | | | |
| Jun. 26 | 4088 | SD/IN | Bystander Basic CPR Training | Indianapolis, IN | | 12 | | | |
| Jun. 27 | 4090 | 3rd Circ. | Time and Work Management Seminar | Philadelphia, PA | | | | 19 | |
| Jun. 27-29 | 4138 | D/SC | Leadership Conference | Greenville, SC | | | 20 | | |
| Jul. 12 | 4099 | D/NE | The Dynamics of Communication | Omaha, NE | 30 | 30 | | | |
| Jul. 16 | 3903 | ED/LA | The Four Phases of Attitude | New Orleans, LA | 75 | 75 | 50 | | |
| Jul. 19-20 | 3905 | D/SD | District-Wide Training Seminar | Rapid City, SD | 11 | 6 | 2 | | 5 |
| Jul. 19 | 3909 | 6th Circ. | Workshop on Presentation Skills for Courtroom Deputies | Cincinnati, OH | | | | 35 | |
| Jul. 19 | 4095 | WD/OK | Professional Image Seminar | Oklahoma City, OK | 28 | 1 | 1 | | |
| Jul. 25 | 4089 | 10th Circ. | Judicial Writing Seminar | Keystone, CO | | | | 25 | |
| Jul. 26 | 3902 | SD/CA | FrontLine Leadership--Establishing Perf. Expectations | San Diego, CA | | 12 | | | |
| Jul. 26-27 | 4098 | SD/FL | Motivation and Communication Seminar Series | Miami, FL | | 247 | | | |
| Aug. 2 | 3912 | D/NH | Office Communications Training | Boston, MA | 2 | | | | |
| Aug. 8-9, 1990 | 4141 | WD/TX | District-Wide Training Officer Workshop | Salado, TX | | | 10 | | |
| Aug. 10 | 3910 | D/NV | Supervisory and Leadership Skills Assessment | Las Vegas, NV | | 25 | | | |

| Date | Proj. # | District | Local Training Program | Location | Participants | | | | |
|------------|---------|----------|---|--------------------|--------------|-------|------|------|-------|
| | | | | | Dist | Bankr | Prob | Appl | Other |
| Aug. 13-14 | 3901 | MD/TN | Managing Time and Stress and Building Self-Esteem | Nashville, TN | 60 | 20 | 50 | | |
| Aug. 13-16 | 4143 | ND/TX | District-Wide Staff Planning & Training Workshop | Brownwood, TX | | | 18 | | |
| Aug. 14-15 | 3914 | ED/AR | Bi-District Training Seminar | Hot Springs, AR | 20 | | | | |
| Aug. 14-15 | 3914 | WD/AR | Bi-District Training Seminar | Hot Springs, AR | 30 | | | | |
| Aug. 16-17 | 3908 | D/UT | District-Wide Training Workshop | Park City, UT | 35 | | | | |
| Aug. 16-17 | 3915 | WD/TX | Effective Presentation Skills | San Antonio, TX | 14 | | | | |
| Aug. 16 | 3917 | SD/AL | Adult CPR Training | Mobile, AL | | 5 | | | |
| Aug. 16-17 | 3918 | SD/WV | Comprehensive Case Management Seminar | Charleston, WV | 63 | 21 | 27 | | |
| Aug. 16-17 | 4142 | D/PR | Workshop on Preventing Stress and Burn-out | San Juan, PR | | | 43 | | |
| Aug. 17 | 3913 | WD/WA | Developing Effective Communication Skills | Tacoma, WA | | 35 | | | |
| Aug. 18 | 4092 | D/NV | Community CPR | Reno, NV | 10 | | | | |
| Aug. 20-22 | 4140 | SD/GA | District-Wide Training Meeting | Jekyll Island, GA | | | 27 | | |
| Aug. 24 | 3911 | WD/LA | District-Wide Court Support Seminar | Shreveport, LA | 30 | 30 | 30 | | 20 |
| Aug. 28-29 | 4144 | ED/MO | Financial Investigation Seminar | Cape Girardeau, MO | | | 9 | | |
| Sep. 8 | 3916 | SD/IA | Communication Styles Workshop | Des Moines, IA | 25 | | | | |
| Sep. 12 | 4145 | ED/MO | Financial Investigation Seminar | St. Louis, MO | | | 10 | | |

TENTATIVE CALENDAR

JANUARY

- 3- 4: **COMM ON COURT ADMINISTRATION & CASE MANAGEMENT**
(San Diego, CA)
- 6- 7: **COMM ON ADMIN OF THE MAGISTRATES SYSTEM**
(South Padre, TX)
- 7- 9: **COMM ON AUTO & TECH**
(San Antonio, TX)
- 9-12: **COMM ON DEFENDER SERVICES**
(San Antonio, TX)
- 10-11: **COMM ON ADMIN OF THE BANKR SYSTEM**
(New Orleans, LA)
- 11-12: **COMM ON FEDERAL-STATE JURISDICTION**
(Washington, DC)
- 14-17: **FJC WORKSHOP FOR PERSONNEL MGRS OF MID-SIZE APPELL, DIST & BANKR COURTS**
(Washington, DC)
- 17: **COMM ON ASBESTOS LITIGATION**
(Washington, DC)
- 17-18: **ADVIS COMM ON BANKR RULES**
(Laguna Niguel, CA)
- 17-18: **COMM ON CODES OF CONDUCT**
(New Orleans, LA)
- 17-18: **COMM ON THE JUDICIAL BRANCH**
(Washington, DC)
- 21-22: **COMM ON SPACE AND FACIL**
(St. Thomas, VI)
- 23-24: **STAFF ATTYS ADVIS COMM**
(Washington, DC)
- 25-26: **COMM ON THE BUDGET**
(Palm Beach, FL)
- 27-29: **COMM ON JUDICIAL ETHICS**
(San Diego, CA)
- 28-30: **FJC PRESENTATION SKILLS FOR ADV TRNG COORDS**
(Washington, DC)
- 28-28: **FJC SEMINAR FOR CIR CLKS**
(Boston, MA)
- 30- 1: **FJC SEMINAR FOR CIR CHIEF DEPUTY CLKS**
(Boston, MA)

FEBRUARY

- 5- 7: **FJC WORKSHOP FOR CLKS OF MID-SIZE DIST CTS**
(Atlanta, GA)
- 12-13: **EXEC COMM**
(Washington, DC)
- 25-27: **FJC WORKSHOP FOR MGRS OF BANCAP & CIVIL**
(San Antonio, TX)
- 26-28: **LIBRARIANS ADVIS COMM**
(Washington, DC)
- ?: **CIVIL USERS' GRP**

MARCH

- ?: **BANCAP USERS' GRP**
- 12-13: **THE JUDICIAL CONFERENCE OF THE UNITED STATES**
(Washington, DC)

APRIL

- 9-11: **DIST CLKS ADVIS COMM**
(Washington, DC)
- 28-30: **7TH CIR CONF**
(Chicago, IL)

MAY

- 5- 8: **5TH CIR CONF**
(Fort Worth, TX)
- 7- 9: **BANKR CLKS ADVIS COMM**
(Washington, DC)
- 9: **FED CIR CONF**
(Washington, DC)
- 25-28: **11TH CIR CONF**
(Asheville, NC)

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