

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**



**FISCAL YEAR 2013 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  
Paul W. Grimm  
Ellen Lipton Hollander  
William D. Quarles, Jr.  
George Levi Russell, III  
Roger W. Titus  
Vacancy (as of May 8, 2013)

### Senior Judges

Marvin J. Garbis  
Benson Everett Legg (Retired)  
Peter J. Messitte  
J. Frederick Motz  
William M. Nickerson  
Alexander Williams Jr.

## **MAGISTRATE JUDGES**

(No Vacancies)

### Full-Time

William Connelly, Chief  
Charles B. Day  
Thomas M. DiGirolamo  
Stephanie A. Gallagher  
Susan K. Gauvey  
Beth P. Gesner  
Jillyn K. Schulze  
Timothy J. Sullivan

### Part-Time

C. Bruce Anderson

## **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 D. 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 2013. On March 22, 2013, the district court celebrated the appointment of a new district judge with the formal investiture ceremony of Judge Paul W. Grimm at the Baltimore courthouse. Judge Grimm was first appointed by the court as a magistrate judge in 1997 and served as chief magistrate judge from 2006 to 2012. He was nominated by President Obama on February 16, 2012, to the seat vacated when Judge Benson Everett Legg took senior status. Judge Grimm was confirmed by the Senate on December 3, 2012, and received his commission three days later. With the elevation of Judge Grimm to the district court bench, Judge William Connelly was appointed chief magistrate judge on November 19, 2012, with Judge Beth Gesner assuming an administrative liaison role in Baltimore.

District Judge Alexander Williams Jr. took senior status on May 8, 2013, after nineteen years of service as an active district judge in the court's southern division courthouse. On May 23, a portrait unveiling ceremony was held in Greenbelt in his honor. Among the distinguished group of speakers at the ceremony – which was organized by Kraig B. Long, one of Judge Williams' former law clerks – was the portrait artist, Edward Clay Wright, Jr. Judge Williams' portrait now hangs next to the portrait of Senior Judge Peter J. Messitte in ceremonial courtroom 4C in Greenbelt, with a copy in courtroom 5D in Baltimore.

On May 10, 2013, the district celebrated the appointment of another new judge with the investiture ceremony of Magistrate Judge Timothy J. Sullivan at the Greenbelt courthouse. Judge Sullivan was appointed by the district judges to fill the vacancy created when Judge Grimm was elevated to the district court bench. He took office on December 20, 2012.

Fiscal year 2013 also saw the reappointment of an experienced magistrate judge. Judge Charles B. Day, who was first appointed as a magistrate judge on February 18, 1997, was sworn-in to a new eight-year term on February 18, 2013.

On June 6, 2013, the Maryland Chapter of the Federal Bar Association presented the Peter A. DiRito award to Claudia Gibson, Case Administration Manager for both divisions of the district court clerk's office. This award, named for a distinguished past president of the Maryland Chapter of the FBA, is presented annually to honor outstanding and dedicated service to the court and the local bar.

### Bankruptcy Court

The bankruptcy court held separate ceremonies in fiscal year 2013 to unveil the portraits of three distinguished jurists. On October 4, 2012, a ceremony was held to unveil the portrait of Judge Duncan W. Keir and to celebrate the passing of the chief judge's gavel to Judge Nancy V. Alquist. At a ceremony held November 9, 2012, the court unveiled the portrait of Judge Paul Mannes in recognition of his thirty-plus years of service on the bankruptcy bench. In February 2013, the court celebrated Judge James F. Schneider's thirty-one years of service, followed by an unveiling ceremony at the Baltimore courthouse on June 20. Judge Keir's portrait is on display

in courtroom 1B in Baltimore, with a copy in courtroom 3D of the southern division courthouse. Judge Mannes' original portrait is also displayed in courtroom 3D in Greenbelt, while a copy may be viewed in courtroom 2A in the court's northern division. Judge Schneider's portrait is also on display in courtroom 2A in Baltimore.

These three bankruptcy judge portraits now join those of Judge E. Stephen Derby and Judge Harvey M. Lebowitz adorning the walls of the district's courthouses.

## **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 relies 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.

In fiscal year 2013, the bankruptcy court determined that minor revisions to its Local Rules and Forms were necessary, primarily for purposes of clarity. The most recent changes to the rules became effective on September 1, 2013.

## **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 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. The civil rights exhibit, planned for the fourth floor public corridor in the Greenbelt courthouse, is expected to be installed by spring 2014. 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 committees governing administration of the federal courts. Chief Judge Deborah K. Chasanow will finish her term this year as a voting member on the Fourth Circuit Judicial Council, but will remain as a non-voting member in her capacity as the Fourth Circuit's district judge representative to the Judicial Conference of the United States. On September 30, 2013, Judge J. Frederick Motz completed his five-year assignment as chair of the Judicial Conference Committee on Intercircuit Assignments, but his committee service will continue, as he was recently appointed as a member of the Judicial Conference Committee on Budget. Judge Catherine C. Blake is currently serving the second year of a four-year term as chair of the Judicial Conference Committee on Defender Services. Judge Blake also serves on the Federal Judicial Center Board, having been appointed in March 2012. Judge James K. Bredar continues to serve as a member of the Judicial Conference Committee on Federal-State Jurisdiction and, on June 27, 2013, Judge Ellen L. Hollander was elected as treasurer of the Fourth Circuit District Judges Association for a two-year term.

Several judges actively participate in programs designed to foster the education of citizens and international tribunals regarding operation of the federal judiciary. Judge Richard D. Bennett works closely with the court systems in Russia, Turkey, and the Ukraine, and serves on the Judicial Conference Committee on International Judicial Relations, continuing the court's long history of service on this committee, which has included prior service by Judge Peter J. Messitte and former district Judge Andre M. Davis, who now sits on the Fourth Circuit. Judge Messitte and Judge Marvin J. Garbis also remain active in teaching and lecturing internationally. This year, the Baltimore and Greenbelt courthouses carried on a tradition of hosting 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, Australia, 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.

The fifth biennial Northrop Lecture was held on October 31, 2012, at the Greenbelt courthouse. This event is held in honor of Judge Edward S. Northrop, who served as a district judge from 1961 until his death in 2003. The lecture is co-sponsored by the George Washington University Law School, where Judge Northrop earned his LL.B. in 1937. This year's keynote speaker was Associate Justice Stephen G. Breyer of the Supreme Court of the United States.

On November 2, 2012, Magistrate Judge Susan K. Gauvey hosted the annual Open Doors program in Baltimore. The program, which involves students from various local high schools, includes mock trials, discussions with unit executives and judges, and lunch with members of the district court bench.

The court's new law clerks for the 2012-13 clerkship year attended an employment discrimination law seminar in Greenbelt on November 8, 2012, conducted by prominent local practitioners Patrick L. Clancy of Venable, LLP; Diane Seltzer of the Seltzer Law Firm; and Darrell R. VanDeusen of Kollman & Saucier, P.A. This program was repeated for the 2013-14 cycle of clerks on September 23, 2013, with Pat Clancy and Darrell VanDeusen again facilitating.

On November 14, 2012, several members of the bench traveled to Raleigh, North Carolina, for a two-day Fourth Circuit Judges' Workshop. The workshop included an excellent discussion of K-9 sniff cases presented by Peter Muselli.

On November 20, 2012, Judge Marvin J. Garbis presided over the final resolution of *Thompson v. H.U.D., et al.*, concluding more than seventeen years of litigation. The *Thompson* case was filed in 1995 by a plaintiff class of African-American families who alleged that the defendants created and maintained a racially segregated system of public housing in Baltimore City. Resolution of the case provided significantly improved opportunities for African-American public housing residents in Baltimore City to obtain affordable housing beyond the city limits and facilitated a regional approach by H.U.D., Baltimore City, and surrounding counties.

In December 2012, 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.

On January 10, 2013, the employment law section of the Bar Associations of Montgomery and Prince George's Counties held a litigation skills CLE workshop at the Greenbelt Courthouse. The court also hosted the joint dinner meeting of the J. Franklyn Bourne Bar Association and the Prince George's County Bar Association in Greenbelt on February 5.

On March 1, 2013, the Federal Bar Association hosted a luncheon in honor of the transition to senior status of District Judges Peter J. Messitte and Benson Everett Legg, the retirement of Magistrate Judge Victor H. Laws, III, and the recent appointments of District Judge George Levi Russell, III, and Magistrate Judge C. Bruce Anderson to the bench.



During fiscal year 2013, the district continued its commitment to providing its law clerks with the tools they need to assist 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 30, 2013, the bench, joined by Fourth Circuit Judge Diana Gribbon Motz, 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 participated in the ceremony at the southern division 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 20, Judges Catherine C. Blake and J. Frederick Motz hosted a brown bag lunch for summer interns and law clerks. This program was repeated on July 11, with District Judges Richard D. Bennett and Ellen Lipton Hollander serving as hosts, and again on August 1, hosted by Magistrate Judge Susan K. Gauvey and Bankruptcy Judge Duncan W. Keir. Another annual event for judges, law clerks, and interns is the court's summer softball game, which was held this year at Centennial Park in Columbia on a balmy evening in July. Magistrate Judge Timothy J. Sullivan distinguished himself by hitting what is believed to be the first ever home run by a member of the bench.

On July 23, 2013, 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 with the opportunity to discuss pressing matters in the judiciary with local members of Congress.

The fiscal year ended with the arrival of Judge Mark A. Barnett, on August 19, 2013. Judge Barnett, a recent appointee to the Court of International Trade, was designated to sit on the district bench in Maryland for six months while his caseload on the Court of International Trade was established. Judge Barnett is sitting in the Greenbelt courthouse and is managing a docket of commercial-related civil cases.

### **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 also has 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 conducting a bankruptcy workshop in Odessa, Ukraine, with Ukrainian Commercial Court judges. Earlier in the year, Chief Judge Alquist and Bankruptcy Clerk Mark D. Sammons hosted a delegation of Ukrainian Commercial Court judges to the United States and demonstrated case management systems. Additionally, Chief Judge Alquist, Mr. Sammons, and Rick Thompson, Information Systems Manager, made a presentation about the capabilities of CM/ECF to a judge and chief information officer from the Federal Circuit Court of Australia.

The judges and clerk of the bankruptcy court attended the Bankruptcy Bar Association's annual Spring Break Seminar in May 2013. In September, Chief Judge Alquist and the clerk addressed the association's Baltimore chapter regarding the state of the court. Judge Mannes, Judge Lipp, and Judge Catliota, along with clerk, made a similar presentation in September to the association's Greenbelt chapter.

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 second annual Community Service Day. The goal of the event is to promote teamwork and to have a positive, meaningful impact in the community. Staff members volunteered at the Ronald McDonald House, the Maryland Council for Special Equestrians, the Maryland Food Bank, and Partners in Care. The court also sponsored a blood drive for the American Red Cross in April 2013 at the Greenbelt courthouse.

## **PERSONNEL, BUDGET & FINANCE**

### **District Court**

In fiscal year 2013, the District Court Clerk's Office was allotted 112.9 positions, including court reporters and *pro se* staff attorneys. In keeping with its conservative nature and due to uncertainty regarding future budgets, the clerk's office maintained staffing this year at 67% of formula, or 76 positions. As a result, the office has avoided furloughs and layoffs thus far, but a substantial increase in workload has strained resources and caused significant stress for onboard staff. The office once again utilized three unpaid interns this year to provide assistance in legal and specialized areas. Due to the current budget conditions, the office is perpetually looking forward and adjusting job responsibilities prior to making any new hiring decisions, remaining mindful that a number of employees will reach retirement eligibility in the near future.

Three employees with a total of 97 years of government service chose to retire this fiscal year: Gloria Williams, official court reporter, retired on April 3, 2013; Harriett Spence, courtroom deputy, retired on June 30, 2013; and Catherine Scaffidi, attorney admissions specialist, retired on July 1, 2013. Each employee was honored and acknowledged by certificates from U.S. Senators Cardin and Mikulski during individual ceremonies attended by courthouse staff. The district court experienced three additional departures and four appointments during FY 2013. Cynthia Crawford, Christina Wohlfort, and Donna Shearer all left the court to pursue opportunities outside of the federal government. Lisa Bankins and Renee Ewing came on board as official court reporters, Maureen Essex was hired as the CJA coordinating attorney, and Ashley Migliore transferred into the case administration section from the bankruptcy court.

The human resources department is responsible for the entrance and exit of all term law clerks for the district court, as well as the law clerks for the Fourth Circuit based in the northern division courthouse. In fiscal year 2013, human resources staff prepared exit paperwork and conducted individual exit interviews for 25 law clerks leaving the court. During the same time frame, entrance paperwork, form processing, orientations, and individual meetings were prepared and conducted for 25 incoming district court law clerks and 10 Fourth Circuit clerks.

During fiscal year 2013, the court receipted 17,231 financial transactions for funds totaling \$17,034,236.24 on behalf of the district and disbursed 12,340 checks totaling \$28,904,516.60. The clerk's office managed operating funds totaling \$7,547,752.00, deposit funds of \$8,175,290.87, and registry funds with a balance, as of September 30, 2013, of \$7,786,286.25. The district court also maintains a non-appropriated attorney admissions fund. The balance on this account as of the end of September 2013 was \$497,338.95. The district

court's registry fund management system transitioned from COLB (Court On-Line Banking) to CRIS (Court Registry Investment System), and then to Fedinvest/cms during the past year. Additionally, the finance office now assists with review and processing of *pro hac vice* orders.

Following the switch last year to electronic payments for attorney renewals, the office now requires electronic payment for attorney admission applications and requests for certificates of good standing.

The finance office lost an employee when Jill Klein transferred to the CRD department. The position was not filled, causing other staff members to absorb additional duties.

### **Bankruptcy Court**

In response to the austere budget situation at the beginning of the fiscal year, the bankruptcy clerk's office implemented a reorganization strategy that resulted in the elimination of three positions, as well as the reclassification of another position, in November 2012. The affected staff members held positions in case administration, court operations support, and information technology. Two additional administrative positions were abolished because of the impact of sequestration, shared administrative services, and other factors. The focus on cost containment and the dire budgets projected for upcoming fiscal years resulted in the court implementing a one-year moratorium on discretionary step increases and cash awards. In addition, the clerk's office offered early retirement and voluntary separation incentive payments (buy-outs) to eligible staff members. Two staff members opted to take advantage of the buy-out opportunity, one of whom also took early retirement. Both staff members left the court at the end of September 2013. Two other staff members transferred to the district court and another was terminated for cause. In total, ten staff members left the court this fiscal year and none were replaced. This equates to a decrease of approximately 15% in onboard staff.

In response to this decrease, the office has taken several actions to help maintain efficiency and productivity. One such action involves cross training staff members to enable them to absorb additional duties. For example, courtroom deputies are now able to perform electronic court reporting functions, thereby reducing the number of staff members in the courtroom. Additionally, the court has curtailed the number of public hours in both divisions to allow staff to focus on other duties, such as docketing new cases. The court has also implemented a system to allow creditors to file proof of claims electronically through the court's external website without having to obtain a CM/ECF account. This electronic point-of-care (ePOC) system saves information technology staff from having to create and maintain limited access CM/ECF accounts and operations staff from having to scan and docket paper claims.

A number of 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 D. Sammons, the Bankruptcy Clerk, once again served as faculty for the new clerk/chief deputy orientation at the Administrative Office. The clerk also completed his two-year term as a member of the Bankruptcy Noticing Center Working Group. The court's information systems manager was selected to participate at the joint office of information technology/assistant circuit executive for automation meetings at the Administrative Office. Additionally, the division manager in

Baltimore was a member of the Education Committee of the National Conference of Bankruptcy Clerks, which was responsible for developing the curriculum for this year's annual conference.

The court expressed its appreciation for the efforts and dedication of its staff at its annual employee recognition ceremony in April. Awards presented at this year's ceremony included those for length of service, team of the year, and employee of the year. In an effort to contain costs, the office held on-site ceremonies in Baltimore and Greenbelt.

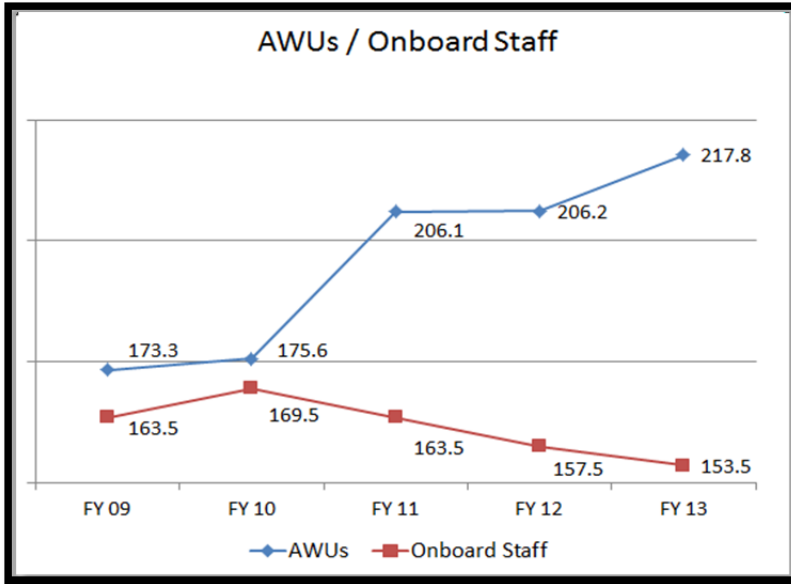
This fiscal year, the bankruptcy court entered into a number of shared administrative services arrangements with court units in the district to provide and receive services. For example, the bankruptcy court receives funds from the district court in accordance with a memorandum of understanding (MOU) to support the network and server infrastructure in the District of Maryland. The court also has an MOU with the district's probation office to receive procurement services. In addition to these formal MOUs, the court also had a number of joint projects with the district court. These projects included installing firewall equipment to enhance systems security, purchasing licenses to manage personal computers, and obtaining technical support and software upgrades for the wireless network controller used by both courts.

Outside the district, the court has an MOU with the Administrative Office for a programmer to develop software for the Next Generation of the CM/ECF project. The court also has an agreement with the U.S. Bankruptcy Court for the District of New Mexico to provide programming and mentoring support. Additionally, the court is in the process of finalizing an agreement for the U.S. Bankruptcy Court for the District of Delaware to conduct audits.

### **Probation and Pretrial Services**

In fiscal year 2013, one probation officer transferred to the District of Maryland from the Southern District of California and three new officers were appointed. One supervisory probation officer, two officer specialists, one line officer, the secretary to the chief, and one administrative technician retired this year, and one officer specialist resigned. An officer specialist was promoted to supervisory probation officer; a line officer was promoted to location monitoring specialist; a line officer was promoted to special offender specialist; and another line officer was promoted to drug and alcohol treatment specialist. Two officer specialists voluntarily stepped down to line officer.

Despite the new hires and promotions, the office continues to operate well below its Authorized Work Units (AWUs) due to existing and projected budget concerns.



**CASELOAD AND WORKLOAD STATISTICS**

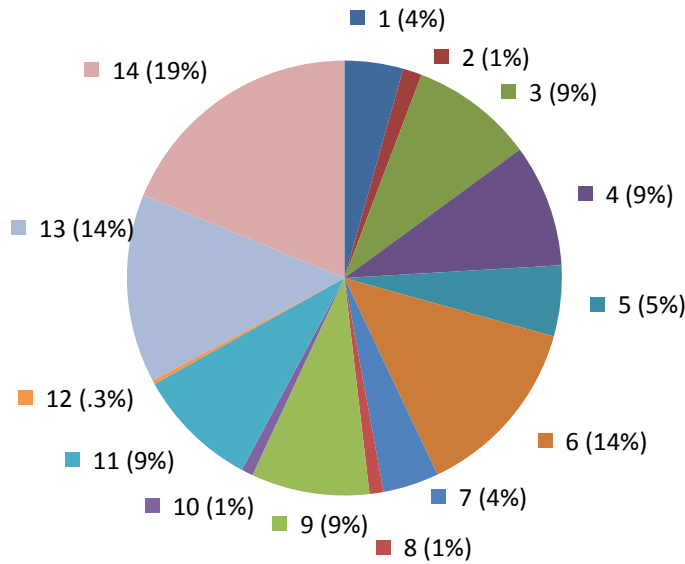
**District Court**

**General Case Statistics**

During the fiscal year ending September 30, 2013, 3,787 civil cases and 552 criminal cases (involving 831 defendants) were filed. As of June 2013, the district’s weighted case filing per judgeship was 449. The district has seen a slight decrease in civil filings this year. The criminal filings remain relatively static. The nature of civil suits pending at the end of 2013 was consistent with suits pending at the end of 2012, with a notable increase in the number of prisoner filings.

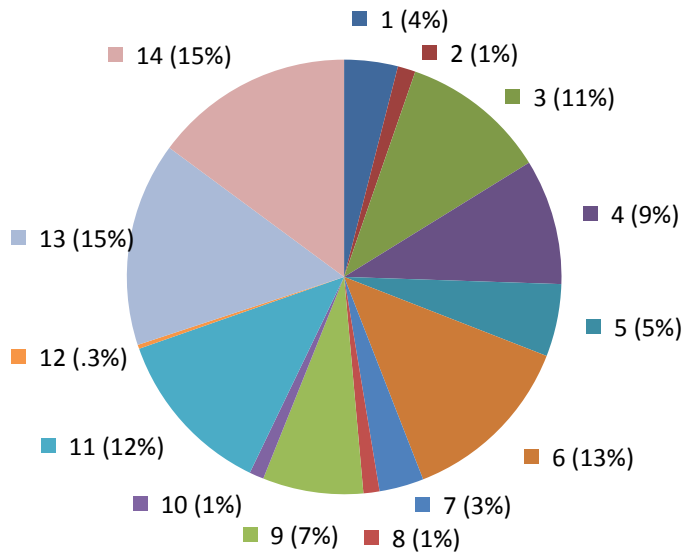
<b>TOTAL NUMBER OF FILINGS</b>			
	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Civil</b>	3,739	3,847	3,787
<b>Criminal</b>	633	558	552

**FY 2013**



Nature of Civil Suits Pending as of Oct. 1, 2013	
Category	# of Cases
1	130
2	42
3	273
4	272
5	157
6	406
7	124
8	31
9	262
10	26
11	271
12	8
13	419
14	559
<b>TOTAL</b>	<b>2980</b>

**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>

<b><u>LEGEND (CATEGORIES FOR NATURE OF SUIT)</u></b>		
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	

These tables provide more detailed information.

<b>REGISTERED CM/ECF ATTORNEYS</b>		
<b>2011</b>	<b>2012</b>	<b>2013</b>
16,797	20,372	21,648

<b>CM/ECF DOCUMENTS</b>			
	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>DOCUMENTS FILED</b>	223,353	260,702	289,385
<b>NUMBER OF PAGES FILED</b>	1,331,012	1,469,884	1,703,132
<b>TOTAL DOCUMENTS STORED</b>	1,322,044	1,582,746	1,874,271
<b>TOTAL PAGES STORED</b>	7,142,341	8,612,225	10,332,501

<b>DOCKET ENTRIES</b>						
	<b>2011</b>		<b>2012</b>		<b>2013</b>	
	<b>USERS UTILIZING CM/ECF</b>	<b>TOTAL DOCKET ENTRIES</b>	<b>USERS UTILIZING CM/ECF</b>	<b>TOTAL DOCKET ENTRIES</b>	<b>USERS UTILIZING CM/ECF</b>	<b>TOTAL DOCKET ENTRIES</b>
<b>ATTORNEYS</b>	4,157	58,720	4,338	62,219	4,355	62,411
<b>COURT USERS</b>	162	96,668	144	112,366	153	147,090
<b>TOTAL</b>	4,319	155,388	4,482	174,585	4,508	209,501

<b>ORDERS</b>			
	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>CIVIL ORDERS</b>	29,451	30,387	31,225
<b>CRIMINAL ORDERS</b>	5,497	5,429	5,727
<b>MISCELLANEOUS ORDERS</b>	1,322	881	1,329
<b>ADMINISTRATIVE ORDERS</b>	839	867	1,330

<b>FILINGS*</b>			
	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>CIVIL CASES</b>	3,739	3,847	3,787
<b>CRIMINAL CASES</b>	633	558	552
<b>CRIMINAL DEFENDANTS</b>	981	787	858
<b>MISCELLANEOUS CASES</b>	490	446	606

\* This data is based on the tables showing civil, criminal, and criminal defendant filings. Miscellaneous case filings are calculated separately and include the following types of cases: foreign subpoenas, registration of judgment from another district, administrative deposition subpoenas, applications to perpetuate testimony, receiverships, letters rogatory from other districts, warrants for arrest of jurors, pen registers, wire interceptions, video interceptions, grand jury matters, Internal Revenue Service third party records, keeper actions, and proceedings against sureties.

<b>CLOSINGS*</b>			
	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>CIVIL CASES</b>	3,866	3,876	4,097
<b>CRIMINAL CASES</b>	635	671	530
<b>CRIMINAL DEFENDANTS</b>	940	1,106	911

\* This data is based on the totals in the tables below showing civil closings, criminal closings, and criminal defendants closed.

<b>TOTAL CIVIL CASE FILINGS</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>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>2013</b>	298	339	275	337	312	314	323	306	317	320	300	346	3,787

<b>CIVIL CASE FILINGS - BALTIMORE</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>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>2013</b>	189	200	163	214	189	190	198	206	206	181	186	207	2,329

<b>CIVIL CASE FILINGS – GREENBELT</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>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
<b>2013</b>	109	139	112	123	123	124	125	100	111	139	114	139	1,458



<b>TOTAL CIVIL CASE CLOSINGS</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>2009</b>	293	253	311	245	274	314	264	260	279	310	294	316	3,413
<b>2010</b>	271	262	272	325	200	345	255	225	343	309	336	256	3,399
<b>2011</b>	293	328	316	357	358	353	298	318	289	293	273	390	3,866
<b>2012</b>	316	290	275	353	354	415	301	324	302	310	340	296	3,876
<b>2013</b>	302	333	276	418	391	362	351	344	297	360	311	352	4,097

<b>TOTAL CRIMINAL CASE FILINGS</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>2009</b>	33	47	56	48	50	55	62	53	67	37	45	57	610
<b>2010</b>	33	45	45	30	34	67	58	61	91	60	58	67	649
<b>2011</b>	51	49	60	42	44	80	47	47	55	51	53	54	633
<b>2012</b>	45	48	44	46	47	59	46	55	51	36	36	45	558
<b>2013</b>	44	35	48	34	40	45	58	41	56	38	52	61	552

<b>CRIMINAL CASE FILINGS - BALTIMORE</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>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>2013</b>	21	23	29	23	27	27	32	23	32	25	23	36	321

<b>CRIMINAL CASE FILINGS - GREENBELT</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>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>2013</b>	23	12	19	11	13	18	26	18	24	13	29	25	231

<b>TOTAL CRIMINAL CASE CLOSINGS</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>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>2013</b>	48	54	34	60	34	47	53	32	51	32	51	34	530

<b>TOTAL CRIMINAL DEFENDANT FILINGS</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>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>2013</b>	53	36	90	64	64	62	101	68	91	78	68	83	858

<b>CRIMINAL DEFENDANT FILINGS - BALTIMORE</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>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>2013</b>	25	24	53	48	49	43	69	48	50	64	38	55	566

<b>CRIMINAL DEFENDANT FILINGS - GREENBELT</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>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>2013</b>	28	12	37	16	15	19	32	20	41	14	30	28	292

<b>TOTAL CRIMINAL DEFENDANT CLOSINGS</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>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>2013</b>	78	83	67	122	57	74	87	66	76	57	93	51	911

### Multidistrict Litigation

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

(1) *In re 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 one pending case.

(2) *In re 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) *In re 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 12 pending cases.

(4) *In re Webvention LLC ('294) Patent Litigation* was certified and transferred to the District of Maryland on December 15, 2011. This MDL is assigned to Judge Catherine C. Blake and currently has 12 pending cases.

### Civil Justice Reform Act (CJRA)

The district court bench, which consistently performs well in managing its pending caseload, reported no motions pending for six months or longer on the March 31, 2013, report and two pending motions on the September 30, 2013, report. The bench also reduced its cases pending three years or more from 92 on the March 31, 2013, report to 44 on the September 30, 2013, report.

### Death Penalty Prosecutions Resolved in FY 2013

- (1) *United States 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 murder and kidnapping in aid of racketeering as the death-eligible counts. On July 12, 2012, counsel and the court were notified that the government would not seek the death penalty. Trial was held in February 2013. Following conviction, the defendant was sentenced to a term of life imprisonment on March 27, 2013. The case is now on appeal.

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

The case was opened on February 1, 2011. A third superseding indictment containing death eligible counts issued on October 25, 2011. On July 12, 2012, the Department of Justice indicated that it would not seek the death penalty. Following his entry of a guilty plea, the defendant was sentenced to a term of imprisonment of 240 months on May 20, 2013. The case is now on appeal.

- (3) *United States v. Adams* (RDB-11-0547)  
Judge Richard D. Bennett  
Counsel: Pat Woodward and Paul Hazlehurst

The defendant was indicted on drug conspiracy charges on October 6, 2011. The capital count was brought on November 14, 2011. Defendant pled guilty on February 22, 2012, and reserved the right to appeal any sentence exceeding 360 months. Defendant was sentenced to a term of imprisonment of 480 months on May 3, 2013. He noted an appeal shortly thereafter.

#### Other Death Penalty Litigation

- (1) *United States 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. Two attorneys were appointed. The Justice Department declined to pursue the death penalty in this case. The defendant proceeded to trial and the jury returned a verdict of guilty on October 9, 2013. Sentencing is scheduled for December 9. The case is budgeted.

- (2) *Miles v. Wainwright* (CCB-07-2135)  
Judge Catherine C. Blake  
Counsel: Robert Biddle

On September 20, 2001, the Court of Appeals of Maryland affirmed the death sentence underlying this petition pursuant to 28 U.S.C. § 2254. A motion to issue a second stay is pending. Petitioner's counsel filed a second motion to reopen the case in the Circuit Court for Queen Anne's County, Maryland, which was denied, as was an application for leave to appeal, leaving no unexhausted claims pending in the state courts. A related appeal has been argued before the Court of Appeals of Maryland regarding the constitutionality of a provision of the state's death penalty statute, but the court has yet to rule. The Court of Appeals ordered further briefing in light of recent legislation repealing the statutory authority for the Maryland Division of Corrections to carry out executions. Counsel filed an amended § 2254 petition on October 7.

- (3) *United States v. Lighty* (PJM-03-0457)  
 Judge Peter J. Messitte  
 Counsel: Seth Rosenthal and Julie Brain

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. Subsequent to her entry of appearance, Ms. Brain left the employ of the Delaware Federal Defender’s Office, but she continues to represent the petitioner pursuant to the Criminal Justice Act. 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 the petitioner’s counsel. Pending motions were heard on September 23, 2013, and a ruling was deferred pending further briefing.

- (4) *United States v. Ortiz-Orellana* (RWT-13-0496)  
*United States v Moreno-Aguilar* (RWT-13-0496)  
 Judge Roger W. Titus  
 Counsel: William Purpura and Teresa Whalen

Counsel have been appointed. Notice of intent to seek the death penalty has not yet been filed by the Department of Justice.

Patent Pilot Project

The district court continued the second year of a ten-year national pilot program for studying patent cases. In fiscal year 2013, seventeen patent cases were filed in the district, fourteen of which (approximately 82%) were either initially assigned or randomly reassigned to one of the court’s three patent pilot judges: Judge Marvin J. Garbis, Judge William D. Quarles, Jr., and Judge Roger W. Titus. Additionally, *In re Webvention LLC ’294 Patent Litigation*, which consolidates actions initiated in the Eastern District of Texas and the District of Delaware, was transferred to this district and assigned to Judge Catherine C. Blake on December 15, 2011. Twelve cases are currently pending.

	2012*	2013
<b>Patent Cases</b>	26	17
<b>Patent Cases Assigned or Reassigned to Patent Judges</b>	14	14
<b>Percent of Patent Cases with Patent Judges</b>	54%	82%

\*Excluding multidistrict litigation assignments

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. 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 27,266 new misdemeanor and petty offense citations in fiscal year 2013. This number presents a 20% decrease in filings from fiscal year 2012. The magistrate judges presided over 5,245 mandatory appearances, compared to 6,715 mandatory appearances the previous fiscal year, and 22,021 collateral appearances, compared to 27,190 collateral appearances in fiscal year 2012. Dispositions were reached as to 35,104 citations. Of the fines issued by magistrate judges, \$2,151,611.20 has been collected.

The work of the court's magistrate judges also includes presiding over preliminary proceedings in felony criminal cases. During fiscal year 2013, magistrate judges held 1,023 initial appearances (compared to 893 in fiscal year 2012), 515 detention hearings, and 631 arraignments. The magistrate judges also regularly reviewed proposed criminal complaints, arrest warrants, search warrants, pen registers, and applications for other investigative materials. The magistrate judges saw a significant increase in search and seizure warrants – 1,803, as compared to 1,439 in fiscal year 2012 – and arrest warrants – 1,409, as compared to 828 the previous fiscal year.

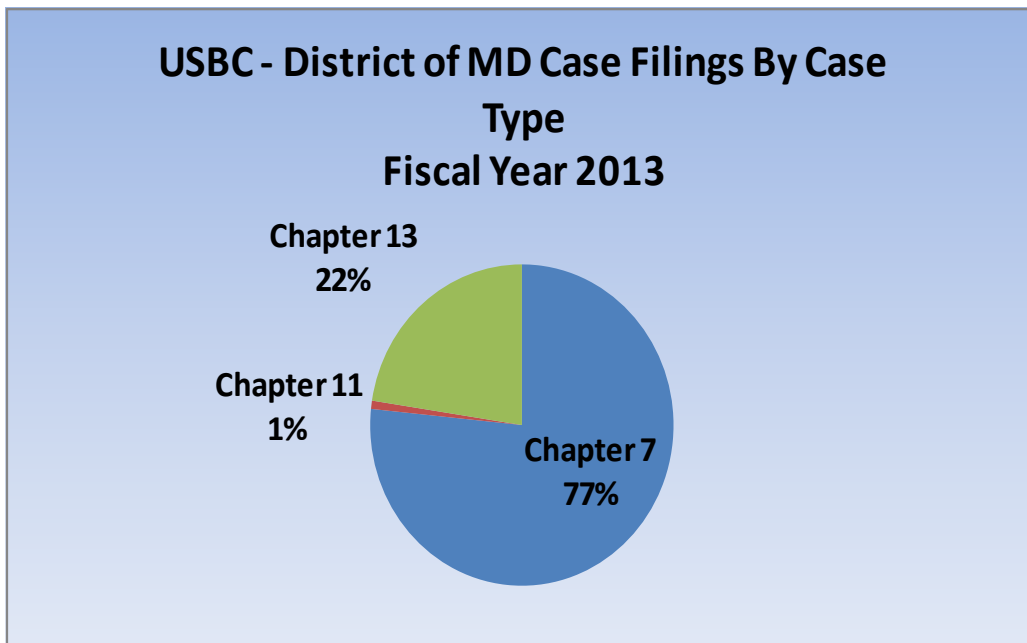
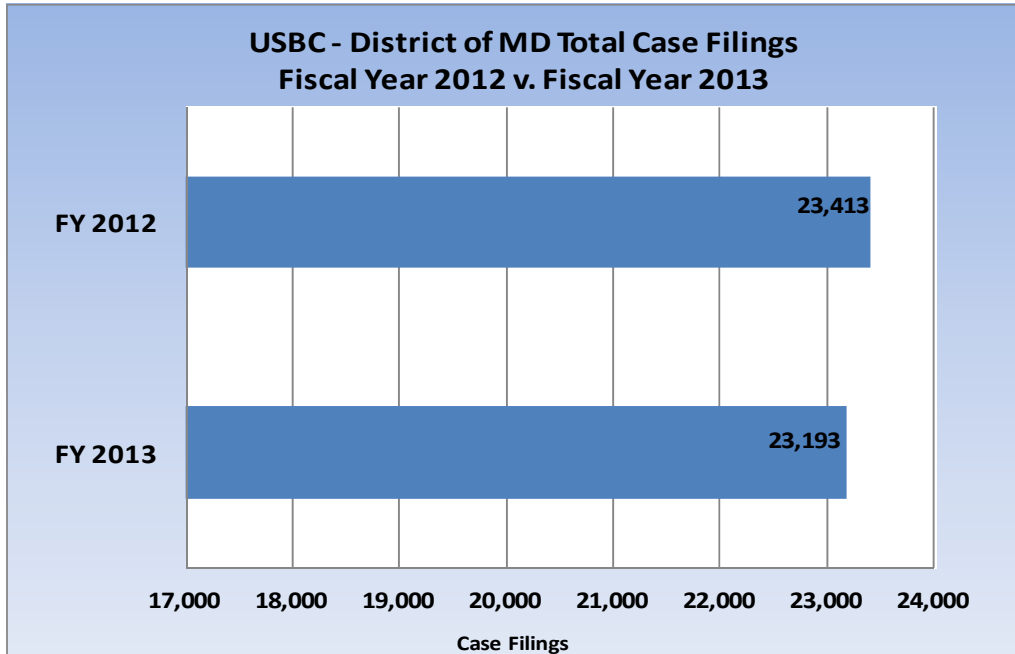
	<b>Initial Appearances</b>	<b>Detention Hearings</b>	<b>Arraignments</b>	<b>Arrest Warrants</b>	<b>Search &amp; Seizure Warrants</b>	<b>Criminal Complaints</b>
<b>Northern Division</b>	690	346	415	717	1,112	172
<b>Southern Division</b>	333	169	216	692	691	159
<b>TOTAL</b>	1,023	515	631	1,409	1,803	331

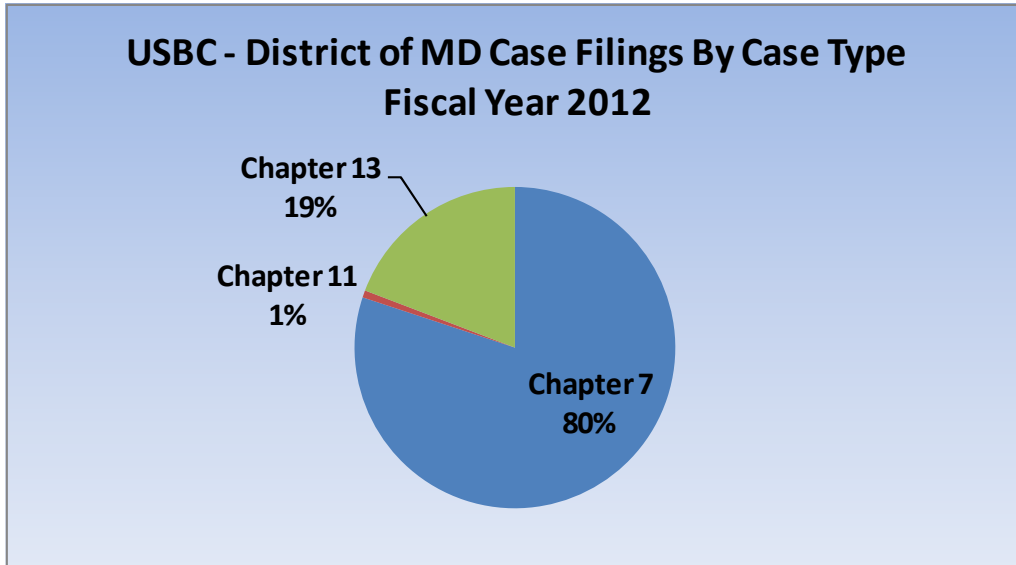
The magistrate judges play an integral role in management of the civil docket of the district court. With the consent of the parties, the magistrate judges may conduct all proceedings, including jury trials in all types of civil cases. During the past year, consents were filed in 438 cases (243 of which were Social Security Administration appeals). Magistrate judges also handled 125 referrals for discovery motions, 64 referrals for post-judgment matters, and 703 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 665 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 new cases filed in the district remained strong, totaling 23,193 in fiscal year 2013. Overall, the number of case filings decreased very slightly by .9% from fiscal year 2012. Specifically, Chapter 7 cases decreased by 5%, Chapter 11 cases increased by 11%, and Chapter 13 cases increased by 16% from the prior fiscal year.

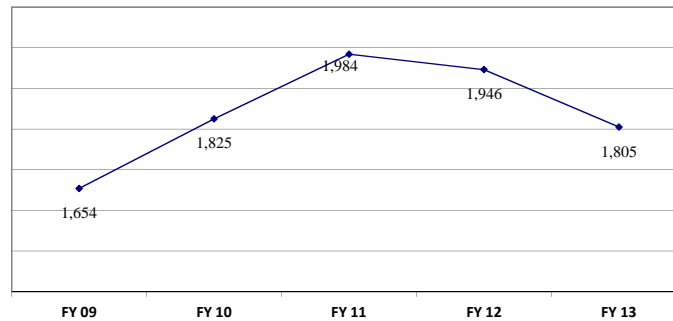




### Probation and Pretrial Services

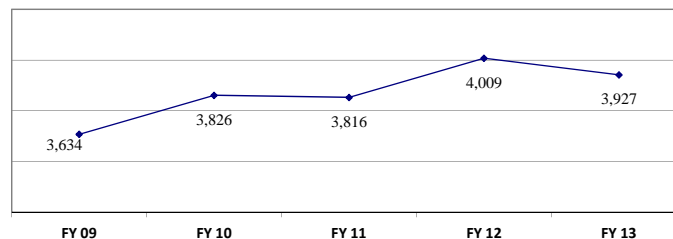
In fiscal year 2013, the district's Probation and Pretrial Services office conducted a total of 1,805 pretrial release investigations, diversion investigations, and presentence investigations. This is a 9% decrease from the total number of investigations conducted in fiscal year 2012.

#### Investigations



The office supervised 3,927 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 slight decrease from the total number of individuals supervised in fiscal year 2012.

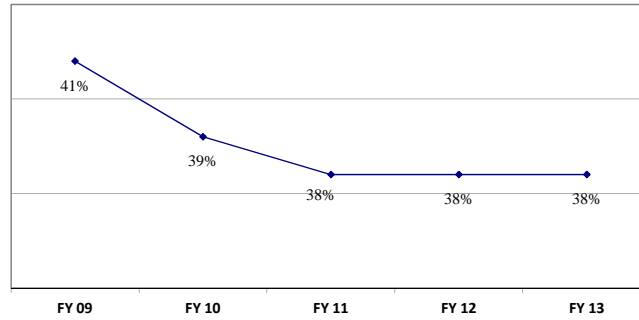
#### Supervision





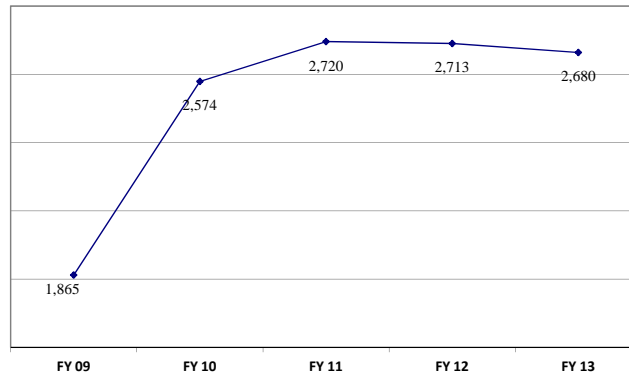
The district had a pretrial detention rate of 38% in fiscal year 2013, which was consistent with the rate the previous year. Despite the serious nature of offenses charged and the extensive criminal histories of many detainees, the detention rate in the District of Maryland is 33% lower than the national average and 13% lower than average in the Fourth Circuit.

### Pretrial Detention Rate

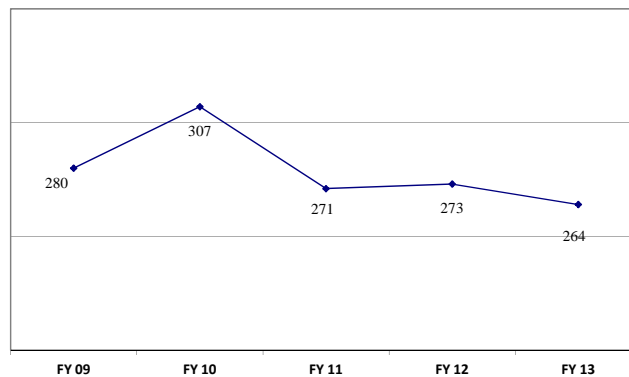


In fiscal year 2013, the number of postconviction violation reports submitted to the court remained consistent with the total number of reports submitted in fiscal year 2012. These reports resulted in 264 revocations, a number also consistent with the prior year.

### Postconviction Violations Reported



### Postconviction Revocations



## INFORMATION TECHNOLOGY

### District Court

During fiscal year 2013, the District of Maryland continued its focus on providing quality technology in the courtrooms. Seven existing technology courtrooms – four in Baltimore and three in the Greenbelt courthouse – were upgraded to digital video. In addition, two non-technology courtrooms were renovated. The Baltimore ceremonial courtroom was upgraded to a technology courtroom, adding 80-inch gallery displays and an external press box feed.

In concluding our involvement as a Monitored Live Operations court for the new CVB module of CM/ECF, the district installed the latest CM/ECF version 6.1 in March 2013. The district also served as a national resource to other districts implementing the CVB module of CM/ECF. Additionally, the clerk's office continued to provide CM/ECF training.

During this fiscal year, the clerk's office continued its local development programs to benefit attorney services. Based on process review and attorney feedback, we refined and enhanced our online attorney renewal system following last year's initial rollout. The existing CM/ECF registration system was modified to automate further the registration of *pro hac vice* attorneys. Additionally, the clerk's office adopted an online attorney admission system to register and accept payment from new admittees to the bar. This program was developed by the Central District of California and, through collaborative effort, we modified their original system to conform to our local practices and to allow other courts similarly to tailor the program to their own needs.

As part of shared administrative services with other court units, a network services support team (NSS) was created, consisting of three members from the bankruptcy court and one member from the district court. The implementation of this cross-unit team allowed the district court to leave a previously-filled network position vacant upon the resignation of a departing network administrator. The NSS is responsible for providing network support for the courthouses in Baltimore and Greenbelt, as well as the Salisbury courtroom. The team has provided daily and emergency network support. Over the last year, the NSS has focused on completing pending projects and streamlining systems and complexities between the two units. For example, the bankruptcy court was added to the district court's wireless LAN, creating one court-wide system, and the district court was moved from its aging Symantic End Point Protection server to the system in use by the bankruptcy court. The district and bankruptcy courts have also merged several helpdesk related software products in anticipation of the next phase of shared administrative services.

In another cost-saving measure, the IT department participated in the AO-hosted server product for our webserver. As an early adopter of the service, the district has provided feedback and assistance in the development of this product. The webserver has just completed SOC certification and is in final testing. In an effort to return leased space, the IT department relocated to the administrative wing of the clerk's office, to create space for the relocation of staff attorneys and court reporters to the clerk's office.

## **Bankruptcy Court**

The bankruptcy court utilizes the most recent version of CM/ECF. In April, the court installed a combined upgrade to both version 5.0 and 5.1. It also entered into a service level agreement for hosting services for 48 months with the AO's Office of Information Technology. The agreement is for an external web server and an external server for public calendar information. Additionally, the court procured a new digital recording system to replace the aging system currently in use. This new system is also used in the district court, which should result in reduced support costs with the standardization of one system used in both courts. The bankruptcy court's efforts to implement virtualized server applications and devices for users continue. Most of the applications used by the court have been condensed onto virtualized servers, and the devices needed by staff members to access their virtualized desktops are being provided. This year, the court relocated all of its systems equipment into shared computer rooms located in district court space. Although the bankruptcy court contributed funding for a new air conditioning system for the shared computer room in the Greenbelt courthouse, the combined overtime utility costs of the two courts will be decreased.

## **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 2013 included:

- Implementation of iPads for most officers and installation of iPACTS
- Maintenance of a VoIP phone system
- Upgrade to PACTS GEN 3
- Rewriting all WordPerfect forms in Microsoft Word
- Installation of secure wireless for all locations
- Upgrade of all Blackberries to iPhones and installation of iPACTS
- Installation of a kiosk to assist offenders with monthly reports and job searches
- Update of inventory to facilitate the excessing of outdated automation equipment

## **SPACE & FACILITIES**

### **District Court**

A number of projects were completed at the Baltimore courthouse during fiscal year 2013. Courtroom 3C was the last district judges' courtroom that required a digital audio and video installation. With that installation complete, all of our district judge courtrooms now have matching audio and video systems, adding a needed level of consistency and functionality that will aid in the new trend of courtroom sharing. In addition to the technology upgrade, courtroom 3C received a much needed renovation, which consisted of removing some outdated woodwork and replacing it with a wood-paneled wall behind the judge's bench, as well as a new ceiling, lighting, carpeting, decorative acoustic sound panels, and paint. Additionally, the court's ceremonial courtroom 1A received a digital audio video system, new stadium seating, carpet, and

paint due to damage that occurred subsequent to a plumbing incident. Courtroom 1A now has the same technology features and functions as the district judges' courtrooms.

Obsolete VGA equipment in some courtrooms required the court to upgrade to digital technology. This upgrade adds a consistent and user-friendly interface for attorneys presenting evidence through courtroom systems. The VGA equipment that was removed will be retained for use as spares in our remaining VGA courtrooms. Courtrooms 3A, 3D, 7A, and 7D in Baltimore were upgraded from a VGA system to a digital system.

Chambers 7A received new carpeting, painting, and a new kitchen. The kitchen was completely replaced, including flooring, cabinets, sink, and faucet.

The court reporters and pro se departments were relocated into vacant space in the clerk's office, which was available due to staffing reductions. By relocating these two departments, the court was able to release 7,068 of rentable square footage back to GSA. A substandard and unused courtroom, chambers, and associated office space was also released to GSA, further reducing the rentable area by 7,676 rentable square feet. The combined effect of releasing this space back to GSA should reduce the annual rent paid by the judiciary by \$335,155.

As part of the Historical Society project, the first floor lobby windows in Baltimore received a new mural commemorating the bicentennial of "The Star-Spangled Banner," which was derived from a poem entitled "Defence of Fort McHenry," penned by Francis Scott Key in 1814 after witnessing the bombardment of Fort McHenry during the War of 1812.

As in Baltimore, several courtrooms in Greenbelt – courtrooms 2A, 2B, and 4B – were upgraded from a VGA system to a digital system. Renovations began in chambers 4B for newly appointed District Judge Paul W. Grimm. These renovations include flooring, carpeting, wall coverings, and woodworking repairs.

The Greenbelt construction project continues moving forward, although several setbacks have pushed back the expected completion date. The court anticipates having senior judge chambers completed by late spring 2014 in order to accommodate the two new district judges that were recently nominated. The CVB courtroom, relocation of court offices, and a new entrance will be completed by fall 2015.

This renovation project originally began as a new courthouse addition project on the Administrative Office's five-year courthouse construction list. As reported previously, the Greenbelt courthouse opened in 1994 and reached full occupancy in 1995. The court pushed hard for construction of an annex to the courthouse for many years. 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 – forced the court to reevaluate the probability of ever seeing an annex constructed on this site. Working with the Administrative

Office, GSA, and local unit executives, the bench studied the feasibility of alternatives to building an addition to the Greenbelt courthouse, ultimately deciding to abandon the project and pursue renovation of the existing structure instead. The renovation project has also had several unanticipated interruptions, but the court will continue to work closely with GSA to complete this project on budget, if not on time.

### **Bankruptcy Court**

A project funded by the bankruptcy court to re-key the courtrooms, chambers, and other offices occupied by the Fourth Circuit, district court, bankruptcy court, and probation and pretrial services in the Baltimore courthouse remains ongoing. The project was undertaken to remedy a security deficiency for all of the court units located in the Baltimore courthouse after GSA was unable to do so.

The court has begun the process of relinquishing to GSA the clerk's administrative office suite on the 9th floor of the Baltimore courthouse. With the implementation of shared administrative services and the elimination of several administrative positions, the clerk determined the suite was no longer needed. The Administrative Office recently provided funding to modify existing clerk's office space on the 8th floor to allow administrative staff to relocate there. An RWA has been issued to GSA for the project. A small office was transferred from the district court to the bankruptcy court because the office used for the Debtor Assistance Project had to be relocated. The clerk is awaiting GSA's formal acceptance of storage space that was requested to be released some time ago.

### **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 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 2013, two cyclical maintenance projects (paint and carpet) in the Baltimore probation office were completed. Because it is anticipated that both the pretrial and probation offices in Greenbelt will be relocating within the next 18 months, no major projects or renovations have been planned. The Greenbelt probation office continues to experience recurring HVAC problems.

## **TRAINING**

### **District Court**

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

At the end of April, Clerk Felicia Cannon, along with Deputy Clerks Jarrett Perlow and Wendy Snowden, attended the 2013 National Conference for District Court Clerks, District Court Executives, and District Chief Deputies sponsored by the FJC in Memphis, Tennessee. For the first time, this was a joint conference with the bankruptcy clerks and chief deputies. The focus of the conference was the judiciary's flat budget and managing essential functions in difficult times with significantly reduced staffing. Although the tenor of the conference was austere, the attendees benefited greatly from the candid exchange of information and experiences from colleagues in other districts.

On June 27, 2013, Tina Stavrou, the office's human resources administrator, organized a day-long training program for clerk's office staff and judicial assistants. Lane Wood, a TSP training specialist, gave an excellent overview of TSP and answered questions from staff on investing and saving for retirement. In the afternoon, the court's local EAP coordinator, Phyllis White, gave a timely presentation on the topic of stress management. The training was well received by all staff who attended.

In August, Bea Merez, a courtroom deputy, traveled to Des Moines, Iowa, as the court's representative at the FCCA Annual Conference. Attendees benefitted from a dynamic educational program and enjoyed a variety of social networking opportunities.

Kim Berger, Supervising Pro Se Attorney, and Chief Deputy Jarrett Perlow were selected as members of the District Methods Analysis Program (DMAP) Working Group on Pro Se Litigation Case Process for the Administrative Office of the Courts. In September, they attended their first working group session in Washington, DC, and they expect for the process to take several months to complete.

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 by 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**

The bankruptcy court hosted the annual conference of the National Association of Bankruptcy Clerks in August. The conference, which was held in Baltimore, provided training developed by the Federal Judicial Center, the Administrative Office, and other organizations to approximately 200 participants from across the nation. The court received an outstanding public service award for its Community Service Day and other community activities, as well as a special recognition award for hosting the conference.

## **Probation and Pretrial Services**

During fiscal year 2013, all staff attended the Federal Judicial Center's program on code of conduct. The canons of ethical conduct were covered and numerous scenarios were presented for discussion. Four 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.

Six managers participated in the FJC's new supervisors program. As their in-district project, three of the managers presented training on the Criminal Justice Dashboard, a web-based clearinghouse of information regarding a criminal subject's history that consolidates more than 90 different databases into a single platform. The other three managers presented a training program to all officers, entitled "Social Media: An Investigative Tool." This training educated officers on the effective and efficient use of various internet investigation tools to research areas such as offenders' associations, assets, and online conduct. Two senior managers attended an FJC training program for new deputy chiefs.

Thirty officers attended the Maryland Governor's Fall Criminal Justice Training Conference. Topics included gangs, synthetic marijuana, prescription drug abuse, and sexual assault. All officers attended safety training. Twenty-nine staff members attended identity theft training presented by a program manager with the Maryland Motor Vehicle Administration. Staff participated in a total of 69 Benefit for Life webinars presented by the Administrative Office. Five new firearms and safety instructors were certified in CPR with First Aid.

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

- Substance Abuse and Mental Health Courses and Seminars
- Sentencing Guidelines
- Records Check
- Information Technology Courses
- Location Monitoring
- Leadership
- Reentry
- DNA Testing
- Stress Management
- GSA Online Driving Courses
- Document Imaging
- Communication

## **ATTORNEY ADMISSIONS**

As of October 1, 2013, the district court bar had 12,766 active members. The court holds monthly admissions ceremonies in both courthouses and averages forty new admitted bar members each month. On April 12, 2013, the court held a special admission ceremony as part of

the Federal Bar Association’s Introduction to the Bar program in the Baltimore courthouse. The following chart shows the district court’s admission statistics for fiscal year 2013, as well as the totals for the two prior fiscal years.

	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>New Admissions</b>	574	549	475
<b>Renewed Members</b>	*	1504	1520
<b>Reactivated and Reinstatement Members</b>	172	131	197
<b>Admissions Pro Hac Vice</b>	898	933	946

\*Renewal application totals were not tracked before FY 2012

The district continued efforts to reduce expenses and increase the quality of services available to the bar. In July 2013, the court began accepting admission applications and fees online, using an application developed in conjunction with the Central District of California. Additionally, the court reorganized the attorney admission portion of its website to allow members of the bar to request, and the clerk’s office to process, certificates of good standing through CM/ECF. The clerk’s office has also started converting all attorney administrative records to electronic format.

### **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. The district has an Occupant Emergency Plans and Continuity of Operations Plans (COOP) for each division. Periodic fire and shelter in place drills are conducted. All judges and clerk’s office managers and supervisors have COOP laptop computers, and flyaway bags were recently assembled to provide essential operational supplies for use in the event of an emergency.

In September 2013, Tina Stavrou, clerk’s office human resources administrator, attended a Closed Point of Dispensing Site annual drill. 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. The drill reviewed procedures for dispensation of medicine and 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) COORDINATING ATTORNEY**

In May 2013, Maureen Essex was appointed CJA Coordinating Attorney, replacing Donna Shearer who served the district for seventeen years. Ms. Essex has worked closely with the United States Attorney’s Office and pretrial services to ensure that attorneys are appointed to represent defendants at the earliest stage of criminal proceedings. Her office coordinates



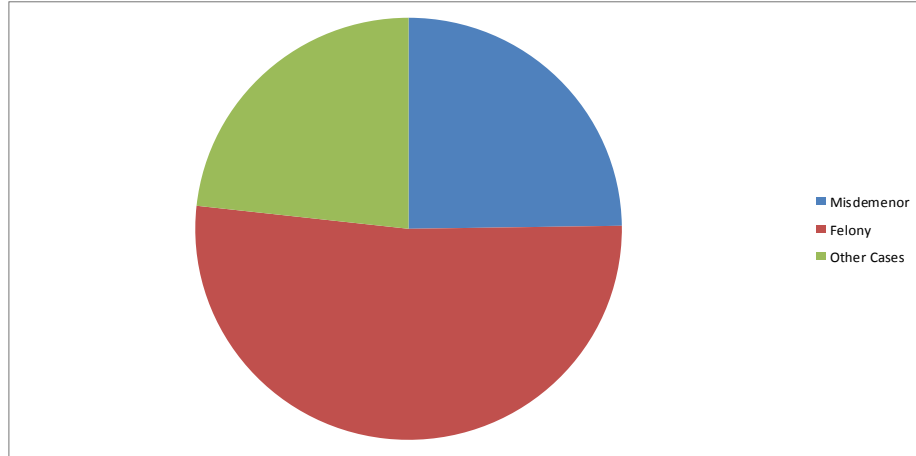
appointments of counsel and maintains conflict lists in multiple defendant cases. Earlier in the fiscal year, the office managed a large number of multiple defendant cases, but the number of cases indicted has slowed in recent months. The expenditures on cases, however, was higher this year due to completion of numerous large multiple defendant cases. Capital cases were not a significant cost factor this fiscal year because none of the cases eligible for the death penalty were authorized by the Department of Justice.

<b>Payments</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
<b>Attorneys</b>	\$4,004,183.68	\$ 4,107,191.32	\$5,104,516.07	\$5,082,818.47
<b>Experts in felony &amp; capital cases</b>	\$ 626,300.85	\$402,630.74	\$508,928.17	\$290,611.35
<b>Total Paid*</b>	\$4,803,669.85	\$5,328,282.80	\$5,737,920.97	\$5,482,410.36
<b>Total Capital Case Costs</b>	\$982,895.81	\$726,886.96	\$156,340.62	\$324,942.81
<b>% CJA Costs attributed to capital cases</b>	20%	14%	3%	6%

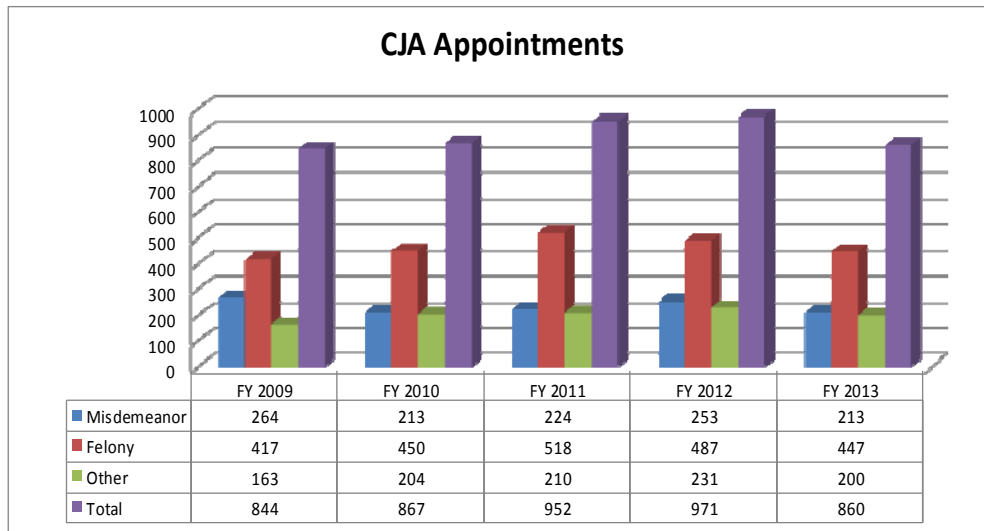
\*includes transcript and GTA costs

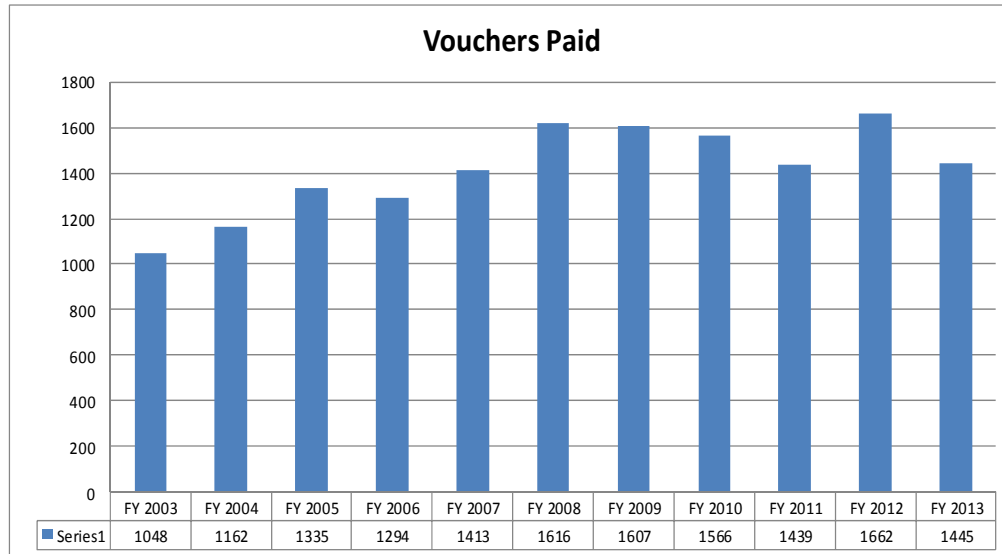
Ms. Essex is assisted by a CJA technician, Nicole Bierman. Ms. Bierman carefully audits each voucher for mathematical accuracy and compliance with CJA Guidelines. Her support is invaluable. Once Ms. Bierman does a thorough review of the submitted vouchers, she forwards them to Ms. Essex for reasonableness review and approval if the voucher is below the case compensation maximum. If a voucher exceeds the case compensation maximum, Ms. Essex prepares a memorandum or letter as appropriate to support the claim for the presiding judicial officer.

In fiscal year 2013, the coordinating attorney's office made 860 CJA assignments, representing a small decrease as compared to fiscal year 2012.



A picture of the number of appointments for the last five years shows a fairly slow and steady increase in case assignments prior to fiscal year 2013.





Ms. Essex reviews all requests for expert and investigative funding. If the amount of funding requested is less than the statutory maximum and the requested funding is appropriate, the request is approved. If the requested funding level exceeds the statutory maximum of \$2,400, she reviews the request, makes a recommendation, and prepares a draft confidential memorandum to Fourth Circuit Chief Judge Traxler for the presiding judicial officer’s review. The number of requests for expert and investigative services is increasing, as CJA panel members have received more training from the Federal Public Defender’s Office on the importance of investigative and expert assistance and mental health evaluations.

The office urges members of the CJA panel to use less expensive experts. For example, Ms. Essex has advocated using a paralegal at a rate of \$40.00 per hour as opposed to using an investigator at \$60.00 per hour to retrieve documents or prepare trial notebooks. She maintains a directory of experts and investigators and often attempts to negotiate a reduction in the requested hourly rate. Ms. Essex has also forged partnerships with local universities and law schools to expand the number of paralegals and immigration experts working with members of the panel.

Ms. Essex regularly attends the court’s CJA committee meetings. She reviews and makes recommendations to the committee on all applications for the felony panel and prepares the committee’s meeting agenda and minutes.

### **DEBTOR ASSISTANCE PROJECT**

The Debtor Assistance Project (DAP) is a collaborative project between the court and its partner agencies that continues to provide services to individuals who have filed bankruptcy without an attorney, or are considering filing bankruptcy and plan to be self-represented. The program provides the services and expertise of volunteer bankruptcy attorneys to these individuals and operates in the Baltimore and Greenbelt courthouses, on the Eastern Shore in Easton, and in Western Maryland in Cumberland. As of the close of fiscal year 2013, the program has provided free legal assistance to approximately 2,900 debtors or potential debtors since its inception in 2009.

## INTERPRETERS

Language	Q1	Q2	Q3	Q4	FY Total	FY Cost
Arabic	0	1	0	0	1	\$421
Bulgarian	0	0	2	0	2	\$931
Burmese	0	1	0	0	1	\$502
Czech	0	0	1	0	1	\$473
French	1	0	0	0	1	\$283
Fulani	0	0	0	1	1	\$242
Hungarian	0	0	1	0	1	\$501
Ibo	1	1	0	0	2	\$844
Japanese	0	0	1	1	2	\$678
Korean	1	1	0	0	2	\$668
Mandarin	3	1	0	0	4	\$1,161
Polish	0	0	1	1	2	\$726
Russian	0	0	2	0	2	\$563
Sign (American)	2	4	3	1	10	\$4,310
Spanish	128	171	151	79	529	\$148,471
Swahili	0	1	3	0	4	\$1,261
Thai	0	0	0	4	4	\$974
Turkish	0	0	4	0	4	\$1,840
Vietnamese	1	2	1	0	4	\$1,873
Yoruba	1	0	0	0	1	\$240
<b>Total</b>	<b>138</b>	<b>183</b>	<b>170</b>	<b>87</b>	<b>578</b>	<b>\$166,962</b>

In fiscal year 2013, 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 \$6,472. Court proceedings were translated in Spanish and Korean.

Language	Q1	Q2	Q3	Q4	FY Total	FY Estimated Cost Savings
Korean	0	0	0	1	1	\$98
Spanish	4	5	8	5	22	\$6,375
<b>Total</b>	<b>4</b>	<b>5</b>	<b>8</b>	<b>6</b>	<b>23</b>	<b>\$6,472</b>

## JURY SERVICES AND NATURALIZATIONS

### Jury Services

In February 2013, the court was invited to attend a two-day Juror Management and Utilization Workshop in Tampa, Florida. The purpose of the workshop was to examine

strategies for effective juror management, to share best practices, and to formulate action plans for improvement of juror management and utilization. Magistrate Judge Beth P. Gesner, Felicia Cannon, Jarrett Perlow, Jenifer Facelo, and Loretta Washington attended.

In fiscal year 2013, 13,665 jurors were summoned for jury service in the district. A total of 4,113 trial jurors reported to the court for participation in 94 jury trials. Fifty-six jury trials were held in criminal cases and 38 were held in civil cases. Below is a comparison of the last three years.

FY 2011	FY 2012	FY 2013
3,421 trial jurors reported; 68 jury trials (44cr/24cv); 12,820 jurors summoned	3,880 trial jurors reported; 87 jury trials (51cr/36cv); 11,584 jurors summoned	4,113 trial jurors reported; 94 jury trials (56cr/38cv); 13,665 jurors summoned

Three new grand juries were selected this year – one in Greenbelt and two in Baltimore. Three appreciation luncheons for departing grand juries were hosted by the court’s jury committee. The luncheons provided a platform for grand jurors to give feedback about their service experience.

A total of 3,794 grand jurors spent 1,051 hours in session, convening 195 times during the fiscal year. Below is a comparison of the last three years.

FY 2011	FY 2012	FY 2013
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	3,794 grand jurors convened on 195 days, spending 1,051 hours in session

The court’s eJuror Program gives potential jurors the option of responding to their jury qualification questionnaire or summons online through the court’s website. This year, approximately 39% of jurors completed their juror qualifying questionnaire through eJuror and approximately 56% of jurors completed their juror summons form or updates through eJuror.

The court’s jury and IT departments participated in the Monitored Live Operations (MLO) Jury Management System (JMS) 8.0 Scanner project. Through this participation, it was learned that changes were necessary to accommodate larger volume and several JMS enhancements were identified, as were software fixes. The court is now in the process of testing those changes in order to go live in the next year.

### **Naturalizations**

Naturalization ceremonies are held in both of the district’s courthouses. In Baltimore, the ceremonies are scheduled twice a month; in Greenbelt, they are held on a monthly basis. A combined total of 34 ceremonies were held in FY 2013 and 1,085 applicants in Baltimore and 464 in Greenbelt were sworn in as new citizens, totaling 1,549 naturalizations for the year. Below is a three year comparison.

<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
1,372 citizens naturalized 32 ceremonies	1,357 citizens naturalized 32 ceremonies	1,549 citizens naturalized 34 ceremonies

On April 26, 2013, Magistrate Judge Beth P. Gesner presided over a special naturalization ceremony in Baltimore. For this ceremony, fourth grade students from the Chesapeake Academy in Arnold, Maryland, 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.

In Greenbelt, new citizens are welcomed by the Daughters of the American Revolution. D.A.R. volunteers present new citizens with informational packets and American flags and host a reception after each ceremony.

### **PRO SE STAFF ATTORNEYS**

In fiscal year 2013, cases filed by self-represented prisoner litigants accounted for 25.2% of all civil filings in this district. Non-prisoner self-represented filings comprised an additional 11.7% of the civil docket. When these figures are combined, new case filings by self-represented litigants totaled more than one-third of all civil filings in the District of Maryland (36.9%), a significant increase compared to the prior year (29%). Self-represented lawsuits, both prisoner and non-prisoner, have averaged one-third of all civil filings in this district in the past five fiscal years.

<b>Fiscal Year</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>All Civil Filings</b>	3551	3684	3849	3915	3787
<b>Motions to Vacate</b>	137 (4%)	128 (3.5%)	155 (4%)	163 (4%)	218 (5.8%)
<b>State Habeas Corpus</b>	84 (2%)	64 (1.5%)	106 (3%)	100 (2.5%)	125 (3.3%)
<b>Habeas Corpus Other</b>	165 (5%)	156 (4%)	128 (3%)	126 (3%)	141 (3.7%)
<b>Prisoner Civil Rights</b>	521 (15%)	454 (12%)	466 (12%)	399 (10%)	470 (12.4%)
<b>Self-represented Non-Prisoner Cases</b>	348 (10%)	374 (10%)	348 (9%)	399 (9.5%)	443 (11.7%)

Among prisoner cases, civil rights filings lead the way with 470 new cases filed in FY 2013. The number of challenges to federal convictions has increased considerably during the last quarter following Supreme Court rulings in *Alleyne v. United States*, \_\_ U.S. \_\_, 133 S.Ct. 2151 (2013), and *Descamps v. United States*, \_\_ U.S. \_\_, 133 S.Ct. 2276 (2013), and the Fourth Circuit decision in *United States v. Simmons*, 649 F.3d 237 (4<sup>th</sup> Cir. 2011) (en banc). The court continues to see an increase in the number of motions filed in closed criminal cases, particularly motions filed under Federal Rules of Civil Procedure 35 and 60 and 18 U.S.C. § 3582. Often, these motions must be re-characterized as § 2255 motions to vacate. State habeas corpus petitions are also on the rise after several years of decline. Generally, fewer habeas corpus cases are being dismissed on procedural grounds and attorneys have been appointed in a number of cases.

Prisoner civil rights filings related to gang violence in state prisons remain high and have received local media attention in the past year as a result of security concerns at the Baltimore City Detention Center. Actions regarding healthcare concerns and allegations of assault or use of excessive force at the hands of correctional personnel also remain high. The state prison healthcare system is in flux. A new healthcare provider is now responsible for both the determination of healthcare utilization by outside consultants, as well as the delivery of healthcare services within the prisons, and several new law firms are involved in representing the healthcare contractor. Appointment of counsel is needed with greater frequency, as it has become increasingly difficult to resolve these types of claims on summary judgment.

The staff attorneys also served as a clearinghouse for requests filed with the court by federal prisoners seeking resentencing under the Fair Sentencing Act. They assist clerk's office personnel in interpreting FSA requests and notify the Federal Public Defender of these filings, which have declined significantly. Additionally, the staff attorneys responded to more than 400 federal prisoner requests for copy work.

### **PRETRIAL DETENTION**

In February 2011, the Maryland Correctional Adjustment Center – 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. The facility is now known as the Chesapeake Detention Facility. 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 the facility. Chesapeake primarily serves the court's northern division. Other contract facilities are utilized by the Marshal's Service for detention of other prisoners – particularly, those in the southern division – some of which are a six-hour roundtrip drive from the district's two courthouses. The need for CJA panel attorneys to travel to these outlying facilities significantly increases the cost of representations.

The court remains 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 in providing these services – particularly at Chesapeake – but as long as the Marshal’s Service is forced to rely on contract beds from local detention facilities, it will continue to be difficult to provide consistent standards.

### **CONCLUSION**

The bench wishes to thank Chief District Judge Joseph R. Goodwin of the Southern District of West Virginia for his assistance in resolving the case of *United States v. Byrd*, a criminal contempt proceeding. The bench also thanks the employees of the district and bankruptcy courts, and those of related agencies, for their continued hard work and dedication.