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1955-2004 Statistical Data Regarding Federal Courts

The Federal Judicial Center

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1955-2004 STATISTICAL DATA REGARDING FEDERAL COURTS

The Federal Judicial Center

Editor's note: Like the statement from the American Academy of Appellate Lawyers that precedes them in this issue and the state-court statistics that follow them, the federal-court statistics in these charts were circulated to all attendees in advance of the 2005 National Conference on Appellate Justice. They informed all of the presentations and discussions at the National Conference.

FEDERAL COURT DATA, 1955-2004

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Prepared by Federal Judicial Center Staff, June 2005

I. COURTS OF APPEALS MERIT DECISIONS AND CASES RECEIVING PLENARY REVIEW IN SUPREME COURT

Year ¹	Supreme Court Plenary Decisions in Cases From Courts of Appeals	Courts of Appeals Decisions on the Merits	Left column as % of middle column
1955	103	2,809 ²	3.7%
1965	75	3,546	2.1%
1975	135	9,077	1.5%
1985	132	16,369	0.8%
1995	67	27,772	0.2%
2004	70	27,438	0.3%

¹ Previous October Term (e.g., 1955 is OT54)

² Count of merits decisions in 1955 does not exclude consolidations

Sources: Harvard Law Review, vols. 70-110

AO Annual Report of the Director, Table B-1 (1955-75: "Cases disposed of after hearing or submission" 1985-2004: "Terminations on the merits")

2. FILINGS OVERALL AND PER JUDGESHIP IN U.S. DISTRICT COURTS AND REGIONAL COURTS OF APPEALS

	U.S. District Courts			Regional U.S. Courts of Appeals		
	Filings ¹			Filings		
	Judgeships ²	Total	Per Judgeship	Judgeships ²	Total	Per Judgeship
1955	244	102,222	419	68	3,695	54
1965	306	101,012	330	78	6,766	87
1975	398	160,602	404	97	16,658	172
1985	575	327,758	570	156	33,360	214
1995	649	313,106	482	167	50,072	300
2004	682	374,687	549	167	62,762	376
% over 1955	180%	267%	31%	146%	1,599%	596%
% over 1985	19%	14%	-4%	7%	88%	76%

¹ The count of district court filings is the sum of civil cases commenced and criminal defendants commenced. Due to differences in the source data tables, however, in 1965 and 1975 the number of filings reflects the count of criminal cases commenced rather than criminal defendants. If the count of criminal defendants had been used, the total filing and per judgeship figures would be higher for these years.
Sources: AO Annual Report of the Director, Tables B-1, C-1, D-1.

² District court judgeships include temporary judgeships and judgeships in the territorial courts. Appellate judgeships exclude judgeships in the Federal Circuit. Source: AO History of Federal Judgeships (Article III); Authorized Judgeships (http://net.aol.com/judges/judgeships/History/Judgeships/all_authorized_judgeships.html)

2A. FILINGS PER APPELLATE JUDGEHIP, BY CIRCUIT

J—Authorized Judgeships¹
fpi—filings per judgeship²

Court of Appeals																										
Yr.	Nat.	1 st		2 nd		3 rd		4 th		5 th		6 th		7 th		8 th		9 th		10 th		11 th		DC		
		J	fpi	J	fpi	J	fpi	J	fpi	J	fpi	J	fpg	J	fpi	J	fpi	J	fpi	J	fpi	J	fpi			
'55	68	54	3	51	6	97	7	44	3	67	7	75	6	53	6	48	7	37	9	43	5	48			9	49
'65	78	87	3	70	9	96	8	62	5	122	9	118	6	114	7	73	7	48	9	93	6	78			9	76
'75	97	172	3	159	9	193	9	155	7	188	15	219	9	160	8	146	8	126	13	210	7	140			9	124
'85	156	214	6	175	13	219	12	208	11	250	16	216	15	212	11	206	10	202	28	189	10	196	12	327	12	176
'95	167	300	6	223	13	307	14	249	15	346	17	383	16	289	11	283	11	291	28	301	12	218	12	496	12	135
'04	167	376	6	287	13	539	14	277	15	330	17	501	16	303	11	307	11	282	28	510	12	221	12	589	12	116

Yr.		Range in filing per judgeships	
		Highest	Lowest
'55	54	97 (2 nd)	37 (8 th)
'65	87	122 (4 th)	48 (8 th)
'75	172	219 (5 th)	124 (DC)
'85	214	327 (11 th)	175 (1 st)
'95	300	496 (11 th)	135 (DC)
'04	376	589 (11 th)	116 (DC)

¹ Source: *History of the Federal Judiciary*, <http://www.fjc.gov>. Web site of the Federal Judicial Center, Washington, DC.
² Per judgeship values are calculated by dividing the number of total appellate filings per circuit (source: AO Annual Report of the Director, Table B-1) by the number of authorized judgeships.

3. CHANGES IN CASELOAD COMPOSITION

Type of Appeal	1955 ¹	1965	1975	1985	1995	2004	over 55	over 65
Admin. appeals	576 15.6%	1,106 16.3%	2,290 13.7%	3,179 9.5%	3,295 6.6%	1,225 19.3%	2,028%	1008%
US Pris (hab/vac. sent)	159 4.3%	404 6.0%	716 4.3%	1,082 3.2%	2,677 5.3%	3,934 6.3%	2374%	874%
Other US pris	na	18 0.3%	164 0.1%	428 1.3%	780 1.6%	1,058 1.7%	na	5778%
State habeas	70 1.9%	571 8.4%	871 5.2%	2,172 6.5%	3927 7.8%	6,939 11.1%	9,813%	1115%
State Pris. other	na	13 0.2%	684 4.1%	2,850 8.5%	7597 15.2%	4,630 7.4%	na	35515%
Orig. proceedings ²	70 1.9%	148 2.2%	443 2.7%	575 1.7%	745 1.5%	4,064 6.5%	5,706%	2646%
U.S. Plaintiff	171 4.6%	292 4.3%	513 3.1%	914 2.7%	809 1.6%	414 0.7%	142%	42%
US def. (non-pris)	481 13.0%	673 9.9%	1,588 9.5%	4,320 12.9%	3,653 7.3%	2,825 4.5%	487%	320%
Other Fed. Q ³	656 17.8%	1,153 17.0%	3,211 19.3%	7,927 23.8%	11,007 22.0%	10,208 16.3%	1,456%	785%
Bankruptcy	153 4.1%	217 3.2%	246 1.5%	1046 3.1%	1667 3.3%	862 1.4%	463%	297%
Diversity	682 18.5%	948 14.0%	1,745 10.5%	3,878 11.6%	3,753 7.5%	3,067 4.9%	350%	224%
Narcotics	na	235 3.5%	1,332 8.0%	2,063 6.2%	4,499 9.0%	4,660 7.4%	na	1883%
Immigration	na	3 --	77 0.5%	64 0.2%	277 0.6%	1,855 3.0%	na	61733%
Other criminal	677 18.3%	985 14.6%	2,778 16.7%	2,862 8.6%	5,386 10.8%	5991 9.5%	na	508%
Total	3695 100.0%	6,766 100.0%	16,658 100.0%	3,360 100.0%	50,072 100.0%	62,762 100.0%	15,99%	828%

¹ 1955 data do not report separately the number of prisoner cases (US/State) outside of habeas petitions and motions to vacate sentence; also does not include specific criminal case data.

² Since Oct. 1998, "original proceedings" have included second or successive habeas petitions.

³ Other Fed. Q includes a small number of general local jurisdiction cases, and, in 1955, non-US defendant admiralty cases.

Sources: AO Annual Report of the Director. Data taken primarily from Table B-7 (in 1955, Table B-5), except counts for Bankruptcy, Administrative Appeals, and Original Proceedings that are taken from Table B-1. Criminal counts for 1955 also taken from Table B-1.

3A. CHANGES IN CASELOAD COMPOSITION, BY CIRCUIT

Type of Appeal	1955		1965		1975		1985		1995		2004		over \$5		over \$5		over \$5	
All circuits																		
Criminal	677	18.3%	1,223	18.1%	4,187	25.1%	4,989	15.0%	10,162	20.3%	1,2506	19.9%	1747%	19.9%	1747%	19.9%	923%	923%
U.S. civil ¹	811	21.9%	1,387	20.5%	2,981	17.9%	6,744	20.2%	7,919	15.8%	8,231	13.1%	915%	13.1%	915%	13.1%	493%	493%
Private civil ¹	1408	38.1%	2,685	39.7%	6,511	39.1%	168,27	50.4%	26,284	52.5%	2,4844	39.6%	1,664%	39.6%	1,664%	39.6%	825%	825%
Bankruptcy	153	4.1%	217	3.2%	246	1.5%	1,046	3.1%	1,667	3.3%	862	1.4%	463%	1.4%	463%	1.4%	297%	297%
Admin. appeals	576	15.6%	1,106	16.3%	2,290	13.7%	3,179	9.5%	3,295	6.6%	1,2255	19.5%	2,028%	19.5%	2,028%	19.5%	1,008%	1,008%
Orig. proceedings	70	1.9%	148	2.2%	443	2.7%	575	1.7%	745	1.5%	4,064	6.5%	5,706%	6.5%	5,706%	6.5%	2,646%	2,646%
Total	3695	100.0%	6,766	100.0%	16,658	100.0%	33,360	100.0%	50,072	100.0%	6,2762	100.0%	1,599%	100.0%	1,599%	100.0%	8,28%	8,28%
D.C. circuit																		
Criminal	71	16.2%	237	34.6%	192	17.3%	78	3.7%	155	9.5%	162	11.7%	1,28%	11.7%	1,28%	11.7%	-32%	-32%
U.S. civil	116	26.5%	118	17.2%	266	23.9%	759	35.9%	482	29.7%	450	32.4%	288%	32.4%	288%	32.4%	281%	281%
Private civil	159	36.4%	158	23.1%	132	11.9%	434	20.5%	286	17.6%	212	15.3%	33%	15.3%	33%	15.3%	34%	34%
Bankruptcy	4	0.9%	0	0.0%	0	0.0%	24	1.1%	11	0.7%	7	0.5%	75%	0.5%	75%	0.5%	na	na
Admin. appeals	76	17.4%	157	22.9%	498	44.7%	773	36.6%	617	38.0%	474	34.1%	524%	34.1%	524%	34.1%	202%	202%
Orig. proceedings	11	2.5%	15	2.2%	25	2.2%	46	2.2%	74	4.6%	85	6.1%	673%	6.1%	673%	6.1%	467%	467%
Total	437	100.0%	685	100.0%	1,113	100.0%	2,114	100.0%	1,625	100.0%	1,390	100.0%	218%	100.0%	218%	100.0%	103%	103%
First circuit																		
Criminal	33	21.6%	38	18.1%	80	16.8%	207	19.7%	389	29.1%	566	32.8%	1,615%	32.8%	1,615%	32.8%	1389%	1389%
U.S. civil	31	20.3%	41	19.5%	104	21.8%	222	21.1%	204	15.2%	244	14.2%	687%	14.2%	687%	14.2%	495%	495%
Private civil	56	36.6%	69	32.9%	218	45.7%	521	49.6%	627	46.8%	658	38.2%	1,075%	38.2%	1,075%	38.2%	854%	854%
Bankruptcy	8	5.2%	10	4.8%	8	1.7%	38	3.6%	31	2.3%	19	1.1%	138%	1.1%	138%	1.1%	90%	90%
Admin. appeals	20	13.1%	50	23.8%	58	12.2%	46	4.4%	80	6.0%	164	9.5%	720%	9.5%	720%	9.5%	228%	228%
Orig. proceedings	5	3.3%	2	1.0%	9	1.9%	17	1.6%	8	0.6%	72	4.2%	1340%	4.2%	1340%	4.2%	3500%	3500%
Total	153	100.0%	210	100.0%	477	100.0%	1,051	100.0%	1,339	100.0%	1,723	100.0%	1,026%	100.0%	1,026%	100.0%	720%	720%
Second Circuit																		
Criminal	81	13.9%	172	20.0%	441	25.4%	490	17.2%	822	20.6%	861	12.3%	963%	12.3%	963%	12.3%	401%	401%
U.S. civil	134	23.1%	141	16.4%	164	9.4%	481	16.9%	586	14.7%	523	7.5%	290%	7.5%	290%	7.5%	271%	271%
Private civil	203	34.9%	299	34.8%	784	45.1%	1,484	52.2%	2,168	54.4%	2,478	35.4%	1,121%	35.4%	1,121%	35.4%	729%	729%
Bankruptcy	28	4.8%	52	6.0%	34	2.0%	148	5.2%	109	2.7%	81	1.2%	189%	1.2%	189%	1.2%	56%	56%
Admin. appeals	121	20.8%	168	19.5%	258	14.8%	205	7.2%	247	6.2%	2747	39.2%	2,170%	39.2%	2,170%	39.2%	1535%	1535%
Orig. proceedings	14	2.4%	28	3.3%	58	3.3%	36	1.3%	55	1.4%	318	4.5%	2,171%	4.5%	2,171%	4.5%	1036%	1036%
Total	581	100.0%	860	100.0%	1,739	100.0%	2,844	100.0%	3,987	100.0%	7,008	100.0%	1,106%	100.0%	1,106%	100.0%	715%	715%

cont'd

	1955	1965	1975	1985	1995	2004	over 55	over 65
Third circuit								
Criminal	57	18.4%	52	10.5%	321	23.1%	371	14.8%
U.S. civil	47	15.2%	88	17.7%	218	15.7%	564	22.6%
Private civil	130	42.1%	249	50.1%	594	42.7%	1,301	52.1%
Bankruptcy	24	7.8%	16	3.2%	31	2.2%	53	2.1%
Admin. appeals	46	14.9%	77	15.5%	176	12.6%	186	7.4%
Orig. proceedings	5	1.6%	15	3.0%	52	3.7%	24	1.0%
Total	309	100.0%	497	100.0%	1,392	100.0%	2,499	100.0%
					3,485	100.0%	3,871	100.0%
Fourth circuit								
Criminal	32	16.0%	71	11.6%	324	24.6%	365	13.3%
U.S. civil	42	21.0%	116	19.0%	243	18.4%	404	14.7%
Private civil	84	42.0%	353	57.9%	599	45.4%	1,720	62.6%
Bankruptcy	5	2.5%	7	1.1%	8	0.6%	67	2.4%
Admin. appeals	30	15.0%	53	8.7%	134	10.2%	174	6.3%
Orig. proceedings	7	3.5%	10	1.6%	11	0.8%	17	0.6%
Total	200	100.0%	610	100.0%	1,319	100.0%	2,747	100.0%
					5,193	100.0%	4,957	100.0%
Fifth circuit								
Criminal	107	20.3%	179	16.8%	833	25.3%	388	11.2%
U.S. civil	103	19.5%	271	25.4%	577	17.5%	420	12.2%
Private civil	233	44.2%	443	41.6%	1,524	46.3%	2,286	66.1%
Bankruptcy	20	3.8%	33	3.1%	30	0.9%	66	1.9%
Admin. appeals	59	11.2%	123	11.5%	285	8.7%	217	6.3%
Orig. proceedings	5	0.9%	16	1.5%	43	1.3%	79	2.3%
Total	527	100.0%	1,065	100.0%	3,292	100.0%	3,456	100.0%
					6,513	100.0%	8,509	100.0%
Sixth circuit								
Criminal	62	19.5%	113	16.5%	347	24.2%	386	12.2%
U.S. civil	66	20.8%	153	22.3%	277	19.3%	638	20.1%
Private civil	94	29.6%	251	36.6%	636	44.3%	1,713	53.9%
Bankruptcy	5	1.6%	18	2.6%	5	0.3%	94	3.0%
Admin. appeals	86	27.0%	139	20.3%	145	10.1%	305	9.6%
Orig. proceedings	5	1.6%	11	1.6%	26	1.8%	40	1.3%
Total	318	100.0%	685	100.0%	1,436	100.0%	3,176	100.0%
					4,631	100.0%	4,841	100.0%

cont'd

		1955	1965	1975	1985	1995	2004	over 55	over 65					
Seventh circuit														
Criminal	48	16.8%	105	20.4%	311	26.6%	337	14.9%	580	18.6%	564	16.7%	1,075%	437%
U.S. civil	45	15.7%	86	16.7%	195	16.7%	515	22.7%	487	15.6%	564	16.7%	1,153%	556%
Private civil	111	38.8%	196	38.1%	454	38.8%	1,088	48.0%	1,814	58.3%	1,659	49.1%	1,395%	746%
Bankruptcy	22	7.7%	18	3.5%	14	1.2%	96	4.2%	67	2.2%	48	1.4%	118%	167%
Admin. appeals	52	18.2%	91	17.7%	141	12.1%	196	8.7%	131	4.2%	314	9.3%	504%	245%
Orig. proceedings	8	2.8%	18	3.5%	55	4.7%	33	1.5%	33	1.1%	228	6.8%	2,750%	1,167%
Total	286	100.0%	514	100.0%	1,170	100.0%	2,265	100.0%	3,112	100.0%	3,377	100.0%	1081%	557%
Eighth circuit														
Criminal	74	28.6%	58	17.4%	237	23.5%	268	13.3%	639	19.9%	891	28.7%	1,104%	1,436%
U.S. civil	60	23.2%	76	22.8%	253	25.1%	452	22.4%	507	15.8%	450	14.5%	650%	492%
Private civil	84	32.4%	141	42.3%	390	38.7%	1,095	54.3%	1,858	58.0%	1,228	39.6%	1,362%	771%
Bankruptcy	11	4.2%	9	2.7%	6	0.6%	65	3.2%	63	2.0%	24	0.8%	118%	167%
Admin. appeals	26	10.0%	44	13.2%	94	9.3%	100	5.0%	86	2.7%	204	6.6%	685%	364%
Orig. proceedings	4	1.5%	5	1.5%	29	2.9%	38	1.9%	52	1.6%	304	9.8%	7,500%	5,980%
Total	259	100.0%	333	100.0%	1,009	100.0%	2,018	100.0%	3,205	100.0%	3,101	100.0%	1,097%	831%
Ninth circuit														
Criminal	64	16.6%	142	16.9%	875	32.0%	889	16.8%	1,571	18.7%	1,906	13.4%	2,878%	1,242%
U.S. civil	123	31.9%	174	20.7%	470	17.2%	1,121	21.1%	1,329	15.8%	1,147	8.0%	833%	559%
Private civil	145	37.7%	298	35.5%	764	28.0%	2,248	42.4%	4,085	48.5%	4,663	32.7%	3,116%	1,465%
Bankruptcy	19	4.9%	47	5.6%	80	2.9%	209	3.9%	298	3.5%	217	1.5%	1,042%	362%
Admin. appeals	32	8.3%	157	18.7%	437	16.0%	720	13.6%	921	10.9%	5655	39.6%	17,572%	3,502%
Orig. proceedings	2	0.5%	22	2.6%	105	3.8%	116	2.2%	211	2.5%	686	4.8%	34,200%	3,018%
Total	385	100.0%	840	100.0%	2,731	100.0%	5,303	100.0%	8,415	100.0%	14,274	100.0%	3,608%	1,599%
Tenth circuit														
Criminal	48	20.0%	56	12.0%	226	23.1%	279	14.2%	402	15.3%	630	23.8%	1,213%	1,025%
U.S. civil	44	18.3%	123	26.3%	214	21.8%	387	19.7%	633	24.2%	452	17.1%	927%	267%
Private civil	109	45.4%	228	48.8%	416	42.4%	1,029	52.4%	1,397	53.3%	1,192	45.0%	994%	423%
Bankruptcy	7	2.9%	7	1.5%	30	3.1%	85	4.3%	68	2.6%	42	1.6%	500%	500%
Admin. appeals	28	11.7%	47	10.1%	64	6.5%	114	5.8%	93	3.6%	132	5.0%	371%	181%
Orig. proceedings	4	1.7%	6	1.3%	30	3.1%	70	3.6%	26	1.0%	198	7.5%	4,850%	3,200%
Total	240	100.0%	467	100.0%	980	100.0%	1,964	100.0%	2,619	100.0%	2,646	100.0%	1,003%	467%
														cont

cont'd

	1955	1965	1975	1985	1995	2004	over 55	over 65
Eleventh circuit								
Criminal	na	na	na	931	1,587	1,694	24.0%	na
U.S. civil	na	na	na	781	839	1,156	16.4%	na
Private civil	na	na	na	1,908	3,079	3,013	42.6%	na
Bankruptcy	na	na	na	101	143	79	1.1%	na
Admin. appeals	na	na	na	143	176	538	7.6%	na
Orig. proceedings	na	na	na	59	104	585	8.3%	na
Total	na	na	na	3923	5948	7065	100.0%	na

¹ U.S. civil and Private civil include prisoner petitions.
Source: AO Annual Report of the Director, Table B-1

4. CHANGING PROCEDURES IN THE UNITED STATES COURTS OF APPEALS

	1955	1965	1975	1985	1995	2004
All terminations	3,654	5,771	16,000	31,387	49,805	56,381
Merits terminations ¹	2,809	76.9%	3,546	61.4%	9,077	56.7%
Procedural termination ²	845	23.1%	1,680	29.1%	4,998	31.2%
By consolidation ³	--	--	545	9.4%	1,925	12.0%
Procedural termination	845	1,680	4,998	12,349	18,856	26,835
By judge	na	na	na	5,092	41.2%	36.2%
By staff	na	na	na	7,257	58.8%	63.8%
Merits terminations	2,809	3,546	9,077	16,369	27,772	27,438
Reversals	777	773	1,632	18.0%	2,770	16.9%
Merits terminations	2,809	3,546	9,077	16,369	27,772	27,438
After oral hearing	na	na	(5,994)	(69.7%) ⁵	9,246	56.5%
On briefs	na	na	(2,602)	(30.3%) ⁵	7,123	43.5%
Merits terminations	2,809	3,546	9,077	16,369	27,772	27,438
Oral opinion	na	na	na	81	0.5%	20
Written published op. ⁴	na	na	5,925	65.3%	7,108*	43.4%
Written unpublished op. ⁴	na	na	3,152	34.7%	9,180*	56.1%

¹ Merits terminations include lead and single appeals only, except for 1955. Merits terminations are also defined as "cases disposed of after hearing or submission" (1955 – 1975).

² Procedural terminations include lead and single appeals only, except for 1955. Procedural terminations are also defined as "cases disposed of without hearing or submission" (1955 – 1975).

³ "By consolidation" terminations include cross appeals and consolidated appeals. These terminations are not identified separately in 1955.

⁴ Instead of _____ for 1975, read _____ for 1985, read _____

"Written published opinion," "Signed or per curiam"

"Written unpublished opinion," "Decided w/out opinion or w/ oral opinion"

"Unsigned reasoned and unsigned without comment"

⁵ Two items total 8596, %s calc. on 8596.

Sources: AO Annual Report of the Director

For 1955 and 1965: Table B-1

For 1975: Table B-1 and text at pp. 182-183

For 1985: Tables B-1 and B-5, text table 9 (p. 124)

For 1995 and 2004: Tables B-1 and B-5, supplementary table S-3

4A. PRO SE APPEALS

	1995		2000		2004		Change in Pro Se % over 1995		2000		2004		Change in Pro Se % over 1995	
	All	Pro Se	% of all Pro Se	All	Pro Se	% of all Pro Se	% of all Pro Se	% of all Pro Se	All	Pro Se	% of all Pro Se	% of all Pro Se	% of all Pro Se	% of all Pro Se
			within categ.			within categ.	within categ.	within categ.			within categ.	within categ.	within categ.	within categ.
Pris. pets	14985	13083	87.3%	17252	15027	87.1%	60.3%	60.3%	16561	14,530	87.7%	54.2%	11.1%	-3.3%
Orig. proc. ¹	745	268	36.0%	3,966	3,003	75.7%	12.0%	12.0%	4,064	3,278	80.7%	12.2%	1123.1%	9.2%
Ag'y apps	3,295	622	18.9%	3,237	797	24.6%	3.2%	3.2%	12,255	3,056	24.9%	11.4%	391.3%	283.4%
Private civil ²	1,4758	3,395	23.0%	14,788	3,557	24.1%	14.3%	14.3%	13,275	3,407	25.7%	12.7%	0.4%	-4.2%
Criminal	10,162	803	7.9%	10,707	945	8.8%	3.8%	3.8%	12,506	1,140	9.1%	4.3%	42.0%	20.6%
US civil (non- pris)	4,460	1,364	30.6%	37,40	1,361	36.4%	5.5%	5.5%	3,239	1,156	35.7%	4.3%	-15.2%	-15.1%
Bankruptcy	1,667	4,38	26.3%	1,007	248	24.6%	0.1%	0.1%	862	233	27.0%	0.9%	-46.8%	-6.1%
Total all cases	50,072	19,973	39.9%	54,697	2,4938	45.6%			62,762	26,800	42.7%		34.2%	7.5%
Total less prisoner pets.	35,087	6,890	19.6%	37,445	9,911	26.5%			46,201	12,270	26.6%		78.1%	23.3%

¹ Since Oct. 1998, "original proceedings" have included second or successive habeas petitions.² Private civil includes Non-Prisoner Federal Question, Diversity, and Local Jurisdiction.

Source: AO Annual Report of the Director, Table S-4.

4B. PRO SE APPEAL MERITS TERMINATIONS—PROCEDURES

	1995				2000				2004			
	Total	Arg., Written Opinion	Arg., No Written Opinion	Written Opinion, No Arg.	Total	Arg., Written Opinion	Arg., No Written Opinion	Written Opinion, No Arg.	Total	Arg., Written Opinion	Arg., No Written Opinion	Written Opinion, No Arg.
Counseled	18,417 63.3%	10,526 95.8%	99 100%	7,792 46.7%	17,602 64%	9,260 95.6%	61 96.8%	8,281 46.6%	18,025 65.7%	8,321 100%	19 5.8%	9,685 51.5%
Pro Se	9,355 33.7%	455 4.1%	0	8,900 53.3%	9,914 36%	429 4.4%	2 3.2%	9,483 53.4%	9,413 34.3%	0	305 94.1%	9,108 48.4%
Total	27,772	10,981	99	16,692	27,516	9,689	63	17,764	27,438	8,321	324	18,793

5. CHANGING DISPOSITION PATTERNS IN THE UNITED STATES DISTRICT COURTS

3. CHANGING DISPOSITION AT TRIALS IN FEDERAL DISTRICT COURTS													
		1955		1965		1975		1985		1995		2004	
Civil Cases													
All terminations ¹		47,959	63,137	103,787	268,609	229,325	252,016						
No Court Action		0.0%	29,309	46.4%	39,219	37.8%	129,429	48.2%	36,558	15.9%	54,273	21.5%	
Before Pretrial ²		88.3%	17,089	27.1%	40,571	38.8%	95,507	35.6%	166,017	72.4%	174,212	69.1%	
During or After Pretrial		0.0%	9,442	15.0%	15,575	15.0%	31,103	11.6%	19,307	8.4%	19,580	7.8%	
During or After Trial		11.7%	7,297	11.6%	8,722	8.4%	12,570	4.7%	7,443	3.2%	3,951	1.6%	
Non-Jury Trial		6.5%	4,080	6.5%	5,210	5.0%	6,292	2.3%	3,317	1.4%	1,422	0.6%	
Jury Trial		5.1%	3,217	5.1%	3,512	3.4%	6,278	2.3%	4,126	1.8%	2,529	1.0%	
Criminal Defendants ³													
All terminations ⁴		38,990	31,975	49,212	47,360	54,980	81,717						
Dismissed		3,792	3,570	11.2%	10,274	20.9%	7,484	15.8%	7,112	12.9%	7,465	9.1%	
Guilty Plea or Nolo		31,148	24,127	75.5%	31,816	64.7%	33,823	71.4%	43,103	78.4%	71,028	86.9%	
Trial Verdict		4,050	4,278	13.4%	7,122	14.5%	6,053	12.8%	4,765	8.7%	3,224	3.9%	
Non-Jury Trial		1,322	1,463	4.6%	1,977	4.0%	1,409	3.0%	949	1.7%	551	0.7%	
Jury Trial		2,728	2,815	8.8%	5,145	10.5%	4,644	9.8%	3,816	6.9%	2,673	3.3%	
All Cases													
Total Terminations		86,949	95,112	152,999	315,969	284,305	333,733						
Without Trial		77,311	83,537	87.8%	137,155	89.6%	297,346	94.1%	272,097	95.7%	326,558	97.9%	
During or After Trial		9,638	11,575	12.2%	15,844	10.4%	18,623	5.9%	12,208	4.3%	7,175	2.1%	
Non-Jury Trial		4,448	5,543	5.8%	7,187	4.7%	7,701	2.4%	4,266	1.5%	1,973	0.6%	
Jury Trial		5,190	6,032	6.3%	8,657	5.7%	10,922	3.5%	7,942	2.8%	5,202	1.6%	

1. Civil terminations exclude land condemnation cases and cases in the territories.

2. Civil breakdown in source tables for 1955 used different categories. The non-trial categories could not be reorganized into the categories used in later years. Therefore all non-trial cases were included in the "Before Pretrial" category. 44 (0.8%) of the trials held in 1955, were not specifically identified as non-jury or jury. They have been distributed into the non-jury / jury categories according to the proportions of the known trials (36% non-jury, 44% jury).

3. Counts from the territorial courts excluded.

4. Termination data for criminal defendants was not available for 1965, data from 1966 is presented instead.

Sources: AO Annual Report of the Director (Civil: Table C-4 and C-5 in 1955) Criminal: Table D-4.)

