

DIFFERENTIATED CASE MANAGEMENT
IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF MICHIGAN



ANNUAL ASSESSMENT
September 1, 1993 - August 31, 1994

May 19, 1995

DIFFERENTIATED CASE MANAGEMENT
IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF MICHIGAN



ANNUAL ASSESSMENT
September 1, 1993 - August 31, 1994

May 19, 1995

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
I. BACKGROUND	1
II. DIFFERENTIATED CASE MANAGEMENT IN THE WESTERN DISTRICT OF MICHIGAN	2
III. ANALYSIS OF TWO YEARS' OPERATION OF THE DIFFERENTIATED CASE MANAGEMENT SYSTEM	4
A. Overall Satisfaction with DCM	4
B. Statistical Results	5
1. The Overall Condition of the Docket	5
2. Activity within the DCM Caseload	14
IV. DCM AFTER TWO YEARS OF OPERATION: ITS EFFECT ON THE CIVIL LITIGATION PROCESS	24
A. Assessing and Planning Case Progress	24
B. Early, Firm Trial Dates	25
C. Discovery Guidelines in DCM Cases	25
D. Timely Resolution of Motions	26
E. Litigation Cost	27
F. Delay Reduction	27
G. Litigation Satisfaction	28
H. Differentiated Case Management and Alternative Dispute Resolution	28
I. DCM Statistical Measures	30
V. CHANGING ROLES UNDER DCM: ATTORNEYS, THE CLERK'S OFFICE AND COURT STAFF	31
VI. CONCLUSION	33

APPENDIX I	Standardized Court Forms	34
APPENDIX II	Differentiated Case Management (DCM) Evaluation	41
APPENDIX III	Examples of Case Management Reports and Statistics	44

TABLES

Table I:	Total Pre-DCM Civil Cases Pending	6
Table II:	Median Time in Months from Filing to Disposition for All Civil Cases Disposed of in the Months Shown	12
Table III:	Criminal Cases Filed, Terminated and Pending	13
Table IV:	Distribution of DCM Cases Filed September 1, 1992 Through August 31, 1994	14
Table V:	Distribution of DCM Cases by Track Filed September 1, 1993 Through August 31, 1994	15
Table VI:	Status of DCM Cases Filed September 1, 1992 Through August 31, 1994	17
Table VII	Age of All DCM Pending Cases by Track as of August 31, 1994	22
Table VIII	Track Assignment for Cases Filed September 1, 1992 Through August 31, 1994	23
Table IX	Discovery Statistics	26
Table X	Referrals to ADR by DCM Track	29
Table XI	DCM Statistical Measures	30

FIGURES

Figure 1	Civil Cases Filed, 1983 to 1994	7
Figure 2	Civil Cases Filed in the Western District and the Sixth Circuit, 1983 to 1994	7
Figure 3	Average Age of Civil Cases Pending on June 30, 1993 and June 30, 1994	9
Figure 4	Number of Civil Cases Pending on June 30, 1993 and June 30, 1994	9
Figure 5	Civil Cases Pending, 1983 to 1994	10
Figure 6	Civil Cases Pending Three Years and Longer in the Western District	11
Figure 7	Criminal Cases Filed, Terminated, and Pending 1983 to 1994	13
Figure 8	The Percent of Cases Filed from September to August During 1991 - 1994 That Were Terminated by August 31st of the Year of Filing	16
Figure 9	Age of Track I Cases Pending as of August 31, 1994	18
Figure 10	Age of Track II Cases Pending as of August 31, 1994	19
Figure 11	Age of Track III Cases Pending as of August 31, 1994	19
Figure 12	Age of All Pending Cases Filed September 1, 1992 Through August 31, 1994, as of August 31, 1994	20
Figure 13	Age of Track VII Non-DCM Cases Pending as of August 31, 1994	20

DIFFERENTIATED CASE MANAGEMENT IN THE U. S. DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

SECOND YEAR ASSESSMENT

EXECUTIVE SUMMARY

In 1990, Congress enacted the Civil Justice Reform Act (Act) to encourage use of techniques to reduce cost and delay in the federal courts. The United States District Court for the Western District of Michigan was selected to serve as a demonstration district for differentiated case management (DCM). The Western District, through a Civil Justice Advisory Group, developed a comprehensive DCM program that incorporated fundamental elements of effective caseflow management. This report presents an assessment of the program from the perspective of two years' experience with differentiated case management.

The first year of operation saw successful implementation of DCM with minimal disruption to ongoing activities. Close program monitoring by the Advisory Group and the court's DCM Implementation Committee and Task Force served as a basis for procedural refinements; modifications to certain rules and time limits were adopted to enhance court supervision of case progress. Interviews with judges, magistrate judges, court staff and Advisory Group attorneys as well as responses to a bar survey distributed as part of this second-year assessment showed the major accomplishments during the first year of differentiated case management were:

- development of a common courtwide consensus on, and commitment to differentiated case management;
- enhancement of the Rule 16 Conference as a viable and meaningful early case intervention point; and
- standardization of court forms, orders and case management practices.

Among the significant accomplishments evident at the close of the second year of differentiated case management:

- a high level of satisfaction with the differentiated case management system on the part of the bar;
- an increase in both civil and criminal case terminations;
- a reduction of the number and age of pending civil cases and the number of pending criminal cases; and
- disposition of 80% of motions within 60 days of the last brief.

During this second year of the DCM demonstration project, there were notable organizational and operational enhancements to facilitate effective case management and achievement of the goals of DCM:

- creation and enhancement of extensive case management information and statistical reports;
- systemic support and coordination of case management and procedures.

This Second-Year Assessment Report describes the achievements of the past two years in some detail. Much of the success which has only become evident after two years of DCM operation is attributable to the groundwork laid prior to and during the first year. Broad involvement of judges, magistrate judges, court staff and Advisory Group in planning and implementation; attention to detail throughout the enactment of the program; and willingness to adjust the system as the need became evident have been particularly salutary.

I. BACKGROUND

In 1990, Congress enacted the Civil Justice Reform Act, 28 USC § 471 *et seq.*, to encourage district court use of procedures and practices to reduce cost and delay in federal civil litigation. The United States District Court for the Western District of Michigan was selected to serve as a demonstration district to experiment with systems of differentiated case management that provide specifically for the assignment of cases to appropriate processing tracks that operate under distinct and explicit rules, procedures, and time-frames for the completion of discovery and for trial.

Pursuant to the Act, the Western District appointed a Civil Justice Advisory Group (Advisory Group) to evaluate the current condition of the court's docket and prepare recommendations for improving civil case management. The Advisory Group made eighteen recommendations to improve case processing, minimize delay and control litigation cost, including a plan for differentiated case management. They were submitted to the court in the Report of the Civil Justice Advisory Group dated November 22, 1991. The recommendations ranged from creation of a fifth permanent judgeship to development of a plan to determine when and how personal appearances effectively could be eliminated through video or telephonic conferences and hearings. This assessment deals with the recommendations concerning differentiated case management (DCM). Specifically, the Advisory Group recommended, at page 129 of the report:

"A plan of differentiated case management should be implemented by the court in accordance with the requirements of the Civil Justice Reform Act of 1990...As the court gains experience with its plan, and as empirical data are gathered to evaluate the effectiveness of various cases management techniques, the Advisory Group may recommend revisions of the plan, including modifications of the local court rules."

Development of the court's DCM Plan began with court-wide review of the Advisory Group's comprehensive analysis of the current condition of the docket. Among other findings, the docket review revealed a median time to disposition for all civil cases of about seven months; terminations between 1980 and 1990 had increased 135% despite a 70% increase in filings; and only four percent of the pending civil caseload was over three years old. These figures suggested that modifications to the civil case management system should focus on simplifying the litigation process, controlling discovery and reducing cost. It was felt that case differentiation would enhance the litigation process by assuring that each case is accorded the time reasonably required for a just disposition, leading to lowered cost for both the court and litigants.

After considering DCM specifications set forth in the Act and the recommendations of the Advisory Group, and after studying the limited number of DCM systems implemented in state courts, the court adopted a plan for differentiated management of civil cases. While the Western District's Plan incorporates key elements of case differentiation, it is unique in at least three respects. First, it rejects the widely used three-track system in favor of finer

distinctions with respect to case complexity, more appropriate to the caseload in the Western District. The court's six management tracks reflect the view that a meaningful breakdown based on complexity requires a wider range of management options. Second, the Plan incorporates guidelines on the amount of discovery allowed on each track. Finally, forms and orders have been standardized so that administrative aspects of the DCM system operate uniformly among the chambers, reducing the workload of court staff and minimizing confusion for attorneys. A list of the standardized forms and orders appears as Appendix I to this report.

Management of cases under the Plan commenced on September 1, 1992. August 31, 1994, marked the end of the second full year of operation of the DCM system. This report has been prepared pursuant to the provision of the Act, which requires each district court to conduct an annual assessment after developing or selecting a civil justice expense and delay reduction plan. It describes the key features of the court's system, reports the experience with DCM during the past two years, and assesses the condition of the court's civil and criminal dockets. In addition to satisfying the reporting requirement, this assessment should prove useful to other courts now contemplating implementation of a DCM system.

II. DIFFERENTIATED CASE MANAGEMENT IN THE WESTERN DISTRICT OF MICHIGAN

Based on the recommendations of the Civil Justice Advisory Group, the Western District developed a seven-track system. Six tracks provide the range of management options necessary to accommodate the district's diverse caseload while a seventh Non-DCM track, to which filings are assigned randomly, is intended to provide a tool for comparing the results of minimal management to the results of the six managed tracks. The management tracks, including their discovery guidelines and disposition goals, are described here.

◆ Track I: Voluntary Expedited

The voluntary expedited track provides a case management option for lawyers and litigants seeking the most expeditious disposition of their case. Cases electing this track generally involve few parties, few disputed legal or factual issues and small monetary amounts. Assignment to this track involves waiver of the right to trial by an Article III judge should the case reach trial. Voluntary exchange of discovery is encouraged. Discovery must be completed within 90 days from the date of the Rule 16 Scheduling Conference and is limited to two fact witness depositions and 15 single-part interrogatories per party without prior approval of the court. The use of alternative dispute resolution (ADR) on this track is unlikely given the short disposition time-frame of nine months from the filing date. Three percent of non-Administrative Track cases have been placed on the Voluntary Expedited Track.

◆ Track II: Expedited

Cases assigned to this track generally involve few parties and few disputed factual and legal issues. This track differs from the voluntary expedited track in several respects. The litigants are not required to consent to trial by a magistrate judge on this track. Discovery must be completed within 120 days from the Rule 16 Scheduling Conference, and is limited to four fact witness depositions and 20 single-part interrogatories per party without prior approval of the court. Further, ADR is used selectively. Finally, case disposition is expected within nine to twelve months after filing. Twenty-four percent of non-Administrative Track cases have been placed on this track.

◆ Track III: Standard

Cases assigned to this track ordinarily involve multiple parties, third party claims, multi-count complaints or a number of disputed factual and legal issues. Discovery must be completed within 180 days from the date of the Rule 16 Scheduling Conference, and no more than eight fact witness dispositions and 30 single-part interrogatories per party will be permitted without prior approval of the court. ADR will almost always be used in these cases. Disposition is expected within twelve to fifteen months after filing. Forty-four percent of non-Administrative Track cases have been placed on this track.

◆ Track IV: Complex

Cases assigned to this track involve complicated issues and a large number of parties or otherwise require an extended time for resolution. Discovery must be completed within 270 days from the date of the Rule 16 Scheduling Conference, and no more than fifteen fact witness depositions and 50 single-part interrogatories per party will be allowed without prior approval of the court. ADR is likely to be used in cases assigned to this track. Disposition is expected within 15 to 24 months and certification by a judicial officer is required if more than 18 months will be necessary. Most cases on this track and the highly complex track will have a series of case management conferences during the life of the lawsuit. Eight percent of non-Administrative Track cases have been placed on this track.

◆ Track V: Highly Complex

A case will be assigned to this track upon certification by a judicial officer that it is of such complexity that more than 24 months will be required for disposition. No guidelines have been established for the timing or amount of discovery which will be determined at the initial Rule 16 Scheduling Conference and subsequent case management conferences. At the end of the second year of the demonstration project less than 1% of non-Administrative Track cases have been placed on this track.

◆ Track VI: Administrative

This track was created to handle a number of case categories, including social security, habeas corpus and bankruptcy appeals, which historically have been resolved on motion without the need for a case management conference. The disposition goal for this

track is 180 days after dispositive motions are fully briefed, or the litigation is otherwise ready for resolution. In the rare event that a trial is necessary, a case may be reassigned to another track. About half of all civil cases filed are categorized as administrative.

◆ Track VII: Minimally Managed (Non-DCM)

This track was conceived as a "control" group against which to compare the effectiveness of close judicial supervision of case progress under DCM. Ten percent of civil cases, excluding Administrative Track cases, are assigned randomly to this track at the time of filing. Minimal court-initiated management is provided; however, the parties can request additional case management, including reassignment to a managed track, at any time. Approximately 10 percent of the Non-DCM Track cases were reassigned to a managed track.

III. ANALYSIS OF TWO YEARS' OPERATION OF THE DIFFERENTIATED CASE MANAGEMENT SYSTEM

For the second-year assessment, the court concluded that it would be valuable to include the perceptions of judges, attorneys and court staff concerning the DCM system and its impact on caseflow and litigation cost and delay. Accordingly, all judges and magistrate judges, most case managers and some Advisory Group members were interviewed by the court's DCM consultants, Holly Bakke and Maureen Solomon. Additionally, an attitude survey questionnaire was sent to 1620 attorneys who appeared in a case filed on or after September 1, 1992, and terminated before August 24, 1994 (see Appendix II to this report). Responses were received from 1290 attorneys, of whom 920 indicated sufficient familiarity with the system to complete the questionnaire. The survey and interview information was particularly helpful in assessing these aspects of the program: overall satisfaction with DCM, attorney participation in the DCM process and early court intervention under DCM.

A. Overall Satisfaction with DCM

The perspectives supplied by respondents during interviews and responses to the bar questionnaire indicate considerable court and bar satisfaction with the DCM. Of those attorneys who indicated an opinion of the DCM system, ninety-three percent were satisfied or more than satisfied with the DCM process. Positive comments and constructive suggestions submitted with the completed questionnaires outnumbered negative comments by two-to-one. A number of comments reflected the view that the present case management system is a substantial improvement over past practices. These results are consistent with the information gained from interviews.

Further, the judicial officers and court support staff interviewed, with few exceptions, supported the use of DCM as an effective case management tool. This general satisfaction with DCM is significant considering the refinement and emphasis on unified case management practices that accompanied the introduction of this new management approach to civil litigation.

Interview and survey responses highlighted the importance of early intervention to the success of the DCM system. Judicial officers and staff generally agreed that the early Rule 16 Scheduling Conference helped them, through the information provided by counsel, gain control of cases early in the process. This, in turn, helped them to identify and resolve issues that may have developed as problems later in the litigation.

Attorneys generally see the Rule 16 Scheduling Conference, as discussed above, as an opportunity to participate in the case management process in a meaningful manner. They agree that the use of the conference at an early stage of the process encourages them to focus on the strengths and weaknesses of their cases, thus facilitating earlier settlements.

B. Statistical Results

Enhancement of the court's automated case tracking and case management information system has been a key to the ability to assess the DCM program on a continuing basis. Extensive special programming has been accomplished. Reminders and notices are generated automatically, and each judge receives reports about dispositions and the number and age of cases pending on his docket. To capture all relevant information it has been necessary to implement new docketing codes and certain special data collection instruments. One is the Rule 16 Scheduling Conference Summary Worksheet which is utilized by district judges, magistrate judges, and court staff. In addition to aiding creation of the Case Management Order, the worksheet provides data which ordinarily would not be docketed, including whether the conference was held in person or by telephone, and whether clients were required to attend.

The statistical information which appears in this section of this assessment was generated by the court's automated information system.

1. The Overall Condition of the Docket

◆ Pre-DCM Cases

Beginning in September 1, 1992, the court managed distinct groups of cases under two different case management systems. One group is known as pre-DCM cases (those filed prior to September 1, 1992). Their progress is governed by the case management practices used prior to the introduction of DCM. The second group is composed of DCM cases, those filed on or after September 1, 1992, and subject to differentiated case management (except those on Track VII, described above).

Analysis of the data reveals that adoption of differentiated case management for cases filed on or after September 1, 1992, did not negatively impact disposition of cases already pending on that date. Table I shows that the court disposed of 30% of the pre-DCM caseload during the first three months of the program, and two-thirds of the caseload had been disposed of by the end of the first full year of operation. The rapid decline of the court's pending caseload during the first year is attributable in part to the amount of lead-

time available before judicial intervention under DCM begins.¹ Disposition of pre-DCM cases continued at a steady pace and 92% of the pre-DCM pending caseload had been disposed of by the end of the second year.

TABLE I
TOTAL PRE-DCM CIVIL CASES PENDING

DATE	PRE-DCM CASES PENDING
September 1, 1992	1,384
December 31, 1992	974
June 30, 1993	510
August 31, 1993	470
December 31, 1993	411
June 30, 1994	241
August 31, 1994	113

◆ Total Civil Filings, Terminations and Pending Cases

Civil Cases Filed

As shown in Figures 1 and 2 below, civil filings in the Western District of Michigan during the past four years have been relatively stable at just over 1600 filings annually. At the same time, average filings per district for courts in the Sixth Circuit as a whole have increased. Terminations in the Western District during statistical year 1993 (July 1, 1992 - June 30, 1993) declined somewhat from 1992 (1624 v. 1767) resulting in an increase in the Western District's pending civil caseload in 1993 (see Figure 5). However, increased terminations during 1993-94 resulted in a decrease of just over 100 cases in the total pending civil caseload.

¹DCM cases proceed to a Rule 16 Scheduling Conference, the first judicial intervention, 45 days after the court's receipt of the last defendant's first responsive pleading, which may occur 45 to 225 days after the case is filed.

FIGURE 1
 CIVIL CASES FILED
 1983 TO 1994

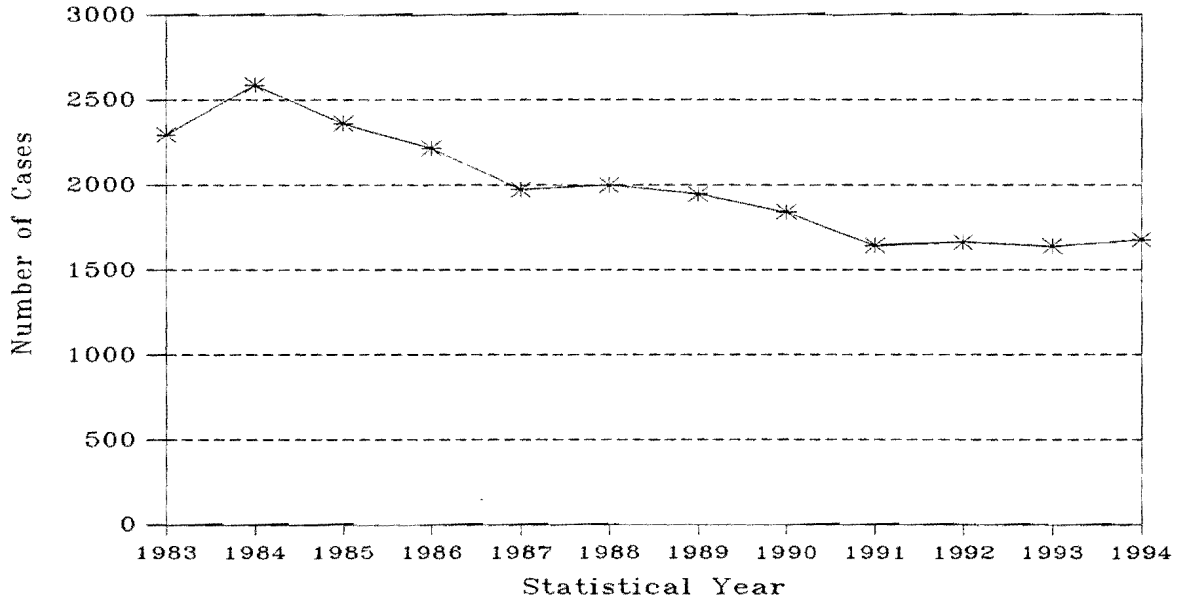
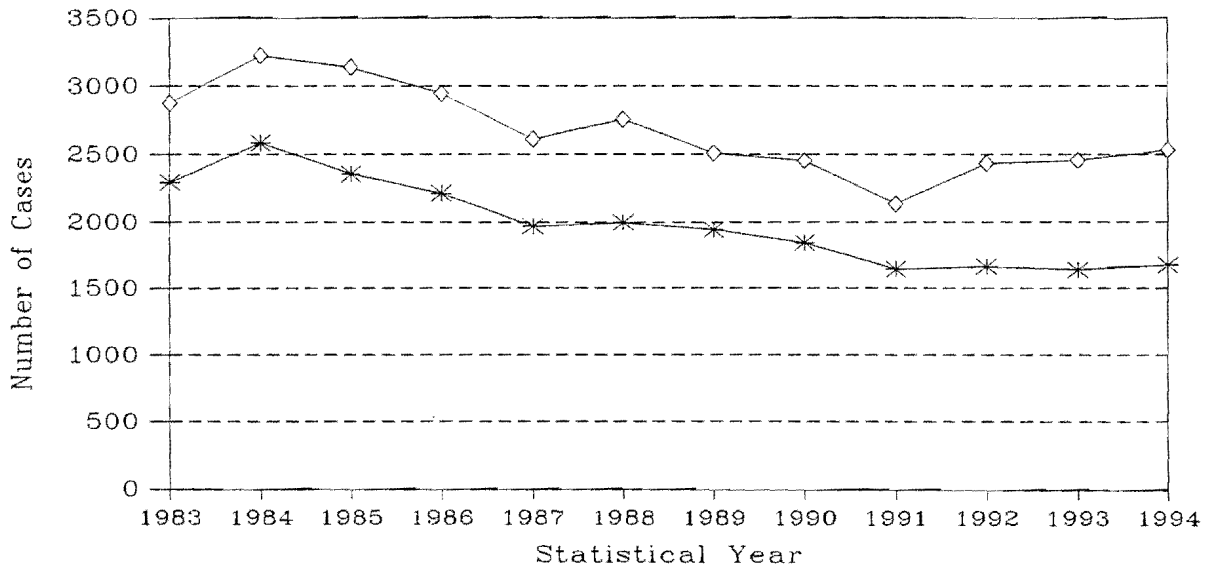


FIGURE 2
 CIVIL CASES FILED IN THE WESTERN DISTRICT AND
 THE SIXTH CIRCUIT, 1983 TO 1994



* Western District ◇ Sixth Circuit*

Sixth Circuit Cases = 1/10 Actual Number

*This figure includes all federal district courts in Kentucky, Michigan, Ohio, and Tennessee.

Civil Cases Terminated

A statistic known as the Inventory Index compares pending cases to annual dispositions to predict about how long it will take to dispose of the current inventory. During 1994 there were 1782 civil case terminations, and 1274 cases were pending at the close of the statistical year. The ratio of pending cases to annual terminations (Inventory Index), $1274/1782 = .71$. When multiplied by 12 months, this shows that the court currently has on hand about 8.5 months' caseload, at the present rate of terminations ($.71 \times 12 \text{ mos.} = 8.5 \text{ mos.}$).

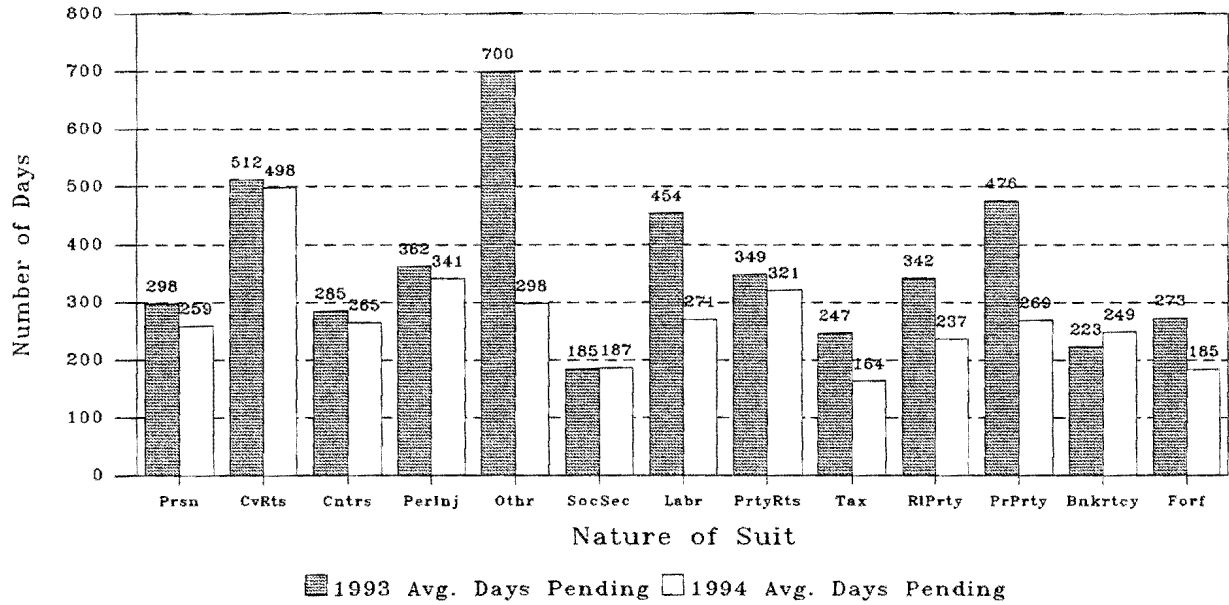
Civil Cases Pending

A comparison of Figures 3 and 4 below, shows a reduction in the age and number of pending cases in almost every nature of suit category during the past year. Not only has the number of pending cases in most categories been reduced since statistical year 1993, but the average age of cases has decreased in all categories except bankruptcy and social security cases. In addition, the overall average age of pending cases was reduced from 358 days to 292 days.

For evaluating case management, the age of pending cases, rather than the age of cases disposed of during the year, is the statistic of choice for three reasons. First, the age of cases at disposition (a popular measure) is less meaningful during a period when the court has a substantial number of pre-DCM cases pending; at such a time the "age of cases at disposition" necessarily will be significantly impacted by the pre-DCM cases. Second, if all pending cases are within the disposition goal, then dispositions necessarily are occurring within that limit. Third, even if disposed cases show disposition times within the goals there still may be pending cases that exceed the limit. An examination of the age of pending cases provides the most complete picture of case management.

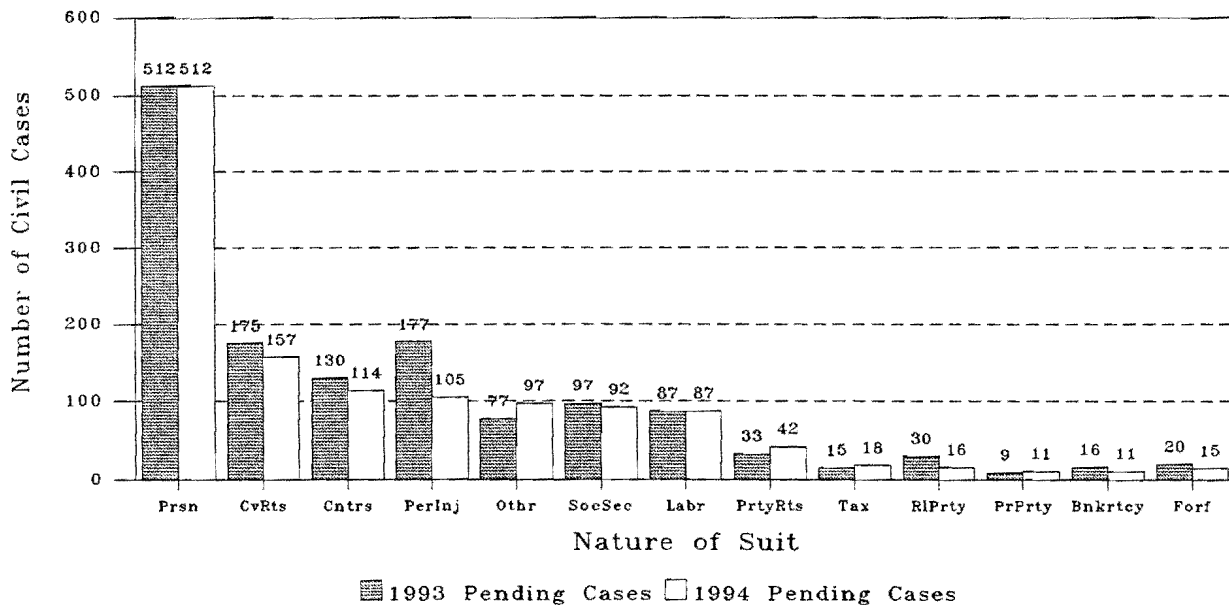
The court is gratified to find on an important measure, the age of its pending caseload has improved. The sustained reduction in the number and age of pending cases is indicative of a court that is actively managing its caseload. Figure 5 shows the history of the court's pending civil caseload.

FIGURE 3
 AVERAGE AGE OF CIVIL CASES PENDING
 ON JUNE 30, 1993 AND JUNE 30, 1994



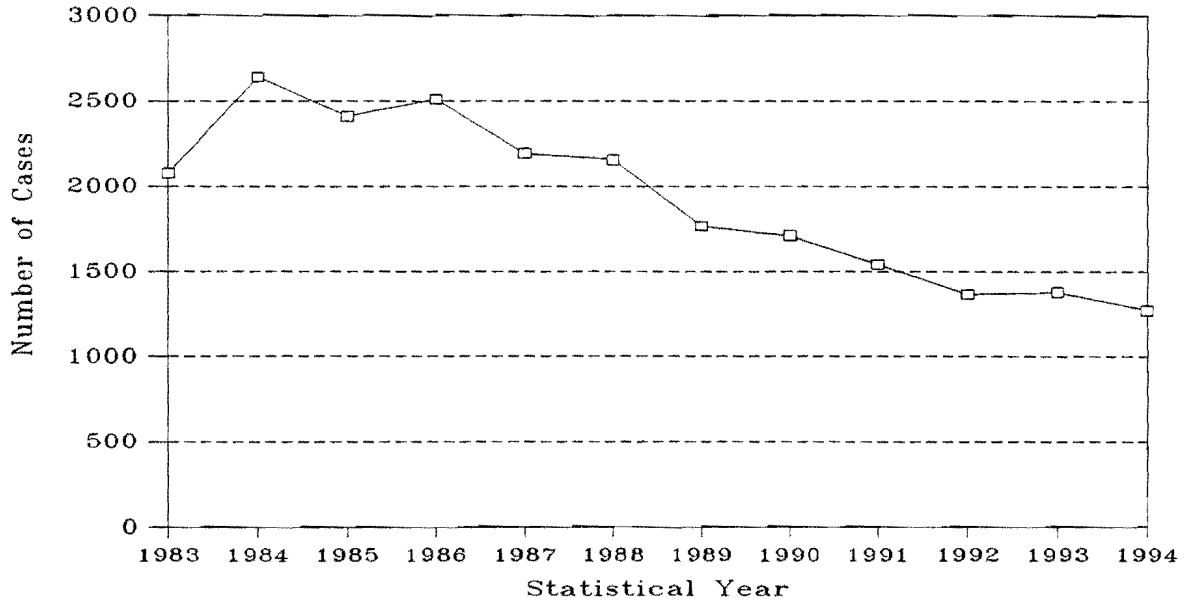
1993 Overall Average = 358 Days Pending
 1994 Overall Average = 292 Days Pending

FIGURE 4
 NUMBER OF CIVIL CASES PENDING
 ON JUNE 30, 1993 AND JUNE 30, 1994



1993 TOTAL CIVIL CASES PENDING = 1378
 1994 TOTAL CIVIL CASES PENDING = 1277

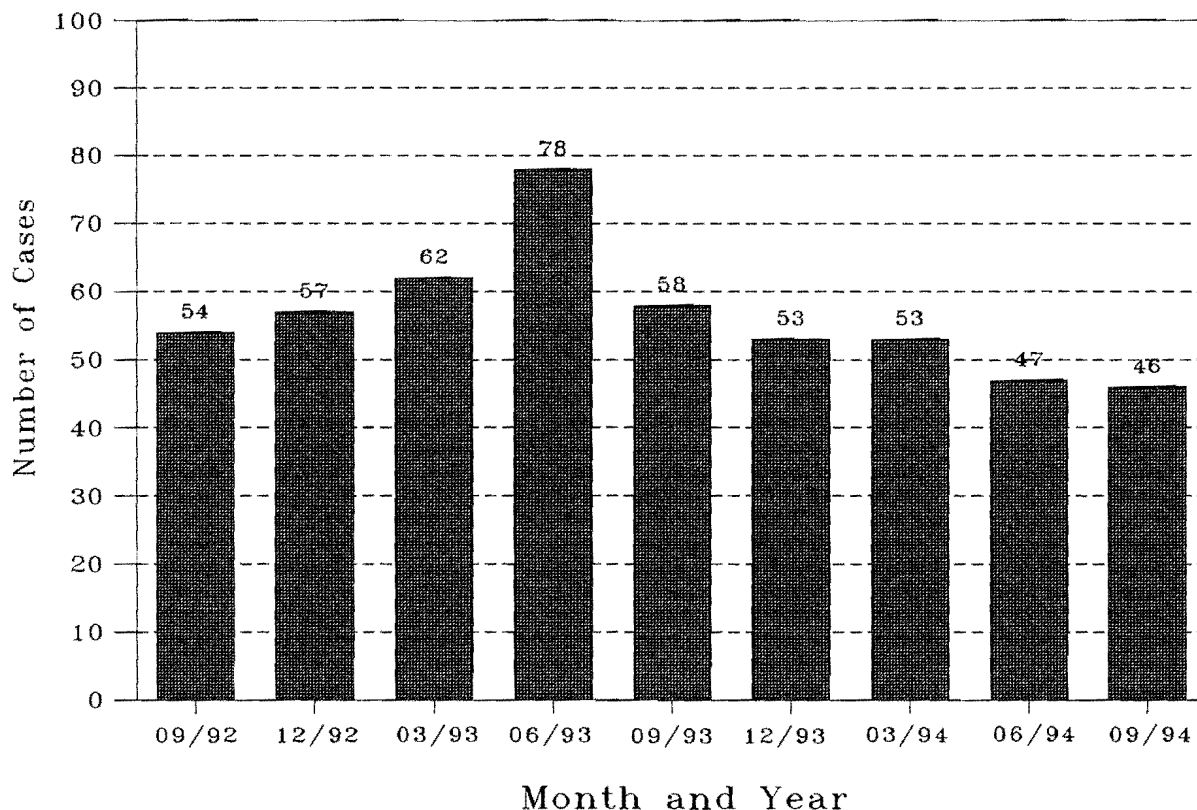
FIGURE 5
 CIVIL CASES PENDING
 1983 TO 1994



◆ Civil Cases Pending Over Three Years

The number of civil cases pending over three years (see Figure 6, below) fluctuated from month to month during the first two years of the DCM program. However, since mid-1993 the pattern has been a gradual but steady decrease in cases over three years old. This is consistent with other statistics presented in this report. Cases now over three years old are pre-DCM cases. At the end of the third year of DCM system operation it will be possible to begin determining the ability of differentiated case management to dispose of cases in less than three years. Only Track V, highly complex cases, contemplates a disposition time exceeding twenty-four months, and as previously stated, less than 1% of non-Administrative Track cases are assigned to this track.

FIGURE 6
 CIVIL CASES PENDING THREE YEARS AND LONGER
 IN THE WESTERN DISTRICT



◆ Median Age of Civil Cases at Disposition

As suggested on page 9, the age of cases at disposition (measured from filing to disposition) is not a particularly meaningful measure during a time when the court is in transition to a new case management system and has a substantial number of pre-DCM cases pending. The statistic is sensitive to disposition of older cases, increasing when older cases are disposed. Nevertheless, it is a measure commonly used for comparison throughout the federal court system. For that reason it is included here. An examination of the age of the median civil case disposed of each month from June, 1993 through August, 1994 indicates the Western District was below the median average for the Sixth Circuit 14 out of 15 months; and below the median average for all District Courts 10 out of 15 months. See Table II below. Since the age of the pending caseload also shows a decrease this year (see Figures 4 and 5, above) and the number of pending cases has decreased in spite of a slight increase in filings (see Figure 1, above) the court is comfortable concluding that the variations of the median age of cases at disposition is attributable to disposition of older cases.

TABLE II

MEDIAN TIME IN MONTHS FROM FILING TO DISPOSITION FOR
FOR ALL CIVIL CASES DISPOSED OF IN THE MONTHS SHOWN

Western District of Michigan	
June, 1993	6.5 months
July, 1993	5.7 months
August, 1993	7.5 months
September, 1993	9.5 months
October, 1993	6.6 months
November, 1993	6.9 months
December, 1993	6.8 months
January, 1994	7.5 months
February, 1994	4.5 months
March, 1994	8.4 months
April, 1994	8.1 months
May, 1994	8.2 months
June, 1994	8.1 months
July, 1994	5.4 months
August, 1994	5.8 months
Cumulative Average	7.0 months

Western District of Michigan	June, 1993 through August, 1994	7 months average
Sixth Circuit	June, 1994	9 months
United States	June, 1994	8 months

◆ Criminal Caseload

During statistical year 1994, the number of criminal cases filed returned to the 1992 level of 200 cases, representing a 10% decrease over 1993. These 200 cases involved 341 defendants. Prior to 1993, the ratio of defendants to cases had decreased over the past ten

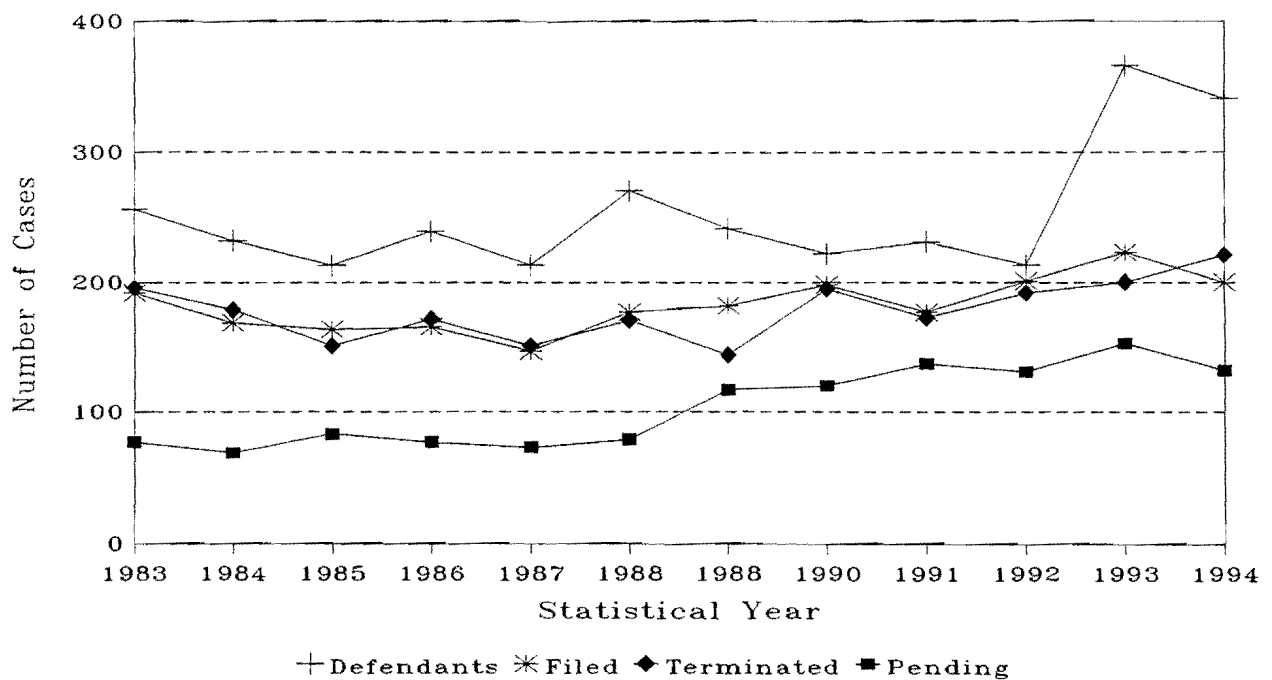
years to an average of 1.1 defendants per case. The marked increase in defendants during 1993 and 1994 is attributed to an unusual number of drug cases. The pending criminal caseload on June 30, 1994, stood at 132 cases, down 14% from June 30, 1993 (see Table III). It seems clear that the introduction of DCM for civil cases has not adversely affected criminal dispositions. Indeed, Figure 7 shows a steady increase in criminal terminations since the introduction of DCM in 1992.

TABLE III
CRIMINAL CASES FILED, TERMINATED AND PENDING

Statistical Year*	Criminal Cases Filed		Criminal Cases Terminated		Criminal Cases Pending At Year End	
	Number of Cases Filed	Percent Change	Number of Terminations	Percent Change	Number of Cases Pending	Percent Change
1991	177	N/A	173	N/A	137	N/A
1992	201	+14%	192	+11%	131	- 4%
1993	223	+11%	200	+ 4%	153	+17%
1994	200	-10%	221	+11%	132	-14%

*Statistical Year: July 1 - June 30

FIGURE 7
CRIMINAL CASES FILED, TERMINATED, AND PENDING
1983 TO 1994



2. Activity within the DCM Caseload

Table IV below shows the distribution of cases filed among nature of suit categories since inception of the DCM program. Prisoner petitions represent the largest single category due to the number of prisons in the district. Civil rights cases run a distant second, with contract, personal injury and labor cases each representing about 7 to 9 percent of filings. Table V shows the composition of each track during the second year of DCM. For example, half the civil rights cases assigned to a track were assigned to the Standard Track (Track III); the Administrative Track consisted primarily of prisoner petition and social security cases.

TABLE IV
DISTRIBUTION OF DCM CASES
FILED SEPTEMBER 1, 1992 THROUGH AUGUST 31, 1994

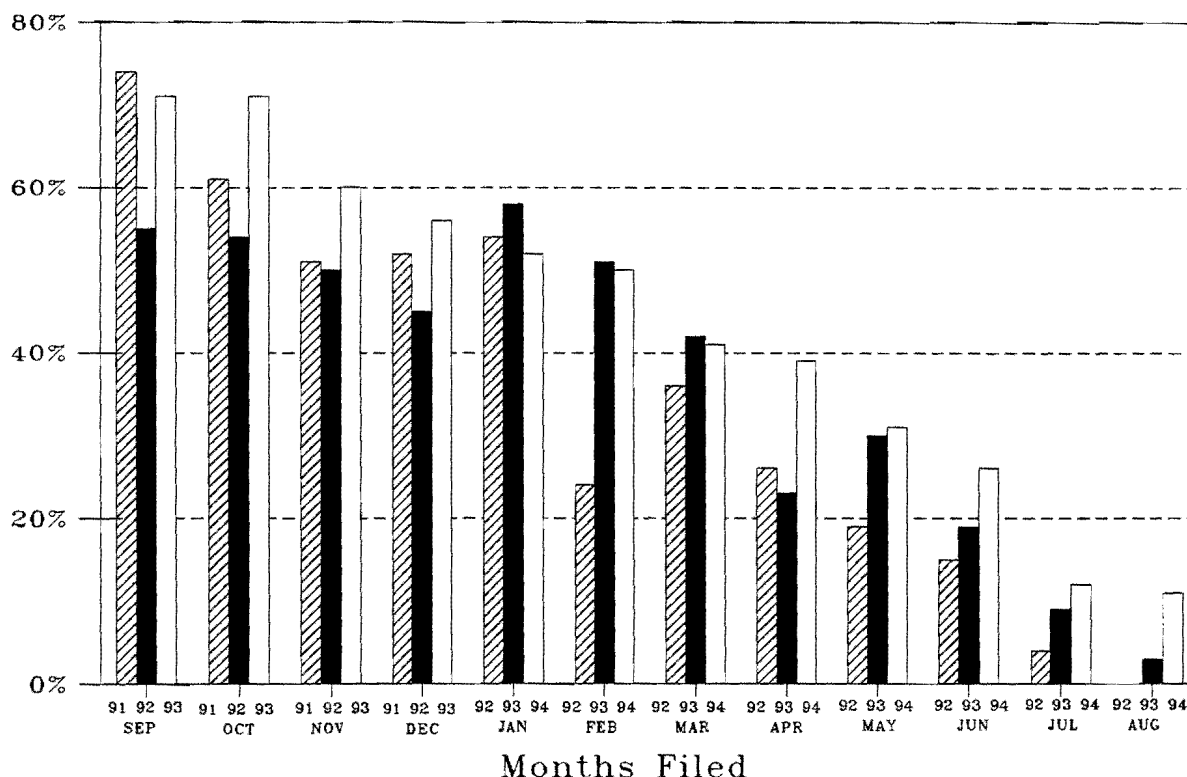
Nature of Suit	Judge Gibson	Judge Enslin	Judge Bell	Judge McKeague	Judge Quist	Sr. Judge Miles	Sr. Judge Hillman	TOTAL	Percent of Total
Contract	57	59	45	38	55	16	9	279	9%
Real Property	2	7	8	7	10	3	6	43	1%
Personal Injury	30	44	34	48	43	11	3	213	7%
Personal Property	6	5	2	7	3	0	1	24	< 1%
Civil Rights	72	73	81	78	77	18	25	424	13%
Prisoner Petitions	247	225	267	243	257	75	87	1401	43%
Forfeiture	9	13	11	14	7	2	0	56	2%
Labor	33	43	28	49	45	9	15	222	7%
Bankruptcy	14	2	13	12	9	1	0	51	2%
Property Rights	12	26	20	14	16	9	2	99	3%
Social Security	55	50	29	40	28	18	19	239	7%
Federal Tax	9	4	5	2	5	0	1	26	< 1%
Other	34	33	47	32	31	10	11	198	6%
TOTAL	580	514	590	584	586	171	180	3275	100%

TABLE V
DISTRIBUTION OF DCM CASES BY TRACK
FILED SEPTEMBER 1, 1993 THROUGH AUGUST 31, 1994

Nature of Suit	Track I	Track II	Track III	Track IV	Track V	Track VI	Track VII	No Track	TOTAL	Percent of Total
Contract	3	22	23	7		1	12	68	136	8%
Real Property		2	2				1	13	18	1%
Personal Injury		7	37	6			8	51	109	7%
Personal Property			3	3			3	8	17	1%
Civil Rights	1	20	48	4		5	19	116	213	13%
Prisoner Petitions		1				713	2	9	725	43%
Forfeiture		1	1					20	22	1%
Labor	2	21	17				4	75	119	7%
Bankruptcy	1		1			16		3	21	1%
Property Rights		5	7	3			7	24	46	3%
Social Security						109			109	7%
Federal Tax		3	4	1				7	15	1%
Other	4	5	14	3	2		13	79	120	7%
TOTAL	11	87	157	27	2	844	71	473	1672	100%

Assessment of changes in the time to disposition under a new case management program is difficult during the first two or three years of operation. However, certain statistics suggest that case disposition may be occurring earlier under DCM. Cases filed each month of the first and second years of DCM were examined to determine what proportion of each year were closed before the end of the year. For example, what percent of September, 1992 case filings were disposed of by August 31, 1993, the end of the first year? For comparison, filings for the comparable period 1991 through 1992 were analyzed to determine the proportion disposed of by August 31, 1992. Figure 8 shows a trend toward earlier disposition under DCM beginning about five months into the DCM program, i.e. with the cases filed in January, 1993.

FIGURE 8
 THE PERCENT OF CASES FILED FROM SEPTEMBER TO AUGUST
 DURING 1991 - 1994 THAT WERE TERMINATED BY
 AUGUST 31st OF THE YEAR OF FILING



However, the major impact is seen with cases filed at the beginning of the second year of DCM system operation, September, 1993. From this point on, the proportion of cases filed September through August and disposed of by August 31st exceeded prior years rather consistently and dramatically. This strongly suggests that the earlier judicial intervention that characterizes case management under DCM stimulates earlier disposition. This is consistent with the results of interviews with judges and Advisory Group attorneys. Strong sentiment was expressed that earlier judicial intervention leads to earlier attention to cases by attorneys and hence to earlier disposition. Statements made in interviews and appended to responses to the bar survey questionnaire reveal that the bar generally believes that a reduction in litigation cost may be inferred from the reduction in time to disposition.

Table VI, below, shows the distribution of filings among the seven program tracks during the first two years of DCM and the percent of each track terminated by the end of the second year of operation.

TABLE VI
STATUS OF DCM CASES
FILED SEPTEMBER 1, 1992 THROUGH AUGUST 31, 1994

Track	Filed	Terminated As of 8/31/94	Pending As of 8/31/94	Percent Terminated As of 8/31/94
Voluntary Expedited	18	13	5	72%
Expedited	165	132	44	80%
Standard	306	196	110	64%
Complex	59	28	31	47%
Highly Complex	7	3	4	43%
Administrative	1664	1110	554	68%
Non-DCM	140	73	67	52%
Total	2359	1555	804	66%

◆ Filings and Terminations

During the first two years, 3275 civil cases were filed; 1603 cases were filed the first year and 1672 cases were filed the second year. Of those, 2359 cases were assigned to one of the seven program tracks; 564 cases were disposed of prior to track assignment and 352 cases had not been assigned to a track as of August 31, 1994, the end of the second full year of DCM. As shown in the last column of Table VI, 66% of all cases assigned to a track had been terminated by August 31, 1994. Sixty-seven percent of cases assigned the managed DCM tracks (Tracks I - V) had been terminated; 68% of Administrative Track cases had been terminated; and 52% of cases on the Non-DCM Track (minimally managed track) had been terminated.

Further analysis of Table VI appears to support DCM's effectiveness as a case management tool. Seventy percent of the cases assigned to the Voluntary Expedited, Expedited and Standard Tracks were disposed of during the first two years, compared with only 52% of the Non-DCM cases.²

²Cases assigned to the Complex and Highly Complex Tracks were not expected to terminate by August 31, 1994 because of their track time goals of 24 months and over 24 months, respectively, from the date the complaint is filed. The court expects, however, that with the continued reduction in case age, those cases most likely will be disposed of within established time-frames.

◆ Pending DCM Cases

Table VII and Figures 9 through 13 show the number and age of pending cases filed since the inception of DCM. On August 31, 1994, there were 804 pending DCM cases assigned to one of the seven tracks. Of course, no cases could be over 24 months old on August 31, 1994, because DCM started only two years earlier. Figure 9 shows the age of pending Track I cases as of August 31, 1994; Figure 10 shows the age of pending Track II cases; Figure 11 shows the age of pending Track III cases; Figure 12 shows the distribution of all pending DCM cases in age categories up to two years; and Figure 13 shows the age of pending Non-DCM cases.

As shown in Figure 9, 83% of cases pending on Track I are within the nine month disposition goal; one case, representing 17% of the total, was pending longer than the track disposition goal. Figure 10 shows that 87% of cases pending on Track II are within the twelve month disposition goal. Figure 11 shows that 87% of cases pending on Track III are within the fifteen month disposition goal. Figure 12 shows the distribution of all pending cases filed since the inception of DCM. Only three percent of the cases filed have been pending 19 to 24 months.

FIGURE 9
AGE OF TRACK I CASES PENDING
AS OF AUGUST 31, 1994
Disposition Goal Within 9 Months

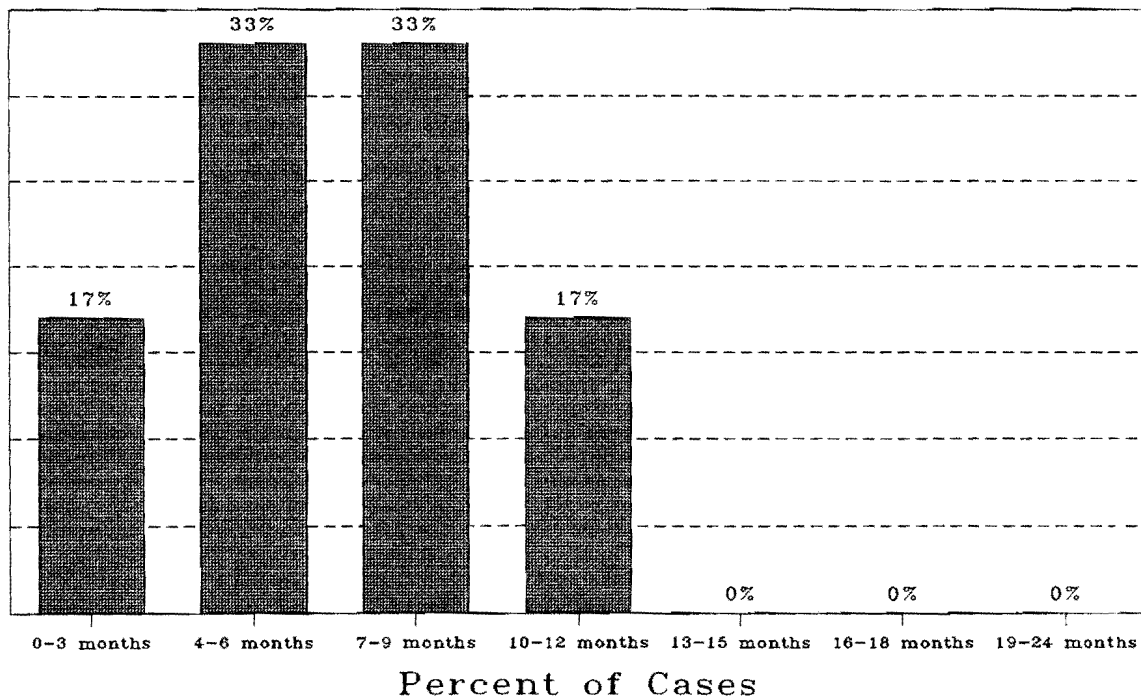


FIGURE 10
 AGE OF TRACK II CASES PENDING
 AS OF AUGUST 31, 1994
 Disposition Goal Within 12 Months

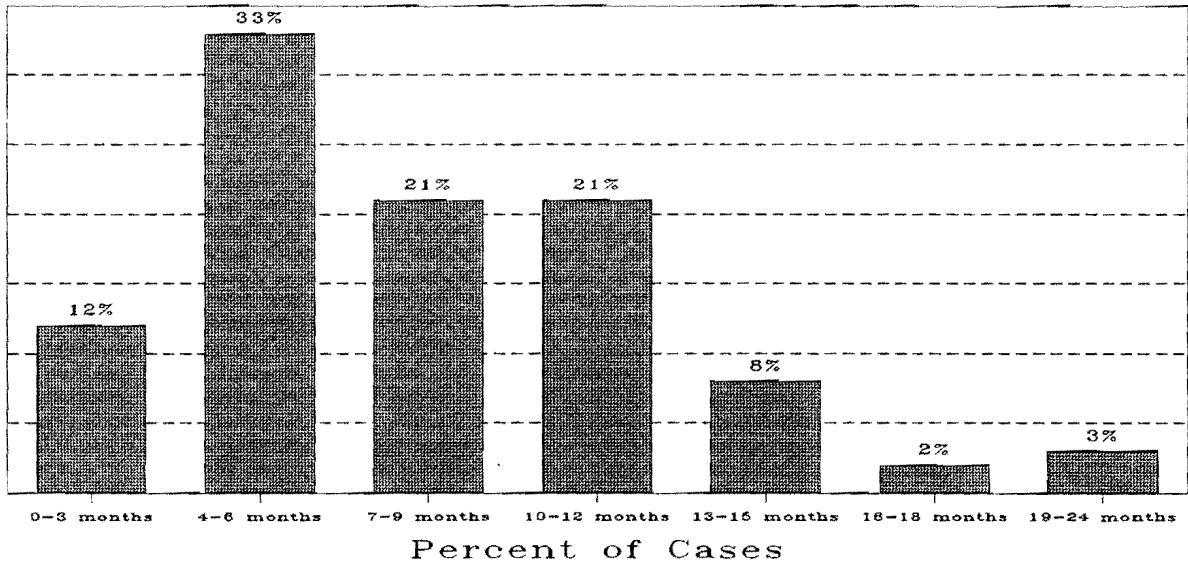


FIGURE 11
 AGE OF TRACK III CASES PENDING
 AS OF AUGUST 31, 1994
 Disposition Goal Within 15 Months

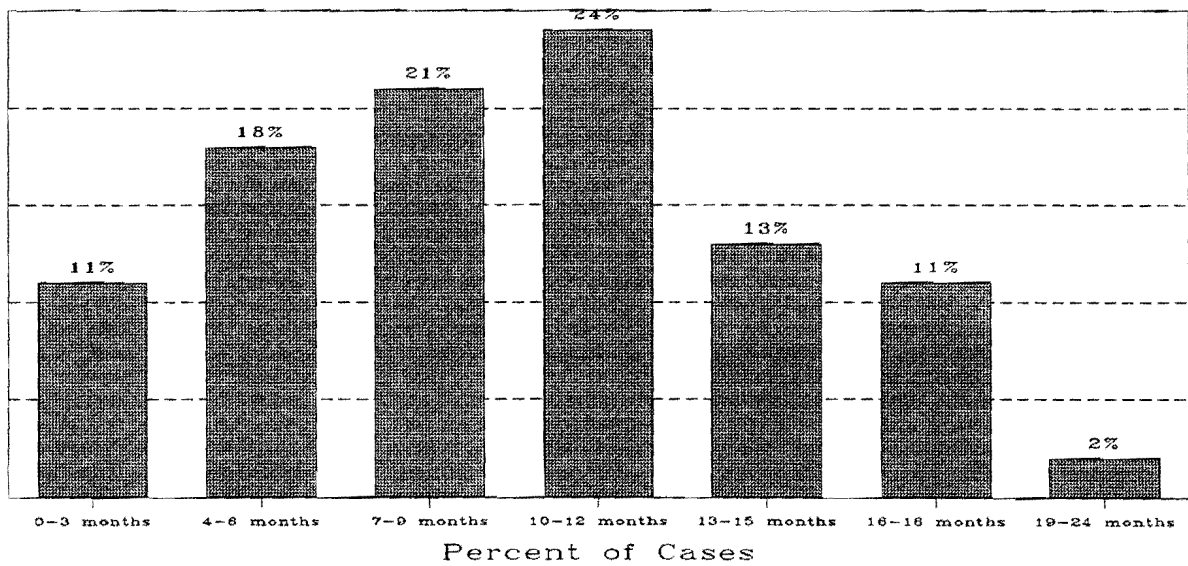


FIGURE 12
 AGE OF ALL PENDING CASES FILED
 SEPTEMBER 1, 1992 THROUGH AUGUST 31, 1994
 AS OF AUGUST 31, 1994

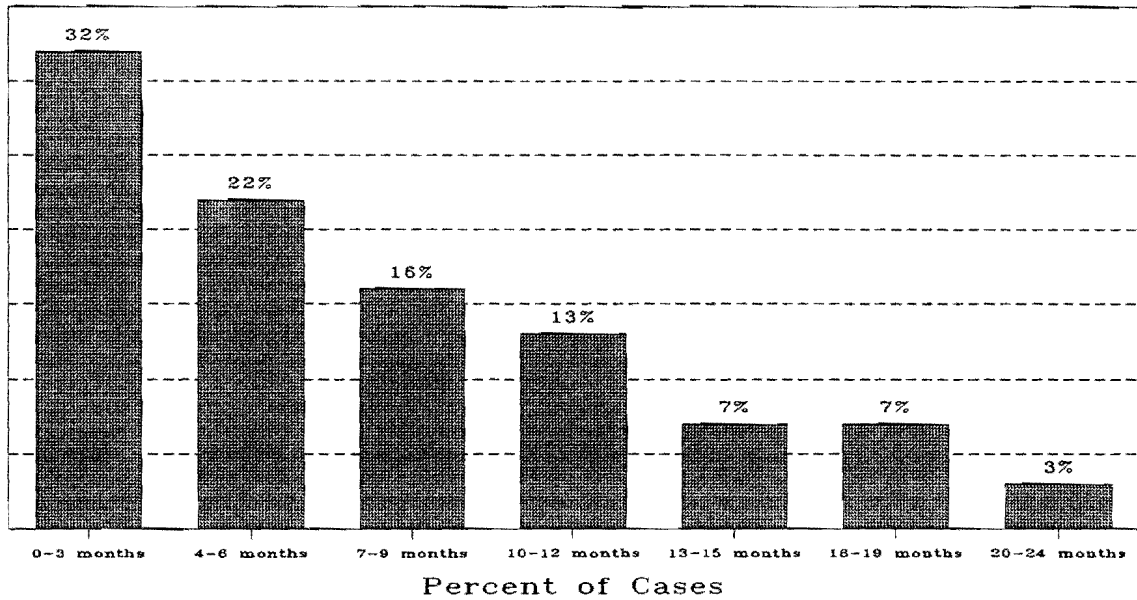
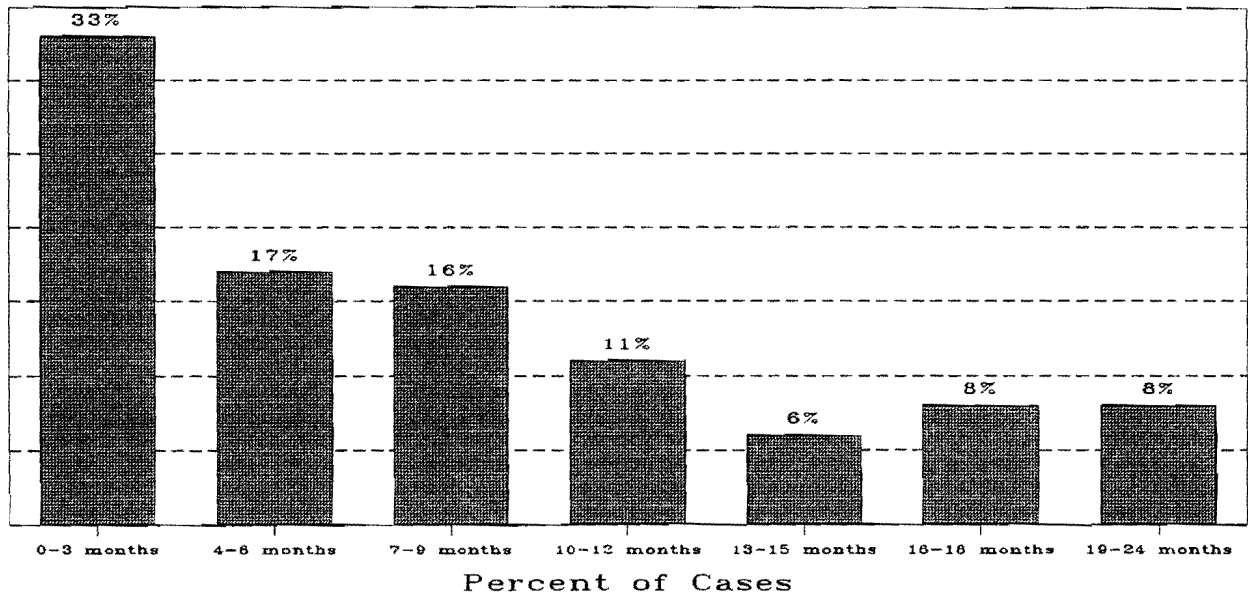


FIGURE 13
 AGE OF TRACK VII NON-DCM CASES PENDING
 AS OF AUGUST 31, 1994
 Disposition Goal Approximately 12 Months



Cases pending on the Non-DCM Track warrant further discussion. As the first year came to a close, the court learned that individual chambers varied in the amount of minimal management provided. In October, 1993 the court adopted a policy to provide these cases minimal case management and a trial date approximately one year from the date the complaint was filed. To assure greater uniformity, in August, 1994 the court adopted a standardized case management order for Non-DCM cases. Approximately forty-five days after the last responsive pleading is received, cases assigned to the Non-DCM Track receive the Non-DCM case management order, which provides a deadline for filing motions, a date and instructions for a final pretrial conference, and a trial date approximately one year from the date the complaint is filed. Figure 13 shows 22% of Non-DCM cases are pending over twelve months from the date of filing, while only 13% of cases assigned to Tracks I, II and III are pending over their track disposition goal. This further supports differentiated case management as a method to better control the timely disposition of pending civil cases.³

Table VII provides a quick snapshot of the age of cases pending on each track compared to the disposition goal for each track. A black bar is drawn on each track at the point representing the track's disposition goal. Thus, one can see at a glance how many cases exceed the desirable age. For example, a total of 21 cases were older than the disposition time goal on the Standard Track (Track III) as of August 31, 1994. Depiction of the information in this format is a useful management tool which encourages examination of those cases currently over goal to determine the reason and to hasten disposition where appropriate.

The number and age of cases pending on the Highly Complex Track (Track V), the Administrative Track (Track VI), the Non-DCM Track (Track II), and No Track⁴ are provided as a complete picture of the condition of the court's docket. Cases assigned to the Highly Complex Track are expected to take over 24 months to resolve. Cases assigned to the Administrative Track are those likely to be resolved by dispositive motion. The disposition goal for Administrative Track motions is 180 days after being fully briefed; calculated by measuring 240 days from the date the motion is filed.⁵ Table VII shows the vast majority of these cases (83%) are pending one year or less from the date the complaint is filed. As stated previously, cases assigned to the Non-DCM Track receive minimal management, including a trial date approximately one year from the date the complaint is

³Since Non-DCM cases represent only four percent of all cases filed in this district, and the number of cases assigned to this group is so small, more definitive conclusions about the effect of DCM compared with Non-DCM case management will not be possible for at least another year.

⁴Since track assignments for Tracks I through V are made at the case management conference which is likely to be 45 to 225 days after filing, at any time a significant portion of the pending caseload may not have a track assignment. In this district, it is about 22% of the pending case load.

⁵This calculation was based upon the Civil Justice Advisory Group's original recommendation of 180 days; plus an additional 60 days to allow for a response, a reply to the response, and oral argument if permitted by the court, for a total of 240 days from the date the motion is filed.

filed. Table VII shows nearly one-fourth (22%) of those cases are pending over 12 months, representing the largest percentage of cases pending over their disposition goal.

**TABLE VII
AGE OF ALL DCM PENDING CASES BY TRACK
AS OF AUGUST 31, 1994**

Age in Months from Date of Filing	Track I < 9 mos*	Track II 9 - 12 mos*	Track III 12 - 15 mos*	Track IV 15 - 24 mos*	Track V > 24 mos	Track VI Administrative	Track VII Non-DCM	No Track	Total
0- 3 mos	1 (17%)	8 (12%)	18 (11%)	2 (4%)	1 (11%)	165 (29%)	21 (33%)	160 (62%)	376 (32%)
4- 6 mos	2 (33%)	22 (33%)	30 (18%)	6 (12%)		126 (23%)	11 (17%)	58 (22%)	255 (22%)
7- 9 mos	2 (33%)	14 (21%)	34 (21%)	9 (18%)		97 (17%)	10 (16%)	17 (7%)	183 (16%)
10-12 mos	1 (17%)	14 (21%)	39 (24%)	9 (18%)	1 (11%)	76 (14%)	7 (11%)	6 (2%)	153 (13%)
13-15 mos		5 (8%)	21 (13%)	6 (12%)	1 (11%)	39 (7%)	4 (6%)	9 (3%)	85 (7%)
16-18 mos		1 (2%)	18 (11%)	9 (18%)	3 (33%)	39 (7%)	5 (8%)	6 (2%)	81 (6%)
19-24 mos		2 (3%)	3 (2%)	8 (16%)	3 (33%)	18 (3%)	5 (8%)	4 (2%)	43 (4%)
25-36 mos									
over 36 mos									
Total Pending Cases as of 8/31/94	6	66	163	49	9	560	63	260	1176

*Track Disposition Goal

◆ **Distribution of DCM Cases Among Tracks**

As described above, cases are assigned to one of five management tracks at the time of the early Rule 16 Scheduling Conference, approximately forty-five days after the last defendant's first responsive pleading. Assignment to the Administrative Track and the Non-DCM Track occurs in the clerk's office at the time of filing.

Table VIII shows the distribution among the seven tracks of cases filed since the inception of the DCM program. Fifty-one percent of all cases were assigned to the Administrative Track. However, about one-third of cases assigned to Tracks I through V request or are assigned to the Voluntary Expedited or Expedited Track, while fifty-five percent are assigned to the Standard Track. Both these findings are generally consistent with the first eight years' experience with DCM in state trial courts.

TABLE VIII
TRACK ASSIGNMENTS FOR CASES FILED
SEPTEMBER 1, 1992 - AUGUST 31, 1994

Track	Cases	Percent of Cases Assigned to Tracks I - V	Percent of Cases Assigned to Tracks Other Than Administrative	Percent of Cases Assigned to All Tracks	Percent of All Cases
I - Voluntary Expedited (Disposition within 9 mos.)	18	3%	3%	< 1%	< 1%
II - Expedited (Disposition 9 - 12 mos.)	165	30%	24%	7%	5%
III - Standard (Disposition 12 - 15 mos.)	306	55%	44%	13%	9%
IV - Complex (Disposition 15 - 24 mos.)	59	11%	8%	3%	2%
V - Highly Complex (Disposition over 24 mos.)	7	1%	< 1%	< 1%	< 1%
VI - Administrative (Disposition 240 days after motions filed)	1664		-	71%	51%
VII - Non-DCM	140		20%	6%	4%
No Track Assigned	916		-	-	28%
TOTAL	3275	100%	100%	100%	100%

As indicated by attorney survey responses, track assignments usually are acceptable to attorneys in the cases. Further, reassignment of a case to a different track is rare. During a recent six month period only four track reassignments occurred, three of which formerly were assigned to the Non-DCM Track. A total of 140 cases were assigned to the

Non-DCM Track since the inception of DCM. Fifteen of those cases (11%) were reassigned to another management track, four by request of the parties. A closer analysis of those cases reveals five cases (33%) were reassigned to the Standard Track; four cases were reassigned to the Administrative Track; and the remaining reassignments were divided equally among the Expedited, Complex and Highly Complex Tracks.

IV. DCM AFTER TWO YEARS OF OPERATION: ITS EFFECT ON THE CIVIL LITIGATION PROCESS

To attack litigation cost and delay, the Civil Justice Reform Act required courts to experiment with a variety of case management techniques including: early and ongoing control of the pretrial process through involvement of a judicial officer in (a) assessing and planning the progress of a case; (b) setting early, firm trial dates; (c) controlling the extent of discovery; and (d) setting, at the earliest practicable time, deadlines for filing motions and a time framework for their disposition.⁶ The Civil Justice Advisory Group for the Western District of Michigan addressed all of these in its report, and the court incorporated appropriate provisions into its Plan. Two years into DCM system operation, it is possible to reach limited conclusions with respect to the impact of that system on these areas through a review of statistical data and the insights gained from interviews and an attitude survey of counsel.⁷

A. Assessing and Planning Case Progress

A cornerstone of effective case management is early, meaningful court intervention in case progress. The DCM system incorporated an early Rule 16 Scheduling Conference to assess case management needs, including case complexity, the amount of discovery required and deadlines for completion of major events leading to case disposition. The original design called for this conference to occur thirty days after the last defendant's first responsive pleading. After one year's experience, the court determined that thirty days was insufficient time to schedule and send notice of the conference and for counsel to prepare. Because two weeks' notice is required, scheduling the conference thirty days after the last defendant's response gave case managers only two weeks to identify eligible cases and issue notices. Accordingly, the timing of the first Rule 16 Scheduling Conference has been changed to occur not later than the 45th day after the last defendant's first responsive pleading. About 80% of the conferences are held by the 45th day, with some cases requiring a time extension for various reasons.

⁶Title I, Chapter 23, §473.

⁷Interviews were conducted with all judges and magistrate judges, most case managers and some Advisory Group members. A copy of the attorney survey instrument is included in Appendix II.

Interview and survey responses highlighted the importance of early case assessment to the success of the DCM system. Attorneys responding both to interview questions and to the survey questionnaire indicated that early judicial intervention through the Rule 16 Scheduling Conference has been one of the, if not the single, most beneficial aspect of the DCM system. Additionally, judges and magistrate judges indicated they believe earlier judicial intervention under DCM has been salutary. One judge commented, "the Rule 16 conference is an earlier opportunity for attention to...any major problem that could delay the case down the road. Formerly, we wouldn't see the file for 5 to 6 months, or maybe a year, which meant problems were dealt with later, delaying the case." Attorneys cited the positive effect of early intervention in terms of facilitating and encouraging early attorney attention to the case.

B. Early, Firm Trial Dates

The Civil Justice Reform Act emphasized that credible trial dates are critical to effective caseflow management. It also advocated setting the date early in the life of each case. This is deemed important to help focus attorney attention on timely case preparation. Setting deadlines for completion of major case activity, a key component of DCM, provides additional milestones to prompt attorney attention to the case.

Judges in the Western District of Michigan set either a specific trial date or a trial term (month) at the initial Rule 16 Scheduling Conference. Some judges who use the term system specify the trial date at a final pretrial conference. Others trail several cases during the term. The results of the attorney survey suggest that lawyers prefer a day-certain system. Attorneys believe a firm, definite trial date not subject to bumping is essential to reduce cost and delay in those cases which proceed to trial.

As is true in most judicial districts, few civil cases in the Western District (just under 3%) are actually tried. In statistical year 1994, fifty civil trials were conducted in the district. The majority of these cases were tried on the date scheduled. The delay in the remaining cases was not great and was usually caused by unavailability of counsel or witnesses and not by unavailability of the court.

C. Discovery Guidelines in DCM Cases

The discovery guidelines for Tracks I through V were described in Section II of this assessment. As part of the continuing process of evaluating the suitability of these guidelines, the DCM Implementation Committee periodically reviews the discovery assigned to each DCM case at the Rule 16 Scheduling Conference compared to the suggested guidelines associated with the track to which the case was assigned. Table IX shows the extent to which the time for discovery and the number of interrogatories and depositions assigned to each case at the Rule 16 Scheduling Conference differed from the suggested guidelines since inception of the DCM program.

**TABLE IX
DISCOVERY STATISTICS**

Cases Filed 09/01/92 - 8/31/94

	Case Management Orders	Days for Discovery			Number of Interrogatories			Number of Depositions		
		Increased	Decreased	No Change*	Increased	Decreased	No Change	Increased	Decreased	No Change
TRACK I Voluntary	18	3 (17%)	11 (61%)	4 (22%)	1 (5%)	4 (22%)	12 (75%)	1 (6%)	3 (17%)	13 (72%)
TRACK II Expedited	195	52 (27%)	114 (58%)	29 (15%)	35 (18%)	17 (9%)	142 (73%)	36 (18%)	17 (9%)	140 (72%)
TRACK III Standard	349	90 (26%)	172 (49%)	87 (25%)	45 (13%)	39 (11%)	260 (75%)	45 (13%)	40 (12%)	258 (74%)
TRACK IV Complex	75	19 (25%)	48 (64%)	8 (11%)	5 (7%)	19 (25%)	51 (68%)	6 (8%)	1 (28%)	47 (63%)
TRACK V Highly Complex	12	[Discretionary]			[Discretionary]			[Discretionary]		
TOTAL	649**	64 (25%)	345 (53%)	128 (20%)	86 (13%)	79 (12%)	465 (72%)	88 (14%)	81 (13%)	458 (71%)

*The number of days for discovery is counted as no change if it is +/- 3 days of the limit.

**Excludes Track V - Highly Complex Cases

Overall, the time limit for completion of discovery either was reduced or was not changed from the track time guideline in 73% of the cases. The limit on interrogatories and the limit on depositions was not changed or was reduced in 84% of the cases. The fact that time is enlarged in only 25% of the cases and the number of discovery items is expanded in approximately 13% of the cases suggests that the guidelines for controlling discovery realistically reflect the time for and amount of discovery needed in the vast majority of cases. Attorneys, in responses to interview questions and the bar survey, expressed concern that unduly strict limitations may in fact increase, rather than decrease, litigation cost. Accordingly, the court carefully reviews each case to assure that discovery limits truly are tailored to the needs of the individual case.

D. Timely Resolution of Motions

The Report of the Civil Justice Advisory Group emphasized the importance of timely disposition of motions. In its CJRA Plan, the court acknowledged the goal of early resolution of motions. After some deliberation and statistical analysis, the goal of deciding motions 60 days or less from the date of filing the last brief was adopted.⁸ A recent six month study shows this goal currently is being achieved in 80% of motions filed in cases assigned to Tracks I through V, and cases not yet assigned to a track.

⁸Measured at 120 days from the date the motion is filed. This allows 60 days for response, reply and oral argument, if permitted by the court, plus the 60 days recommended for deciding the motion, for a total of 120 days.

month study shows this goal currently is being achieved in 80% of motions filed in cases assigned to Tracks I through V, and cases not yet assigned to a track.

E. Litigation Cost

One of the stated purposes of the Act was to reduce the cost of civil litigation. The court recognized early in the project however, that it did not have sufficient resources available to obtain this data from attorneys and their clients. Consequently, the court expects studies conducted by the Federal Judicial Center and Rand Corporation will shed light on whether DCM reduces litigation cost. While available statistical information does not address this area, anecdotal information obtained from the court's attorney survey provides insight into this important aspect of the Act. Of those attorneys who offered an opinion,⁹ 63% reported limitations on depositions decreased litigation costs and 59% reported limitations on interrogatories decreased litigation costs. A consensus of attorneys indicated litigation costs are reduced by more contact with magistrate judges, limitations on the time allowed for discovery, disposition of motions within 60 days of the last brief or oral argument, and early, firm trial dates, all of which are elements of the court's DCM plan. Only 16% of attorneys indicated costs are increased by early Rule 16 Scheduling Conferences; and 10% of attorneys indicated costs are increased by assignment of cases to tracks. An average of ten percent of attorneys reported that one or more of the DCM techniques outlined above increased litigation cost. The court will continue to survey attorneys as they become more experienced with the system to determine whether changes to the system are warranted.

F. Delay Reduction

Another of the stated purposes of the Act was to reduce delay in the civil litigation process. Delay, defined as disposition times exceeding acceptable limits for the caseload as a whole, was not considered an issue in the Western District by the Advisory Group at the time of its study. The court's calendar was considered current at the outset of the program and a measurable reduction in delay was not anticipated. Instead, the court concentrated its efforts into standardizing case management practices in an attempt to be more efficient. However, the decrease in the number of pending cases and the evident decrease in the age of pending cases which can be seen when Figures 4 and 5 are compared suggest that standardized differentiated case management practices have a beneficial, albeit unexpected, effect upon the court's docket.

Survey and interview results reveal that judicial officers, court staff and lawyers generally believe that DCM has reduced delay. In three survey areas, the vast majority (70% or more) of the attorneys indicated a reduction in delay related to DCM: use of the Rule 16 Scheduling Conference; disposition of motions within 60 days of the last brief or oral argument; and early, firm trial dates. A majority of attorneys (51% or more) indicated a reduction in delay in three other areas: assignment of cases to tracks; limitations on

⁹Approximately 25% of eligible respondents indicated no opinion/don't know.

depositions; and limitations on time allowed for discovery. A consensus of attorneys indicated more contact with judges and magistrate judges, and limitations on the number of interrogatories, reduces delay in litigation. It is important to note that for all delay reduction questions, no more than 6% of the respondents indicated that DCM had increased delay, with limitations on the number of interrogatories each party can serve cited most frequently as the cause.¹⁰

The survey results were consistent with many of the interview responses. For example, a number of the judicial officers and attorneys interviewed felt that DCM, by establishing case events and time-frames based on case specific management needs, has reduced case processing. It is important to note, however, that conclusions about the effect of DCM on delay reduction will not be possible for at least another year.¹¹ More information on the relationship of DCM to delay will be available as the program enters its third year.

G. Litigation Satisfaction

As discussed in the Litigation Cost section in this report, the court does not have sufficient resources to conduct a thorough study of litigant satisfaction. The court expects studies conducted by the Federal Judicial Center and Rand Corporation will provide in-depth analysis. The court's attorney survey, however, provided limited anecdotal insight into litigant satisfaction. Survey results, for example, indicated 50% of attorneys' clients were satisfied or more than satisfied with the DCM system, while only 7% reported their clients were dissatisfied.

Interview results supported the survey findings in some areas. Some attorneys interviewed, for example, noted that they are able to give their clients more information about the pace of litigation given the predictability of the DCM program than they could under the prior system. This interaction can only enhance the litigants' understanding of the civil litigation process. More research would be required, however, to fully ascertain the relationship of DCM to litigant satisfaction.

H. Differentiated Case Management and Alternative Dispute Resolution

The Civil Justice Reform Act noted the importance of alternative dispute resolution (ADR) in the development of an effective civil litigation management program. Congress encouraged the use of ADR techniques as a means of reducing litigation cost and delay. This court has utilized various forms of ADR for over 15 years. Consequently, our task is to make these events as meaningful as possible and to make sure their benefits exceed their costs in each case. The court's differentiated case management system provides the

¹⁰Survey results include only those attorneys who offered an opinion on litigation delay; approximately 25% of eligible respondents indicated no opinion/don't know.

¹¹Cases assigned to the Complex Track and Highly Complex Track have disposition goals of 24 months and over 24 months, respectively, and thus are incapable of analysis at the end of the second year.

mechanism to carry out this task. Through DCM, the court obtains substantial information at an early stage in the case, thus enabling the judges to determine, with the parties, how the case should be managed and whether ADR should be a part of the process.

A key to effective case management is a meaningful early Rule 16 Scheduling Conference. The court's DCM system requires judicial officers to hold a scheduling conference in person or by telephone within 45 days of the filing of the last responsive pleading. Before the conference, the parties are required to file a joint status report, which provides preliminary information to help the assigned judge determine whether the case is suitable for ADR and what the type and timing of ADR should be. Initial experience indicates that these early scheduling conferences and joint status reports permit a careful cost-benefit analysis of ADR assignment that is not possible when cases are assigned to ADR solely by nature of suit or monetary value.

The additional information about each case now available to the judge through DCM permits individualized consideration in deciding whether the benefits of ADR justify the costs. As a result of this close examination of the issues in each case, the number of cases referred to ADR during the first two years of DCM has slightly decreased, there also has been a substantial shift from arbitration to mediation¹² and, to a lesser extent, to early neutral evaluation. Arbitration referrals have decreased 89% since 1991, while mediation referrals increased 70%.

TABLE X
REFERRALS TO ADR BY DCM TRACK
Twelve Month Study

	Eligible Cases	Referred to Mediation	Referred to Arbitration	Referred to ENE	Total ADR Referrals	Percentage of Eligible Cases Referred to ADR
Voluntary Expedited	6	1	1	0	2	33%
Expedited	93	32	0	6	38	41%
Standard	176	106	5	1	112	64%
Complex	25	12	0	0	12	48%
Highly Complex	4	0	0	0	0	0%
Non-DCM	69	9	0	0	9	13%
Total Eligible	373	160	6	7	173	

¹²Mediation in the Western District of Michigan is evaluative, rather than facilitative, in nature. Accordingly, the court has appointed a task force to study and develop a purely facilitative form of mediation.

The court's experience with DCM suggests that referrals to ADR are directly related to the anticipated length and complexity of the case. A 12-month study of cases eligible for referral to ADR shows that 64% of the cases assigned to the Standard Track are referred to ADR. See Table X on page 29. The percentage of cases referred to ADR decreases substantially for simple cases expected to take a shorter time to resolve and for more complex cases expected to take a greater time to resolve. Clearly, the court's DCM system enables the court to make a more thorough evaluation of the feasibility and desirability of ADR at an early date, this altering ADR usage and patterns in this district.

I. DCM Statistical Measures

As part of its continuing evaluation of experience under its DCM plan, the court measures certain statistical data. Although such measures are a useful analytical tool, the court does not consider any particular measure, all or combined, as giving a complete picture of the court's "success." Ultimately, a court's performance must be judged by its success in dispensing "equal justice under law," a goal not subject to precise measurement. Table XI shows the court's progress in adhering to the guidelines established by the DCM plan during a recent six month period. It shows that the court substantially met its goals.

TABLE XI
DCM STATISTICAL MEASURES
Six Month Study

	Goal	Performance
Service of process completed within 120 days of filing	85%	95%
Rule 16 conferences held at or within 45 days of filing the last responsive pleading	70%	79%
Discovery time set at Rule 16 Conference within the track guidelines	75%	83%
Motions decided 60 days or less from the last brief filed	75%	80%
Motions pending 6 months or less	90%	95% (approx)
Track I cases disposed of within 9 months	90%	100%
Track II cases disposed of within 9-12 months	80%	85%
Track III cases disposed of within 12-15 months	80%	75%
Track IV cases disposed of within 15-24 months	80%	93%
Trial dates commenced by the first trial date or term set	90%	50%*
Bench trials under submission 6 months or less	100%	100%
Cases pending 3 years or less from filing	97%	96%
Track I cases pending within 9 months	95%	83%**
Track II cases pending within 9-12 months	90%	87%
Track III cases pending within 12-15 months	90%	87%
Track IV cases pending within 15-24 months	90%	100%

*April 1, 1994 through December 20, 1994

**One case out of 6 represents 17% of the total.

In addition, the court gathers statistical data relevant to particular case management practices. This information is gathered for informational purposes only and no norms are established. A study of all cases filed between September 1, 1992 and August 31, 1994, in which a Rule 16 Scheduling Conference was held and the case ultimately terminated,¹³ revealed the following:

- The average time from filing to disposition for cases in which the Rule 16 Scheduling Conference was conducted by an Article III judge was 284 days.
- The average time from filing to disposition for cases in which the Rule 16 Scheduling Conference was conducted by a magistrate judge was 324 days.
- The average time from filing to disposition for cases in which the Rule 16 Scheduling Conference was conducted by telephone was 337 days.
- The average time from filing to disposition for cases in which the Rule 16 Scheduling Conference was conducted in person was 301 days.
- The average time from filing to disposition for cases in which clients were required to attend the Rule 16 Scheduling Conference was 296 days.
- The average time from filing to disposition for cases in which clients were not required to attend the Rule 16 Scheduling Conference was 310 days.

Preliminary analysis indicates no material difference in time to disposition for those cases in which the Rule 16 Scheduling Conference was conducted by a magistrate judge as opposed to an Article III judge. There are, however, not enough cases in this study to draw definitive conclusions about the effect of conducting a Rule 16 Scheduling Conference by telephone or requiring clients to attend.¹⁴

V. CHANGING ROLES UNDER DCM: ATTORNEYS, THE CLERK'S OFFICE AND COURT STAFF

The process of implementing DCM in this court was characterized by broad consultation and involvement both within the court (judicial officers, case managers, the clerk and members of his staff) and between the court and the bar. As described in the

¹³The following cases were excluded from this study: cases that terminated before the Rule 16 Scheduling Conference was held (No Track); cases assigned to Tracks VI and VII; and cases in which a Rule 16 Scheduling Conference was held but the case remains pending.

¹⁴While a significant number of Rule 16 Scheduling Conferences were conducted by an Article III judge (239) and magistrate judge (341), only 102 conferences were held by telephone, while 478 were held in person; and 131 conferences required clients to be present, while 449 did not.

court's first Annual Assessment, district judges, magistrate judges, case managers, the DCM coordinator, and staff of the clerk's office all participated actively in planning and development activities. Operation of the DCM system proceeded smoothly during the first year. Certain details of the system were modified during the first and second years to assure that the program goals were met and that the system would operate as intended.

The change to differentiated case management affected everyone. The operational impact of adapting to a new system cannot be underestimated. Nevertheless, lawyers have accommodated to the early Rule 16 Scheduling Conferences and new requirements such as explicit limits on the nature and scope of discovery. DCM has provided a unified systemic approach to counsel involvement that established intervention points for counsel--most notably the requirement of an early Rule 16 conference--and described what would be done at each intervention point.

This permits counsel to prepare and, thus, to engage in substantive and informed discussions about the management of their case. In their responses to the bar survey, 93% of attorneys who offered an opinion indicated that the court "always," "usually," or "sometimes" takes attorneys' views into consideration in creating the disposition timetable for a case. The importance of attorney participation was further underscored by the survey responses of attorneys who were dissatisfied with the DCM system: 27% of dissatisfied attorneys indicated that the court "rarely" or "never" takes attorneys' views into consideration. It may be assumed from this that attorney satisfaction with case management programs is greater when they can participate in a meaningful manner.

The changes in the clerk's office are evident in: a) the broad involvement of the staff in the clerk's office and case managers on an ongoing Task Force to continuously monitor and propose improvements to the differentiated case management system; b) the presence in the clerk's office of a DCM coordinator with system support and oversight responsibilities; c) enhancement of the ICMS civil/criminal software output to provide detailed information and statistics on each judge's individual caseload and the performance of the DCM system; and d) participation on the court's DCM Implementation Committee¹⁵ which continuously reviews DCM operation.

Implicit in these changes was recognition of the enhanced support provided by the clerk's office. The computerized tickler system, for example, created solely for DCM purposes, has expanded to assist case managers, docket clerks, and clerk's office staff with their daily activities. The DCM statistical reports have been modified and improved; one of which has been incorporated into the menu provided to case managers and the DCM coordinator, and can be run individually at any time.¹⁶ A booklet entitled YOUR DAY IN COURT, designed to familiarize clients with the litigation process, including DCM, was

¹⁵Composed of a district judge, a magistrate judge, the clerk of court, the Civil Justice Advisory Group Chair, the DCM coordinator, and the court's systems manager.

¹⁶Examples of the reports and case listings provided regularly are included as Appendix III to this report.

produced and is distributed to all attorneys at Rule 16 Scheduling Conferences who, in turn, must forward to their clients. The DCM coordinator's role includes monitoring system performance and effectiveness; coordinating system revisions; identifying potential caseflow problems and bringing them to the attention of the clerk and court; and serving as liaison between judicial staff, clerk's office staff and members of the bar to assure consistency and uniformity of practice and procedure where appropriate.

The district's DCM program has also assisted chambers' staff in their case management role. As a result of the automated tickler system, case managers more closely monitor case progression, and are more familiar with cases and involved with counsel earlier in the litigation process. Additionally, case managers are better able to assist judicial officers because they now receive and review more sophisticated case management reports to assist in monitoring their overall caseload to meet the various demands of the Civil Justice Reform Act. Finally, they also have become integral to the broader system through their participation on the court's Task Force.

VI. CONCLUSION

The court enters the third year of differentiated case management with positive expectations. It is clear that many benefits to the court, the legal community and litigants have attended implementation of this new approach to case management. While the limited statistical analysis possible at this early time shows positive results, such as in the number and age of pending cases, many of the conclusions concerning DCM are based on anecdotal evidence and the subjective results of interviews and questionnaires. However, as the court pursues the course of rendering timely justice in accordance with the needs of each case, the perception that justice is being achieved may indeed be the best measure.

APPENDIX I

STANDARDIZED COURT FORMS

STANDARDIZED COURT FORMS
District Judges' Forms

1. **NOTICE OF ASSIGNMENT TO NON-DCM TRACK - Revised 08/18/94**

A notice to inform all parties in civil litigation that their case has been assigned randomly to the Non-DCM track.

2. **ORDER CHANGING NON-DCM TRACK ASSIGNMENT - 11/21/94**

An order reassigning a case from the Non-DCM track to one of five tracks to ensure a just and speedy resolution.

3. **NOTICE OF REASSIGNMENT TO ADMINISTRATIVE TRACK - 01/05/94**

A notice advising that a Notice of Assignment to Non-DCM Track was inadvertently mailed and the case is being reassigned to the Administrative Track.

4. **ADMINISTRATIVE ORDER FOR GEOGRAPHIC TRANSFER OF CASES - 05/12/94**

An order to transfer cases between judges on the grounds of geographic convenience to the parties (Rule 6(h)).

5. **NOTICE OF IMPENDING DISMISSAL - Revised 09/08/94**

90 day notice to plaintiff for failure to file proof of service.

6. **ORDER OF DISMISSAL - Revised 09/08/94**

Pursuant to Fed. R. Civ. P. 4(m).

7. **ORDER TO SHOW CAUSE - 09/01/92**

An order to plaintiff to show cause in writing within 30 days from the date of this order why the court should not dismiss the case for lack of prosecution (for failure to enter a default).

8. **ORDER OF DISMISSAL - 09/01/92**

Plaintiff having failed to show good cause for failure to take a default or otherwise obey the Order to Show Cause (Form 6), the matter is hereby dismissed.

9. **CASE MANAGEMENT ORDER - NON-DCM CASES - 08/18/94**

 Mailed to all parties in a Non-DCM case within 45 days of the last defendant's first responsive pleading.
10. **ORDER SETTING RULE 16 SCHEDULING CONFERENCE - 12/09/94**

 The date for this conference should be set no later than 45 days from the last defendant's first responsive pleading.
11. **RULE 16 SCHEDULING CONFERENCE SUMMARY SHEET - 03/04/93**

 To be completed and submitted to the docket clerk along with the Case Management Order.
12. **CASE MANAGEMENT ORDER - disposition within 18 months from date of filing - 12/08/94**

 Mailed to all parties following a Rule 16 scheduling conference. Includes track assignment and discovery limitations.
13. **CASE MANAGEMENT ORDER - disposition 18 months or more from date of filing - 08/18/94**

 Mailed to all parties following a Rule 16 scheduling conference. Includes certification that the amount of time until trial is necessary, along with track assignment and discovery limitations.
14. **POST RULE 16 SCHEDULING CONFERENCE CHANGES IN TRACK ASSIGNMENT, DISCOVERY, OR TRIAL DATE - 10/21/94**

 To be completed and submitted to the docket clerk to capture all DCM-related case management changes occurring after the initial Rule 16 scheduling conference.
15. **NOTICE OF FAILURE TO FILE A RESPONSE - 09/01/92**

 14 day notice for failure to respond to a dispositive motion.
16. **NOTICE OF INTENT TO DISMISS - 09/01/92**

 14 day notice for failure to submit orders of settlement.

17. **ORDER OF DISMISSAL - 09/01/92**
Order to dismiss for failure to act in compliance with 14 day Notice of Intent to Dismiss.
18. **REMINDER OF CASE MANAGEMENT DEADLINES - 09/01/92**
Provides notice to the parties of impending deadlines for discovery and dispositive motions.
19. **ORDER TO FILE DISCOVERY REPORT - 09/01/92**
20. **MEDIATION ORDER - 09/01/92**
21. **MEDIATION ORDER IN DIVERSITY CASE - 09/01/92**
22. **ARBITRATION ORDER - 09/01/92**
23. **ORDER FOR SUMMARY JURY TRIAL - 09/01/92**
24. **NOTICE OF IMPENDING DISMISSAL FOR LACK OF PROGRESS - 09/01/92**
25. **ORDER OF RETENTION - 09/01/92**
26. **ORDER OF DISMISSAL FOR FAILURE TO FILE PETITION FOR RETENTION - 09/01/92**
27. **ORDER REGARDING ATTORNEY ADMISSION - 09/01/92**
28. **ORDER DENYING MOTION FOR ADMISSION PRO HAC VICE - 08/18/94**

STANDARDIZED COURT FORMS
Magistrate Judges' Forms

1. **ORDER TO FILE ANSWER OR OTHER PLEADING - 09/01/92**
Section 2254 proceeding.
2. **ORDER TO FILE ANSWER OR OTHER PLEADING - 09/01/92**
Section 2255 proceeding.
3. **ORDER DENYING PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL - 09/01/92**
Habeas corpus action.
4. **ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL - 09/02/92**
Other civil actions.
5. **ORDER GRANTING REQUEST FOR EXTENSION OF TIME - 09/01/92**
6. **ORDER (Form) - 09/01/92**
Filed by the court after action is taken on a non-dispositive motion hearing.
7. **ORDER DIRECTING FILING OF MOTIONS AND BRIEFS - 09/01/92**
Issued upon receipt of the transcript and answer in a social security case.
8. **ORDER OF TRANSFER - 09/01/92**
Section 1983 proceeding.
9. **ORDER OF TRANSFER - 09/01/92**
Section 2254 proceeding.
10. **ORDER DENYING PETITION TO PROCEED IN FORMA PAUPERIS - 09/01/92**
Section 2254 proceeding.

11. **ORDER DENYING PETITION TO PROCEED IN FORMA PAUPERIS - 09/01/92**
Section 1983 proceeding.
12. **ORDER TO PROCEED IN FORMA PAUPERIS - 09/01/92**
13. **ORDER FOR PAYMENT OF REDUCED FILING FEE - 09/01/92**
14. **ORDER FOR INSTALLMENT PAYMENT OF REDUCED FILING FEE - 09/01/92**
15. **ORDER OF DISMISSAL FOR FAILURE TO PAY REDUCED FILING FEE - 09/01/92**
16. **ORDER REGARDING SUBSTANTIVE MOTIONS - 09/01/92**
Mailed after an answer has been received in a civil rights case.
17. **ORDER FOR WRIT OF HABEAS CORPUS - 09/01/92**
18. **WRIT OF HABEAS CORPUS - *State Custody* - 09/01/92**
19. **WRIT OF HABEAS CORPUS - *Federal Custody* - 09/01/92**
20. **ORDER FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM - 09/01/92**
21. **WRIT OF HABEAS CORPUS AD TESTIFICANDUM - *State Custody* - 09/01/92**
22. **WRIT OF HABEAS CORPUS AD TESTIFICANDUM - *Federal Custody* - 09/01/92**
23. **ORDER REGARDING RESPONSE TO SUMMARY JUDGMENT MOTION - 09/01/92**
24. **ORDER OF DISMISSAL FOR WANT OF PROSECUTION - 09/01/92**
25. **ORDER APPROVING ATTORNEY FEE IN SOCIAL SECURITY APPEAL - 09/01/92**
26. **ORDER FOR CONDUCT OF SUMMARY JURY TRIAL - 09/01/92**
27. **ORDER REGARDING MOTION TO TAX COSTS - 09/01/92**
Prison account information and updated financial affidavit required.

28. **ORDER REGARDING MOTION TO TAX COSTS - 09/01/92**
Defendant has filed a current, certified copy of plaintiff's prison account.
29. **ORDER REGARDING MOTION TO TAX COSTS - 09/01/92**
Order used after remand from Sixth Circuit Court of Appeals.
30. **ORDER TAXING COSTS - 09/01/92**
31. **ORDER DENYING MOTION TO TAX COSTS - 09/01/92**

APPENDIX II

DIFFERENTIATED CASE MANAGEMENT (DCM) EVALUATION

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

**DIFFERENTIATED CASE MANAGEMENT (DCM) EVALUATION
Under the Civil Justice Reform Act of 1990**

1. Which of the following best describes your legal practice? Please check one.
 ₁ Private Law Firm ₂ Federal, State or Local Government ₃ Other

2. Where is your principal place of federal court practice?
 ₁ Western District of Michigan ₂ Other Federal District Court

3. About how many cases in the U. S. District Court for the Western District of Michigan have you handled that were *not subject to* the Differentiated Case Management (DCM) procedures effective on 9/1/92? _____

4. Which judicial officers handled your cases that were *not subject to* DCM (check all that apply):
 ₁ Gibson ₂ Enslin ₃ Bell ₄ McKeague ₅ Quist ₆ Miles
 ₇ Hillman ₈ Brenneman ₉ Rowland ₁₀ Greeley ₁₁ Scoville

5. About how many cases in the U. S. District Court for the Western District of Michigan have you handled that were *subject to* the Differentiated Case Management (DCM) procedures effective on 9/1/92? _____

6. Which judicial officers handled your cases that were *subject to* DCM (check all that apply):
 ₁ Gibson ₂ Enslin ₃ Bell ₄ McKeague ₅ Quist ₆ Miles
 ₇ Hillman ₈ Brenneman ₉ Rowland ₁₀ Greeley ₁₁ Scoville

7. Please rate your overall satisfaction with the DCM system compared with the previous case management system:
 ₁ Very Satisfied ₂ Somewhat Satisfied ₃ Satisfied ₄ Somewhat Dissatisfied ₅ Very Dissatisfied ₆ Don't Know ₇ No Change

8. Please rate your clients' overall satisfaction with the DCM system compared with the previous case management system:
 ₁ Very Satisfied ₂ Somewhat Satisfied ₃ Satisfied ₄ Somewhat Dissatisfied ₅ Very Dissatisfied ₆ Don't Know ₇ No Change

9. Please indicate the extent to which you believe the court takes attorneys' views into consideration when setting deadlines and discovery limits:
 ₁ Always ₂ Usually ₃ Sometimes ₄ Rarely ₅ Never ₆ No Opinion

10. Have Track assignments been appropriate to the characteristics of your cases?
 ₁ Always ₂ Usually ₃ Sometimes ₄ Rarely ₅ Never ₆ No Opinion

~ OVER PLEASE ~

09/01/94

Questions 11 through 18 below address particular elements of the court's DCM plan. In your experience, please indicate what effect each element has on litigation cost and litigation delay. Using the key below, please circle one response for cost and one response for delay.

Litigation Cost

- 1 = increases litigation cost
- 2 = decreases litigation cost
- 3 = does not affect litigation cost
- 4 = no opinion/don't know
- 5 = no change

Litigation Delay

- 1 = increases litigation delay
- 2 = decreases litigation delay
- 3 = does not affect litigation delay
- 4 = no opinion/don't know
- 5 = no change

11. An element of the DCM system is to have all appropriate civil cases proceed to an early Rule 16 Scheduling Conference. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

12. An element of the DCM system is to assign cases to tracks. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

13. An element of the DCM system is to have more contact with judges and/or magistrate judges. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

14. An element of the DCM system is to set limitations on the number of depositions each party may take. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

15. An element of the DCM system is to set limitations on the number of interrogatories each party may serve. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

16. An element of the DCM system is to set limitations on the time allowed for discovery. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

17. An element of the DCM system is disposition of motions within 60 days following oral argument or following the last responsive brief if oral argument is not heard. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

18. An element of the DCM system is to set early, firm trial dates. In your experience, what effect has this had on litigation cost and delay?

	<u>Litigation Cost</u>						<u>Litigation Delay</u>				
1	2	3	4	5		1	2	3	4	5	

19. In the space below please provide any additional comments you would like to make about the court's DCM system. Attach additional pages, if necessary:

THANK YOU

APPENDIX III

EXAMPLES OF CASE MANAGEMENT REPORTS AND STATISTICS

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN

MONTHLY DCN STATISTICAL REPORT -- PART 1

Categorized Cases -- 08/01/94 thru 08/31/94

	Civil Rights	Contr.	Fed. Tax	Forf.	Labor	Pers. Injury	Pers. Prop.	Prop. Rights	Real Prop.	Other	2255 Cases	Habeas Corpus	Pris. Rights	Social Secur.	Student Loan	Bankr.	Total	Prev Total
Chief Judge Richard A. Enlen																		
Previous Pending::	30	16	3	3	18	9	3	11	3	19	0	6	73	14	2	0	210	213
Filings:	4	1	0	1	2	3	1	0	2	0	0	0	10	3	0	0	27	24
Terminations:	7	2	1	1	2	1	0	1	3	1	0	0	7	0	1	0	27	27
Current Pending:	27	15	2	3	18	11	4	10	2	18	0	6	76	17	1	0	210	210
Judge Benjamin F. Gibson																		
Previous Pending::	31	23	7	1	14	15	6	8	2	11	3	23	57	23	1	2	227	218
Filings:	5	0	1	1	3	2	0	1	0	4	0	4	10	1	0	1	33	27
Terminations:	4	6	0	0	6	2	0	3	0	0	1	2	9	2	0	1	36	18
Current Pending:	32	17	8	2	11	15	6	6	2	15	2	25	58	22	1	2	224	227
Judge Robert Holmes Bell																		
Previous Pending::	27	22	3	4	13	19	0	5	1	28	3	32	71	11	0	4	243	235
Filings:	4	1	0	0	2	2	0	1	2	4	0	1	13	0	1	0	31	21
Terminations:	2	3	1	1	4	2	0	0	2	2	0	3	10	1	0	1	32	13
Current Pending:	29	20	2	3	11	19	0	6	1	30	3	30	74	10	1	3	242	243
Judge David W. McKeague																		
Previous Pending::	29	15	0	5	20	33	4	5	0	14	0	17	65	19	0	3	229	228
Filings:	4	2	1	0	6	3	0	1	0	0	0	4	6	3	0	0	30	24
Terminations:	5	1	0	1	2	2	0	1	0	3	0	2	5	2	0	2	26	23
Current Pending:	28	16	1	4	24	34	4	5	0	11	0	19	66	20	0	1	233	229
Judge Gordon J. Quist																		
Previous Pending::	29	26	3	2	12	20	0	8	3	14	0	19	80	7	1	1	225	226
Filings:	5	2	0	1	1	2	1	0	0	1	2	0	14	2	1	0	32	23
Terminations:	0	0	0	1	2	2	0	1	0	0	1	1	2	0	1	0	11	24
Current Pending:	34	28	3	2	11	20	1	7	3	15	1	18	92	9	1	1	246	225

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 1

Categorized Cases -- 08/01/94 thru 08/31/94

	Civil Rights	Contr.	Fed. Tax	Forf.	Labor	Pers. Injury	Pers. Prop.	Prop. Rights	Real Prop.	Other	2255 Cases	Habeas Corpus	Pris. Rights	Social Secur.	Student Loan	Bankr.	Total	Prev Total
Senior Judge Wendell A. Niles																		
Previous Pending::	3	5	0	1	4	5	1	4	3	4	0	13	29	9	0	0	81	80
Filings:	1	0	0	0	2	0	0	0	0	1	0	0	3	2	0	0	9	7
Terminations:	0	0	0	1	1	1	0	0	1	0	0	0	6	0	0	0	10	6
Current Pending:	4	5	0	0	5	4	1	4	2	5	0	13	26	11	0	0	80	81
Senior Judge Douglas W. Hillman																		
Previous Pending::	9	5	1	0	5	1	0	2	5	8	0	11	17	9	0	0	73	75
Filings:	0	1	0	0	2	0	0	0	0	0	0	2	3	0	0	0	8	6
Terminations:	2	1	0	0	1	0	0	0	0	0	0	0	5	2	0	0	11	8
Current Pending:	7	5	1	0	6	1	0	2	5	8	0	13	15	7	0	0	70	73
District Totals:																		
Previous Pending:	158	112	17	16	86	102	14	43	17	98	6	121	395	92	4	10	1288	1275
Filed:	23	7	2	3	18	12	2	3	4	10	2	11	59	11	2	1	170	132
Terminated:	20	13	2	5	18	10	0	6	6	6	2	8	44	7	2	4	153	119
Current Pending:	161	106	17	14	86	104	16	40	15	102	6	124	407	96	4	7	1305	1288

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	TRACK	SERVICE DATE	SERV DAYS	LAST RESPONSE	RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REQD	DISC DAYS	DISC VAR	NUM DEPS	DEPS VAR	INTS VAR	INTS ADR	1ST TYPE	MAG ART3?	GEO CONS?	CONV?
Chief Judge Benjamin F. Gibson																						
1:94-cv-0198	Bugbee v. Crisken Group	03/31/94	NONE	05/05/94	35	07/08/94	99	08/26/94	49	PERS	MAG	NO	0	N/A								
1:94-cv-0428	Lindquist v. Eyde	06/27/94	I	**/**/**	N/A	**/**/**	****	08/03/94	****	PERS	MAG	NO	87	NC	2	NC	15	NC				
1:94-cv-0355	BCM2 Corporation v. Pearson-Cook Co	06/03/94	II	06/10/94	7	**/**/**	****	08/03/94	****	PERS	MAG	NO	115	DEC	4	NC	20	NC				
1:94-cv-0307	MI South Cen Power v. McGraw-Edison	05/11/94	III	**/**/**	N/A	**/**/**	****	08/03/94	****	TEL	MAG	NO	155	DEC	15	INC	50	INC				
1:94-cv-0319	Mudson v. Edwards	05/17/94	III	07/01/94	45	**/**/**	****	08/03/94	****	PERS	MAG	NO	213	INC	8	NC	30	NC				
1:94-cv-0321	McIntosh v. Hope Network	05/17/94	III	07/08/94	52	07/01/94	45	08/03/94	33	PERS	MAG	NO	191	INC	8	NC	30	NC	MED			
1:94-cv-0471	Maring v. Altena	07/15/94	III	**/**/**	N/A	**/**/**	****	08/26/94	****	TEL	MAG	NO	101	DEC	8	NC	30	NC	MED			
4:94-cv-0071	Dircken v. Michigan, State of	05/02/94	III	07/20/94	79	**/**/**	****	08/31/94	****	PERS	MAG	NO	142	DEC	8	NC	30	NC				
5:94-cv-0081	Clement v. MI Dept of Transport	06/15/94	III	06/17/94	2	**/**/**	****	08/03/94	****	PERS	MAG	NO	179	NC	8	NC	30	NC	MED			
4:93-cv-0193	Cooper Industries v. Abbott Laborat	12/08/93	IV	01/24/95	412	**/**/**	****	08/02/94	****	PERS	MAG	NO	6	DEC	15	NC	50	NC				
5:94-cv-0034	McArthur v. Natl Emergency Svcs	02/28/94	IV	06/28/94	120	**/**/**	****	08/26/94	****	PERS	MAG	NO	113	DEC	15	NC	50	NC	SM			
5:94-cv-0082	Pirgim Pub Lobby Inc v. Bradford-W	06/20/94	IV	06/30/94	10	07/11/94	21	08/26/94	46	PERS	MAG	NO	230	DEC	15	NC	50	NC				
1:94-cv-0299	Parish v. Creston Med Assoc	05/09/94	VII	05/18/94	9	**/**/**	****	08/24/94	****	PERS	MAG	NO	109	N/A	8	N/A	30	N/A	MED			

Summary for Chief Judge Benjamin F. Gibson

RULE 16 CONFERENCES:

- 11 held within 45 days of last answer/response
- 2 held greater than 45 days after last answer/response
- 11 in person
- 2 via telephone
- 0 before Article III Judge
- 13 before Magistrate Judge
- 0 with parties presence required
- 13 with parties presence not required
- 2 cases where standard discovery length was followed
- 2 cases where standard discovery length was increased
- 7 cases where standard discovery length was decreased
- 10 cases where standard discovery limits were followed
- 1 cases where discovery limits were increased
- 0 cases where discovery limits were decreased

ADR SUMMARY:

- 0 ENE
- 1 Special Master
- 4 Mediation
- 0 Arbitration
- 0 Summary Bench
- 0 Summary Jury
- 0 Other

CONSENTS:

- 0 consents to first available Article III Judge
- 0 consents to proceed before a Magistrate Judge
- 0 requests for geographic reassignment.

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	SERVICE TRACK	SERV DATE	LAST DAYS	RESP RESPONSE	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REQD	DISC DAYS	DISC VAR	NUM DEPS	DEPS VAR	NUM INTS	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?
Judge Richard A. Enslin																					
4:94-cv-0086	Mosher v. United Kennel Club	06/03/94	NONE	07/22/94	49	07/08/94	35	08/08/94	31	PERS	MAG	NO	0	N/A							
4:94-cv-0094	Holmes v. S.V., Inc.	06/10/94	NONE	07/13/94	33	**/**/94	****	08/09/94	****	PERS	MAG	NO	0	N/A							YES
1:94-cv-0282	Konicov v. Banfill	05/02/94	II	**/**/94	N/A	**/**/94	****	08/04/94	****	PERS	MAG	YES	113	DEC	4	NC	20	NC			
1:94-cv-0384	Hannink v. Sunbeam-Oster Co	06/15/94	II	**/**/94	N/A	**/**/94	****	08/05/94	****	PERS	MAG	YES	104	DEC	5	INC	20	NC	MED		YES
4:94-cv-0087	Holmes v. S. V., Inc.	06/06/94	II	06/14/94	8	**/**/94	****	08/04/94	****	PERS	MAG	YES	116	DEC	5	INC	50	INC	MED		YES
5:93-cv-0025	Lansing Mercy Ambul v. Tri-City Emg	02/25/93	II	04/01/93	35	**/**/94	****	08/03/94	****	PERS	MAG	NO	57	DEC	4	NC	20	NC			
1:94-cv-0387	Butler v. Century Products Co.	06/16/94	III	**/**/94	N/A	11/21/94	158	08/10/94	????	PERS	MAG	NO	182	NC	10	INC	30	NC	MED		
1:94-cv-0263	Wadlington v. Credit Acceptance	04/22/94	VII	07/07/94	76	**/**/94	****	08/10/94	****	PERS	MAG	NO	0	N/A		N/A		N/A			

Summary for Judge Richard A. Enslin

RULE 16 CONFERENCES:

8 held within 45 days of last answer/response
 0 held greater than 45 days after last answer/response
 8 in person
 0 via telephone
 0 before Article III Judge
 8 before Magistrate Judge
 3 with parties presence required
 5 with parties presence not required
 1 cases where standard discovery length was followed
 0 cases where standard discovery length was increased
 4 cases where standard discovery length was decreased
 4 cases where standard discovery limits were followed
 3 cases where discovery limits were increased
 0 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 0 Special Master
 3 Mediation
 0 Arbitration
 0 Summary Bench
 0 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 3 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	SERVICE TRACK	SERV DATE	SERV DAYS	LAST RESPONSE	RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REQD	DISC DAYS	DISC VAR	NUM DEPS	DEPS VAR	NUM INTS	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?
Judge Robert Holmes Bell																						
1:94-cv-0343	SEC v. Bandyk	05/31/94	NONE	06/27/94	27	06/29/94	29	08/08/94	40	PERS	JUDGE	NO	0	N/A								
1:94-cv-0221	Reich v. Amer Property Mgt	04/11/94	II	06/03/94	53	**/**/94	****	08/30/94	****	TEL	JUDGE	NO	175	INC	4	NC	20	NC				
1:94-cv-0333	Albert Trostel & Son v. Lopez	05/20/94	II	**/**/94	N/A	07/06/94	47	08/10/94	35	PERS	JUDGE	NO	96	DEC	4	NC	20	NC				
1:94-cv-0360	USA v. Insulation & Env Svc	06/08/94	II	**/**/94	N/A	**/**/94	****	08/30/94	****	TEL	JUDGE	NO	175	INC	4	NC	20	NC				
2:94-cv-0168	Frankenmuth Mtl Ins v. Ace Hardware	06/28/94	II	**/**/94	N/A	07/20/94	22	08/24/94	35	TEL	MAG	NO	161	INC	4	NC	20	NC				MED
1:94-cv-0353	Bowerman v. KFC-L.E.T., Inc.	06/03/94	III	06/30/94	27	**/**/94	****	08/08/94	****	PERS	JUDGE	NO	203	INC		DEC		DEC				
1:94-cv-0264	Bakhuyzen v. Natl Railroad Corp	04/22/94	IV	**/**/94	N/A	**/**/94	****	08/30/94	****	PERS	JUDGE	NO	299	INC	WAV		WAV					SJ
1:94-cv-0281	Davis v. Natl RR Passenger	05/02/94	IV	**/**/94	N/A	**/**/94	****	08/30/94	****	PERS	JUDGE	NO	299	INC	WAV		WAV					SJ
1:94-cv-0377	Arbor Properties Ltd v. Sun Oil Co.	06/10/94	V	12/08/94	181	**/**/94	****	08/22/94	****	TEL	JUDGE	NO	0	N/A	WAV	N/A	WAV	N/A				

Summary for Judge Robert Holmes Bell

RULE 16 CONFERENCES:

9 held within 45 days of last answer/response
 0 held greater than 45 days after last answer/response
 5 in person
 4 via telephone
 8 before Article III Judge
 1 before Magistrate Judge
 0 with parties presence required
 9 with parties presence not required
 0 cases where standard discovery length was followed
 6 cases where standard discovery length was increased
 1 cases where standard discovery length was decreased
 4 cases where standard discovery limits were followed
 0 cases where discovery limits were increased
 2 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 0 Special Master
 1 Mediation
 0 Arbitration
 0 Summary Bench
 2 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 0 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	SERVICE TRACK	SERV DATE	SERV DAYS	LAST RESPONSE	RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REQD	DISC DAYS	DISC VAR	NUM DEPS	NUM DEPS VAR	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?
Judge David W. McKeague																					
1:94-cv-0431	Woods v. Triant	06/27/94	NONE	07/13/94	16	**/**/94	****	08/24/94	****	PERS	JUDGE	NO	0	N/A							
5:94-cv-0091	Malikwitz v. Rite Aid Corporation	07/08/94	II	**/**/94	N/A	07/25/94	17	08/16/94	22	TEL	JUDGE	NO	153	INC	8	INC	30	INC			
1:94-cv-0290	Lowery v. Syrewicze	05/04/94	III	05/04/94	0	**/**/94	****	08/23/94	****	PERS	JUDGE	NO	203	INC	8	NC	30	NC	MED		
1:94-cv-0347	Fernandez v. Rogers	05/31/94	III	**/**/94	N/A	11/03/94	156	08/22/94	????	PERS	JUDGE	NO	183	NC	10	INC	30	NC	MED		
1:94-cv-0466	Boersema v. Harvest Ins Agcy Inc	07/11/94	III	**/**/94	N/A	**/**/94	****	08/24/94	****	PERS	JUDGE	NO	243	INC	10	INC	30	NC	MED		
2:94-cv-0151	Zerbat v. Houghton, City of	06/06/94	III	**/**/94	N/A	11/18/94	165	08/09/94	????	TEL	MAG	NO	170	DEC	8	NC	30	NC	MED		
2:94-cv-0174	Moltfreter v. Menard, Inc.	07/05/94	III	**/**/94	N/A	07/22/94	17	08/24/94	33	TEL	MAG	NO	204	INC	12	INC	90	INC	MED		
5:94-cv-0094	Waste Mgt of MI Inc v. Ingham Count	07/12/94	III	07/22/94	10	**/**/94	****	08/22/94	****	PERS	JUDGE	NO	0	DEC		DEC		DEC			
1:94-cv-0241	Whitney National Bk v. Derke	04/15/94	IV	06/22/94	68	**/**/94	****	08/24/94	****	PERS	JUDGE	NO	22	DEC	4	DEC	30	DEC	MED		

Summary for Judge David W. McKeague

RULE 16 CONFERENCES:

9 held within 45 days of last answer/response
 0 held greater than 45 days after last answer/response
 6 in person
 3 via telephone
 7 before Article III Judge
 2 before Magistrate Judge
 0 with parties presence required
 9 with parties presence not required
 1 cases where standard discovery length was followed
 4 cases where standard discovery length was increased
 3 cases where standard discovery length was decreased
 4 cases where standard discovery limits were followed
 4 cases where discovery limits were increased
 3 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 0 Special Master
 6 Mediation
 0 Arbitration
 0 Summary Bench
 0 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 0 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	SERVICE TRACK	SERV DATE	SERV DAYS	LAST RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REQD	DISC DAYS	DISC VAR	NUM DEPS	NUM DEPS VAR	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?

Judge Gordon J. Quist																				
1:93-cv-0986	Love v. Grand Rapids, City	12/13/93	III	06/24/94	193	**/**/**	****	08/17/94	****	PERS	JUDGE	NO	0	DEC	8	NC	30	NC		
1:94-cv-0472	Cutler v. Texaco, Inc.	07/15/94	III	**/**/**	N/A	07/21/94	6	08/10/94	20	TEL	JUDGE	NO	178	NC	8	NC	30	NC	MED	
5:94-cv-0077	John Deere Indus Co v. Distr Corp	06/03/94	III	06/21/94	18	**/**/**	****	08/24/94	****	PERS	JUDGE	NO	213	INC	N/A		N/A			

Summary for Judge Gordon J. Quist

RULE 16 CONFERENCES:

3 held within 45 days of last answer/response
 0 held greater than 45 days after last answer/response
 2 in person
 1 via telephone
 3 before Article III Judge
 0 before Magistrate Judge
 0 with parties presence required
 3 with parties presence not required
 1 cases where standard discovery length was followed
 1 cases where standard discovery length was increased
 1 cases where standard discovery length was decreased
 2 cases where standard discovery limits were followed
 0 cases where discovery limits were increased
 0 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 0 Special Master
 1 Mediation
 0 Arbitration
 0 Summary Bench
 0 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 0 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	SERVICE TRACK	SERV DATE	SERV DAYS	LAST RESP	RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REGD	DISC DAYS	DISC VAR	NUM DEPS	NUM DEPS VAR	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?

Senior Judge Douglas W. Hillman																					
1:94-cv-0356	Hobbs v. Bachelder	06/03/94	NONE	06/21/94	18	**/**/**	****	08/22/94	****	TEL	MAG	NO	45	N/A	N/A		N/A				
1:94-cv-0361	Strey v. Anderson	06/08/94	NONE	07/01/94	23	07/05/94	27	08/22/94	48	PERS	MAG	NO	0	N/A							
1:94-cv-0446	Griffes v. Hommet Corporation	07/06/94	III	**/**/**	N/A	07/14/94	8	08/15/94	32	PERS	MAG	NO	183	NC	5	DEC					DEC

Summary for Senior Judge Douglas W. Hillman

RULE 16 CONFERENCES:

2 held within 45 days of last answer/response
 1 held greater than 45 days after last answer/response
 2 in person
 1 via telephone
 0 before Article III Judge
 3 before Magistrate Judge
 0 with parties presence required
 3 with parties presence not required
 1 cases where standard discovery length was followed
 0 cases where standard discovery length was increased
 0 cases where standard discovery length was decreased
 0 cases where standard discovery limits were followed
 0 cases where discovery limits were increased
 2 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 0 Special Master
 0 Mediation
 0 Arbitration
 0 Summary Bench
 0 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 0 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 2

Service, Rule 16 Conference & Consents Statistics -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE FILED	TRACK	SERVICE DATE	SERV DAYS	LAST RESPONSE	RESP DAYS	CONF DATE	CONF DAYS	CONF TYPE	CONF BEFORE	PRES REGD	DISC DAYS	DISC VAR	NUM DEPS	DEPS VAR	INTS VAR	ADR TYPE	1ST ART3?	MAG CONS?	GEO CONV?
-------------	--------------	------------	-------	--------------	-----------	---------------	-----------	-----------	-----------	-----------	-------------	-----------	-----------	----------	----------	----------	----------	----------	-----------	-----------	-----------

DISTRICT SUMMARY

RULE 16 CONFERENCES:

42 held within 45 days of last answer/response
 3 held greater than 45 days after last answer/response
 34 in person
 11 via telephone
 18 before Article III Judge
 27 before Magistrate Judge
 3 with parties presence required
 42 with parties presence not required
 6 cases where standard discovery length was followed
 13 cases where standard discovery length was increased
 16 cases where standard discovery length was decreased
 24 cases where standard discovery limits were followed
 8 cases where discovery limits were increased
 7 cases where discovery limits were decreased

ADR SUMMARY:

0 ENE
 1 Special Master
 15 Mediation
 0 Arbitration
 0 Summary Bench
 2 Summary Jury
 0 Other

CONSENTS:

0 consents to first available Article III Judge
 3 consents to proceed before a Magistrate Judge
 0 requests for geographic reassignment

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Chief Judge Gibson										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	0	0	1	0	1	0	0	1	0
Changes in Trial Date	0	0	0	0	0	0	0	0	0	0
Dispositive Motions Decided within 120 days after filing	0	0	5	1	0	6	0	5	11	5
Percentage of Dispositive Motions Decided within 120 days	0%	0%	100%	100%	0%	55%	0%	100%	69%	71%
Dispositive Motions NOT Decided within 120 days after filing	0	5	0	0	0	5	0	0	5	2
Percentage of Dispositive Motions NOT Decided within 120 days	0%	100%	0%	0%	0%	45%	0%	0%	31%	29%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN – MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Judge Enslin										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	1	0	0	0	1	0	0	1	0
Changes in Trial Date	0	0	0	0	0	0	0	0	0	0
Dispositive Motions Decided within 120 days after filing	0	2	2	0	1	5	0	3	8	5
Percentage of Dispositive Motions Decided within 120 days	0%	67%	100%	0%	100%	83%	0%	100%	89%	71%
Dispositive Motions NOT Decided within 120 days after filing	0	1	0	0	0	1	0	0	1	2
Percentage of Dispositive Motions NOT Decided within 120 days	0%	33%	0%	0%	0%	17%	0%	0%	11%	29%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Judge Bell										
Changes in Discovery Limits	0	1	0	0	0	1	0	0	1	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	1	1	0	0	2	0	0	2	0
Changes in Trial Date	0	1	1	0	0	2	0	0	2	0
Dispositive Motions Decided within 120 days after filing	0	2	1	0	0	3	0	5	8	7
Percentage of Dispositive Motions Decided within 120 days	0%	100%	100%	0%	0%	100%	0%	100%	100%	50%
Dispositive Motions NOT Decided within 120 days after filing	0	0	0	0	0	0	0	0	0	7
Percentage of Dispositive Motions NOT Decided within 120 days	0%	0%	0%	0%	0%	0%	0%	0%	0%	50%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Judge McKeague										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	0	1	0	0	1	0	0	1	0
Changes in Trial Date	0	0	1	0	0	1	0	0	1	0
Dispositive Motions Decided within 120 days after filing	0	0	3	3	0	6	0	2	8	8
Percentage of Dispositive Motions Decided within 120 days	0%	0%	75%	100%	0%	86%	0%	100%	67%	80%
Dispositive Motions NOT Decided within 120 days after filing	0	0	1	0	0	1	3	0	4	2
Percentage of Dispositive Motions NOT Decided within 120 days	0%	0%	25%	0%	0%	14%	100%	0%	33%	20%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Judge Quist										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	0	0	0	0	0	0	0	0	0
Changes in Trial Date	0	0	1	0	0	1	1	0	2	0
Dispositive Motions Decided within 120 days after filing	0	0	1	1	0	2	0	3	5	6
Percentage of Dispositive Motions Decided within 120 days	0%	0%	14%	100%	0%	20%	0%	75%	36%	75%
Dispositive Motions NOT Decided within 120 days after filing	0	2	6	0	0	8	0	1	9	2
Percentage of Dispositive Motions NOT Decided within 120 days	0%	100%	86%	0%	0%	80%	0%	25%	64%	25%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Senior Judge Miles										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	0	0	0	0
Suspension of Discovery	0	0	0	1	0	1	0	0	1	0
Changes in Trial Date	0	0	0	0	0	0	0	0	0	0
Dispositive Motions Decided within 120 days after filing	0	0	0	0	0	0	0	0	0	3
Percentage of Dispositive Motions Decided within 120 days	0%	0%	0%	0%	0%	0%	0%	0%	0%	60%
Dispositive Motions NOT Decided within 120 days after filing	0	0	0	0	0	0	0	0	0	2
Percentage of Dispositive Motions NOT Decided within 120 days	0%	0%	0%	0%	0%	0%	0%	0%	0%	40%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
Senior Judge Hillman										
Changes in Discovery Limits	0	0	0	0	0	0	0	0	0	0
Changes in Track Assignment	0	0	0	0	0	0	1	0	1	0
Suspension of Discovery	0	1	1	0	0	2	0	0	2	0
Changes in Trial Date	0	2	0	0	0	2	0	0	2	0
Dispositive Motions Decided within 120 days after filing	0	2	0	0	0	2	0	0	2	6
Percentage of Dispositive Motions Decided within 120 days	0%	100%	0%	0%	0%	100%	0%	0%	100%	100%
Dispositive Motions NOT Decided within 120 days after filing	0	0	0	0	0	0	0	0	0	0
Percentage of Dispositive Motions NOT Decided within 120 days	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN -- MONTHLY DCM STATISTICAL REPORT

JUDGE NAME or INFO TYPE	VOL TRACK	EXP TRACK	STAND TRACK	COMPLEX TRACK	H COMP TRACK	TOTAL DCM CASES	NON-DCM TRACK	NO TRACK	TOTAL ALL CASES	ADMIN* TRACK
DISTRICT TOTALS										
Changes in Discovery Limits	0	1	0	0	0	1	0	0	1	0
Changes in Track Assignment	0	0	0	0	0	0	1	0	1	0
Suspension of Discovery	0	3	3	2	0	8	0	0	8	0
Changes in Trial Date	0	3	3	0	0	6	1	0	7	0
Dispositive Motions Decided within 120 days after filing	0	6	12	5	1	24	0	18	42	40
Percentage of Dispositive Motions Decided within 120 days	0%	43%	63%	100%	100%	62%	0%	95%	69%	70%
Dispositive Motions NOT Decided within 120 days after filing	0	8	7	0	0	15	3	1	19	17
Percentage of Dispositive Motions NOT Decided within 120 days	0%	57%	37%	0%	0%	38%	100%	5%	31%	30%

* For the Administrative Track, a cutoff of 240 days is used instead of the usual 120 days for deciding dispositive motions.

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ MC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
Chief Judge Benjamin Gibson									
No Track:									
1:93-cv-0549	Paradise Creations vs Meijer, Inc.	08/02/94	382	YES	NO	NO	NO		N/A
1:94-cv-0198	Bugbee vs Crisken Group	08/11/94	133	YES	NO	NO	NO		N/A
1:94-cv-0229	Foreverendeavor Mus vs Large	08/12/94	121	NO	NO	NO	YES	Default	N/A
1:94-cv-0327	Carney vs UAW	08/12/94	87	YES	NO	NO	NO		N/A
1:94-cv-0336	Battle Creek Health vs Paradigm Med Teams	08/03/94	72	NO	NO	NO	YES	Default	N/A
1:94-cv-0415	Wallace vs Metro Life Ins Co	08/30/94	69	YES	NO	NO	NO		N/A
4:94-cv-0030	TMCCHWF vs Carpentry Contr Inc	08/01/94	157	NO	NO	NO	YES	Default	N/A
4:94-cv-0128	Flatt vs Schma	08/25/94	8	NO	NO	YES	NO	Other Dismissal	N/A
5:94-cv-0089	MI Consolidated Gas vs NGC Energy Resources	08/01/94	33	NO	NO	NO	YES	Voluntarily	N/A
Expedited Track:									
1:93-cv-0517	Snyder vs Boston Whaler Inc	08/02/94	392	NO	YES	NO	NO		NO
1:93-cv-0856	Central States vs Gelock Transfer Line	08/30/94	309	YES	NO	NO	NO		YES
5:93-cv-0052	Leek vs Verson Allsteel Corp	08/30/94	490	YES	NO	NO	NO		NO
Standard Track:									
1:93-cv-0111	Datema vs Ingersoll-Rand Co	08/01/94	537	NO	NO	NO	YES	Voluntarily	NO
1:93-cv-0311	Strait vs Freedom Chevrolet	08/15/94	476	NO	NO	YES	NO		NO
1:93-cv-0364	Comerica Bank vs "Trouble" The Vessel	08/02/94	448	YES	NO	NO	NO		YES
1:93-cv-0800	Tebeau vs Moore Business Forms	08/31/94	330	YES	NO	NO	NO		YES
1:94-cv-0223	Bakhuyzen vs Homestead Ins Co	08/15/94	126	YES	NO	NO	NO		YES
5:93-cv-0104	Gideons vs MWR, Inc.	08/30/94	365	NO	NO	NO	YES	Other Dismissal	YES
Complex Track:									
1:93-cv-0086	IL Envelope Company vs Continental Casualty	08/30/94	574	YES	NO	NO	NO		YES
Administrative Track:									
1:93-cv-0028	Selinski vs Johnson	08/11/94	575	NO	NO	NO	YES	Other Dismissal	N/A
1:93-cv-0591	Wirick vs McGinnis	08/31/94	393	NO	NO	NO	YES	Other Judgment	N/A
1:93-cv-0659	Banks vs McGinnis	08/31/94	379	NO	NO	NO	YES	Other Judgment	N/A
1:93-cv-0850	Hoblit vs Secy of HHS	08/02/94	285	NO	NO	NO	YES	Appeal Affirmed	N/A
1:93-cv-0863	Sean vs Shalala	08/31/94	309	NO	NO	NO	YES	Appeal Affirmed	N/A
1:94-cv-0103	Kroll vs IRS	08/11/94	174	NO	NO	NO	YES	Appeal Affirmed	N/A
1:94-cv-0219	Steele vs Abramajtys	08/30/94	141	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0234	Belanger vs McGinnis	08/30/94	137	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0294	Gallardo-Hernandez vs USA	08/30/94	117	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0318	Johnson vs Cory	08/30/94	105	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0540	Troyer vs Underwood	08/31/94	20	NO	NO	YES	NO	Other Dismissal	N/A
4:94-cv-0113	Burt vs Abramajtys	08/01/94	14	NO	NO	YES	NO	Other Judgment	N/A
4:94-cv-0120	Moore vs Jabe	08/30/94	26	NO	NO	YES	NO	Other Dismissal	N/A
5:94-cv-0050	Chapman vs Owens	08/30/94	152	NO	NO	NO	YES	Other Dismissal	N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Chief Judge Benjamin Gibson

- 10 settled
- 1 dismissed by granting a dispositive motion
- 1 trials held
- 4 dismissed as frivolous or as habeas rule 4
- 17 other dispositions
- 6 cases disposed within track limits
- 4 cases NOT disposed within track limits

240 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ MC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME

Judge Richard Enslin									
No Tracks:									
1:94-cv-0149	R & S Trans & Logist vs Coastal Container	08/08/94	147	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0330	Ranir/DCP Corp vs Procter & Gamble Co.	08/17/94	90	NO	NO	NO	YES	Voluntarily	N/A
1:94-cv-0350	Hunt vs USA	08/31/94	90	YES	NO	NO	NO		N/A
1:94-cv-0412	USA vs Hayes	08/24/94	64	NO	NO	NO	YES	Voluntarily	N/A
1:94-cv-0447	Westshore Engineer vs Schmeling	08/22/94	47	NO	NO	NO	YES	Remanded to State Court	N/A
1:94-cv-0515	Mitan Properties Co vs Franderson Prop	08/04/94	3	NO	NO	NO	YES	Remanded to State Court	N/A
4:93-cv-0110	Little vs Kalamazoo Pub School	08/11/94	406	NO	NO	NO	YES	Other Judgment	N/A
4:94-cv-0055	USA vs Curtin	08/30/94	141	NO	NO	NO	YES	Voluntarily	N/A
4:94-cv-0086	Mosher vs United Kennel Club	08/23/94	81	YES	NO	NO	NO		N/A
5:94-cv-0087	Ciarkowski vs McLachlan Drilling	08/04/94	37	YES	NO	NO	NO		N/A
5:94-cv-0112	Franderson Prop vs Mitan	08/04/94	2	NO	NO	NO	YES	Remanded to State Court	N/A
Expedited Track:									
1:93-cv-0535	S-2 Yachts, Inc. vs WMJB Marine, Inc.	08/31/94	418	NO	NO	NO	YES	Other Judgment	NO
1:93-cv-0695	Johnson vs Bd of Educ Nর্থview	08/08/94	342	NO	NO	NO	YES	Voluntarily	YES
1:93-cv-0810	Westphal vs Simplex Time Co	08/23/94	319	YES	NO	NO	NO		YES
1:93-cv-0874	United Steelworkers vs Amer Logging Tool	08/16/94	291	YES	NO	NO	NO		YES
4:94-cv-0036	Grulke vs Stryker Instruments	08/29/94	175	YES	NO	NO	NO		YES
4:94-cv-0063	Berry vs Whitley	08/22/94	118	YES	NO	NO	NO		YES
Standard Track:									
1:92-cv-0772	Larsen Leasing Inc vs U.S. Cement Inc.	08/24/94	653	YES	NO	NO	NO		NO
1:93-cv-0465	Lawrence vs Holland Group Inc	08/31/94	440	YES	NO	NO	NO		YES
5:93-cv-0070	Austin vs St. Joseph, City of	08/31/94	453	YES	NO	NO	NO		NO
Administrative Track:									
1:93-cv-0707	McVeigh vs Rickert	08/23/94	354	NO	YES	NO	NO		N/A
1:93-cv-0854	Hinds vs DeRose	08/24/94	303	NO	YES	NO	NO		N/A
1:94-cv-0365	Watson vs U.S. Atty General	08/15/94	67	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0411	Coleman vs Guss Harrison Region	08/24/94	64	NO	NO	NO	YES	Other Dismissal	N/A
4:94-cv-0004	Stafford vs Day	08/15/94	223	NO	YES	NO	NO		N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Judge Richard Enslin

- 10 settled
- 3 dismissed by granting a dispositive motion
- 0 trials held
- 1 dismissed as frivolous or as habeas rule 4
- 11 other dispositions
- 6 cases disposed within track limits
- 3 cases NOT disposed within track limits

213 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ NC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
Judge Robert Holmes Bell										
No Track:										
1:94-cv-0170	IPM Group, Ltd. vs ADCO Die-Cast Corp	08/15/94	147	NO	YES	NO	NO	NO		N/A
1:94-cv-0292	USA vs Hausmann	08/09/94	97	YES	NO	NO	NO	NO		N/A
1:94-cv-0339	Potter vs General Motors Corp	08/10/94	76	NO	NO	NO	NO	YES	Remanded to State Court	N/A
1:94-cv-0343	SEC vs Bandyk	08/01/94	62	NO	NO	NO	NO	YES	Other Judgment	N/A
1:94-cv-0388	USA vs Mercedes VIN#W8DA28	08/19/94	64	NO	NO	NO	NO	YES	Default	N/A
1:94-cv-0508	Matthews vs Morningstar	08/09/94	12	NO	NO	NO	YES	NO	Other Dismissal	N/A
1:94-cv-0579	Campbell vs Brusstar	08/31/94	2	NO	NO	NO	YES	NO	Other Dismissal	N/A
4:93-cv-0177	Auto Diagnostics vs Auto Test Products	08/31/94	306	NO	NO	NO	NO	YES		N/A
4:94-cv-0060	Morren vs Petersen	08/23/94	125	NO	NO	NO	NO	YES	Default	N/A
4:94-cv-0119	DeLazzer vs Grant	08/31/94	27	NO	NO	NO	YES	NO	Other Dismissal	N/A
5:94-cv-0115	Frاندorson Prop vs Mitan	08/24/94	15	NO	NO	NO	NO	YES	Remanded to State Court	N/A
5:94-cv-0116	Mitan Properties Co vs Frاندorson Prop	08/24/94	15	NO	NO	NO	NO	YES	Remanded to State Court	N/A
Expedited Track:										
2:93-cv-0251	Hiltunen vs USA	08/31/94	289	NO	NO	NO	NO	YES	Other Judgment	YES
2:94-cv-0079	Tackman vs UNUM Life Insurance	08/12/94	151	NO	YES	NO	NO	NO		YES
Standard Track:										
1:93-cv-1012	Breuer vs Johnson & Johnson VA	08/01/94	223	YES	NO	NO	NO	NO		YES
5:94-cv-0067	Jolliffe vs Enterprse Rent-A-Car	08/10/94	92	NO	NO	NO	NO	YES	Remanded to State Court	YES
Administrative Tracks:										
1:93-cv-0123	Johnson vs Johnson	08/01/94	530	NO	NO	NO	NO	YES	Other Dismissal	N/A
1:93-cv-0332	Wash vs Pitcher	08/01/94	460	NO	YES	NO	NO	NO		N/A
1:94-cv-0041	Hackey vs Edmonds	08/15/94	203	NO	YES	NO	NO	NO		N/A
1:94-cv-0301	Sarlund vs Varnum Riddering	08/08/94	90	NO	NO	NO	NO	YES	Voluntarily	N/A
1:94-cv-0403	Boatwright vs Koenigskecht	08/22/94	66	NO	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0507	Hawk vs Toombs	08/09/94	13	NO	NO	NO	YES	NO	Other Dismissal	N/A
1:94-cv-0552	Jihad vs Gabry	08/31/94	14	NO	NO	NO	YES	NO	Other Dismissal	N/A
2:93-cv-0185	Muhammad vs Hawley	08/01/94	335	NO	YES	NO	NO	NO		N/A
2:93-cv-0189	Muhammad vs Wood	08/01/94	326	NO	YES	NO	NO	NO		N/A
2:93-cv-0241	Ahmad vs Ordway	08/23/94	295	NO	YES	NO	NO	NO		N/A
2:94-cv-0115	Bradford vs Shie	08/01/94	95	NO	NO	NO	YES	NO	Other Judgment	N/A
2:94-cv-0153	Griffin vs Hawley	08/19/94	72	NO	NO	NO	YES	NO	Other Judgment	N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Judge Robert Holmes Bell

2 settled
7 dismissed by granting a dispositive motion
0 trials held
7 dismissed as frivolous or as habeas rule 4
12 other dispositions
4 cases disposed within track limits
0 cases NOT disposed within track limits

150 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
Judge David McKeague										
No Track:										
1:94-cv-0120	USA vs Klahn	08/19/94	171	NO	NO	NO	NO	YES	Default	N/A
1:94-cv-0274	USA vs \$15,049 US Currency	08/22/94	116	NO	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0431	Woods vs Triant	08/30/94	64	YES	NO	NO	NO	NO		N/A
1:94-cv-0557	Moore vs Muskegon, County of	08/30/94	13	NO	NO	NO	YES	NO	Other Dismissal	N/A
2:94-cv-0111	Peterson vs Menard, Inc.	08/09/94	110	NO	YES	NO	NO	NO		N/A
Expedited Track:										
1:93-cv-0756	Meldrum vs RPH, Inc.	08/29/94	341	YES	NO	NO	NO	NO		YES
Standard Track:										
1:93-cv-0427	Premier Indust Corp vs Hes	08/22/94	445	YES	NO	NO	NO	NO		YES
1:93-cv-0459	Marose vs Fowler	08/19/94	430	YES	NO	NO	NO	NO		YES
1:93-cv-0507	Mobilio vs Fowler	08/19/94	415	YES	NO	NO	NO	NO		YES
1:93-cv-1029	Croteau vs Amoco Oil Company	08/25/94	238	YES	NO	NO	NO	NO		YES
1:94-cv-0113	Borisch vs Technical Sys Inc	08/12/94	169	YES	NO	NO	NO	NO		YES
5:93-cv-0066	Central States vs Crandell Brothers	08/19/94	448	NO	NO	NO	NO	YES	Default	YES
Complex Track:										
1:93-cv-0884	Rutcoskey vs U-Haul, Inc.	08/02/94	274	NO	YES	NO	NO	NO		YES
Administrative Track:										
1:93-cv-0387	Williams vs Johnson	08/12/94	448	NO	NO	NO	NO	YES	Appeal Affirmed	N/A
1:93-cv-0731	Baldus vs Secy of HHS	08/15/94	336	NO	NO	NO	NO	YES	Appeal Affirmed	N/A
1:94-cv-0124	Pew, et al vs MI River Outfitters	08/09/94	159	NO	NO	NO	NO	YES	Appeal Reversed	N/A
1:94-cv-0473	Hawk vs Klienhardt	08/12/94	25	NO	NO	NO	YES	NO	Other Dismissal	N/A
1:94-cv-0518	Brim vs Jackson	08/08/94	5	NO	NO	NO	NO	YES	Transfer to Other District	N/A
1:94-cv-0576	Corsetti vs Elo	08/30/94	4	NO	NO	NO	NO	YES	Transfer to Other District	N/A
2:94-cv-0002	Glenn vs Baker	08/02/94	211	NO	NO	NO	NO	YES	Other Judgment	N/A
2:94-cv-0019	Cromer vs McVannel	08/26/94	205	NO	NO	NO	NO	YES	Other Judgment	N/A
2:94-cv-0146	Coleman vs MacMeekin	08/22/94	83	NO	NO	NO	YES	NO	Other Judgment	N/A
2:94-cv-0152	Williams vs McCarroll	08/22/94	75	NO	NO	NO	YES	NO	Other Judgment	N/A
4:93-cv-0111	Nayes vs Secy of HHS	08/09/94	399	NO	NO	NO	NO	YES	Appeal Affirmed	N/A
NON-DCM Track:										
1:93-cv-0361	EEOC vs Regency Windsor Mgt	08/30/94	477	YES	NO	NO	NO	NO		N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Judge David McKeague

8 settled
2 dismissed by granting a dispositive motion
0 trials held
4 dismissed as frivolous or as habeas rule 4
11 other dispositions
8 cases disposed within track limits
0 cases NOT disposed within track limits

226 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME

Judge Gordon Quist									
No Track:									
1:94-cv-0331	USA vs 11058 Garfield Road	08/22/94	94	YES	NO	NO	NO		N/A
2:94-cv-0109	Northrup vs Ironworkers	08/16/94	120	YES	NO	NO	NO		N/A
Expedited Track:									
1:93-cv-0832	Countrywide Funding vs Cntrywide Financial	08/11/94	300	NO	YES	NO	NO		YES
Standard Track:									
1:94-cv-0027	Baddour vs Boyne USA, Inc.	08/23/94	217	YES	NO	NO	NO		YES
2:93-cv-0049	Campbell vs Textron, Inc.	08/09/94	545	YES	NO	NO	NO		NO
Administrative Track:									
2:93-cv-0214	Harpe vs Hawley	08/24/94	316	NO	NO	NO	NO	YES	Other Judgment
2:93-cv-0224	Honeycutt vs Carlyon	08/15/94	305	NO	NO	NO	NO	YES	Other Judgment
2:94-cv-0207	USA vs Anthony	08/24/94	7	NO	NO	NO	NO	YES	Other Dismissal
NON-DCM Track:									
1:94-cv-0519	USA vs Smalley	08/19/94	16	YES	NO	NO	NO		N/A
4:93-cv-0050	Cronk vs Leto	08/09/94	484	YES	NO	NO	NO		N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY OCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Judge Gordon Quist

- 6 settled
- 1 dismissed by granting a dispositive motion
- 0 trials held
- 0 dismissed as frivolous or as habeas rule 4
- 3 other dispositions
- 2 cases disposed within track limits
- 1 cases NOT disposed within track limits

240 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ NC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
Senior Judge Wendell Miles									
No Track:									
1:94-cv-0389	Carpentier vs Meljar, Inc.	08/05/94	50	YES	NO	NO	NO		N/A
Standard Tracks:									
1:92-cv-0907	MI Dept of Transport vs Grable & Sons Mtl	08/08/94	585	YES	NO	NO	NO		NO
1:93-cv-1007	USA vs One Certificate	08/05/94	231	YES	NO	NO	NO		YES
Administrative Track:									
1:93-cv-0603	Dunham vs Dyke	08/05/94	366	NO	NO	NO	YES	Other Dismissal	N/A
1:94-cv-0231	Young-El vs MI Dept of Correc	08/05/94	112	NO	NO	NO	YES	Other Judgment	N/A
1:94-cv-0566	Watson vs Reidly	08/29/94	10	NO	NO	NO	YES	Transfer to Other District	N/A
4:94-cv-0021	Long vs Lori	08/26/94	207	NO	NO	YES	NO	Other Judgment	N/A
4:94-cv-0064	Gillespie vs Lori	08/26/94	122	NO	NO	YES	NO	Other Dismissal	N/A
5:93-cv-0151	Barrow vs Wilson	08/26/94	266	NO	YES	NO	NO		N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

Summary for Senior Judge Wendell Miles

- 3 settled
- 1 dismissed by granting a dispositive motion
- 0 trials held
- 2 dismissed as frivolous or as habeas rule 4
- 3 other dispositions
- 1 cases disposed within track limits
- 1 cases NOT disposed within track limits

216 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY OCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
Senior Judge Douglas Hillman									
No Track:									
1:94-cv-0361	Stray vs Anderson	08/26/94	79	NO	NO	NO	YES	Voluntarily	N/A
1:94-cv-0484	Beck vs Weed	08/10/94	20	NO	NO	YES	NO	Other Dismissal	N/A
4:94-cv-0024	Kalsac, Inc. vs Jaystar Intl Inc	08/04/94	175	NO	NO	NO	YES	Statistical Closing	N/A
Standard Track:									
1:93-cv-0132	Bartz vs Hoskins Mfg Co	08/10/94	538	NO	NO	NO	YES	Want of Prosecution	NO
Administrative Tracks:									
1:93-cv-0518	Kolbe vs Secy of HHS	08/02/94	392	NO	NO	NO	YES	Appeal Affirmed	N/A
1:93-cv-0654	Pickens vs Secy of HHS	08/26/94	375	NO	NO	NO	YES	Appeal Affirmed	N/A
1:94-cv-0482	Ryder vs McGinnis	08/30/94	40	NO	NO	NO	YES	Voluntarily	N/A
1:94-cv-0505	Pippen-EI vs Palus	08/26/94	30	NO	NO	YES	NO	Other Dismissal	N/A
1:94-cv-0546	Landis vs MI Dept of Correc	08/26/94	10	NO	NO	YES	NO	Other Dismissal	N/A
4:94-cv-0131	Jabbar vs Williams	08/26/94	7	NO	NO	YES	NO	Other Dismissal	N/A

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	DISPOSITIVE SETTLED	TRIAL MOTION	FRIVOLOUS/ HELD	OTHER NC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	------------------------	-----------------	--------------------	--------------------	----------------------	------------------------------	---------------------

Summary for Senior Judge Douglas Hillman

0 settled
 0 dismissed by granting a dispositive motion
 0 trials held
 4 dismissed as frivolous or as habeas rule 4
 6 other dispositions
 0 cases disposed within track limits
 1 cases NOT disposed within track limits

166 days on average to disposition

UNITED STATES DISTRICT COURT -- WESTERN DISTRICT OF MICHIGAN

MONTHLY DCM STATISTICAL REPORT -- PART 4

Case Terminations -- 08/01/94 thru 08/31/94

CASE NUMBER	CASE CAPTION	DATE CLOSED	DAYS TO DISPOSITION	SETTLED	DISPOSITIVE MOTION	TRIAL HELD	FRIVOLOUS/ HC RULE 4	OTHER DISPOSITION	TYPE OF OTHER DISPOSITION	DISPOSED IN TIME
-------------	--------------	----------------	------------------------	---------	-----------------------	---------------	-------------------------	----------------------	------------------------------	---------------------

District Summary

39 settled
15 dismissed by granting a dispositive motion
1 trials held
22 dismissed as frivolous or as habeas rule 4
63 other dispositions
27 cases disposed within track limits
10 cases NOT disposed within track limits

208 days on average to disposition