

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**



**FISCAL YEAR 2012 ANNUAL REPORT**

**THE JUDICIAL BUSINESS OF THE  
DISTRICT OF MARYLAND**

## **DISTRICT JUDGES**

(One Vacancy)

### Active Judges

Richard D. Bennett  
Catherine C. Blake  
James K. Bredar  
Deborah K. Chasanow, Chief  
Ellen Lipton Hollander  
William D. Quarles, Jr.  
George Levi Russell, III  
Roger W. Titus  
Alexander Williams, Jr.  
Vacancy (as of June 8, 2012)

### Senior Judges

Walter E. Black, Jr. (Retired)  
Marvin J. Garbis  
Alexander Harvey II (Retired)  
Benson Everett Legg  
Peter J. Messitte  
J. Frederick Motz  
William M. Nickerson  
Frederic N. Smalkin (Retired)  
Joseph H. Young (Retired)

## **MAGISTRATE JUDGES**

(No Vacancies)

### Full-Time

William Connelly  
Charles B. Day  
Thomas M. DiGirolamo  
Stephanie A. Gallagher  
Susan K. Gauvey  
Beth P. Gesner  
Paul W. Grimm, Chief  
Jillyn K. Schulze

### Part-Time

C. Bruce Anderson  
Victor H. Laws III (Retired)

## **BANKRUPTCY JUDGES**

(No Vacancies)

### Active Judges

Nancy V. Alquist, Chief  
Thomas J. Catliota  
Robert A. Gordon  
Wendelin I. Lipp  
Paul Mannes  
David E. Rice  
James F. Schneider

### Recalled Judges

E. Stephen Derby  
Duncan W. Keir

## **COURT UNIT EXECUTIVES**

Felicia C. Cannon, Clerk, U.S. District Court  
Mark Sammons, Clerk, U.S. Bankruptcy Court  
William Henry, Chief, U.S. Probation and Pretrial Services

**COURTHOUSES AND FACILITIES OF THE DISTRICT OF MARYLAND**



**Northern Division Courthouse  
Baltimore, Maryland**



**Southern Division Courthouse  
Greenbelt, Maryland**



**Courtroom, M.R. Toulson Federal Building  
Salisbury, Maryland**

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## MILESTONES

### District Court

The United States District Court for the District of Maryland passed a number of significant milestones in fiscal year 2012. On March 21, 2012, part-time Magistrate Judge Victor H. Laws III retired from the bench after twenty-four years of service. Judge Laws handled the Central Violation Bureau (CVB) docket in Salisbury, Maryland – informally known as “the Bird Docket” – and presided over CVB dockets at the Aberdeen Proving Grounds and Fort Meade. After an extensive interview process, C. Bruce Anderson was selected by the district judges to fill the vacancy created by Judge Laws’ retirement. Judge Anderson took the oath of office on March 22, 2012. On April 26, a joint portrait unveiling and investiture ceremony was held on Maryland’s Eastern Shore in honor of Judge Laws and Judge Anderson. Judge Laws’ portrait now hangs next to the portrait of Judge James K. Bailey in the district’s courtroom at the M.R. Toulson Federal Building and Courthouse in Salisbury.

Judge Benson Everett Legg celebrated his transition into senior status on June 8, 2012. In recognition of Judge Legg’s twenty-one years as an active district judge, including a seven-year term as the district’s chief judge, the court unveiled his portrait at a ceremony on September 21, 2012. The portrait artist, Dean L. Paules, was present for the unveiling. Judge Legg’s portrait is the most recent of a long history of district judge portraits, dating back to 1790, on display in the district’s federal courthouses.

On September 28, 2012, the district court celebrated the appointment of a new district judge with the formal investiture ceremony of Judge George Levi Russell, III, at the Baltimore courthouse. After serving as a judge on the Circuit Court for Baltimore City for a number of years, Judge Russell was nominated to the district court bench by President Barack Obama on November 10, 2011. He was commissioned on May 22, 2012, filling the seat vacated in September 2008, when Judge Peter J. Messitte took senior status.

Fiscal year 2012 also saw the reappointment of two experienced magistrate judges. Judge Susan K. Gauvey, who was first appointed as a magistrate judge on February 26, 1996, was sworn-in to a new eight-year term on December 20, 2011. Judge Thomas M. DiGirolamo was reappointed on March 20, 2012. He was first appointed as a part-time magistrate judge in 1998 and assumed his present full-time role on June 30, 2004.

### Bankruptcy Court

Bankruptcy Judges Paul Mannes and James F. Schneider both celebrated thirty years of service to the court this year. Judge Mannes attained this remarkable milestone on December 30, 2011, and Judge Schneider celebrated his anniversary on February 1, 2012.

On May 31, 2012, the Honorable Duncan W. Keir ended his term as chief bankruptcy

judge for the United States Bankruptcy Court for the District of Maryland. In accordance with the authority conferred by 28 U.S.C. § 154(b), the district court designated United States Bankruptcy Judge Nancy V. Alquist as the next chief bankruptcy judge effective as of June 1, 2012, for a term of seven years. Judge Alquist is the first female chief bankruptcy judge in the long and distinguished history of the United States Bankruptcy Court for the District of Maryland. Her appointment followed the elevation of District Judge Deborah K. Chasanow, in January 2010, as the first female chief judge of the district court and the first chief judge from the district's southern division.

## **COURT ORGANIZATION AND GOVERNANCE**

The federal bench in Maryland has a long history of collegiality in conducting the business of the district. The district judges in both divisions maintain regular contact through weekly video-conferenced bench meetings. On the first Wednesday of each month, magistrate and bankruptcy judges, court unit executives, representatives of the United States Attorney's office, the Federal Public Defender's office, the United States Marshal Service, GSA, pro se staff attorneys, the Bureau of Prisons, court reporters, and CJA attorneys join the district judges in a consolidated bench meeting.

The court strives to focus on continuous communication and coordination of operations between its different divisions and court units. It continues to rely on a strong committee system that actively involves clerk's office personnel and members of the local bar, as well as judges. Frequent meetings, including those among the unit executives, are an essential part of the court's administration. The court units – namely, the district court, the bankruptcy court, and the consolidated probation and pretrial services office – work closely together to manage the resources of the district. The unit executives meet formally and informally with the chief judge and each other to discuss budget and case management issues affecting the district.

## **BENCH/BAR RELATIONSHIPS**

Cooperative efforts among the bench and bar continue with regular committee meetings, including the Attorney Admission Fund Committee, the Bench-Bar Liaison Committee, and the Bankruptcy Bar Association/District Court Liaison Committee. At these meetings, committee members address court business, review local rules and procedures, and plan educational programs throughout the year in which the district's judges actively participate. The court's Bench/Bar Conference is a biennial event, which includes the presentation of an award recognizing an attorney, law firm, or group of attorneys for outstanding service to the court.

In recent years, the bench has worked closely with the bar to establish the Historical Society of the United States District Court for the District of Maryland, which has already implemented the first of several planned exhibits. In the spring of 2011, a display including photographs, artifacts, and text highlighting Maryland's rich history of admiralty law was installed on the third floor of the Baltimore courthouse. A committee of admiralty lawyers and others, supported by the professional expertise of a design firm, created the exhibit. The court and the Historical Society are planning future exhibits for both the Baltimore and Greenbelt courthouses addressing the Chesapeake Bay, civil rights, and the Civil War. Oral history projects and projects related to the preservation of portraits and historical documents are also underway. The court's strategic goal in this regard is to preserve and display the history of the federal judicial system in Maryland.

## **COMMUNITY AND INTERNATIONAL OUTREACH**

### **District Court**

Several of the district's judges serve on national and state committees that foster the continuing education of citizens and international tribunals regarding the operations of the federal judiciary. Judge Peter J. Messitte is an honorary citizen of São Paulo, Brazil; Ribeirão Preto in the state of São Paulo; and Uberlândia in the state of Minas Gerias, Brazil. Judge Messitte has traveled to South America and around the world, participating in educational programs to encourage the development of effective court systems in other countries. Judge Marvin J. Garbis teaches intellectual property and patent law internationally. Judge Richard D. Bennett has worked closely with the court systems in Russia and neighboring countries, and currently serves on the Judicial Conference Committee on International Judicial Relations, continuing the court's long history of service on this committee, including prior service by Judge Messitte and former District Judge Andre M. Davis, who is now on the Fourth Circuit.

The Baltimore and Greenbelt courthouses continue to host judges, attorneys, administrators, and students from foreign countries. The district's international outreach efforts over the past few years have included hosting guests from Argentina, Brazil, Bolivia, Chile, China, Colombia, Costa Rica, the Dominican Republic, the Eastern Caribbean, Ecuador, Egypt, El Salvador, Guatemala, Honduras, Israel, Italy, Japan, Jordan, Kazakhstan, Korea, Kyrgyzstan, Lebanon, Malaysia, Moldova, Nicaragua, Nigeria, Pakistan, Paraguay, Peru, the Philippines,

Russia, Turkey, Ukraine, Uruguay, and Venezuela. Judges in this district have also traveled to Argentina, China, Estonia, Iraq, Portugal, Russia, Turkey, and Ukraine for judicial education programs.

The District Court Clerk's Office continues to arrange for federal agencies to use courtrooms for executive branch hearings. These agencies include the United States Department of Labor, the National Transportation Safety Board, the United States Tax Court, and the United States Merit Systems Protection Board. This year, the district also hosted several Federal Bar Association programs, the United States Attorney's Office awards ceremony, and several CJA panel training sessions.

Fiscal year 2012 began with the seventh biennial Bench/Bar Conference, which was held on October 21, 2011, at the Baltimore courthouse. The keynote speaker for this event was Richard W. Cass, the President of the Baltimore Ravens. The conference included a panel discussion regarding recent developments in civil and criminal law and a presentation by the Historical Society of the United States District Court for the District of Maryland. Herbert Better, President of the Historical Society, and a committee of local practitioners working with him, were honored with the court's Exceptional Service Award for their work in creating an exceptional admiralty law exhibit displayed on the third floor of the Baltimore courthouse. The Bench/Bar Conference closed with a "State of the Court" address by Chief Judge Deborah K. Chasanow, and a reception followed.

On November 4, 2011, Magistrate Judge Susan K. Gauvey hosted the annual Open Doors program in Baltimore. The program, which involves children from various local high schools, includes mock trials, discussions with unit executives and judges, and lunch with the bench. On the same date, the former and current district, bankruptcy, magistrate, and local Fourth Circuit judges and their spouses met for a dinner in Baltimore.

In December 2011, holiday open houses and staff holiday luncheons were held in the Baltimore and Greenbelt courthouses to thank staff members of all court units and members of the bar for their commitment and dedication to the court throughout the year.

Consistent with the Strategic Planning Report adopted by the district court in March 1999, and the subsequent Interim Report approved and adopted in July 2001, the court's Strategic Planning Committee began meeting in January 2010 to review the 1999 report and 2001 interim report. The Committee consisted of district and magistrate judges, as well as clerk's office staff, and consulted with the bankruptcy court, unit executives, and agency heads in updating the court's strategic plan. The Committee presented its Second Interim Report for consideration by the bench, and, on January 25, 2012, the bench adopted the Second Interim Strategic Plan, which will provide guidance to the court in addressing critical issues for immediate and long-term planning.

On February 7, 2012, the court hosted the joint dinner meeting of the J. Franklyn Bourne Bar Association and the Prince George's County Bar Association in Greenbelt.

On February 10, 2012, the Federal Bar Association hosted a luncheon in honor of the



transition to senior status of District Judge J. Frederick Motz and the recent appointments of District Judge James K. Bredar, District Judge Ellen Lipton Hollander, and Magistrate Judge Stephanie A. Gallagher to the bench.

On April 18, 2012, William Cimino, a Reentry Affairs Administrator for the Bureau of Prisons, spoke to the full bench about the inmate reentry program and other initiatives at prisons and residential reentry centers in the Mid-Atlantic region. Staff members from the clerk's office, the probation and pretrial services office, the office of the Federal Public Defender, and the United States Attorney's office were invited to attend the hour-long presentation.

On July 25, 2012, the district court judges traveled to Washington, D.C., to have lunch with Maryland's congressional delegation. This luncheon has become an annual event, providing the judges an opportunity to discuss pressing matters in the judiciary with local members of Congress.

During fiscal year 2012, the district continued its commitment to providing its law clerks with the tools they need to assist their judges, to fostering close relationships between the bench and its clerks, and to showing its appreciation for the vital services the clerks provide. On May 24, 2012, the bench sat *en banc* for the annual Law Clerk Admission Ceremony. The outgoing law clerks of Fourth Circuit, district, magistrate, and bankruptcy judges based in Baltimore and Greenbelt attended the ceremony at the Baltimore courthouse. Many of their family members were on hand to witness their admission to the bars of the District of Maryland and the United States Court of Appeals for the Fourth Circuit and to celebrate at the reception that followed. On June 14, Judges Richard D. Bennett and Ellen Lipton Hollander hosted a brown bag lunch for summer interns and law clerks. This program was repeated on June 21, with Judges Catherine C. Blake and J. Frederick Motz serving as hosts, and again on July 19, hosted by Magistrate Judge Susan K. Gauvey and Bankruptcy Judge Duncan W. Keir. Another annual event for the district's judges, law clerks, and interns is the court's summer softball game. In 2012, the event was held at Centennial Park in Columbia on a balmy evening in mid-July.

Many of the incoming law clerks for the 2012-13 clerkship year attended the Fourth Circuit's biennial training program for new law clerks on September 14 and 15, 2012, in Richmond. On September 25, 2012, the court welcomed its new clerks at the annual Hargrove Breakfast, an annual tradition started by the late Judge John R. Hargrove, Sr., who strongly believed in the bench's responsibility to provide a professional network foundation for its law clerks to encourage the development of collegial relationships throughout their careers. After the breakfast, Chief Magistrate Judge Paul W. Grimm gave a presentation to the new clerks on discovery and discovery sanctions, pleading requirements, and employment law. The clerks also learned about the daily operation of the district court from clerk's office supervisors.

### **Bankruptcy Court**

Chief Judge Nancy V. Alquist serves as Vice Chair of the International Judicial Relations Committee of the National Conference of Bankruptcy Judges. She has also participated in rule of law projects sponsored by the Federal Judicial Center, U.S. Department of Commerce, U.S. Department of State, World Bank, and the International Judicial Academy. Her activities this

fiscal year included a presentation at the “V Seminario Internacional de Justicia y Seguros” conference in Madrid, Spain.

In addition to the annual food drive to benefit the Maryland Food Bank, staff members of the bankruptcy clerk’s office participated in the court’s first Community Service Day. The goal of the event was to promote teamwork and to have a positive, meaningful impact in the community. Staff members volunteered at a number of organizations in the Baltimore and Greenbelt areas, including Ronald McDonald Houses in Baltimore and Washington, D.C., and the Anne Arundel County Food Bank.

## **PERSONNEL**

### **District Court**

In fiscal year 2012, the District Court Clerk’s Office was allotted 93 positions. In keeping with its conservative nature and the uncertainty regarding future funding, the office did not staff up to capacity. A number of clerk’s office staff members are reaching retirement eligibility in the coming years and clerk’s office managers and supervisors are looking at ways to utilize most effectively the office’s on-board staff prior to making future hiring decisions. One example of this practice during the past year was the creation of an ECRO position, rather than replacing an official court reporter. The office is in the process of evaluating whether this type of staffing adjustment will be beneficial in the future. The clerk’s office also utilized three unpaid legal interns this fiscal year, each of whom provided assistance in legal and specialized areas under the supervision of experienced managers.

Four employees, with a total of 99 years of government service, opted to retire this fiscal year. Renee Kelly, a case administration work leader, and Sharon O’Neill, an official court reporter, retired on December 31, 2011. Anthony Rolland, an official court reporter, retired on April 30, 2012. Janet Kaiser, an intake and records clerk, retired on August 31, 2012. Each employee was honored at an individual ceremony attended by courthouse staff and was presented with a certificate of appreciation from United States Senators Ben Cardin and Barbara Mikulski.

The District Court Clerk’s Office experienced four terminations and three appointments during fiscal year 2012. Emily Brutout transferred from the chambers of Chief Judge Chasanow to work as a case administrator in Greenbelt; Brian Ames was hired as the case administration work leader in Greenbelt; and Kenny Sheain accepted a position as an operations support clerk, also in the southern division clerk’s office.

The office’s human resources department is responsible for facilitating the entrance and exit process of all term law clerks for the district court, as well as the law clerks for Fourth Circuit judges in the court’s northern division. In fiscal year 2012, human resources staff prepared exit paperwork and conducted individual exit interviews for twenty-seven outgoing law clerks. During the same time frame, entrance paperwork, form processing, orientations, and individual meetings were processed for twenty-six incoming district court clerks, as well as

eleven Fourth Circuit clerks.

The human resources department also assists the Federal Public Defender's office by administering the oath of office to all of its employees, interns, and volunteers. The oaths are administered in both the northern and southern divisions on an as-needed basis. This fiscal year, the district court's human resources staff conducted approximately thirty-five oaths of office for the Federal Public Defender's office.

During fiscal year 2012, the human resources office continued to coordinate regular wellness visits by a nurse from the Federal Occupational Health Unit. Invitations to participate were sent to the district court, bankruptcy court, probation and pretrial services, and the Federal Public Defender's office. The nurse comes to the Baltimore courthouse on a monthly basis to perform wellness overviews and assist employees in monitoring conditions such as high blood pressure and cholesterol levels. The same service is currently offered to staff members in Greenbelt once every three months. Each year, the nurse also provides flu shots to court unit and Federal Public Defender's office staff members. This fiscal year, human resources staff members scheduled approximately 250 appointments for the nurse's on-site visits to both the northern and southern division courthouses.

In November 2011, the human resources department coordinated and processed all paperwork associated with the 2011 Combined Federal Charities campaign (CFC), which provides staff members the opportunity to donate to a variety of charities through payroll deductions.

In February 2012, Human Resources Administrator Tina Stavrou assisted the Federal Executive Board and worked with representatives from various federal and military organizations to prepare for its annual Excellence in Federal Careers awards program. Additionally, in March 2012, Tracee Jones, a human resources specialist in Greenbelt, worked with the American Red Cross to coordinate a highly successful blood drive with all agencies housed in the southern division courthouse, including GSA, the United States Attorney's office, the court security office, and the office of Congressman Steny Hoyer, in addition to court units.

### **Bankruptcy Court**

The increased focus on cost containment and the constrained budgets projected for fiscal year 2013 and beyond resulted in the bankruptcy court offering early retirement and voluntary separation incentive payments (buy-outs) to eligible staff members. A total of four staff members opted to take advantage of the buy-out opportunity and left the court at the end of September 2012.

Staff members of the bankruptcy clerk's office served on workgroups and committees this past year that benefitted both the court and the judiciary. Mark Sammons, the bankruptcy clerk, serves as a member of the Bankruptcy Notice Working Group. The clerk also served as faculty for the new clerk/chief deputy orientation at the Administrative Office. The court's information technology manager was a member of the CM/ECF Bankruptcy Working Group. The court's financial administrator has served on the development team for the JFINSYS

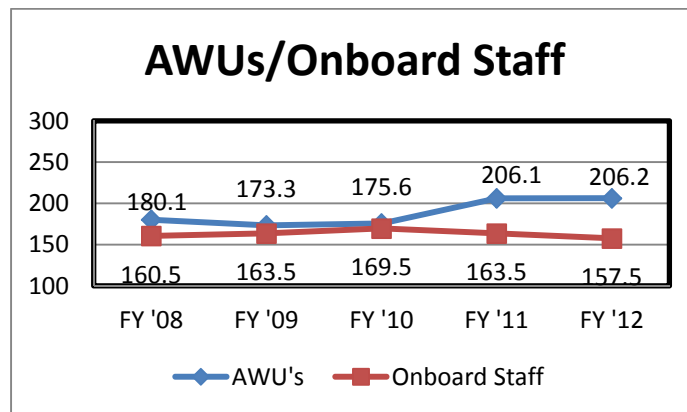
program. Additionally, the division manager in Baltimore has been selected to serve on the Education Committee of the National Conference of Bankruptcy Clerks.

The court expressed its appreciation for the efforts and dedication of its staff at the annual Employee Recognition Ceremony. Awards presented to staff members at this year’s ceremony included those for length of service, Team of the Year, and Employee of the Year.

**Probation and Pretrial Services**

In fiscal year 2012, four probation officers transferred to the District of Maryland from the District of Columbia and the District of Arizona. Additionally, four new officers were appointed by Chief Judge Chasanow. The Probation and Pretrial Services Office also experienced a number of resignations or retirements. Two assistant deputy chief probation officers retired, as did two supervisory probation officers, five line probation officers, and three probation clerks. One probation clerk transferred to the District of Arizona and three probation clerks resigned. The office promoted a number of officers to fill existing vacancies. Specifically, a supervisory probation officer was promoted to assistant deputy chief probation officer; a special offender specialist was promoted to supervisory probation officer; four line officers were promoted to supervisory probation officers; two line officers were promoted to drug and alcohol treatment specialists; a line officer was promoted to special offender specialist; and two line officers were promoted to sentencing guideline specialists.

Despite these new hires and promotions, the office is currently operating at well below its Authorized Work Units (AWUs), a growing trend in recent years to minimize the need for staffing reductions brought about by actual and projected budget reductions.



**Special Recognition of Pending Retirements**

On December 29, 2012, Deputy United States Marshals Tom Denney and K-9 Daja will retire from the United States Marshal Service. Deputy Marshals Denney, an explosives detection canine handler, and Daja, an explosives detection canine, have been partners for the past ten years. Over that time, they have developed a special relationship with staff members in the Baltimore courthouse, and they will be sorely missed.

## **BUDGET AND FINANCE**

### **District Court**

During fiscal year 2012, the court receipted 13,873 financial transactions for funds totaling \$28,643,059.24 on behalf of the district and disbursed 12,841 checks totaling \$16,173,284.02. The clerk's office managed operating funds totaling \$8,324,680.00; deposit funds of \$6,152,889.68; and registry funds with a balance, as of September 30, 2012, of \$21,070,680.01.

The district court maintains a non-appropriated Attorney Admissions Fund. The balance on this account as of the end of September 2012 was \$659,402.30.

The court continues to receive an increasing volume of payments electronically, which require special attention to posting requirements. Additional categories of electronic payments this past fiscal year include attorney renewals. The finance office also now receives all CVB petty offense payments from litigants. Processing and tracking these payments has considerably increased the workload on clerk's office staff.

The District Court Clerk’s Office began an internal audit of all court finances during fiscal year 2012. The areas reviewed to date include deposits, payments, an unclaimed funds account, CJA vouchers, the Attorney Admissions Fund, and the court’s registry accounts. A full report is expected by the end of the calendar year.

**Bankruptcy Court**

The judiciary’s external auditor completed a cyclical audit of the bankruptcy court and issued its final report in December 2011. The report reflected no findings that the auditors considered to be significant and no recommendations were made.

**CASELOAD AND WORKLOAD STATISTICS**

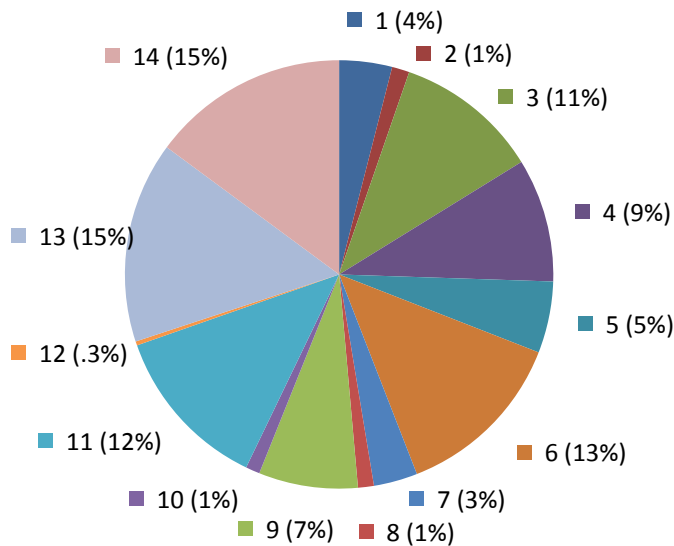
**District Court**

General Case Statistics

During the fiscal year ending September 30, 2012, 3,915 civil cases and 667 criminal cases (involving 880 defendants) were filed. As of March 2012, the district’s weighted case filing per judgeship was 512. The district has seen a consistent increase in the number of civil filings and a decrease in the number of criminal filings over the past three years. The nature of civil suits pending at the end of 2012 was consistent with suits pending at the end of 2011.

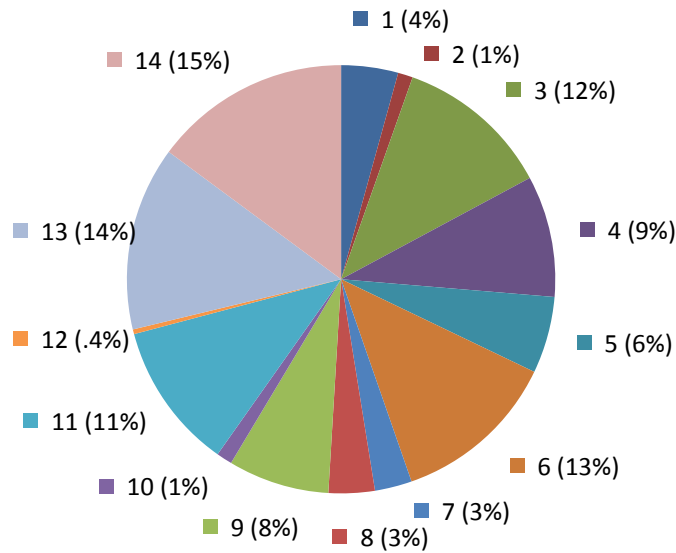
TOTAL NUMBER OF FILINGS			
	2010	2011	2012
<b>Civil</b>	3,627	3,739	3,847
<b>Criminal</b>	649	633	558

**FY 2012**



Nature of Civil Suits Pending as of Oct. 1, 2012	
Category	# of Cases
1	130
2	43
3	355
4	304
5	176
6	429
7	108
8	39
9	244
10	35
11	407
12	10
13	495
14	485
<b>TOTAL</b>	<b>3260</b>

**FY 2011**



Nature of Civil Suits Pending as of Oct. 1, 2011	
Category	# of Cases
1	141
2	37
3	385
4	301
5	190
6	412
7	92
8	114
9	251
10	39
11	364
12	12
13	456
14	488
<b>TOTAL</b>	<b>3282</b>

LEGEND (CATEGORIES FOR NATURE OF SUIT)		
1) Motor Vehicle Torts/FELA/ Jones Act	6) Banking/Commercial/Contracts/ Insurance - General	11) Social Security
2) Fraud/RICO	7) Intellectual Property	12) Environmental
3) Other Torts	8) Antitrust/Security	13) Other
4) Employment Discrimination	9) Labor	14) Prisoner
5) Other Civil Rights	10) Bankruptcy	

The following tables provide more detailed information regarding civil and criminal case filings and closings in the district.

TABLE 11: REGISTERED CM/ECF ATTORNEYS		
2010	2011	2012
15,644	16,797	20,372

TABLE 12: CM/ECF DOCUMENTS			
	2010	2011	2012
<b>DOCUMENTS FILED</b>	204,741	223,353	260,702
<b>NUMBER OF PAGES FILED</b>	1,214,872	1,331,012	1,469,884
<b>TOTAL DOCUMENTS STORED</b>	1,098,691	1,322,044	1,582,746
<b>TOTAL PAGES STORED</b>	5,811,329	7,142,341	8,612,225

<b>TABLE 13: DOCKET ENTRIES</b>						
	<b>2010</b>		<b>2011</b>		<b>2012</b>	
	<b>USERS UTILIZING CM/ECF FOR FILINGS</b>	<b>NUMBER OF DOCKET ENTRIES</b>	<b>USERS UTILIZING CM/ECF FOR FILINGS</b>	<b>NUMBER OF DOCKET ENTRIES</b>	<b>USERS UTILIZING CM/ECF FOR FILINGS</b>	<b>NUMBER OF DOCKET ENTRIES</b>
<b>ATTORNEYS</b>	4,015	54,289	4,157	58,720	4,338	62,219
<b>COURT USERS</b>	138	91,171	162	96,668	144	112,366
<b>TOTAL</b>	4,153	145,460	4,319	155,388	4,482	174,585

<b>TABLE 14: ORDERS</b>			
	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>CIVIL ORDERS</b>	27,804	29,451	30,387
<b>CRIMINAL ORDERS</b>	4,177	5,497	5,429
<b>MISCELLANEOUS ORDERS</b>	1,021	1,322	881
<b>ADMINISTRATIVE ORDERS</b>	569	839	867

<b>*TABLE 16: FILINGS</b>			
	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>CIVIL CASES</b>	3,627	3,739	3,847
<b>CRIMINAL CASES</b>	649	633	558
<b>CRIMINAL DEFENDANTS</b>	968	981	787
<b>MISCELLANEOUS CASES</b>	473	490	446

\*This data is based on the totals in Tables 18 (Civil Filings), 20 (Criminal Filings), and 22 (Criminal Defendants Filed).

Miscellaneous case filings were calculated separately and include the following types of cases:

- Foreign Subpoenas
- Registration of Judgment from another district
- Administrative Deposition Subpoena
- Application to Perpetuate Testimony
- Receiverships
- Letters Rogatory from other districts
- Warrant for Arrest of Juror
- Pen Registers
- Wire Interceptions
- Video Interceptions
- Grand Jury Matters
- Internal Revenue Service Third Party Record
- Keeper Actions
- Proceedings Against Sureties



<b>*TABLE 17: CLOSINGS</b>			
	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>CIVIL CASES</b>	3,399	3,866	3,876
<b>CRIMINAL CASES</b>	532	635	671
<b>CRIMINAL DEFENDANTS</b>	797	940	1,106

\*This data is based on the totals in Tables 19 (Civil Closings), 21 (Criminal Case Closings), and 23 (Criminal Defendants Closed).

<b>TABLE 18: TOTAL CIVIL CASE FILINGS - MDD</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	325	273	243	281	266	236	299	317	308	273	277	299	3,397
<b>2009</b>	347	290	305	213	291	315	298	305	304	302	277	266	3,513
<b>2010</b>	311	305	289	249	231	326	293	289	386	324	306	318	3,627
<b>2011</b>	347	283	296	274	275	304	286	342	333	306	337	356	3,739
<b>2012</b>	286	351	312	311	345	345	329	288	342	312	339	287	3,847

<b>CIVIL CASE FILINGS - BALTIMORE DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	195	170	136	167	165	155	196	184	199	170	152	187	2,076
<b>2009</b>	204	177	177	120	184	208	187	180	178	205	171	166	2,157
<b>2010</b>	201	184	167	142	142	180	182	164	222	209	171	200	2,164
<b>2011</b>	244	166	185	160	165	199	174	220	210	202	206	234	2,365
<b>2012</b>	185	219	192	195	239	209	210	185	220	194	209	187	2,444

<b>CIVIL CASE FILINGS - GREENBELT DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	130	103	107	114	101	81	103	133	109	103	125	112	1,321
<b>2009</b>	143	113	128	93	107	107	111	125	126	97	106	100	1,356
<b>2010</b>	110	121	122	107	89	146	111	125	164	115	135	118	1,463
<b>2011</b>	103	117	111	114	110	105	112	122	123	104	131	122	1,374
<b>2012</b>	101	132	120	116	106	136	119	103	122	118	130	100	1,403

**TABLE 19: TOTAL CIVIL CASE CLOSINGS - MDD**

FY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTAL
2008	302	221	256	288	292	301	285	243	261	309	276	300	3,334
2009	293	253	311	245	274	314	264	260	279	310	294	316	3,413
2010	271	262	272	325	200	345	255	225	343	309	336	256	3,399
2011	293	328	316	357	358	353	298	318	289	293	273	390	3,866
2012	316	290	275	353	354	415	301	324	302	310	340	296	3,876

**CIVIL CASE CLOSINGS - BALTIMORE DIVISION**

FY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTAL
2008	192	133	173	161	176	163	192	162	174	188	172	194	2,080
2009	182	166	189	158	161	196	162	148	177	186	180	207	2,112
2010	168	149	193	214	109	217	153	126	203	170	193	153	2,048
2011	160	215	196	251	246	199	184	220	188	193	182	253	2,487
2012	205	177	146	228	230	261	204	192	181	194	226	171	2,415

**CIVIL CASE CLOSINGS - GREENBELT DIVISION**

FY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTAL
2008	110	88	83	127	116	138	93	81	87	121	104	106	1,254
2009	111	87	122	87	113	118	102	112	102	124	114	109	1,301
2010	103	113	79	111	91	128	102	99	140	139	143	103	1,351
2011	133	113	120	106	112	154	114	98	101	100	91	137	1,379
2012	111	113	129	125	124	154	97	132	121	116	114	125	1,461

**TABLE 20: TOTAL CRIMINAL CASE FILINGS - MDD**

FY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTAL
2008	58	50	41	44	46	39	50	48	42	40	53	38	549
2009	33	47	56	48	50	55	62	53	67	37	45	57	610
2010	33	45	45	30	34	67	58	61	91	60	58	67	649
2011	51	49	60	42	44	80	47	47	55	51	53	54	633
2012	45	48	44	46	47	59	46	55	51	36	36	45	558

<b>CRIMINAL CASE FILINGS - BALTIMORE DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	44	32	29	29	31	26	36	34	28	22	28	26	365
<b>2009</b>	17	28	44	29	30	31	37	28	45	23	33	39	384
<b>2010</b>	21	31	32	13	25	33	44	35	60	34	33	48	409
<b>2011</b>	30	28	44	25	29	49	27	24	37	35	32	32	392
<b>2012</b>	29	25	31	23	29	33	23	28	30	22	17	25	315

<b>CRIMINAL CASE FILINGS - GREENBELT DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	14	18	12	15	15	13	14	14	14	18	25	12	184
<b>2009</b>	16	19	12	19	20	24	25	25	22	14	12	18	226
<b>2010</b>	12	14	13	17	9	34	14	26	31	26	25	19	240
<b>2011</b>	21	21	16	17	15	31	20	23	18	16	21	22	241
<b>2012</b>	16	23	13	23	18	26	23	27	21	14	19	20	243

<b>TABLE 21: TOTAL CRIMINAL CASE CLOSINGS - MDD</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	51	39	45	50	32	41	63	44	40	59	43	49	556
<b>2009</b>	38	41	60	37	43	45	39	44	51	45	46	52	541
<b>2010</b>	43	42	48	46	24	57	36	52	51	41	48	44	532
<b>2011</b>	52	45	55	53	43	71	41	37	61	71	51	55	635
<b>2012</b>	66	42	61	57	59	71	52	52	68	57	45	41	671

<b>CRIMINAL CASE CLOSINGS - BALTIMORE DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	44	32	38	31	25	29	24	30	31	43	29	36	392
<b>2009</b>	31	26	37	24	27	25	27	26	31	24	37	22	337
<b>2010</b>	23	28	33	36	12	43	20	39	35	29	19	28	345
<b>2011</b>	37	20	37	33	27	48	29	24	30	30	26	36	377
<b>2012</b>	38	28	34	33	39	45	35	27	38	37	26	29	409

<b>CRIMINAL CASE CLOSINGS - GREENBELT DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	7	7	7	19	7	12	39	14	9	16	14	13	164
<b>2009</b>	7	15	23	13	16	20	12	18	20	21	9	30	204
<b>2010</b>	20	14	15	10	12	14	16	13	16	12	29	16	187
<b>2011</b>	15	25	18	20	16	23	12	13	31	41	25	19	258
<b>2012</b>	28	14	27	24	20	26	17	25	30	20	19	12	262

<b>TABLE 22: TOTAL CRIMINAL DEFENDANT FILINGS - MDD</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	59	58	45	62	102	43	61	56	54	79	82	52	753
<b>2009</b>	37	65	69	68	56	57	105	111	88	47	62	81	846
<b>2010</b>	51	71	58	38	39	98	89	80	146	69	112	117	968
<b>2011</b>	67	66	91	79	75	144	54	59	81	97	65	103	981
<b>2012</b>	91	71	67	69	72	68	60	77	73	53	39	47	787

<b>CRIMINAL DEFENDANT FILINGS - BALTIMORE DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	45	39	32	37	80	30	47	41	29	35	53	37	505
<b>2009</b>	20	37	54	45	36	36	73	83	64	33	44	49	574
<b>2010</b>	36	38	43	21	27	60	72	53	104	41	61	94	650
<b>2011</b>	39	46	58	60	59	105	31	33	61	72	43	78	685
<b>2012</b>	70	48	45	31	39	38	37	42	50	28	19	27	474

<b>CRIMINAL DEFENDANT FILINGS - GREENBELT DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	14	19	13	25	22	13	14	15	25	44	29	15	248
<b>2009</b>	17	28	15	23	20	21	32	28	24	14	18	32	272
<b>2010</b>	15	33	15	17	12	38	17	27	42	28	51	23	318
<b>2011</b>	28	20	33	19	16	39	23	26	20	25	22	25	296
<b>2012</b>	21	23	22	38	33	30	23	35	23	25	20	20	313

<b>TABLE 23: TOTAL CRIMINAL DEFENDANT CLOSINGS - MDD</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	73	57	60	76	56	57	92	83	70	87	64	75	850
<b>2009</b>	53	57	80	59	70	68	61	84	71	65	65	67	800
<b>2010</b>	63	74	80	70	31	87	54	79	85	56	60	58	797
<b>2011</b>	69	65	92	73	64	103	70	62	90	95	76	81	940
<b>2012</b>	98	62	90	97	95	118	91	90	102	102	87	74	1,106

<b>CRIMINAL DEFENDANT CLOSINGS - BALTIMORE DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	61	43	51	52	42	43	44	50	47	66	45	54	598
<b>2009</b>	43	36	51	38	48	40	46	47	47	38	53	32	519
<b>2010</b>	35	52	59	56	19	65	37	62	62	37	24	34	542
<b>2011</b>	47	30	68	49	44	74	55	39	51	44	39	57	597
<b>2012</b>	58	44	56	66	72	82	67	59	68	72	64	54	762

<b>CRIMINAL DEFENDANT CLOSINGS - GREENBELT DIVISION</b>													
<b>FY</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>TOTAL</b>
<b>2008</b>	12	14	9	24	14	14	48	33	23	21	19	21	252
<b>2009</b>	10	21	29	21	22	28	15	37	24	27	12	35	281
<b>2010</b>	28	22	21	14	12	22	17	17	23	19	36	24	255
<b>2011</b>	22	35	24	24	20	29	15	23	39	51	37	24	343
<b>2012</b>	40	18	34	31	23	36	24	31	34	30	23	20	344

### Multidistrict Litigation

The following three multidistrict litigation (MDL) cases are assigned to judges of the District of Maryland:

- (1) KBR, Inc., Burn Pit Litigation was certified and transferred to the District of Maryland on October 19, 2009. This MDL is assigned to Judge Roger W. Titus and currently has 55 pending cases.
- (2) Mutual Funds Investment Litigation was assigned to three judges – Judges Catherine C. Blake, Andre M. Davis, and J. Frederick Motz – due to its size and complexity. Upon the elevation of Judge Davis to the United States Court of Appeals for the Fourth Circuit, his portion of the MDL was reassigned to Judge Motz, who is the lead judge. The MDL currently has only one pending case.
- (3) Municipal Mortgage & Equity, LLC, Securities and Derivative Litigation was certified and transferred to the district on August 14, 2008. It is assigned to Judge Marvin J. Garbis and currently has twelve pending cases.

## Civil Justice Reform Act (CJRA)

The district court bench, which consistently performs well in managing its pending caseload, reported four motions pending for six months or longer on the March 31, 2012, report and twelve pending motions on the September 30, 2012, report.

### Death Penalty Prosecutions Resolved in FY 2012

- (1) U.S. v. John Adams (RDB-11-0547)  
Judge Richard D. Bennett  
Counsel: Paul Hazlehurst and Pat Woodward

The defendant was indicted on drug conspiracy charges on December 12, 2010. The death-eligible count was brought on November 14, 2011, but was not expected to be authorized. The defendant entered a guilty plea, avoiding the death penalty.

- (2) U.S. v. Tavon Davis (MJG-11-0657)  
Judge Marvin J. Garbis  
Counsel: Paul Hazlehurst and Jonathan Van Hoven

This case was brought by complaint on October 31, 2011. On December 6, 2011, an indictment was filed with the death-eligible count of conspiracy to murder a witness resulting in death. The defendant entered a guilty plea on June 20, 2012, and the government did not seek the death penalty.

- (3) U.S. v. Bruce Byrd (MJG-11-0657)  
Judge Marvin J. Garbis  
Counsel: Timothy Sullivan and Chad Curlett

The indictment with a death-eligible count was filed on December 6, 2011. The case was budgeted. The government did not seek the death penalty, and the defendant entered a guilty plea.

- (4) U.S. v. Frank Marfo (MJG-11-0657)  
Judge Marvin J. Garbis  
Counsel: Bill Purpura and Alan Bussard

The death-eligible count was added to the indictment on February 23, 2011, and the case was budgeted. The government did not seek the death penalty, and the defendant proceeded to trial on July 30, 2012. The jury returned a verdict of guilty on August 10, 2012. The defendant's motion for new trial was denied on October 16, 2012.

### Other Death Penalty Litigation

- (1) U.S. v. Jean Brown (WDQ-11-050)  
Judge William D. Quarles, Jr.  
Counsel: Gary Proctor and Tom Crowe

The case was opened on February 1, 2011. The third superseding indictment issued on October 25, 2011, with death-eligible counts, murder and kidnapping in aid of racketeering. On July 12, 2012, counsel and the court were notified that the government will not seek the death penalty. The case is budgeted.

- (2) U.S. v. Hubert Downer (WDQ-11-050)  
Judge William D. Quarles, Jr.  
Counsel: Paul Hazlehurst and Joe Murtha

The third superseding indictment issued on October 25, 2011, with a death-eligible count. On July 12, 2012, the Department of Justice indicated that it would not seek the death penalty. The case is budgeted.

- (3) U.S. v. Morales (RWT-12-480)  
Judge Roger W. Titus  
Counsel: Gary Proctor and Jonathan Zucker

The death-eligible count was filed on September 11, 2012. The budget is in process.

- (4) Miles v. Wainwright (CCB-07-2135)  
Judge Catherine C. Blake

On September 20, 2001, the Court of Appeals of Maryland affirmed the death sentence underlying this petition pursuant to 28 U.S.C. § 2254. Petitioner's counsel have filed a second motion to reopen the case in the Circuit Court for Queen Anne's County, Maryland. A related appeal is also pending in the Court of Appeals of Maryland, and argument is currently scheduled for January 2013. Counsel continue to file status reports in the case, which has been stayed pending further proceedings in state court.

- (5) U.S. v. Lighty (PJM-0457)  
Judge Peter J. Messitte

On May 16, 2011, counsel was appointed to represent the petitioner in this case. Seth Rosenthal of Venable LLP and Julie Brain of the Delaware Federal Defender's office entered their appearance. An *ex parte* budget hearing was held and a preliminary budget was approved. On October 16, 2012, a motion to vacate under 28 U.S.C. § 2255 was filed by petitioner's counsel.

## Patent Pilot Project

On September 19, 2011, the United States District Court for the District of Maryland, along with thirteen other district courts, began participating in a ten-year pilot program for studying patent cases, as established by Congress pursuant to Pub. L. No. 111-349, 124 Stat. 3,674. Under the project, which is intended to encourage enhancement of expertise in patent cases, certain judges are designated as pilot program judges. Within thirty days after a patent case is filed, any non-participating judge may request that the case be reassigned, at which point the clerk randomly reassigns the case to a pilot program judge without regard to the divisional requirements of Local Rule 501. District Judges Marvin J. Garbis, William D. Quarles, Jr., and Roger W. Titus are currently serving as the court's pilot program judges.

The first patent case reassigned under the new program was *M-Edge Accessories, Inc. v. Amazon.com, Inc.*, Civ. No. 11-3332, which was reassigned to Judge Garbis on November 28, 2011. In fiscal year 2012, twenty-six patent cases were filed in the district, fourteen of which (approximately 54%) were either initially assigned or randomly reassigned to a patent pilot judge. The district court has also taken certain steps to refine procedures in patent cases. In July 2011, it adopted specialized local rules for patent cases, and, in early 2012, the court created a standardized scheduling order for use in non-Hatch-Waxman Act patent cases.

## Magistrate Judge Statistics

While the district's magistrate judges primarily sit in the Baltimore and Greenbelt courthouses, they also hold hearings at off-site locations, including the Aberdeen Proving Grounds, Andrews Air Force Base, the Naval Academy, Fort Richie/Fort Detrick, Fort Meade, the Patuxent River Naval Air Station, and at the M.R. Toulson Federal Building and Courthouse in Salisbury. Magistrate judges also hear cases on the United States Park Police docket and dockets covering the National Institutes of Health and five other federal facilities. When combined, these dockets constitute the largest volume of traffic and parking violations in the country, as well as the largest miscellaneous and Class A misdemeanor dockets in the federal judiciary.

Various federal arresting agencies issued 33,905 new misdemeanor and petty offense citations in fiscal year 2012. This number presents a 10% increase in filings from fiscal year 2011. The magistrate judges presided over 6,715 mandatory appearances, compared to 5,696 mandatory appearances the previous fiscal year, and 27,190 collateral appearances, compared to 25,122 collateral appearances in fiscal year 2011. Dispositions were reached as to 40,909 citations. Of the fines issued by magistrate judges, \$2,602,535.38 has been collected.

The work of the court's magistrate judges also includes presiding over preliminary proceedings in felony criminal cases. During fiscal year 2012, magistrate judges held 893 initial appearances, 548 detention hearings, and 659 arraignments. The magistrate judges also regularly reviewed proposed criminal complaints, arrest warrants, search warrants, pen registers, and applications for other investigative materials.



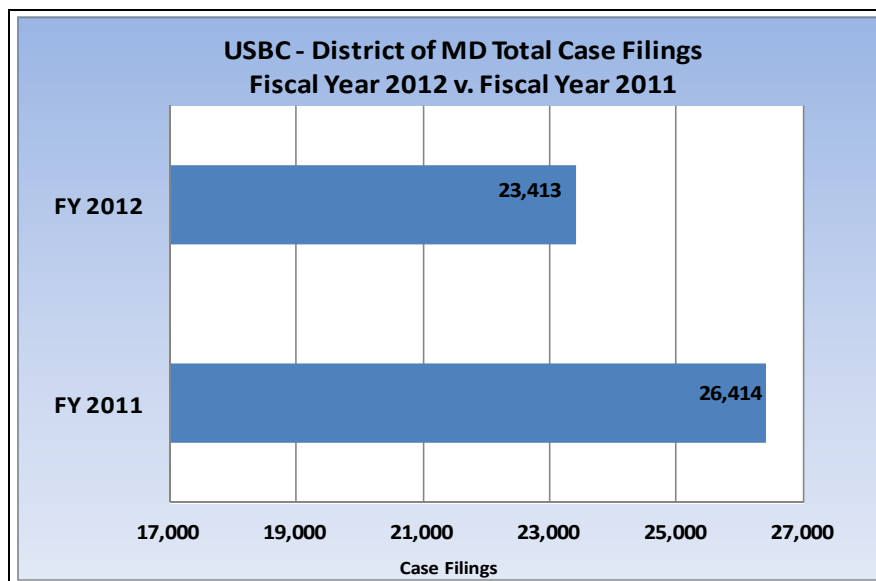
	Initial Appearances	Detention Hearings	Arraignments	Arrest Warrants	Search & Seizure Warrants	Criminal Complaints
Northern Division	575	361	441	499	796	198
Southern Division	318	187	218	329	643	154
<b>TOTAL</b>	<b>893</b>	<b>548</b>	<b>659</b>	<b>828</b>	<b>1439</b>	<b>352</b>

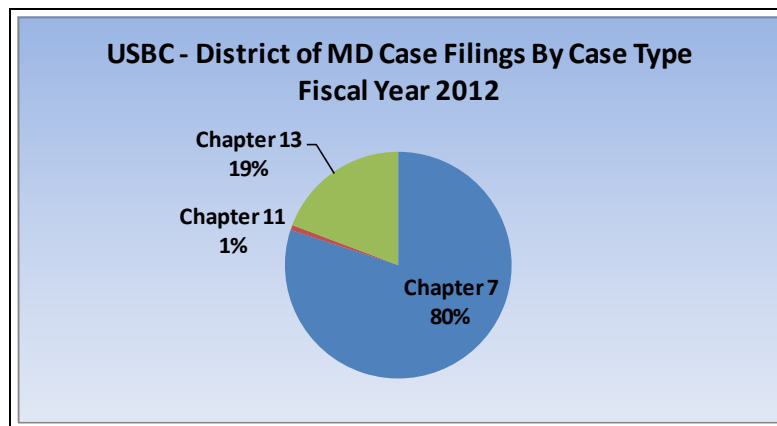
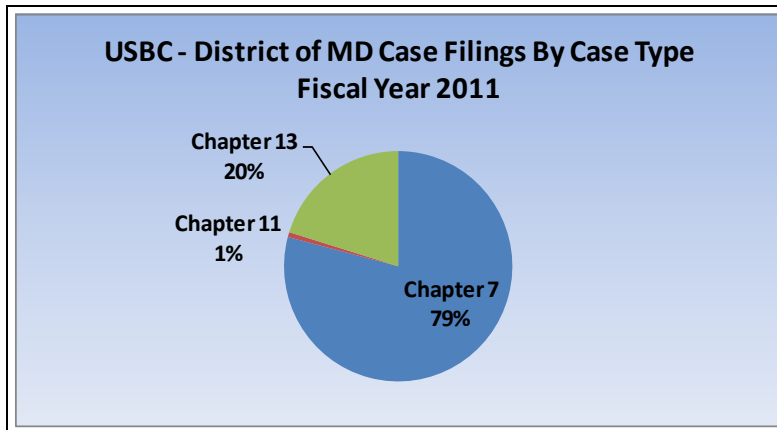
The magistrate judges are an integral part of the management of the civil docket of the district court. With the consent of the parties, the magistrate judges may conduct all proceedings, including jury trials in all types of civil cases. During the past year, consents were filed in 480 cases (273 of which were Social Security Administration appeals). Magistrate judges also handled 126 referrals for discovery motions, 42 referrals for postjudgment matters, and 665 referrals for other reasons.

One of the primary responsibilities of magistrate judges is holding settlement conferences. This fiscal year, the district's magistrate judges conducted 522 conferences. This program has been very successful because the magistrate judges devote the time necessary to master the record and explore settlement in depth with the parties and counsel. The court frequently receives letters from counsel expressing gratitude for the assistance of magistrate judges in resolving seemingly intractable cases.

### **Bankruptcy Court**

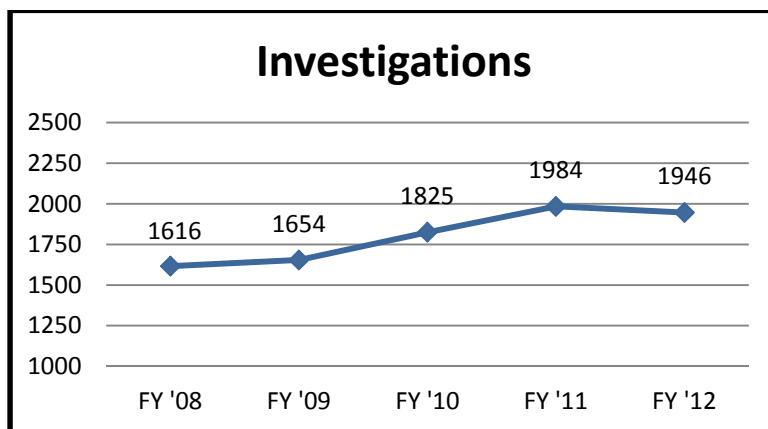
The number of bankruptcy case filings in the district has decreased by a total of 11.36% from the last fiscal year. In comparison to fiscal year 2011, Chapter 7 cases decreased by 10.30%, Chapter 11 cases decreased by 7.49%, and Chapter 13 cases decreased by 15.68%. Nevertheless, the filings remained strong, with a total of 23,413 new cases filed.





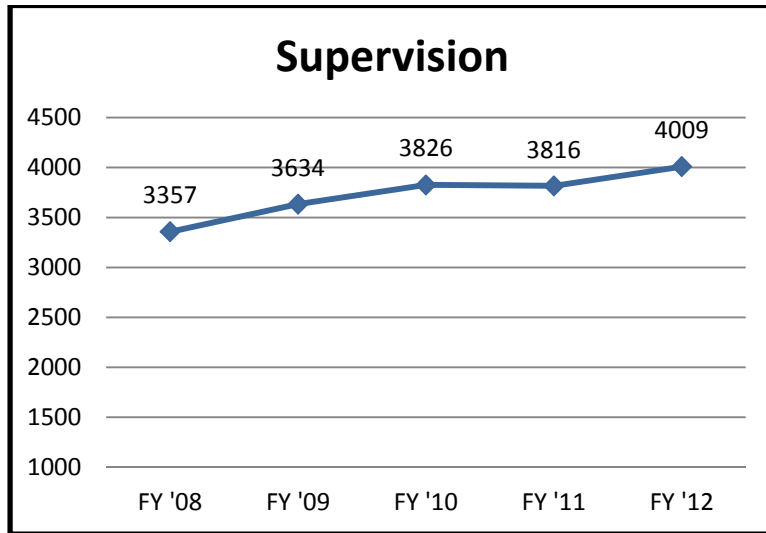
**Probation and Pretrial Services**

In fiscal year 2012, the district’s Probation and Pretrial Services office conducted a total of 1,946 pre-trial release investigations, diversion investigations, and presentence investigations. This total is slightly less than the total number of investigations conducted in fiscal year 2011.

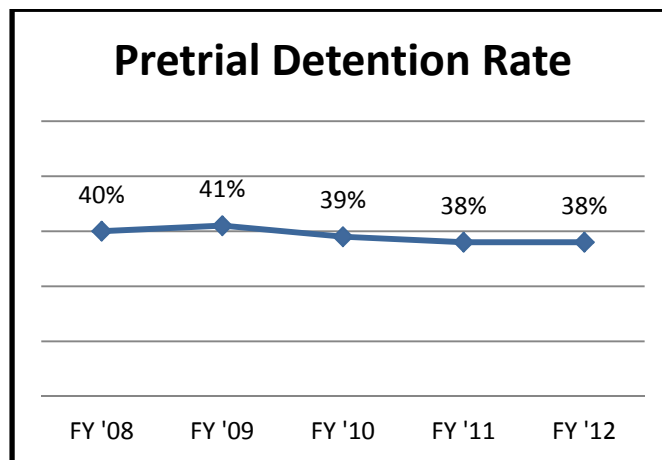


The office supervised 4,009 defendants and offenders during the past fiscal year. This figure includes those being supervised as a condition of pretrial release, probation, parole, and

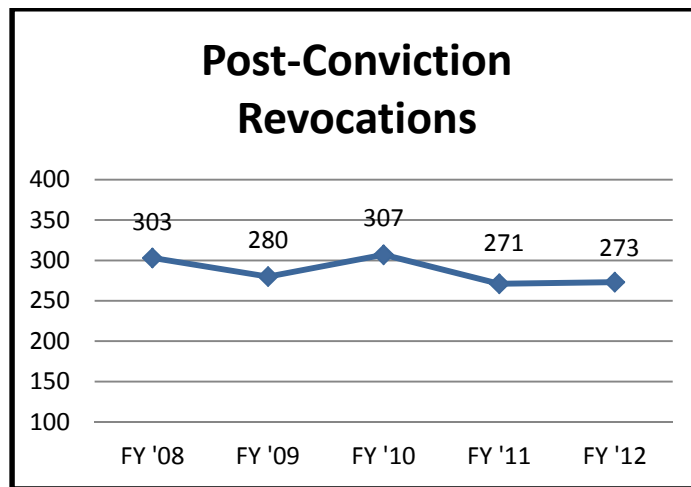
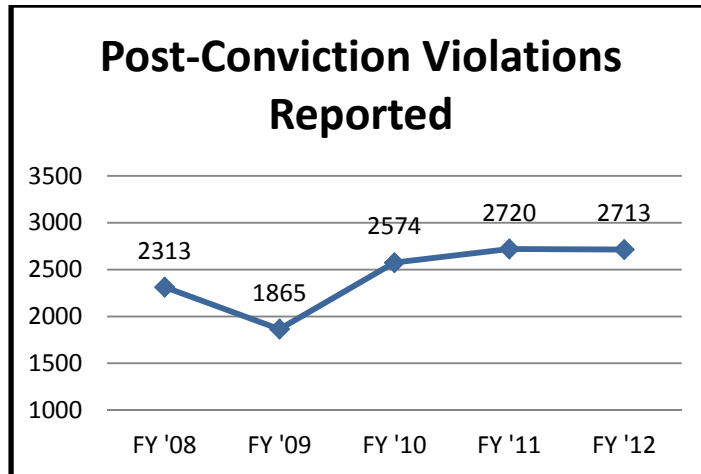
supervised release, and represents a significant increase from the total number of individuals supervised in fiscal year 2011.



The district had a pretrial detention rate of 38% in fiscal year 2012, which was consistent with the rate the previous year. Despite the serious nature of offenses charged and the extensive criminal histories of many detainees, the detention rate in the District of Maryland is 28% lower than the national average and 11% lower than average in the Fourth Circuit.



In fiscal year 2012, the number of postconviction violation reports submitted to the court remained consistent with the total number of reports submitted in fiscal year 2011. These reports resulted in 273 revocations, a number which is also consistent with the prior year.



## INFORMATION TECHNOLOGY

### District Court

Fiscal year 2012 saw the culmination of several long-term projects in the District of Maryland. Over the past several years, the district has focused on major network infrastructure upgrades within both divisional offices and in the Salisbury courthouse. In December 2011, having completed the infrastructure upgrades, the district successfully implemented the national VoIP system.

The district court continued to work on the CVB/CMECF MLO 6.0 project. The clerk's office participated in ten rounds of testing version updates, supplying feedback regarding potential issues and proposing enhancements. The district installed version 6.0 in its live database at the end of June 2012, and Judge Thomas M. DiGirolamo transmitted the nation's first CVB docket electronically. To date, the district has processed 3,737 CVB cases via the new CVB module. The court is now in the MLO 6.1 process.

During the past year, the district's IT department updated the technology infrastructure in two courtrooms. The videoconferencing equipment was upgraded in the judicial and clerk's office conference rooms. The jury assembly areas were furnished with enhanced audio/visual equipment for providing dual-zone control and videoconferencing ability. Major network enhancements included the implementation of VMware virtual servers, the NetApp SAN storage system, and a Cisco secure courthouse-wide wireless solution.

The IT department continued internal software development in 2012. The Fourth Circuit's voting software, JCMS, was retrofitted to accommodate the district court's committee process. The major programming task was the automation of the attorney renewal process. This provides for electronic notification of renewal; filing of renewal applications using CM/ECF and pay.gov; and automated renewal and records processing for qualifying attorneys. The IT helpdesk played an integral role in providing support to attorneys, walking them through the new renewal process.

During the course of the year, the IT department conducted twenty-four training classes for sixty-eight attorneys on the use of courtroom technology. With the assistance of operations staff, another fifty-nine attorneys were trained on civil CM/ECF and nine attorneys on criminal CM/ECF. Thirty-eight court staff members were trained on the latest version of Lotus Notes.

The IT department suffered two staffing losses this fiscal year. Kim Schmid, the district's IT trainer, resigned in April 2012, and Greg Whitney, the systems engineer, resigned the following month. Due to current budgetary uncertainty, the trainer position was not filled and the duties of that position were absorbed by on-board staff. The district court is currently considering the possibility of sharing a systems engineer with the bankruptcy court.

Other projects accomplished during fiscal year 2012 include:

- CM/ECF 5.1.1 Upgrade
- Law Clerk EEPS training
- Attorney EEPS training
- Cyclical replacement of smartphones & tablets
- iPhone and iPad training
- Assistance with the implementation of ICE
- Modification of dictionary events
- Development of Security Awareness training
- Updating court Word templates
- Cyclical replacement of computers, printers, and scanners
- Development of iDevice eLearning modules and quick reference guides
- Updating Lotus Notes to version 8.5.2
- Implemented Lotus Notes DAOS service
- Generating annual Nature of Suit Report
- Implementation of COOP procedures for multiple scheduled power outages
- Maintenance of intranet and internet sites
- Maintenance and certification of IT equipment inventory

- Providing user access support; new users, exiting users, law clerk cycle
- Conducting server patch management
- Implementation of WSUS desktop patch management
- Implementation of Media Wiki Server
- Providing assistance with chambers and clerk's office staff relocations
- Implementation of e-QuIP test server
- Implementation of FTR Archiving system
- Implementation of TIPS in courtrooms 7B & 7C
- IPT Fax Line conversion project
- Providing support for portrait ceremonies and investitures
- Installation of new jury wheel
- Implementation of OTCnet-Offline
- Replacement of a failed Baltimore kiosk
- Configuration of RTT in four courtrooms

### **Bankruptcy Court**

The bankruptcy court's CM/ECF quality control program (QCP) was demonstrated at the Bankruptcy Operational Practices Forum in Atlanta, Georgia. The presentation, given by the Baltimore assistant division manager, focused on how supervisors and managers can utilize the QCP to identify docketing errors and calculate quality control scores, as well as identify areas in which additional training may be needed.

### **Probation and Pretrial Services**

The IT department remains committed to delivering responsive, customer-oriented services and support to foster a productive and stable computer network within the district's probation and pretrial services office. Some of the most significant projects undertaken by IT staff in fiscal year 2012 included:

- Testing and deployment of Apple iPads with PACTS 6.2 and PSX to a test group of thirteen officers
- Installation of a secure wireless network for pretrial services officers in the United States Marshals' lockup
- Maintenance of a new VoIP phone system
- Updating the operating system to Windows 7
- Testing Cosign digital software for use when electronically filing documents
- Deployment of multiple scanners for document imaging project to create a virtually paperless workplace
- Implementation of CJIS and Access to Law Enforcement System (ATLAS) on computer desktops, enabling officers to conduct history record checks without leaving their desks
- Continuation of routine cyclical replacement of automation equipment, including servers, switches, printers, laptops, and desktop computers
- Conducting ongoing inventory updates to facilitate the excessing of outdated automation equipment for use by other court agencies, other government

agencies, and/or public schools

## **SPACE & FACILITIES**

### **District Court**

Several projects were completed at the Baltimore courthouse during fiscal year 2012. Courtrooms 3A and 3D received infrastructure and audio/visual upgrades to their existing, but outdated, courtroom technology systems. In addition to the technology upgrades, courtrooms 3A and 3D also received cosmetic improvements. The outdated décor was replaced to create a more modern atmosphere in these courtrooms.

The Component C Project, for which the district received an award in fiscal year 2011, was installed, resulting in a reduction of fiscal year 2013 overtime utilities bills by over \$5,000.00. Additionally, in an effort to save money, the court utilized the Delegation of Cyclical Maintenance Authority to manage a cyclical maintenance project instead of contracting with GSA. Acting as its own project manager, the court saved over \$30,000.00.

Additionally, four Baltimore courtrooms were funded in fiscal year 2012 for upgrades to digital recording systems. These systems will be installed, according to the vendor's schedule, beginning in spring 2013. Installation in the last courtroom is expected to be complete in 2014.

No longer on the five-year courthouse construction list, the aging Baltimore courthouse desperately needs a comprehensive master plan to address the needs of its tenants for an expected thirty more years. The courthouse is in need of major renovation. No source of funding for this renovation has been identified outside of the judiciary, and judiciary resources are too scarce to fund projects of this size. GSA has advised the court that it must devote its entire annual budget for the Baltimore courthouse for the next twenty years to upgrade the electrical, plumbing, and HVAC systems. Although GSA began work this year on replacing the risers and trunk lines of the antiquated plumbing system in the courthouse, progress toward a total renovation will be slow due to the lack of federal funding available for extensive and necessary renovation. A top-to-bottom master plan for the building and a funding strategy must become a priority for all agencies involved in restoring and maintaining this courthouse.

During fiscal year 2012, clerk's office staff in Baltimore cleared-out two courtrooms on the second floor, properly disposed of the property being warehoused therein, and returned this square footage to GSA, thereby reducing the district court's rent bill. The district court was also able to return the square footage of the chambers and office space attached to these courtrooms. That space had been temporarily occupied by Fourth Circuit Judge Andre M. Davis. Judge Davis was able to move into a newly-renovated space on the ninth floor of the Baltimore courthouse in September 2012.

The Greenbelt courthouse opened in 1994 and reached full occupancy in 1995. The court has been pushing hard for construction of an annex to the courthouse for the past ten years. This effort has been long, difficult, and frustrating. With the support of Maryland's congressional

delegation – House Minority Whip Steny Hoyer, in particular – progress was made in fiscal year 2009 when Congress appropriated money for the design of a Greenbelt annex. Chief Judge Chasanow worked diligently to keep this project moving forward, personally participating in the selection of the architectural firm that would design the project. Unfortunately, intervening events – including the new courtroom sharing policies of the Judicial Conference, the limitations on the number of courtrooms that can be built on the Greenbelt courthouse complex, and the national budget crisis – have forced the court to reevaluate the probability of ever seeing an annex constructed on this site. Working with the Administrative Office of the United States Courts, GSA, and local unit executives, the bench studied the feasibility of alternatives to building an addition to the Greenbelt courthouse, and ultimately decided to abandon the project and pursue renovation of the existing structure instead.



Fiscal year 2012 saw the installation of new carpeting and painting in chambers 2A in Greenbelt as part of the court's cyclical maintenance schedule. Three Greenbelt courtrooms were funded in fiscal year 2012 to be upgraded from VGA to digital recording systems. These systems will be installed on the vendor's schedule beginning in spring 2013.

### **Bankruptcy Court**

The court funded one major facilities project during fiscal year 2012. The project involves re-keying the courtrooms, chambers, and other offices occupied by the Fourth Circuit, district court, bankruptcy court, and probation and pretrial services office in the Baltimore courthouse. The court was able to provide the funding for the project to remedy a security deficiency for all of the court units located in the Baltimore courthouse after GSA was unable to secure funding from its regional or central offices.

### **Probation and Pretrial Services**

The district's probation and pretrial services offices are presently located in four different buildings. The pretrial services office in Baltimore is located in the northern division courthouse and occupies 7,417 usable square feet. The pretrial services office in Greenbelt is located in the southern division courthouse and occupies 4,029 usable square feet. The probation office in Baltimore is located approximately one block from the courthouse at 250 W. Pratt Street and occupies 41,106 usable square feet in leased space not owned by GSA. In Greenbelt, the probation office is located approximately one mile from the courthouse and occupies 30,400 usable square feet in leased space not owned by GSA.

In fiscal year 2012, two cyclical maintenance projects were initiated. The first project was the cyclical painting of common areas (hallways, doors, etc.) of the pretrial office in Baltimore. The second project was the cyclical replacement of carpet in the probation office in Baltimore.

Because it is anticipated that both the pretrial and probation offices in Greenbelt will be relocating within the next twelve to twenty-four months, no major projects or renovations have been planned. The Greenbelt probation office continues to experience recurring problems with pests and HVAC issues.

## **TRAINING**

### **District Court**

Due to the district's conservative budget approach, the human resources department limited training that required travel to only those events sponsored and funded by the Administrative Office, those that were not costly, and those deemed vital to the court.

In April, Felicia C. Cannon, the Clerk of the District of Maryland, attended the Montana Judicial Institute as a guest of Patrick Duffy, the Clerk of the District of Montana. This

intensive, three-day course teaches high school teachers about the judiciary. The program is designed to give teachers the resources necessary to educate high school students about the third branch. The court hopes to replicate this program in Maryland in the near future.

On April 25, 2012, eight members of the clerk's office attended a human interaction workshop in Baltimore. The workshop, sponsored by the Leadership Development Institute, focused on leadership skills and the development of interpersonal relationships in the workplace. This one-day program provided staff members the opportunity for career enrichment and professional development.

In August 2012, Tina Stavrou, the office's human resources administrator, attended the Human Resources Leadership Academy in Washington, D.C., which was sponsored and funded by the Administrative Office. In September 2012, Tracee Jones, a human resources specialist, attended the Combined Federal Charities (CFC) training at the CFC's main headquarters in Baltimore. Staff members in the human resources department of the clerk's office have participated in numerous training calls with the Administrative Office regarding the implementation of the AO-sponsored ePerformance program, which the court plans to implement in the next fiscal year.

Although training requiring travel has been limited, district court staff members have taken advantage of numerous opportunities to attend Webex programs and to participate in programs via telephone and video. Staff members have participated in programs on benefits, work measurement, ePerformance, retirement, VoIP telephone training, the Learning Center, as well as various courses on the JOU regarding human resources matters.

### **Bankruptcy Court**

A number of staff members took advantage of the training offered at the National Conference of Bankruptcy Clerks during the past fiscal year. The bankruptcy court received the Outstanding Public Service Award at the conference in recognition of its Community Service Day initiative. Additionally, the court was selected to host next year's conference in Baltimore.

### **Probation and Pretrial Services**

During fiscal year 2012, all supervision officers attended a training sponsored by probation officer specialists entitled "Effective Supervisions Strategies for Substance Abuse Officers." Covered topics included a model for positive change, cognitive-behavioral therapeutic techniques, the role of the officer, and confidentiality. All staff members were required to attend the Federal Judicial Center's (FJC) program entitled "Preventing Workplace Harassment." Three new officers completed the six-week Initial Probation and Pretrial Officer Training Program at the Federal Law Enforcement Training Center in Charleston, South Carolina, which provided an intense and detailed curriculum for new officers.

The office continued to focus on Offender Workforce Development (OWD). One senior manager and three members of the OWD team attended a BOP reentry conference. The OWD team continues to work with local resources such as local One-Stop programs, in addition to

delivering quality in-house programs.

Four managers completed the FJC's new supervisors program. As their in-district project, three of these managers are developing training regarding the Criminal Justice Dashboard, a web-based clearinghouse of information regarding a criminal subject's history that consolidates more than ninety different databases into a single platform. The fourth manager is developing training on investigating offenders via social media sites.

Nineteen officers attended the Maryland Governor's Criminal Justice Training Conference, and three officers attended the Governor's Conference on Human Sex Trafficking. Additionally, twenty-three officers were certified in CPR, and all fourteen of the office's firearms and safety instructors were certified in CPR with First Aid. Thirty-four staff members attended identity theft training presented by an identity crime program manager with the Maryland Motor Vehicle Administration.

The following training sessions and conferences addressed the office's work with defendants and offenders, aimed at improving work processes:

- Substance Abuse and Mental Health Courses and Seminars
- Sex Offender Training
- Electronic Reporting System for Offenders
- One senior manager attended a National Leadership Program
- Three staff members attended a National Pretrial Conference
- Information Technology Courses
- Location Monitoring Technology
- Stress Management
- Records Check Training
- Sentencing Guidelines Conference

## ATTORNEY ADMISSIONS

As of October 1, 2012, the district court bar had 13,116 active members. The court holds monthly admissions ceremonies in both courthouses and averages forty-five new bar members at each ceremony. In order to reduce expenses and increase the quality of service available to the bar, the court converted its renewal process to an electronic and automated system in CM/ECF in which attorneys both file their renewal applications and pay renewal fees online. During the first year of this program, the court processed nearly 2,000 renewal applications during a six-week period, a process that previously ran continuously throughout the year.

The tables provided below show the number of admissions in the United States District Court for the District of Maryland for 2010, 2011, and for the period from January 1 through September 30, 2012.

<b>MONTHLY ATTORNEY ADMISSIONS</b>			
<b>MONTH</b>	<b>2010</b>	<b>2011</b>	<b>2012*</b>
JANUARY	57	41	56
FEBRUARY	54	70	49
MARCH	51	40	45
APRIL	53	35	37
MAY	93	101	84
JUNE	34	36	36
JULY	50	46	54
AUGUST	50	36	-
SEPTEMBER	34	46	53
OCTOBER	39	50	
NOVEMBER	38	42	
DECEMBER	46	43	

<b>ATTORNEY ADMISSIONS SUMMARY TOTALS</b>		
<b>2010</b>	<b>2011</b>	<b>2012*</b>
<b>599</b>	<b>586</b>	<b>414</b>

\*For the period 1/1/2012 through 9/30/2012

## COOP AND EMERGENCY PREPAREDNESS

Based on the location of the northern division courthouse in a major downtown area, the district has become more involved in city and state emergency preparedness plans. In February 2012, Tina Stavrou, clerk's office human resources administrator, attended a Closed Point of Dispensing training program. In the event of an attack requiring the dispensation of medicine, the federal building across the street from the northern division courthouse will become a dispensing site and certain identified federal employees will serve as form reviewers and

medicine dispensers. In September 2012, Tina Stavrou and Brett Gwin, Baltimore space and facilities manager, participated in the Closed Point of Dispensing Site Annual Drill, during which they reviewed procedures on how to determine the types of medicine to be given, how to dispense the medicine, and how to assist individuals during this type of crisis.

### **CRIMINAL JUSTICE ACT (CJA) SUPERVISING ATTORNEY**

Donna Shearer continues to supervise CJA panel attorneys and to monitor the interactions between the court and the felony panel members. Ms. Shearer works closely with the United States Attorney’s Office and pretrial services to ensure that attorneys are assigned at the earliest stage, the defendant’s initial appearance. Her office coordinates the appointments and maintains conflict lists in all large multiple defendant cases. Her office dealt with a large number of multiple defendant cases earlier in the fiscal year, but the number of indicted cases slowed during the summer months. The expenditures on cases, however, was higher this year due to the completion of a number of large multiple defendant cases. Capital cases were not a significant cost factor this fiscal year because many of the cases either were not authorized or have not yet gone to trial; thus, the capital case costs have not been reported in this fiscal year.

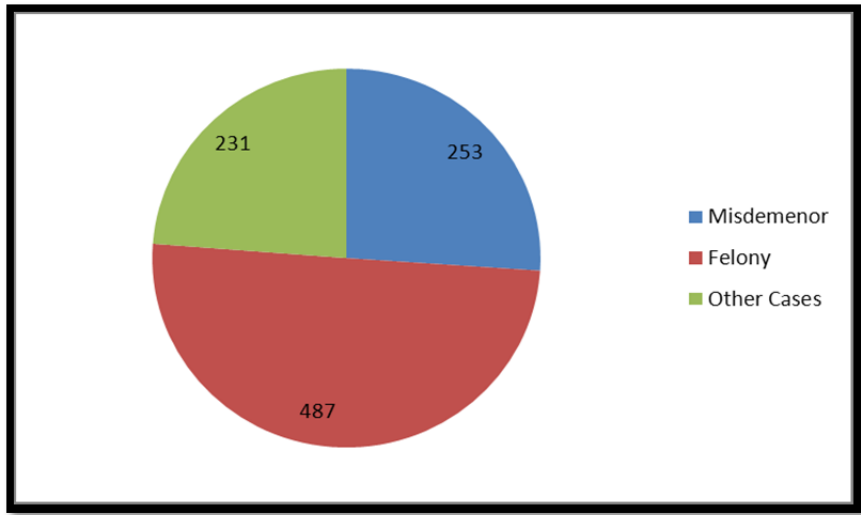
Ms. Shearer is assisted by a CJA technician, Nicole Bierman. Ms. Bierman carefully audits each voucher for mathematical accuracy and compliance with CJA guidelines. Her support is invaluable. Once Ms. Bierman completes a thorough review of the submitted vouchers, the vouchers are forwarded to Ms. Shearer for a reasonableness review and approval if the voucher is under the statutory maximum. If the voucher is over the statutory maximum, Ms. Shearer prepares a memorandum or letter to support the claim for the presiding judicial officer. During the past year, Ms. Bierman has also assisted the clerk’s office by answering the general phone lines approximately four hours every week.

The following table is a comparison of yearly CJA expenditures.

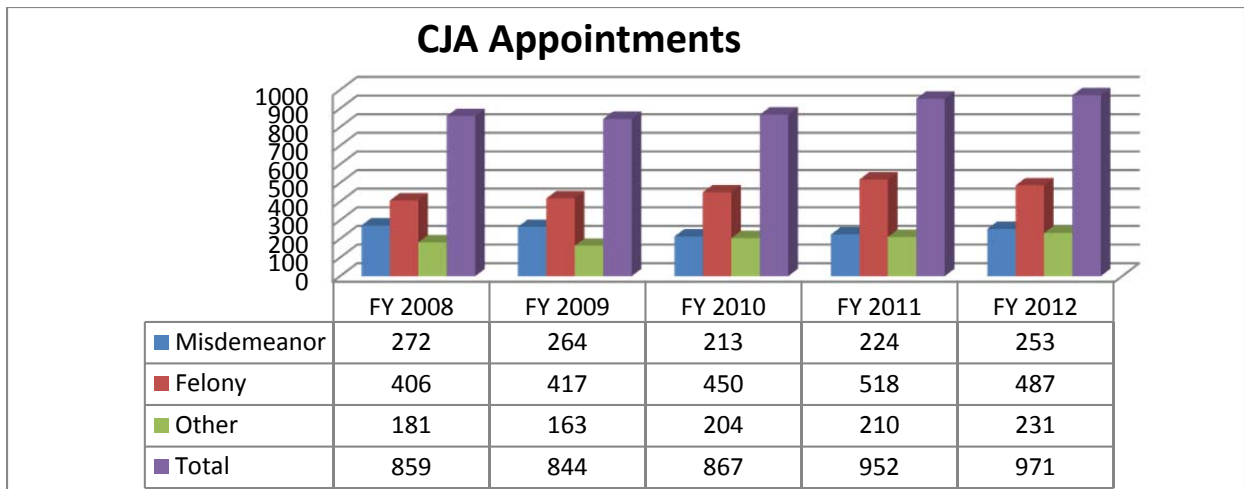
<b>Payments</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
Attorneys	\$5,461,427.82	\$4,004,183.68	\$4,107,191.32	\$5,104,516.07
Experts (felony & capital cases)	\$444,303.01	\$626,300.85	\$402,360.74	\$508,928.17
Total Paid*	\$6,113,815.27	\$4,803,669.85	\$5,328,282.80	\$5,737,920.97
Total Capital Case Costs	\$3,042,940.45	\$982,895.81	\$726,886.96	\$156,340.62
Costs attributed to capital cases	50%	20%	14%	3%

\*includes transcript and GTA costs

In fiscal year 2012, the office made 971 assignments, a small increase over 2011.

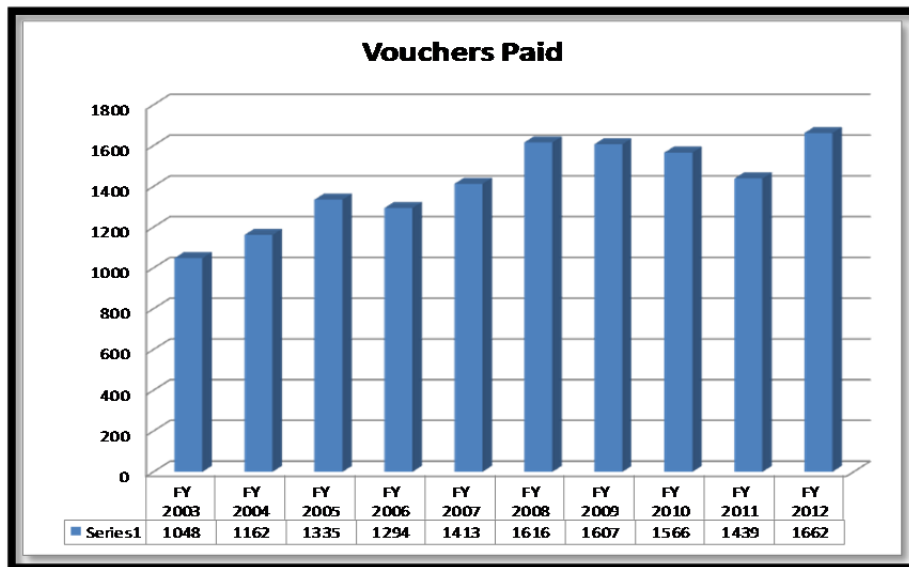


A picture of appointments over the last five years shows a slow, but steady increase.



Ms. Shearer also reviews all requests for expert and investigative funding. If the amount is less than the statutory maximum and the requested funding is appropriate, she approves the request. If the requested funding level exceeds the statutory maximum of \$2,400.00, she reviews the request, makes a recommendation, and prepares a draft confidential memorandum to Chief Judge Traxler for the presiding judicial officer. The number of requests for expert and investigative services is increasing as the panel receives more training from the Office of the Federal Public Defender on the importance of investigative and expert assistance and the necessity of mental health evaluations becomes more critical. Whenever possible, efforts are made to utilize less expensive professionals. For example, using a paralegal to prepare requests for subpoenas at \$40.00 per hour is a cost-effective measure when an attorney would charge \$125.00 per hour. Ms. Shearer maintains a directory of experts and investigators and often attempts to negotiate a reduction in the requested hourly rate in Criminal Justice Act cases.

The number of vouchers processed for payment was higher in fiscal year 2012 than in past years, likely due to the completion of a large number of multiple defendant prosecutions.



Ms. Shearer has developed expertise in setting budgets in capital and mega-cases and has assisted judges in the Fourth Circuit with review of pending case budgets. During fiscal year 2012, she reviewed a number of budgets for other districts as well. She has continued active participation in the Electronic CJA Vouchering Working Group, a three-year project consisting of representatives from each circuit, the Office of Defender Services, and committee liaisons from the Judicial Conference. She also serves on the court’s CJA committee. For that committee, she reviews and makes recommendations on all applications for the felony panel, prepares the meeting minutes, and serves as the court’s in-house counsel on CJA matters.

In March 2012, Ms. Shearer attended the annual CJA panel representative conference. She was also invited to serve as a panelist in a discussion presented by the Federal Judicial Center for the National District Judges Workshop on the topic of justice in a time of austerity. She attended conferences held in Boston and San Francisco and prepared remarks for the judges on practical ways to reduce CJA expenditures.

### **DEBTOR ASSISTANCE PROJECT**

The court’s Debtor Assistance Project (DAP) continues to provide services to low income individuals who have filed bankruptcy without an attorney, or are considering filing bankruptcy and plan to represent themselves. The DAP is a collaborative effort between the court and its partner agencies. The program provides the services and expertise of volunteer bankruptcy attorneys and operates in both the Baltimore and Greenbelt federal courthouses, on the Eastern Shore in Easton, and in Western Maryland in Cumberland. As of the close of fiscal year 2012, the program has provided free legal assistance to over 2,400 debtors (or potential debtors) since its 2009 inception. Additionally, the court and its DAP partners facilitated consumer bankruptcy training for practitioners and paralegals at the Hilton Baltimore BWI Hotel in March 2012.

## INTERPRETERS

<b>INTERPRETER USAGE AND COST FOR FY2012</b>						
<b>Language</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>FY Total</b>	<b>FY Cost</b>
Arabic	0	1	0	0	1	\$244
Bulgarian	2	2	2	1	7	\$3,180
Creole (French)	1	0	0	0	1	\$240
Farsi	0	1	0	0	1	\$242
French	0	0	5	3	8	\$2,375
Greek	0	1	0	0	1	\$444
Hungarian	1	2	1	0	4	\$1,919
Ibo	0	0	4	1	5	\$3,889
Korean	5	1	3	3	12	\$5,282
Krio	0	0	0	1	1	\$240
Mandarin	0	0	1	4	5	\$1,106
Romanian	0	3	4	0	7	\$3,273
Russian	1	0	2	0	3	\$1,010
Sign (American)	3	2	1	3	9	\$3,373
Spanish	117	141	96	91	445	\$93,579
Tagalog	1	0	0	0	1	\$474
Vietnamese	1	1	2	1	5	\$1,939
Yoruba	0	0	4	0	4	\$720
<b>Total</b>	<b>133</b>	<b>155</b>	<b>125</b>	<b>108</b>	<b>521</b>	<b>\$124,479</b>

In fiscal year 2012, the District of Maryland began using the Telephonic Interpreting Program, a nationally-supported program that allows telephonic interpretation for defendants of in-court proceedings. The district used the program on thirteen occasions in the past year for an estimated cost savings of \$3,852.00. Court proceedings were translated in Spanish, Romanian, Vietnamese and French.

<b>Language</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>FY Total</b>	<b>Savings</b>
French	0	0	2	0	2	\$501
Romanian	0	1	0	0	1	\$168
Spanish	0	2	2	5	9	\$2997
Vietnamese	0	0	0	1	1	\$186
<b>Total</b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>13</b>	<b>\$3852</b>

## JURY SERVICES AND NATURALIZATIONS

### Jury Services

Improvements to jury assembly rooms in Baltimore and Greenbelt included a new audiovisual system, providing improved services to grand and petit jurors. In fiscal year 2012, 11,584 jurors were summoned for jury service. A total of 3,880 trial jurors reported to the court for participation in 87 jury trials: 51 jury trials were held in criminal cases and 36 were held in civil cases. The need for juror services was higher in the past fiscal year than in 2011.



FY 2010	FY 2011	FY 2012
4,509 trial jurors reported 99 jury trials (63cr/33cv) 12,423 jurors summonsed	3,421 trial jurors reported 68 jury trials (44 cr/24cv) 12,820 jurors summonsed	3,880 trial jurors reported 87 jury trials (51cr/36cv) 11,584 jurors summonsed

A new Master Jury Wheel was created in 2012. The process began in January with printing and mailing of approximately 45,000 juror qualification questionnaires. With the collaborative efforts of staff in opening and sorting the returns, the qualified wheel was created for the start of the new two-year term that began on July 1, 2012.

Software for eJuror was installed, and the court began actively using it with the summons portion in January and with questionnaires in February with the new Jury Wheel. Approximately 36% of juror qualifying questionnaires mailed during fiscal year 2012 were completed through eJuror. Of the 11,854 jurors summonsed since October 1, 2011, approximately 54% have completed juror information forms or updates through eJuror.

Four grand juries were selected during fiscal year 2012 – one in Greenbelt and three in Baltimore. A total of 4,213 grand jurors spent 1,119 hours in session, convening 203 times during the year. Three appreciation luncheons were hosted by the court’s jury committee for the departing grand juries. The luncheons provided a platform for grand jurors to express their comments about their service. Below is a grand juror comparison over the last three years.

FY 2010	FY 2011	FY 2012
4,169 grand jurors convened on 209 days , spending 1,155 hours in session	3,847 grand jurors convened on 199 days , spending 1,105 hours in session	4,213 grand jurors convened on 203 days , spending 1,119 hours in session

### **Naturalizations**

Naturalization ceremonies are held in both the Baltimore and Greenbelt courthouses – twice monthly in Baltimore and on a monthly basis in Greenbelt. In fiscal year 2012, 965 applicants in Baltimore and 392 in Greenbelt, totaling 1,357 applicants, were sworn-in during thirty-two ceremonies.

In the Greenbelt courthouse, new citizens are hosted by the Daughters of the American Revolution (D.A.R.). The D.A.R. presents the new citizens with informational packets and an American flag and hosts a reception after each ceremony.

On April 20, 2012, The Honorable Beth P. Gesner presided over a special naturalization ceremony in Baltimore in which fourth grade students of the Chesapeake Academy participated. The students researched the countries represented and their own heritage and delivered speeches on the importance of the day. The class also performed patriotic songs and hosted a reception after the ceremony for the new citizens.

## PRO SE STAFF ATTORNEYS

In fiscal year 2012, cases filed by self-represented prisoner litigants accounted for 20% of all civil filings in this district. Non-prisoner, self-represented filings comprised an additional 9.5% of the civil docket. When combined, new case filings by self-represented litigants totaled 30% of all civil filings in the District of Maryland during the past year. While this represents a slight decrease in the number of filings compared to the preceding year, nearly one-third of all civil filings in the district over the past five fiscal years have been made by pro se litigants.

Among prisoner cases, civil rights filings were most prominent, with 399 new cases filed in fiscal year 2012. Challenges to federal convictions also continue to be filed at a steady rate. For the second consecutive year, state habeas corpus applications rose after a five-year decline. The court continues to see an increase in the number of motions filed in closed criminal cases, particularly motions filed under Fed. R. Civ. P. 60, Fed. R. Crim. P. 35, and 18 U.S.C. § 3582. Often, these motions are re-characterized as § 2255 motions to vacate. In general, fewer habeas corpus cases are being dismissed on procedural grounds. As a result, appointment of counsel has occurred in these cases with greater frequency.

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>All Civil Filings</b>	3457	3551	3684	3849	3915
<b>Motions to Vacate</b>	104 (3%)	137 (4%)	128 (3.5%)	155 (4%)	163 (4%)
<b>State Habeas Corpus</b>	104 (3%)	84 (2%)	64 (1.5%)	106 (3%)	100 (2.5%)
<b>Habeas Corpus Other</b>	166 (5%)	165 (5%)	156 (4%)	128 (3%)	126 (3%)
<b>Prisoner Civil Rights</b>	494 (14%)	521 (15%)	454 (12%)	466 (12%)	399 (10%)
<b>Self-Represented Non-Prisoner Cases</b>	310 (9%)	348 (10%)	374 (10%)	348 (9%)	377 (9.5%)

Prisoner civil rights filings alleging gang-related violence in state prisons remain high. These cases have received local media attention in the past year as a result of serious assaults and homicides within the prisons. Actions regarding health care concerns and allegations of assault at the hands of correctional personnel also remain high. The state prison health care system is in flux; a new health care provider now is responsible for both the determination of health care utilization by outside consultants, as well as the delivery of health care services within the prisons, and a new law firm is involved in representing the health care contractor. Appointment

of counsel is needed with greater frequency, as it becomes increasingly difficult to resolve these cases on summary judgment.

The staff attorneys are the clearinghouse for requests filed with the court by federal prisoners seeking resentencing under the Fair Sentencing Act (FSA). In that capacity, they assist clerk's office personnel in interpreting FSA requests and notify the Federal Public Defender of these filings.

### **PRETRIAL DETENTION**

In February 2011, the Maryland Correctional Adjustment Center (MCAC), the state's former "Super Max" facility, became solely dedicated to federal pretrial detainees through a new memorandum of understanding between the state and federal authorities. On April 4, 2012, the State of Maryland held a name changing ceremony for this facility. The facility is now known as the Chesapeake Detention Facility. Several judges and unit executives attended the ceremony.

Although not the ideal solution to our lack of a federal pretrial detention facility, the procurement of a secure facility dedicated to federal prisoners was a significant achievement for the district. The court has cooperated with the Marshal's Service, the Office of the Detention Trustee, and the State of Maryland in setting up MCAC. The MCAC primarily serves the court's northern division, however – other contract facilities are provided by the Marshal's Service for the detention of additional prisoners, particularly those in the southern division. Some of these facilities are located six hours round-trip from the district's two courthouses. The need for the CJA panel attorneys to travel to these outlying facilities significantly increases the cost of the representations.

The court is committed to working with the Marshal's Service in providing a secure environment for federal prisoners with adequate medical care; an effective and efficient visitation system for counsel and family members; and educational, counseling and recreational opportunities. Some progress has been made, particularly at MCAC, in providing these services. As long as the Marshal is forced to rely on contract beds from local detention facilities, however, it will continue to be difficult to provide housing with consistent standards.

### **CONCLUSION**

The bench wishes to thank Chief District Judge Joseph R. Goodwin from the Southern District of West Virginia for his assistance in resolving the case of *Shamleffer v. AKAL Securities*. The case involved a Court Security Officer working in the Baltimore Courthouse, and the Maryland judges agreed it was necessary to recuse themselves from hearing the case. The bench also thanks the employees of the district and bankruptcy courts, and related agencies for their continued hard work and dedication.

