

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN DOE :  
 :  
 V. : Case No. 17-cv-40151  
 :  
 JOHNSON & WALES UNIVERSITY :

**MEMORANDUM IN SUPPORT OF  
DEFENDANT’S MOTION TO TRANSFER VENUE**

Pursuant to 28 U.S.C. 1404, Defendant Johnson & Wales University (“JWU”) has moved for an Order transferring venue of this lawsuit to the United States District Court for the District of Rhode Island.

**I. Introduction**

Plaintiff filed this lawsuit after receiving an adverse decision by JWU which determined that Plaintiff was responsible for sexual assault and sexual harassment. As a consequence, JWU expelled Plaintiff, at the time a college junior, from the university. All events that form the basis for the allegations in the Complaint occurred in Rhode Island. All potential witnesses concerning these events are students at JWU in Rhode Island, reside in Rhode Island, or are subject to subpoena power for them to appear in Rhode Island. Rhode Island state law applies to six (6) of the seven (7) counts pled in the Complaint (all but the Title IX count). The Complaint seeks declaratory and injunctive relief against JWU, a Rhode Island based university, so he can return to JWU’s Providence campus as a student with a clear disciplinary record. Therefore, Rhode Island is the jurisdiction where localized interests are best served, Rhode Island is more convenient to the parties and the witnesses, and this lawsuit should be transferred to the District of Rhode Island for adjudication.

## **II. Background**

Plaintiff was a student at JWU commencing in the Fall of 2014 until he was expelled in November 2017. Complaint ¶9. Plaintiff's Complaint alleges that JWU has a campus and educational facility in Rehoboth, Massachusetts. Id. ¶9. In a footnote, Plaintiff's Complaint casually mentions that JWU also has campuses in Providence, Rhode Island, North Miami, Florida, Denver, Colorado, and Charlotte, North Carolina. Id. at fn. 2. However, the only presence that JWU has in Massachusetts is in the Town of Rehoboth. Elizabeth (Betsy) Gray Affidavit ("Affidavit") at 3 (attached at Exhibit 1). The only presence that JWU has in Rehoboth is an equestrian facility, at which Plaintiff was never involved. Id. at 4. The Rehoboth property is not a campus, has no dorms, and has absolutely no connection to any of the events alleged in the Complaint. Id. at 5. Moreover, a review of Plaintiff's Complaint reveals that there is no mention of anything occurring at property owned by JWU in Rehoboth and the Complaint is bereft of any allegation that Plaintiff has ever set foot at JWU's Rehoboth property. To the contrary, Providence is the main location for JWU and all events that are alleged in the Complaint took place at JWU's campus locations in Rhode Island. Id. at 6.

Plaintiff alleges that a female JWU student, identified with a pseudonym ("Mary Smith"), and her boyfriend, identified with a pseudonym ("BK"), filed a Complaint against him with JWU in September 2017. Complaint ¶11. According to the Complaint, Plaintiff and Mary Smith were friends during the 2016-2017 school year and had sexual intercourse six (6) times in the Fall of 2016. Id. ¶13. These sexual liaisons occurred at Plaintiff's dorm room and Mary Smith's dorm room. Id. Although the Complaint is silent as to the location of the dorm rooms, John Doe's and Mary Smith's dorm rooms were located at JWU's Harborside campus in which is located in Providence and Cranston, Rhode Island (the "Harborside Campus"). Affidavit at 7. Plaintiff's dorm room was located in Cranston and Mary Smith's dorm room was located in Providence. Id. at 8.

JWU's conduct review process took place in an administrative building at the Harborside Campus. Complaint at Exhibit 1. All of JWU's administrative functions, security office functions, and the conduct review process concerning all of the allegations set forth in the Complaint occurred at JWU's administrative buildings in Providence, Rhode Island, either at the Harborside Campus or the downtown Providence location. Affidavit at 9.

The Complaint references the following people: Plaintiff, Mary Smith, BK, Officer Eastman of JWU security, Sergeant Robinson of JWU security, JWU's Senior Vice President of Administration, three (3) Panelists at the Panel Hearing, an Advisor at the Pre-Hearing Conference and Panel Hearing, and two of Plaintiff's roommates. With the exception of Plaintiff who resides in Worcester, Massachusetts, well-within the subpoena power of Rhode Island's Federal District Court, each of the other individuals currently are JWU students in Providence, Rhode Island, or reside and/or work in Providence, Rhode Island. Id. at 10.

Plaintiff's Complaint asserts causes of action for breach of contract (Count I), breach of the covenant of good faith and fair dealing (Count II), estoppel and reliance (Count III), 20 U.S.C. § 1681 - Title IX (Count IV), intentional infliction of emotional distress (Count V), negligent infliction of emotional distress (Count VI), and injunctive relief and declaratory judgment (Count VII). All counts except Count IV are causes of action based upon Rhode Island state law. Count VII seeks a declaration for the following relief against JWU: (a) reverse the findings and sanctions made against Plaintiff; (b) expunge Plaintiff's disciplinary and education record; (c) provide Plaintiff with a notarized letter confirming that the findings and sanctions have been reversed and expunged from his records; (d) make all reasonable efforts (undefined in the Complaint) to restore Plaintiff's reputation; and (e) allow Plaintiff to continue and finish his education at JWU. Although the Complaint does not specify the injunctive relief sought, it does seek a permanent injunction against JWU.

### **III. Argument**

#### **A. Applicable Factors to Determine Whether a Lawsuit Should be Transferred Under Section 1404(a)**

This Court has held that “[f]or the convenience of the parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” Thompson v. NCL (Bahamas) Ltd., 2017 WL 275595, \*1 (D. Mass. January 20, 2017) (Hillman, J.) (quoting 28 U.S.C. § 1404(a)). Section 1404(a) intends to place discretion in the district court to adjudicate motions for transfer according to an individualized, case-by-case consideration of convenience and fairness. Astro-Med, Inc. v. Nihon Kohden America, Inc., 591 F.3d 1, 12 (1st Cir. 2009).

While it is universally acknowledged that district courts have broad discretion to determine whether transfer is warranted under Section 1404(a), resolution of the transfer motion requires the Court to make a “flexible and individualized analysis” and to “weigh in the balance a number of case-specific factors” to determine whether the proposed transferee district would be a more convenient forum for the litigation. 17 Moore’s Federal Practice § 111.13[1][a] (3rd ed. 2013). These factors include: (1) whether the transferee court is one in which the lawsuit might have been brought; (2) whether a transfer enhances the convenience of the parties; (3) whether the transfer enhances the convenience of the witnesses; and (4) whether the transfer is in the interest of justice. Id. § 111.13[1][b].

Although there is no definite list of criteria that must be considered to determine the aforementioned factors, federal courts typically look to the following to determine whether the proposed alternative forum would better serve the convenience and interest of justice requirements: (1) the plaintiff’s original choice of forum; (2) where the events at issue in the lawsuit took place; (3) the convenience of the parties; (4) the convenience of the witnesses; (5) the comparative availability of compulsory process to compel the attendance of unwilling witnesses; (6) the location of the physical evidence; (7) the

enforceability of the judgment; (8) in which forum can the case be tried more inexpensively and expeditiously; (9) the relative court congestion in the two forums; (10) the public interest in local adjudication of local controversies; (11) the relative familiarity of the courts with the applicable law; (12) whether transfer is in the “interest of justice”; (13) which forum would better serve judicial economy; and (14) whether a contractual clause specifies a specific forum to resolve contractual disputes. Id.

Federal District Courts in Massachusetts have determined transfer of venue motions using factors consistent with the aforementioned criteria cited in Moore’s Federal Practice. See, e.g., OsComp Sys., Inc. v. Bakken Exp., LLC, 930 F. Supp. 2d 261, 273 (D. Mass. 2013) (Dein, M.J.) (identifying the plaintiff’s choice of forum, the convenience of the witnesses and location of documents, the law to be applied, the connection between the forum and the issues, the state or public interests at stake and the relative convenience of the parties as appropriate factors) (citing World Energy Alts., LLC v. Settlemyre Indus., Inc., 671 F. Supp. 2d 215, 218 (D. Mass. 2009) (Gorton, J.)). As explained below, an application of these factors supports transfer of venue of this lawsuit to the District of Rhode Island.

**B. Analysis of the Factors Reveals that Transfer of Venue is Appropriate**

**1. Rhode Island is a Jurisdiction in Which the Lawsuit Might and Probably Should Have Been Brought**

Whether venue exists in a jurisdiction is determined by 28 U.S.C. § 1391(b) which states the following:

A civil action may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.

As explained above, it is undisputed that JWU is located in Rhode Island, all of the events at issue in the Complaint occurred in Rhode Island, and there is personal jurisdiction over JWU in the District of Rhode Island. Accordingly, venue is proper in Rhode Island, and the lawsuit could have been (and should have been) brought in the District of Rhode Island. Therefore, this factor weighs heavily in favor of transfer to Rhode Island.

**2. Rhode Island is a More Convenient Location for the Parties**

Plaintiff resides in Worcester, Massachusetts, and seeks an Order from this Court to allow him to return as a JWU student in Providence, Rhode Island. JWU is a Rhode Island corporation with its principal place of business in Rhode Island. The convenience of the parties' counsel is given little or no weight in the convenience analysis. 17 Moore's Federal Practice § 111.13[1][c][iii] (3rd ed. 2013). Therefore, Rhode Island is the more convenient location for the parties, because JWU is headquartered there, a large number of its employees based in Rhode Island may be called to testify during a trial, and the alleged injury occurred in Rhode Island. Thompson v. NCL (Bahamas) Ltd., 2017 WL 275595, \*1 (D. Mass. January 20, 2017 (Hillman, J.) (using the exact same factors to justify transferring a lawsuit from Massachusetts to Florida).

To the extent that there are documents that will be needed by both sides in this lawsuit, all documents concerning the events alleged in the Complaint are located in Providence, Rhode Island. Here, JWU anticipates that all of the documents relating to the allegations set forth in the Complaint in its possession are located at JWU's campus in Providence, Rhode Island. Affidavit at 11. JWU is unaware of any documents relating to allegations set forth in the Complaint located in Massachusetts. Id. at 12. Despite technological advances that may allow for easier transport of electronic documents, this factor continues to focus on the physical location where the evidence resides. In re Volkswagen of America, Inc., 545 F.3d 304, 316 (5th Cir. 2008).

It is undisputed that the location of the physical evidence needed by both parties is Rhode Island. Because the bulk of relevant evidence in this lawsuit is not located in Massachusetts and will be more easily accessed from Rhode Island, this factor weighs heavily in favor of transfer to Rhode Island.

**3. Rhode Island is a More Convenient Location for the Witnesses**

The convenience of witnesses is the most powerful factor governing the decision to transfer a case. OsComp Sys., Inc. v. Bakken Exp., LLC, 930 F. Supp. 2d 261, 276 (D. Mass. 2013) (Dein, M.J.). If the majority of both parties' material witnesses are located in the district to which transfer is sought, transfer is likely to be granted despite the fact that the transfer may cause plaintiff some inconvenience by having to litigate in a forum outside the plaintiff's home district. 17 Moore's Federal Practice § 111.13[1][f][ii] (3rd ed. 2013). In this case, as explained above, with the exception of Plaintiff who resides in Worcester, Massachusetts, well-within the subpoena power of Rhode Island's Federal District Court, each of the other individuals currently are JWU students in Providence, Rhode Island, or reside and/or work in Providence, Rhode Island. Affidavit at 10. Therefore, this factor weighs in favor of transfer to Rhode Island.

**4. Transfer of Venue to Rhode Island is in the Interest of Justice**

An analysis of the criteria in addition to the factors analyzed above for determining whether transfer is in the interest of justice reveals that this lawsuit should be transferred to Rhode Island. First, with respect to Plaintiff's original choice of forum, Plaintiff has strategically attempted to utilize an equestrian facility that has no bearing on any of the allegations in the Complaint as a basis to bring a Title IX and Rhode Island state law claim in Massachusetts while intentionally omitting from the Complaint any reference to the locations in Rhode Island where all of the events giving rise to each cause of action took place. This lack of forthrightness in the Complaint mitigates against keeping this lawsuit in Massachusetts. See 17 Moore's Federal Practice § 111.13[1][c][i]

(3rd ed. 2013) (efforts made to manipulate venue should not be considered in the transfer analysis) (citing In re Microsoft Corp., 630 F.2d 1361, 1364-65 (Fed. Cir. 2011)).

Second, all operative events took place in Rhode Island, the overwhelming majority of witnesses are in Rhode Island, and the physical evidence is in Rhode Island. Therefore, this factor heavily weighs in favor of transfer to Rhode Island.

Third, with respect to the enforceability of a judgment, Plaintiff seeks declaratory and injunctive relief against JWU, a Rhode Island based university, so he can return to JWU's Providence campus as a student with a clear disciplinary record. Moreover, these claims and all remaining causes of action except the Title IX count are based in Rhode Island law. Clearly, Rhode Island's federal court will ultimately be the appropriate court to enforce any judgment against JWU whether the judgment is monetary, declaratory, or injunctive.

Fourth, with respect to which forum the case can be tried more inexpensively and expeditiously, given the proximity to the Rhode Island courthouse (located three blocks from JWU's main administration building) for all the witnesses except Plaintiff who are students or who work at JWU, it would be exceedingly more efficient and less expensive to try a case in Providence, Rhode Island, as opposed to Worcester, Massachusetts. Many of the witnesses could even walk to the Rhode Island courthouse or take a JWU shuttle from the Harborside Campus to downtown Providence. Therefore, this factor heavily weighs in favor of transferring the lawsuit to Rhode Island.

Fifth, with respect to the relative congestion in the two forums, a review of the U.S. District Court Judicial Caseload Profiles for the District of Massachusetts and the District of Rhode Island reveal that the median time from filing of a civil action to disposition in 2016 was 16.8 months in the District of Massachusetts while only 10.5 months for the District of Rhode Island. See Exhibit 2 (U.S. District Court Judicial Caseload Profiles for the District of Massachusetts and the District of Rhode Island). When the search is itemized to compare reaching trial, the District of Massachusetts wait



time increases to 30.1 months whereas Rhode Island is not reported.<sup>1</sup> Accordingly, the statistics favor the District of Rhode Island.

Sixth, with respect to the public interest in local adjudication of local controversies, all conduct and events alleged in the Complaint took place in Rhode Island. Moreover, JWU is a Rhode Island based university. Therefore, this factor heavily favors transferring this lawsuit to Rhode Island.

Seventh, with respect to the relatively familiarity of the courts with the applicable law, all causes of action except the Title IX count are based in Rhode Island law which the judges sitting in Rhode Island's federal court adjudicate on a daily basis. Also, the District of Rhode Island is experienced with lawsuits relating to alleged campus sexual misconduct under Title IX and Rhode Island law. Both of Rhode Island's federal judges – Chief Judge William E. Smith and Judge John J. McConnell, Jr. – are presiding in similar cases by John Doe plaintiffs, who are challenging university disciplinary adjudications holding them responsible for sexual misconduct. See C.A. Nos. 15-144-S; 17-174-M; 17-191-M. In one of the cases, Chief Judge Smith issued a detailed written decision addressing Title IX and Rhode Island law, which granted in part and denied in part the university's motion to dismiss. See 166 F. Supp. 3d 177 (D.R.I. 2016). Also, as noted in footnote 1, Chief Judge Smith is one of the few federal judges nationwide to preside in the trial of a John Doe case addressing a campus sexual misconduct disciplinary adjudication. Similarly, Chief Judge Smith and Judge McConnell have

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<sup>1</sup> Trials in Rhode Island Federal District Court can occur in less than a year if the parties promptly complete discovery and promptly submit any dispositive motions. In a case similar to this one, John Doe v. Brown University, C.A. No. 16-17-S, the Rhode Island Federal District Court held a trial within seven months of the initiation of the lawsuit. The John Doe plaintiff filed suit on January 20, 2016, Chief Judge Smith worked with the parties to implement an efficient discovery process, and a bench trial was held between July 19 and 22, 2016. On September 28, 2016, Chief Judge Smith entered an extensive Decision and a Final Judgment resolving the litigation within nine months of its filing. 210 F. Supp. 3d 310 (D.R.I. 2016)

addressed Title IX and Rhode Island law claims in recently filed lawsuits by Jane Doe plaintiffs. See C.A. Nos. 16-614-M (resolved by a final judgment); 16-562-S (pending).<sup>2</sup>

Eighth, with respect to practical considerations, this lawsuit was only recently filed on the evening of November 15, 2017. As of the filing of this Motion, JWU still has not been served. Knowing that a lawsuit was about to be filed, undersigned counsel monitored this Court's docket to learn of the lawsuit within a day of its filing. Even if that had not occurred, upon information and belief, Plaintiff appears to have immediately notified Rhode Island's media of the filing of the lawsuit which resulted in an article in the *Providence Journal* and broadcasts in Rhode Island's local television media the day after the lawsuit was filed. A scheduling order has not entered and there has not been any exchange of discovery between the parties. Therefore, it would not be wasteful of judicial resources to transfer this action now from Massachusetts to Rhode Island. In fact, now is the proper time to transfer this case so a Rhode Island court can determine any motion seeking injunctive relief that is threatened in the lawsuit.

Finally, this Court has previously transferred lawsuits against out-of-state educational institutions to the jurisdictions where the underlying events occurred. See Gabriel v. Albany College of Pharmacy and Health Sciences, 2011 WL 6936482, \*1 (D. Mass. January 3, 2011) (Stearns, J.) (transfer of venue to Vermont appropriate because all events alleged in the Complaint took place in Vermont and all defendants were entities in or resided in Vermont); Moore v. Southern New Hampshire Medical Center, 2009 WL 5214879, \*11 (D. Mass. August 18, 2009) (Bowler, M.J.) (transfer of venue to New Hampshire appropriate when the lawsuit could have been filed in New Hampshire, all

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<sup>2</sup> In C.A. No. 16-614-M, Judge McConnell issued a written Decision on September 6, 2017, explaining his Title IX analysis in granting the university's motion to dismiss. Jane Doe v. Brown Univ., 2017 U.S. Dist. LEXIS 144829 (D.R.I. Sept. 6, 2017). The case is before the First Circuit following the plaintiff's appeal of the final judgment in the university's favor.

alleged negligent acts occurred entirely in New Hampshire, and New Hampshire substantive law applied).

**IV. Conclusion**

For the foregoing reasons, venue over this action is proper in the District of Rhode Island, and the Section 1404(a) factors overwhelmingly favor transfer of this action to the District of Rhode Island. Accordingly, this Court should grant Defendant's motion and transfer this action to the District of Rhode Island.

Defendant,  
Johnson & Wales University,  
By its Attorneys,

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Dated: November 20, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this 20th day of November, 2017.

/s/ Jeffrey S. Brenner

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN DOE :  
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 V. : Case No. 17-cv-40151  
 :  
 JOHNSON & WALES UNIVERSITY :

**AFFIDAVIT OF ELIZABETH (BETSY) GRAY**

I, Elizabeth (Betsy) Gray, being duly sworn, deposes and says as follows:

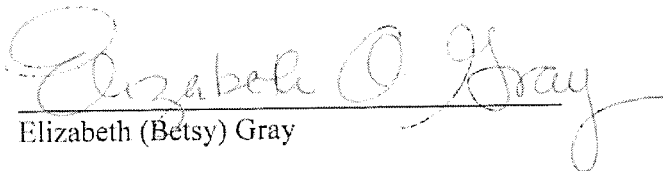
1. I am the Director of Student Conduct at Johnson & Wales University (“JWU”). In that capacity, I have personal knowledge of the facts set forth within this affidavit.
2. I have reviewed the Complaint filed in this case.
3. The only physical presence JWU has in Massachusetts is in the Town of Rehoboth.
4. The only presence that JWU has in Rehoboth is an equestrian facility at which Plaintiff was never involved.
5. JWU’s Rehoboth property is not a campus, has no dorms, and has absolutely no connection to any of the events alleged in the Complaint.
6. Providence is the main location for JWU and all events that are alleged in the Complaint took place at JWU’s campus locations in Rhode Island.
7. Although the Complaint is silent as to the location of the dorm rooms where the sexual liaisons described in the Complaint took place, John Doe’s and Mary Smith’s dorm rooms were located at JWU’s Harborside campus in Providence and Cranston, Rhode Island (the “Harborside Campus”).
8. John Doe’s dorm room was located in the Cranston portion of the Harborside Campus, and Mary Smith’s dorm room was located in the Providence portion of the Harborside Campus.

9. All of JWU's administrative functions, security office functions, and the conduct review process concerning all of the allegations set forth in the Complaint occurred at JWU's administrative buildings in Providence, Rhode Island, either at the Harborside Campus or the downtown Providence location.

10. The Complaint references the following people: Plaintiff, Mary Smith, BK, Officer Eastman of JWU security, Sergeant Robinson of JWU security, JWU's Senior Vice President of Administration, three (3) Panelists at the Panel Hearing, an Advisor at the Pre-Hearing Conference and Panel Hearing, and two of Plaintiff's roommates. With the exception of Plaintiff who resides in Worcester, Massachusetts, each of the other individuals currently are JWU students in Providence, Rhode Island, or reside and/or work in Providence, Rhode Island.


11. JWU anticipates that all of the documents relating to the allegations set forth in the Complaint in its possession are located at JWU's campus in Providence, Rhode Island.

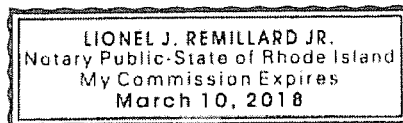
12. JWU is unaware of any documents relating to allegations set forth in the Complaint located in Massachusetts.

  
Elizabeth (Betsy) Gray

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

SUBSCRIBED AND SWORN to before me this 20th day of November, 2017.

  
Notary Public  
My commission expires: \_\_\_\_\_



## **Explanation of Selected Terms**

### **Number of Judgeships**

The number of appeals and district court judgeships reflects the number of authorized federal judgeships approved by Congress.

### **Vacant Judgeship Months**

Vacant judgeship months are the total number of months that vacancies occurred in any judgeship position in a circuit or district. On September 30, 2015, a total of 54 vacancies existed in the district courts, and 9 vacancies existed in the U.S. courts of appeals (excluding the U.S. Court of Appeals for the Federal Circuit).

Court profiles for both the courts of appeals and district courts reflect only caseloads for judges within the circuit/district; the profiles do not address judges' activity when visiting other circuits/districts. Detailed data on visiting judges can be found in Tables V-1 and V-2 of *Judicial Business of the United States Courts*.

### **Applications for Interlocutory Appeals**

In 2012, this category was expanded to include applications for permission to appeal under 28 U.S.C. § 1292(b); appeals from district courts' orders granting or denying motions to remand class actions to the state courts under 28 U.S.C. § 1453(c); applications for permission to file direct appeals from bankruptcy court orders under 28 U.S.C. § 158(d); appeals from orders granting or denying class action certification under Fed. R. Civ. P. 23(f); and various miscellaneous proceedings.

### **Supervised Release Hearings**

Beginning with *2002 Federal Court Management Statistics*, data on hearings on violations of conditions of supervision are included in the district court profiles. These hearings, which are conducted when defendants violate the terms of supervised release or probation, can result in the modification of conditions or the revocation of supervision. In addition to providing data for the category of supervised release hearings filed per authorized judgeship, data on these hearings are included in the totals for overall filings and terminations, filings and terminations per authorized judgeship, and weighted filings per authorized judgeship. These changes to the district court profiles were approved by the Judicial Conference Subcommittee on Judicial Statistics.

### **Weighted Filings**

Weighted filings statistics account for the different amounts of time district judges require to resolve various types of civil and criminal actions. The Federal Judiciary has employed techniques for assigning weights to cases since 1946. In 2004, the Judicial Resources Committee of the Judicial Conference of the United States approved a civil and criminal case weighting system proposed by the Federal Judicial Center. On a national basis, weighted filings did not change significantly after the implementation of the new case weights. More than two-thirds of all district courts saw their weighted filings change by 10 percent or less. Average civil cases or criminal defendants each receive a weight of approximately 1.0; for more time-consuming cases, higher weights are assessed (e.g., a death-penalty habeas corpus case is assigned a weight of 12.89); and cases demanding relatively little time from judges receive lower weights (e.g., an overpayment and recovery cost case involving a defaulted student loan is assigned a weight of 0.10).

For comparative analysis in this report, the totals for weighted civil and criminal filings for prior years have been revised based on the new case weighting system. The weighted totals for criminal defendants include transfers but exclude reopenings. Data on civil cases arising by reopening, remand, and transfer to the

district by order of the Judicial Panel on Multidistrict Litigation are not included among the totals for weighted filings.

### **Median Times**

The median times are based on the amount of time elapsed from the date a case was filed to the date of its disposition for the middle case in a series containing an odd number, or the number midway between the two middle cases in a series containing an even number, when the cases are arrayed from least to the most time elapsed.

- **Criminal Felony**

For criminal felony defendants, median time intervals are calculated using the period from the proceeding date for a defendant (e.g., the date an indictment or information was filed) to the date on which the defendant was found not guilty or was sentenced. Prior to March 2012, the median time interval was computed beginning with the defendant's filing date. Therefore, data for March 2012 and thereafter are not comparable to data for previous periods.

- **Civil**

For civil cases, median time intervals are calculated using the period from the date a case was filed to the date of its disposition. Median times from filing to disposition reflect all terminated civil cases, regardless of whether they were disposed of by trial or some other method. Civil median times exclude data for civil cases involving land condemnation, prisoner petitions, deportation reviews, recovery of overpayments, and enforcements of judgments. Because courts can quickly process cases involving the recovery of overpayments (which primarily address veterans' benefits) and enforcements of judgments (which primarily address student loans), including data on these cases would shorten the civil median times for some courts to the point of giving an inaccurate impression of the time usually required to process a case in the federal courts.

- **From Filing to Trial (Civil Only)**

For civil cases, median times from filing to trial are computed using the period from the date a case was filed to the date trial began. For any reopened civil case resulting in a second completed trial, the median time is based on the case's original filing date and the date the trial was completed.

### **Civil Cases Over Three Years Old**

Data for cases pending more than three years may not match those presented in the Civil Justice Reform Act (CJRA) reports because the profiles presented herein include data for cases on appeal in other courts (i.e., the Supreme Court, courts of appeals, other district courts, and state courts), whereas the CJRA reporting guidelines exclude such data.

### **Civil and Criminal Felony Filings by Nature of Suit and Offense**

Prior to 2005, alphabetical codes corresponded to different offenses and natures of suit. Therefore, data for 2005 and thereafter are not comparable to data for earlier years. Beginning in March 2012, criminal data count defendants rather than cases and will not match previously published numbers.

Comparison of Districts Within the First Circuit — 12-Month Period Ending June 30, 2017

	ME	MA	NH	RI	PR
<b>Overall Caseload Statistics</b>					
Filings	847	3,697	822	757	3,478
Terminations	566	4,706	758	814	3,252
Pending	640	7,813	760	826	4,700
Percent Change in Total Filings Current Year	-8.0	-13.8	-6.1	-9.3	-16.9
Over Last Year	5.6	4.0	5.7	-36.5	17.0
Over 2012					
Number of Judgeships	3	13	3	3	7
Vacant Judgeship Months <sup>1</sup>	0.0	0.0	0.0	12.0	12.0
<b>Actions per Judge</b>					
<b>Filings</b>					
Total	282	284	274	252	497
Civil	180	224	175	204	263
Criminal Felony	64	40	76	37	196
Supervised Release Hearings	38	20	23	11	38
Pending Cases	213	601	253	275	671
Weighted Filings <sup>1</sup>	254	283	251	239	457
Terminations	289	362	253	271	465
Trials Completed	22	11	12	7	14
<b>Median Time (Months)</b>					
From Filing to Disposition	11.2	12.9	9.9	10.4	14.4
Criminal Felony	6.9	16.8	8.8	10.5	10.0
Civil <sup>1</sup>	19.3	30.1	-	-	-
From Filing to Trial <sup>1</sup> (Civil Only)					
Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	1.7	1.7	23.3	4.2	8.2
Average Number of Felony Defendants Filed per Case	1.2	1.5	1.3	1.3	1.8
Avg. Present for Jury Selection	32.5	74.1	55.0	48.1	75.2
Percent Not Selected or Challenged	21.8	38.0	24.2	37.2	41.3
<b>Other</b>					
Jurors					
Percent Not Selected or Challenged					

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."



Comparison of Districts Within the Second Circuit — 12-Month Period Ending June 30, 2017

	CT	NY,N	NY,E	NY,S	NY,W	VT
<b>Overall Caseload Statistics</b>						
Filings	2,750	2,202	8,799	12,526	2,876	556
Terminations	2,778	2,386	8,575	13,252	2,895	633
Pending	3,088	2,552	13,020	17,030	3,655	557
Percent Change in Total Filings	3.5	-6.1	-0.1	-4.2	0.7	-7.9
Over Last Year						
Current Year	3.2	-18.9	9.3	-3.8	-1.9	0.2
Over 2012						
Number of Judgeships	8	5	15	28	4	2
Vacant Judgeship Months <sup>1</sup>	5.9	12.0	35.0	16.0	12.0	0.0
<b>Actions per Judgeship</b>						
Total	344	440	587	447	719	278
Civil	277	340	505	364	490	134
Criminal Felony	43	60	49	52	95	99
Supervised Release Hearings	23	40	33	31	135	46
Pending Cases	386	510	868	608	914	279
Weighted Filings <sup>1</sup>	326	328	521	457	470	260
Terminations	347	477	572	473	724	317
Trials Completed	14	17	17	15	14	26
<b>Median Time (Months)</b>						
From Filing to Disposition	14.0	10.9	19.7	13.1	18.1	11.0
Civil <sup>1</sup>	9.7	11.1	9.5	8.4	12.4	11.0
From Filing to Trial <sup>1</sup> (Civil Only)	35.1	42.6	34.5	31.4	60.9	-
<b>Other</b>						
Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	168	167	1,942	2,265	383	29
Average Number of Felony Defendants Filed per Case	6.7	8.9	18.9	18.8	13.9	10.3
Avg. Present for Jury Selection	1.5	1.3	1.4	2.2	1.1	1.4
Percent Not Selected or Challenged	61.2	29.3	99.6	68.7	69.7	102.6
Jurors	20.7	14.3	51.1	48.6	38.9	75.5

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Third Circuit — 12-Month Period Ending June 30, 2017

	DE	NJ	PA,E	PA,M	PA,W	VI
<b>Overall Caseload Statistics</b>						
Filings	1,867	13,140	8,522	3,001	3,241	339
Terminations	1,611	11,187	8,910	2,915	3,330	281
Pending	2,112	11,911	7,738	3,771	2,745	1,320
Percent Change in Total Filings	27.4	36.7	-10.5	-9.6	-1.4	1.2
Over Last Year						
Current Year	5.2	38.6	-77.6	-2.6	2.6	-9.1
Over 2012						
Number of Judgeships	4	17	22	6	10	2
Vacant Judgeship Months <sup>1</sup>	6.8	49.0	38.9	0.0	48.0	0.0
	467	773	387	500	324	170
<b>Filings</b>						
Total	441	734	342	402	264	83
Civil						
Criminal Felony	20	27	30	82	46	78
Supervised Release Hearings						
Pending Cases	5	13	15	16	13	9
Weighted Filings <sup>1</sup>	528	701	352	629	275	660
Terminations	652	571	318	458	296	-
Trials Completed	403	658	405	486	333	141
From Filing to Disposition	15	8	9	23	16	28
From Filing to Trial <sup>1</sup> (Civil Only)						
From Filing to Disposition	12.0	13.3	15.3	12.7	15.5	6.2
Civil <sup>1</sup>	8.2	7.1	5.3	9.3	6.1	19.1
Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	25.7	35.8	21.3	36.7	31.5	-
Average Number of Felony Defendants Filed per Case	228	663	1,401	250	72	127
Avg. Present for Jury Selection	11.7	5.9	22.1	9.2	3.6	29.0
Percent Not Selected or Challenged	1.2	1.1	1.3	1.4	1.3	1.9
Jurors	51.2	89.9	61.8	63.8	48.8	74.8
	38.6	38.8	44.6	50.9	39.8	30.4

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Fourth Circuit — 12-Month Period Ending June 30, 2017

	MD	NC,E	NC,M	NC,W	SC	VA,E	VA,W	WV,N	WV,S	
<b>Overall Caseload Statistics</b>	Filings	4,749	2,674	1,860	2,214	4,699	4,776	1,628	1,323	10,995
	Terminations	4,903	2,701	1,918	2,119	7,628	4,752	1,757	1,225	35,400
	Pending	4,720	2,976	1,778	1,871	4,900	3,543	1,277	1,012	53,092
	Percent Change in Total Filings Current Year	-15.3	-18.2	-9.6	-4.1	-22.0	-6.1	-10.8	3.9	-21.4
	-7.0	-13.0	-1.5	-2.8	-6.6	-8.5	-9.8	9.6	212.4	
	10	4	4	5	10	11	4	3	5	
	24.0	12.0	0.0	0.0	24.0	0.0	0.0	0.0	0.0	
<b>Actions per Judgeship</b>	Total	475	669	465	443	470	434	407	441	2,199
	Civil	359	457	296	247	338	311	302	242	2,103
	Criminal Felony	90	153	129	138	98	81	71	111	56
	Supervised Release Hearings	27	59	41	57	34	42	35	88	40
	Pending Cases	472	744	445	374	490	322	319	337	10,618
	Weighted Filings <sup>1</sup>	441	549	418	438	422	392	346	366	1,534
	Terminations	490	675	480	424	763	432	439	408	7,080
<b>Median Time (Months)</b>	Trials Completed	17	40	13	15	15	21	39	15	9
	From Filing to Disposition	11.7	9.5	6.3	9.7	11.9	5.9	9.9	6.7	6.1
	From Filing to Trial <sup>1</sup> (Civil Only)	8.3	9.1	9.7	8.7	17.4	5.3	9.1	9.9	34.2
<b>Other</b>	Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	30.6	32.3	-	17.9	25.7	10.0	20.3	-	-
	Average Number of Felony Defendants Filed per Case	184	56	82	45	406	348	20	22	25,950
	Avg. Present for Jury Selection	5.2	2.6	6.4	3.7	11.5	13.5	2.1	3.2	49.1
	Percent Not Selected or Challenged	1.7	1.3	1.3	1.5	1.6	1.2	1.8	1.6	1.3
	53.7	31.6	48.7	29.1	66.4	50.2	38.6	62.1	28.4	
	31.7	18.7	43.7	20.5	35.6	39.3	18.1	34.0	5.6	

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Fifth Circuit — 12-Month Period Ending June 30, 2017

		LA,E	LA,M	LA,W	MS,N	MS,S	TX,N	TX,E	TX,S	TX,W
<b>Overall Caseload Statistics</b>	Filings	11,796	1,098	2,101	933	2,295	7,207	4,880	14,140	11,611
	Terminations	4,850	1,012	5,973	875	2,257	6,629	5,486	14,613	11,872
	Pending	26,235	1,307	2,569	917	2,009	15,043	5,220	12,561	6,651
	Over Last Year	-28.4	-3.2	-8.7	-2.7	6.9	-9.0	-17.6	-6.9	-6.3
	Over 2012	218.8	-4.0	-35.8	-7.8	-8.3	-4.9	9.8	-4.9	-16.9
Number of Judgeships		12	3	7	3	6	12	8	19	13
Vacant Judgeship Months <sup>1</sup>		22.2	0.0	24.8	0.0	0.0	48.0	36.0	24.0	21.5
<b>Actions per Judgeship</b>	Total	983	366	300	311	383	601	610	744	893
	Civil	954	291	253	237	296	456	517	320	279
	Criminal Felony	23	62	38	60	62	115	93	330	493
	Supervised Release Hearings	7	14	9	14	24	29	1	94	121
	Pending Cases	2,186	436	367	306	335	1,254	653	661	512
	Weighted Filings <sup>1</sup>	775	360	266	289	366	519	864	554	696
	Terminations	404	337	853	292	376	552	686	769	913
<b>Median Time (Months)</b>	Trials Completed	9	36	8	16	21	21	14	24	19
	From Filing to Disposition	16.0	11.8	10.4	10.8	9.2	7.8	12.7	5.1	5.6
	From Filing to Trial <sup>1</sup> (Civil Only)	5.9	11.6	29.2	8.9	10.0	7.3	7.1	8.1	7.3
<b>Other</b>	Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	19.5	37.1	24.9	28.0	27.1	20.1	22.0	21.6	20.8
	Average Number of Felony Defendants Filed per Case	2,491	55	313	12	59	6,478	264	405	80
	Avg. Present for Jury Selection	9.7	5.4	13.7	1.7	3.5	48.7	6.8	7.4	2.8
	Percent Not Selected or Challenged	1.4	1.3	1.5	1.4	1.5	1.5	1.8	1.2	1.2
	Jurors	59.7	29.6	41.8	25.4	39.1	51.4	37.9	47.2	53.2
		54.9	34.8	33.4	37.6	40.1	45.7	32.3	37.7	40.9

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Sixth Circuit — 12-Month Period Ending June 30, 2017

	KY,E	KY,W	MJ,E	MI,W	OH,N	OH,S	TN,E	TN,M	TN,W
<b>Overall Caseload Statistics</b>									
Filings	2,292	1,842	5,400	2,058	4,321	3,320	2,099	3,492	2,036
Terminations	2,059	2,850	5,580	2,354	5,569	3,428	2,531	3,585	1,964
Pending	2,178	1,892	6,478	1,484	5,184	6,917	2,419	2,049	2,638
Percent Change in Total Filings	13.5	10.5	-9.2	-13.0	-10.5	-11.0	-16.4	13.2	-1.2
Current Year	-0.3	8.8	-23.9	-19.8	-46.9	-4.7	-14.9	79.0	-10.5
Over 2012									
Number of Judgments	5.5	4.5	15	4	11	8	5	4	5
Vacant Judgments Months <sup>1</sup>	13.2	12.0	8.1	4.9	0.0	12.0	0.0	9.4	15.4
<b>Actions per Judgeship</b>									
Total	417	409	360	515	393	415	420	873	407
Civil	305	316	284	378	290	312	260	758	242
Criminal Felony	74	74	58	85	53	72	128	66	97
Supervised Release Hearings	39	20	19	52	50	31	32	50	69
Pending Cases	396	420	432	371	471	865	484	512	528
Weighted Filings <sup>1</sup>	330	372	342	407	319	374	411	719	346
Terminations	374	633	372	589	506	429	506	896	393
Trials Completed	22	16	13	18	12	26	15	31	28
<b>Median Time (Months)</b>									
From Filing to Disposition	9.3	12.3	10.9	7.3	8.8	9.0	10.8	17.6	8.8
Criminal Felony	8.9	23.6	9.3	8.2	12.9	8.8	12.7	11.1	9.0
Civil <sup>1</sup>	-	29.8	25.9	39.0	26.7	33.1	25.5	26.8	24.1
From Filing to Trial <sup>1</sup> (Civil Only)									
Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	131	121	1,085	70	1,145	309	101	61	185
Average Number of Felony Defendants Filed per Case	8.6	8.4	21.1	5.5	24.9	5.0	6.0	3.8	10.9
<b>Other</b>									
Average Number of Felony Defendants	1.6	1.5	1.3	1.2	1.5	1.3	1.7	1.4	1.4
Filed per Case									
Avg. Present for Jury Selection	53.0	44.0	44.5	31.8	40.9	55.0	36.3	43.5	56.1
Percent Not Selected or Challenged	35.4	35.6	45.4	35.3	36.3	40.7	29.0	43.2	53.6

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Seventh Circuit — 12-Month Period Ending June 30, 2017

		IL,N	IL,C	IL,S	IN,N	IN,S	WI,E	WI,W
<b>Overall Caseload Statistics</b>	Filings	11,238	2,026	1,807	2,588	5,538	2,369	1,108
	Terminations	11,276	2,055	2,750	3,096	3,970	2,262	1,029
	Pending	17,480	1,963	2,498	3,117	5,522	1,983	1,152
	Percent Change in Total Filings Over Last Year	-21.6	1.5	-7.3	8.1	29.3	9.9	-1.5
	Percent Change in Total Filings Over 2012	-2.9	1.2	-61.3	16.2	92.5	31.0	0.8
Number of Judgeships		22	4	4	5	5	5	2
Vacant Judgeship Months <sup>1</sup>		12.2	0.0	0.0	12.0	12.0	12.0	0.0
<b>Actions per Judgeship</b>	Total	511	507	452	518	1,108	474	554
	Civil	469	396	340	419	1,011	368	462
	Criminal Felony	34	66	65	80	88	65	66
	Supervised Release Hearings	7	45	47	19	9	41	27
	Pending Cases	795	491	625	623	1,104	397	576
	Weighted Filings <sup>1</sup>	461	401	349	454	915	392	481
	Terminations	513	514	688	619	794	452	515
	Trials Completed	10	30	16	16	17	9	17
	From Filing to Disposition	19.3	11.5	10.7	11.2	12.7	11.7	8.0
	From Filing to Trial <sup>1</sup> (Civil Only)	8.2	10.2	35.8	22.1	8.2	6.3	7.2
<b>Median Time (Months)</b>	Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	40.0	34.3	38.6	52.1	25.2	33.7	22.0
	Average Number of Felony Defendants Filed per Case	1.467	102	654	331	60	74	22
	Avg. Present for Jury Selection	9.4	6.2	29.2	13.2	1.2	5.0	2.4
<b>Other</b>	Average Number of Felony Defendants Filed per Case	1.4	1.2	1.3	1.4	1.5	1.8	1.3
	Percent Present for Jury Selection	49.2	30.4	12.5	34.0	40.7	31.8	28.8
	Percent Not Selected or Challenged	41.6	31.9	13.2	28.6	42.0	31.2	9.0

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Eighth Circuit — 12-Month Period Ending June 30, 2017

	AR,E	AR,W	IA,N	IA,S	MN	MO,E	MO,W	NE	ND	SD	
<b>Overall Caseload Statistics</b>	Filings	2,445	1,251	1,177	1,310	5,452	4,583	3,232	1,529	878	1,370
	Terminations	2,503	1,503	1,358	1,384	4,140	5,314	3,629	1,704	1,007	1,264
	Pending	2,174	1,281	681	914	7,305	3,233	2,821	1,084	921	1,034
	Percent Change in Total Filings Last Year	-4.6	-14.4	-22.1	-10.9	16.4	31.0	-11.4	-6.9	-11.4	-9.5
	Current Year Over 2012	-3.6	-16.7	9.1	-7.0	26.3	25.8	-16.7	-9.8	24.0	17.5
Number of Judgeships											
Vacant Judgeship Months <sup>1</sup>											
<b>Actions per Judgeship</b>	Total	489	417	589	437	779	573	539	510	439	457
	Civil	394	329	252	207	651	414	352	217	158	124
	Criminal Felony	77	74	191	162	57	111	126	190	191	200
	Supervised Release Hearings	19	14	146	68	71	47	61	103	91	133
	Pending Cases	435	427	341	305	1,044	404	470	361	461	345
	Weighted Filings <sup>1</sup>	415	338	452	399	593	533	462	474	433	441
	Terminations	501	501	679	461	591	664	605	568	504	421
	Trials Completed	19	15	87	31	11	23	34	21	23	46
	From Filing to Disposition	19.8	9.7	6.8	9.0	12.2	9.2	15.9	9.0	10.0	9.5
	From Filing to Trial <sup>1</sup> (Civil Only)	10.3	11.7	9.2	9.7	9.3	6.2	8.8	9.9	21.6	12.2
<b>Median Time (Months)</b>	From Filing to Trial <sup>1</sup> (Civil Only)	25.8	23.6	-	-	36.6	26.4	21.5	28.0	-	-
	Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	29	19	11	20	765	281	83	30	41	53
	Average Number of Felony Defendants Filed per Case	1.9	2.1	2.6	4.0	11.0	12.4	5.1	5.6	9.5	12.4
	Avg. Present for Jury Selection	1.7	1.2	1.2	1.4	1.6	1.5	1.3	1.2	1.5	1.2
	Percent Not Selected or Challenged	48.4	38.3	36.4	41.5	56.3	30.8	43.1	28.6	41.2	46.5
<b>Other</b>	45.5	44.9	27.5	23.8	39.2	23.4	27.3	9.4	33.8	26.1	

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."

Comparison of Districts Within the Ninth Circuit — 12-Month Period Ending June 30, 2017

	AK	AZ	CA,N	CA,E	CA,C	CA,S	HI	ID	MT	NV	OR	WA,E	WA,W	GUAM	NMI	
<b>Overall Caseload Statistics</b>	Filings	585	11,718	8,532	5,457	16,551	7,885	1,090	991	1,171	4,822	3,068	1,856	3,775	152	62
	Terminations	594	10,740	7,178	5,727	16,583	7,438	1,011	1,022	1,151	3,973	3,217	1,848	3,808	135	65
	Pending	628	7,787	9,020	7,336	12,488	5,545	986	1,076	1,043	6,170	2,949	1,224	2,738	208	88
	Percent Change in Total Filings Current Year	-10.4	4.5	6.9	-0.4	-1.5	-3.5	3.7	-8.5	-12.7	13.2	-14.2	-4.4	-4.0	-3.2	-22.5
	16.8	-11.6	0.4	-23.7	-9.2	-33.0	-8.2	-10.6	-7.6	23.7	-11.1	-1.1	-17.2	16.9	-7.5	
	3	13	14	6	28	13	4	2	3	7	6	4	7	1	1	
	12.0	21.9	0.0	0.0	48.9	9.0	12.0	12.0	0.0	12.0	0.0	0.0	36.0	0.0	0.0	
<b>Actions per Judgeship</b>	Total	195	901	609	910	591	607	273	496	390	689	511	464	539	152	62
	Civil	120	429	533	777	518	233	177	282	213	575	351	238	432	98	22
	Criminal Felony	63	347	39	83	41	291	48	164	116	75	81	97	55	50	24
	Supervised Release Hearings	11	125	38	50	33	83	47	51	61	39	79	130	52	4	16
	Pending Cases	209	599	644	1,223	446	427	247	538	348	881	492	306	391	208	88
	Weighted Filings <sup>1</sup>	204	686	538	785	567	522	242	464	375	636	422	299	462	-	-
	Terminations	198	826	513	955	592	572	253	511	384	568	536	462	544	135	65
<b>Median Time (Months)</b>	Trials Completed	11	15	10	19	13	14	13	23	33	13	11	20	18	8	2
	Criminal Felony	10.0	5.3	17.3	23.0	14.7	4.6	11.0	8.1	8.8	12.6	11.3	9.0	8.6	20.0	8.1
	Civil <sup>1</sup>	8.4	6.8	7.4	9.0	4.8	6.6	8.3	11.9	11.0	8.5	10.9	9.1	6.7	10.9	10.6
<b>Other</b>	From Filing to Trial <sup>1</sup> (Civil Only)	26.6	32.6	26.1	44.1	20.0	36.5	-	-	25.8	43.7	22.7	-	19.0	-	-
	Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	40	107	501	754	540	311	32	64	57	419	112	43	67	13	24
	Average Number of Felony Defendants Filed per Case	10.2	2.0	6.4	13.3	5.5	10.5	4.9	8.4	8.6	8.3	4.9	5.4	3.1	10.2	42.9
	Avg. Present for Jury Selection	1.1	1.1	1.4	1.6	1.5	1.2	1.7	1.2	1.2	1.4	1.3	1.3	1.4	1.1	1.3
	Percent Not Selected or Challenged	43.8	53.5	57.6	39.2	48.1	51.5	63.7	47.8	46.7	53.9	33.6	43.1	40.4	218.0	69.0
	38.1	27.0	38.9	36.5	44.9	42.6	46.2	17.0	33.8	37.4	23.1	36.2	36.7	61.0	16.7	

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."



Comparison of Districts Within the Eleventh Circuit — 12-Month Period Ending June 30, 2017

	AL,N	AL,M	AL,S	FL,N	FL,M	FL,S	GA,N	GA,M	GA,S
<b>Overall Caseload Statistics</b>									
Filings	2,843	1,226	1,126	2,532	10,617	12,314	6,573	1,944	1,466
Terminations	2,680	1,168	1,181	2,469	11,620	12,651	6,702	2,012	1,660
Pending	3,178	1,491	912	2,231	8,336	6,667	5,484	1,833	1,213
Percent Change in Total Filings Current Year	-6.4	-6.3	-3.8	1.0	-3.5	-2.6	2.0	-1.5	-10.2
Over Last Year	-43.7	-17.2	-19.1	6.6	9.2	8.6	2.4	4.6	-5.9
Over 2012									
Number of Judgeships	8	3	3	4	15	18	11	4	3
Vacant Judgeship Months <sup>1</sup>	24.0	24.0	12.0	19.7	24.0	27.7	15.0	9.9	4.0
<b>Actions per Judgeship</b>									
Total	355	409	375	633	708	684	598	486	489
Civil	274	306	202	535	574	515	528	374	338
Criminal Felony	64	81	113	63	99	138	53	97	111
Supervised Release Hearings	17	22	60	35	36	32	17	15	40
Pending Cases	397	497	304	558	556	370	499	458	404
Weighted Filings <sup>1</sup>	340	384	337	530	595	679	534	417	429
Terminations	335	389	394	617	775	703	609	503	553
Trials Completed	28	19	21	33	18	25	23	14	23
<b>Median Time (Months)</b>									
From Filing to Disposition	7.3	9.7	7.1	7.2	7.4	5.4	9.7	11.3	8.3
Criminal Felony	10.6	9.7	9.2	7.5	7.3	4.1	5.8	12.0	9.5
Civil <sup>1</sup>	14.8	-	21.3	24.6	24.7	17.0	30.3	20.8	-
From Filing to Trial <sup>1</sup> (Civil Only)									
Number (and %) of Civil Cases Over 3 Years Old <sup>1</sup>	289	104	21	64	307	93	437	37	54
Average Number of Felony Defendants Filed per Case	11.2	9.5	4.0	3.4	4.6	2.0	10.0	2.8	6.7
<b>Other</b>									
Average Number of Felony Defendants Filed per Case	1.2	1.4	1.3	1.3	1.3	1.5	1.4	1.7	1.4
Avg. Present for Jury Selection	39.8	37.7	50.9	34.4	37.0	45.4	38.9	33.1	46.6
Percent Not Selected or Challenged	38.9	29.8	30.7	18.3	26.0	20.1	30.7	35.8	48.3

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

<sup>1</sup> See "Explanation of Selected Terms."