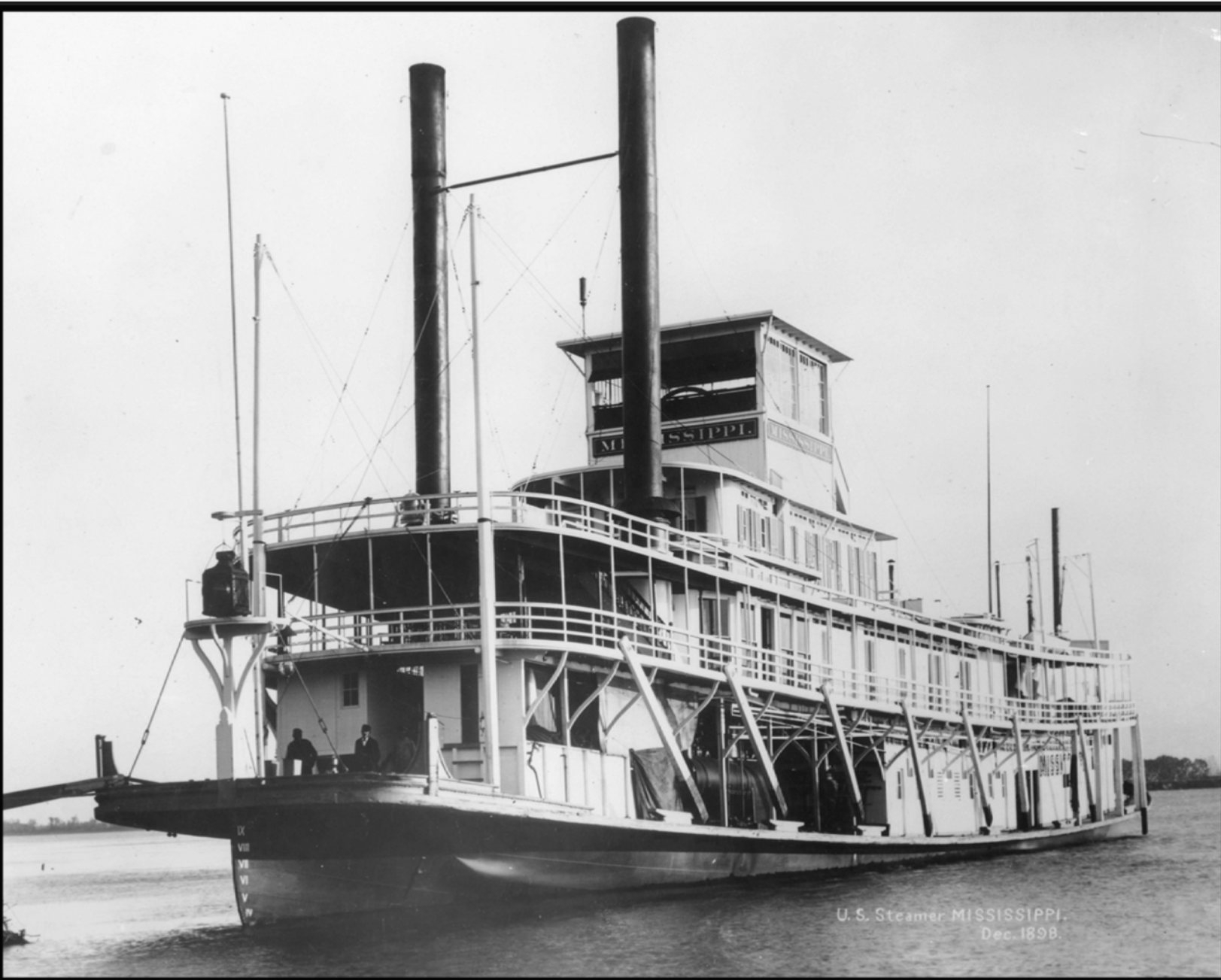


United States District Court Eastern District of Missouri



2015 ANNUAL REPORT

SERVING THE PUBLIC, THE BENCH AND THE BAR

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

2015 ANNUAL REPORT
OFFICE OF THE CLERK

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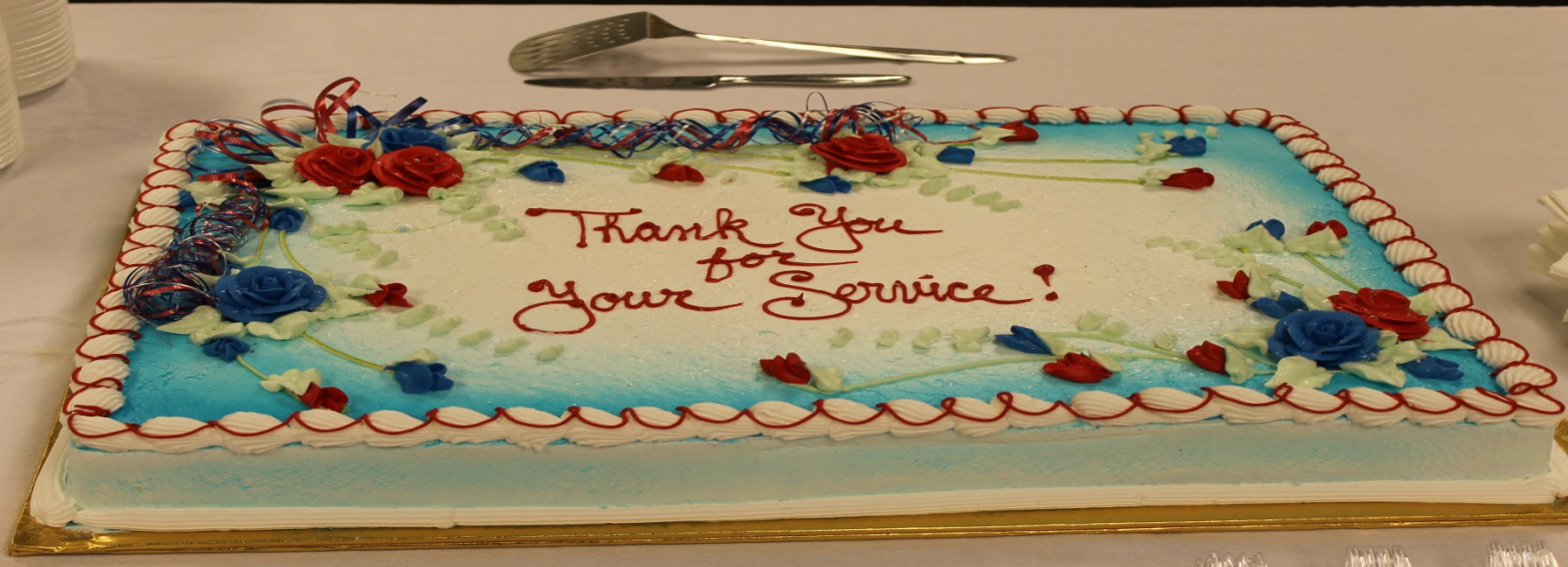
IN MEMORIAM

THE HONORABLE DONALD J. STOHR UNITED STATES DISTRICT JUDGE

The Honorable Donald J. Stohr died on December 10, 2015. He received his commission as a U.S. District Judge in 1992 and assumed senior status in 2006. He served on the Judicial Conference of the United States' Committee on Financial Disclosure and on the Eighth Circuit Judicial Council as the Eastern District of Missouri representative. He received his Juris Doctor from Saint Louis University School of Law in 1958. He had a varied legal career prior to becoming a U.S. District Judge; working in private practice, as the St. Louis County Counselor, and as the United States Attorney for the Eastern District of Missouri. He was a beloved and revered jurist and friend to many, and the legacy of service and excellence he leaves us will be remembered by the district court community for many years to come.



A MESSAGE FROM THE COURT



The year 2015 was a year of transitions for this Court. From the retirements of Magistrate Judge Terry Adelman and Chief Magistrate Judge Thomas Mummert, to the investiture of new Magistrate Judge John Bodenhausen, to the completion of District Judge Catherine Perry's term as Chief Judge, the only constant in 2015 was change. This year also saw the passing of our dear friend and colleague, Senior District Judge Donald Stohr. His contributions to the administration of justice as a private practitioner, prosecutor, and judge will long be remembered by all of us who knew him and worked with him.

Perhaps one of the greatest tributes to Judge Stohr is the story of how, as a young aspiring candidate for Missouri Attorney General, he would carpool to debates with his opponent, future United States Senator Thomas Eagleton. Though Judge Stohr lost that election, he made a friend, and this story of friendship and collegiality serves as a reminder to us all that adherence to the rule of law regardless of party affiliation or political ideology remains critical to the survival of not only our judicial system, but also our entire system of government.

All of us at the Court hope to honor Judge Stohr's legacy by retaining the same commitment to the rule of law that he demonstrated during his life. It is our hope that this report plays some small part in demonstrating that commitment – how we strive to adjudicate civil cases in a fair and timely matter; how we seek to reduce the time and cost of litigation through effective use of alternative dispute resolution; and how we seek to balance the need for public safety, the rights of victims, and the rehabilitation of offenders through evidence-based pretrial, sentencing, and probation practices.

We invite your comments and suggestions about anything you find in this report, and we welcome your input. Please contact us through our clerk at greg.linhares@moed.uscourts.gov. Thank you for taking time to read this report, and please share it with others who may be interested.

The Honorable Catherine D. Perry
Chief United States District Judge, 2009-15
Eastern District of Missouri

The Honorable Rodney W. Sippel
Chief United States District Judge, 2016
Eastern District of Missouri

UNITED STATES JUDGES

DISTRICT JUDGES

CATHERINE D. PERRY
CHIEF JUDGE

CAROL E. JACKSON
RODNEY W. SIPPEL
HENRY E. AUTREY
STEPHEN N. LIMBAUGH JR.
AUDREY G. FLEISSIG
JOHN A. ROSS
RONNIE L. WHITE

MAGISTRATE JUDGES

THOMAS C. MUMMERT III
CHIEF MAGISTRATE JUDGE

DAVID D. NOCE
TERRY I. ADELMAN
NANNETTE A. BAKER
SHIRLEY P. MNSAH
NOELLE C. COLLINS
ABBIE CRITES-LEONI
JOHN M. BODENHAUSEN



SENIOR DISTRICT JUDGES

EDWARD L. FILIPPINE
DONALD J. STOHR
E. RICHARD WEBBER
CHARLES A. SHAW
JEAN C. HAMILTON

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2015 JUDICIAL BUSINESS HIGHLIGHTS

CIVIL CASELOAD STATISTICS

- About 2,300 new and reopened civil cases were filed in the Eastern District of Missouri (MOED).
 - The most common types of civil filings were prisoner petition, torts, social security, contract, civil rights, and labor cases.
- MOED closed almost as many cases as were filed or reopened during the calendar year.
- Approximately 1,900 cases were pending at the end of 2015, relatively unchanged from 2014.
 - At the end of 2015, 67% of pending cases had been open less than 1 year, while only 13% had been open for two years or more.
- Cases with one or more identified *pro se* petitioners accounted for more than 25% of MOED's civil caseload.
 - Prisoner petitions and non-prisoner civil rights cases made up the majority of *pro se* litigants.
- More than 400 cases were referred to alternative dispute resolution, with 48% resulting in a settlement.
- At the end of 2015, about 1,650 multidistrict litigation cases were pending in MOED, an -8% decrease from 2014.
 - Pending multidistrict litigation cases had been open in MOED for, on average, an estimated 45 months.

CRIMINAL CASELOAD STATISTICS

- Criminal cases account for 22% of MOED's 2015 case filings (excluding multidistrict litigation cases), an increase from 2014.
 - Ninety-one percent of the criminal caseload was felonies.
 - The most common criminal filings were fraud, controlled substance offenses and sex offenses.
 - Illegal possession of a firearm cases (~30% of the felony caseload) increased by 66% from 2014.
- The number of criminal filings increased by 44% from 2014, contributing to a 36% increase in the pending caseload.
 - At the end of 2015, 825 defendants had a pending criminal case.
- Over the past 5 years, MOED has handled 400 Amendment 782 and Johnson motions for early release.

JURY TRIAL & JUROR STATISTICS

- Sixty-three percent of jury trials were civil trials, with the remainder criminal trials.
 - For the 5-year period of 2011-2015, trials were most frequent in civil rights, tort and contract cases.
 - Forty-eight percent of trials completed in 2015 lasted three or more days.
- MOED's rate of jurors not selected, serving or challenged (a nationally used measure of effective juror utilization) improved by an estimated 33% during 2011-2015.

FINANCE

- For restitution, garnishments and refunds to victims and creditors combined; MOED collected \$12.5 million.

MAGISTRATE JUDGE UTILIZATION

- Twenty-nine percent of new, eligible civil filings were assigned to MOED's Magistrate Judges.
 - In 59% of these cases, Magistrate Judges received full consent from the parties.

PROBATION & PRETRIAL SERVICES

- Pretrial Services opened more than 1,000 cases, with a detention rate of 61%.
 - Seventy-three percent of (pretrial) supervised defendants were classified as high risk.
- The Probation Office completed almost 650 presentence reports and supervised more than 3,000 individuals.
 - The Probation Office continues to have one of the "highest risk" caseloads in the nation, yet only 8% of supervisees were revoked.

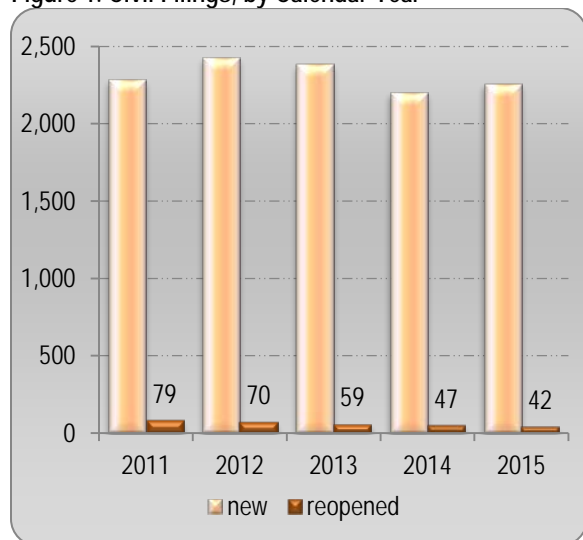
SECTION ONE

SERVING THE PUBLIC

CIVIL CASELOAD

In Calendar Year 2015, there were 2,259 new civil cases filed in the Eastern District of Missouri (MOED).^{1,2} (Figure 1) In addition, 42 civil cases were reopened during this time. [Appendices A-C] In 2015, civil cases were filed at an average rate of 192 per month. For the 5-year time period from 2011 to 2015, MOED's civil caseload remained relatively unchanged, decreasing by approximately 2%.

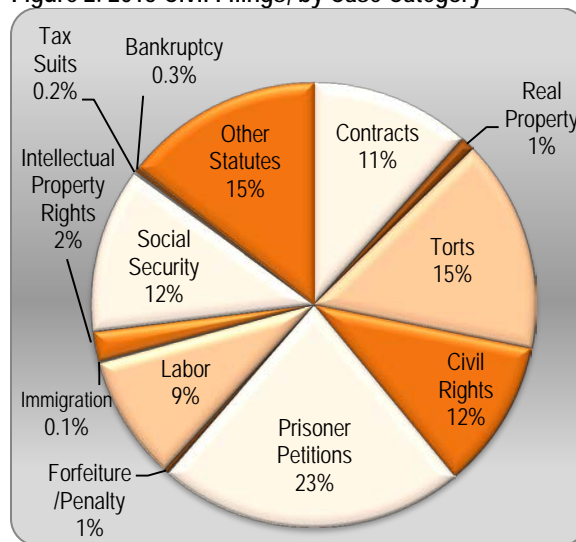
Figure 1. Civil Filings, by Calendar Year



In 2015, the two most common categories of civil case filings were prisoner petitions and torts. (Figure 2) Other frequent filings were social security, contracts, civil rights and labor. These were also the six most common types of cases filed nationally. (See figure in next column.)

¹ Case counts in this section do not include Multidistrict Litigation (MDL) case filings and transfers.
² National caseload statistics from the Administrative Office of the U.S. Courts' data tables at: <http://jnet.ao.dcn/resources/statistics> Because of differences in data extraction methodologies, MOED caseload statistics presented in this report may differ than those reported to, and published by, the Administrative Office of the U.S. Courts.

Figure 2. 2015 Civil Filings, by Case Category



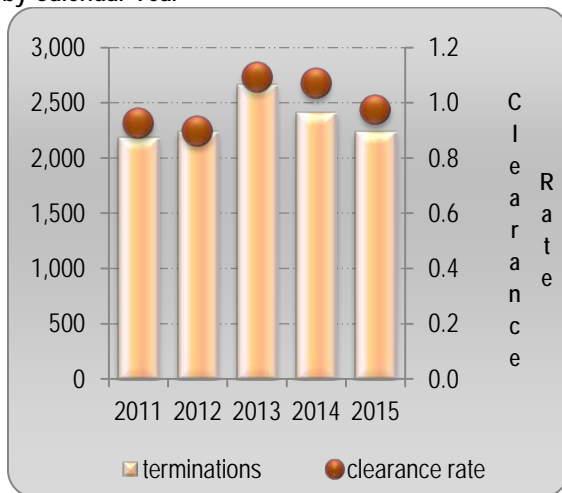
For the 5-year time period from 2011 to 2015, MOED's civil filings decreased in eight of 13 case categories. (Table 1) Among categories with an average of 50 or more filings per year; the largest estimated decreases were in civil rights, social security and prisoner petition cases. Conversely, other statute, tort, and labor filings increased.

Table 1. 2011-15 Civil Filing Trends, by Case Category

Case Category	Average	Percent Change
Contracts	251	-1%
Real Property	30	-32%
Torts	345	20%
Civil Rights	305	-18%
Prisoner Petitions	516	-6%
Forfeiture/Penalty	14	-60%
Labor	212	9%
Immigration	3	-23%
Intellectual Property Rights	72	14%
Social Security	306	-16%
Tax Suits	8	-57%
Bankruptcy	9	199%
Other Statutes	269	45%

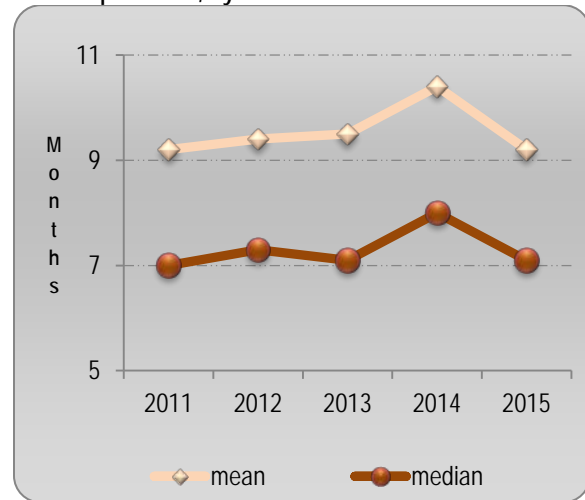
Dispositions. During 2015, MOED closed more than 2,200 civil cases. (Figure 3) The number of dispositions was relatively unchanged between 2011 and 2015, with a peak in dispositions in 2013. The court's clearance rate exhibited this same pattern.³ MOED's average clearance rate (0.99) for the 5-year time period from 2011 to 2015 indicates the court closed almost as many cases as were filed, minimizing the increase in the size of the pending caseload. In 2015, civil cases were closed at an average rate of 187 per month.

Figure 3. Civil Dispositions and Clearance Rate, by Calendar Year



For civil cases closed during 2015, the estimated (5% trimmed) mean time to disposition was 9.2 months, while the median time to disposition was 7.1 months.⁴ (Figure 4) From 2011-15, mean and median times fluctuated around 9.5 and 7.3 months, respectively. {See figure in next column.}

Figure 4. Mean & Median Times to Disposition for Civil Dispositions, by Calendar Year



For the 5-year time period from 2011 to 2015, social security, forfeiture/penalty, and prisoner petition cases had the longest average time to disposition. (Table 2) Conversely bankruptcy, other statute, and tax suit cases had the shortest. Among categories with an average of 50 or more dispositions per year; average time to disposition increased for eight categories, with the largest increases occurring in the real property and forfeiture/penalty case categories.

Table 2. 2011-15 Time to Disposition Trends, by Civil Case Category*

Case Category	Average (in Days)	Percent Change
Contracts	320	23%
Real Property	285	67%
Torts	255	-11%
Civil Rights	287	6%
Prisoner Petitions	346	12%
Forfeiture/Penalty	400	40%
Labor	274	-11%
Immigration	218	--
Intellectual Property Rights	322	-5%
Social Security	404	6%
Tax Suits	272	--
Bankruptcy	202	--
Other Statutes	218	25%

* Percent change in time to disposition not calculated for categories with less than an average of 50 dispositions per year.

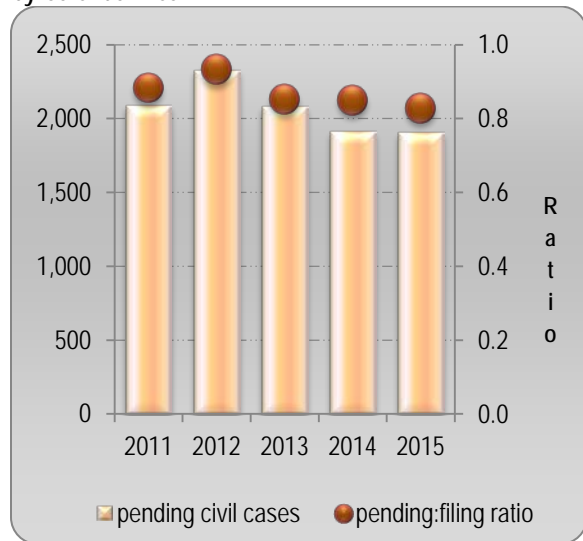
³ The clearance rate is a measure of whether a court is keeping up with its incoming caseload, and is calculated as: [Dispositions] / [Filings]. National Center for State Courts, CourTools, Trial Court Performance Measures.

⁴ 5% trimmed mean time to disposition excludes the highest and lowest 2.5% times to minimize the impact of extreme values. Median time to disposition is the midpoint of times ranked from lowest to highest.

In 2015, perhaps not surprisingly, cases closed by trial in MOED took about four times longer (an estimated 20.0 months) than cases closed with no court action (5.4 months), and about two times longer than those closed before pretrial (11.3 months).⁵

Pending Caseload. At the end of 2015, there were about 1,900 pending cases in MOED. (Figure 5) For the 5-year time period from 2011 to 2015, the pending caseload decreased by an estimated 8%, approximately 46 cases per year. As a proportion of the active civil caseload; for every new or reopened case filed during 2015, 0.83 cases were pending at the end of the year.⁶

Figure 5. Pending (End of Year) Civil Caseload, by Calendar Year

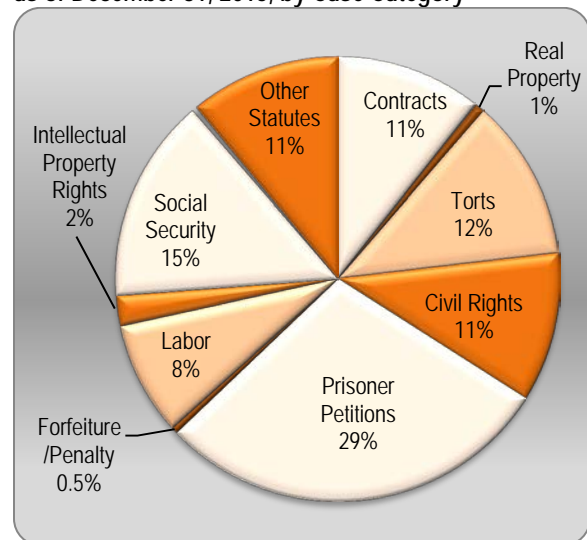


⁵ Data from U.S. District Courts' (Civil) Table C-5. Estimates exclude land condemnation, prisoner petition, deportation review, recovery of overpayment, and enforcement of judgment cases.

⁶ The pending to filings ratio is a proxy measure of what proportion of the active caseload is made up of "old" cases, and is calculated as: [Pending Caseload] / [Filings].

At the end of 2015 – and similar to previous years; prisoner petition and social security cases made up a plurality of the pending civil caseload. (Figure 6) For the 5-year time period from 2011-2015 and among categories with an average of 50 or more pending cases at the end of each year; the number of pending other statute (52%) and prisoner petition (10%) cases increased, while the number of pending cases in all other categories decreased.

Figure 6. MOED: Pending Civil Caseload as of December 31, 2015, by Case Category*



* Immigration, tax suit, and bankruptcy cases were less than 0.5% each of the pending caseload.

For the 5-year time period from 2011 to 2015, the average age of the pending caseload increased by an estimated 25%. (Table 3) Among categories with an average of 50 or more pending cases at the end of each year; average age increased for all but social security cases, with the largest estimated increases among labor, intellectual property rights, and tort cases. Prisoner petition, forfeiture/penalty, and tort cases had the longest average pending case age. Conversely immigration, social security, bankruptcy, and other statute cases had the shortest. {See table on next page.}

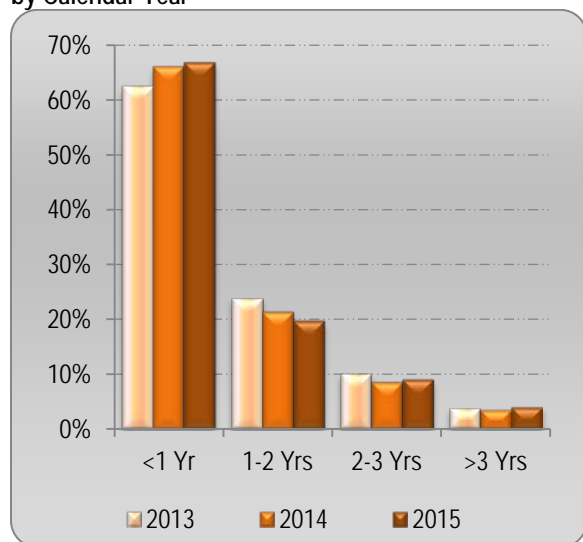
Table 3. 2011-15 Age of Pending Caseload Trends, by Civil Case Category*

Case Category	Average (in Days)	Percent Change
Contracts	295	9%
Real Property	296	--
Torts	331	49%
Civil Rights	293	7%
Prisoner Petitions	454	27%
Forfeiture/Penalty	436	--
Labor	271	60%
Immigration	177	--
Intellectual Property Rights	305	60%
Social Security	234	-3%
Tax Suits	275	--
Bankruptcy	247	--
Other Statutes	249	3%
Total	326	25%

* Percent change in age of pending caseload not calculated for categories with less than an average of 50 pending cases per year.

At the end of 2015, almost 70% of all open cases had been pending for less than one year, while less than 5% had been pending for more than three years. (Figure 7) For the 3-year time period from 2013 to 2015, the number of cases pending for 1-2 years and 2-3 years decreased by an estimated -24% and -14%, respectively.

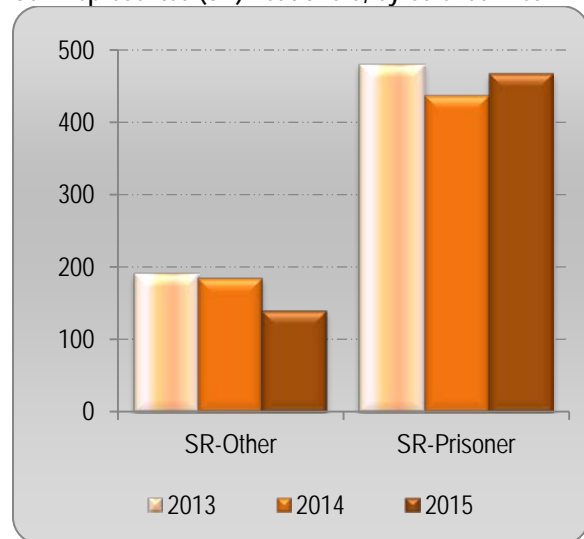
Figure 7. Age of Total Pending Civil Caseload, by Calendar Year



PRO SE CIVIL CASELOAD

During 2015, there were more than 600 civil case filings with one or more identified *pro se*, or self-represented, petitioners. [Appendix C] Of these, about 75% were filed by prisoners. (Figure 8) For the 3-year time period from 2013 to 2015, the overall number of cases with one or more identified self-represented petitioners decreased by 10%, primarily due to a decline in 2015 among other (i.e., non-prisoner) self-represented petitioners.

Figure 8. Civil Cases with one or more Self-Represented (SR) Petitioners, by Calendar Year



In 2015, cases with one or more identified self-represented petitioners accounted for 26% of MOED's civil caseload, a similar proportion as in 2014 (28%). Similar to previous years, cases with one or more documented self-represented other (non-prisoner) petitioners were primarily civil rights cases (~60%), followed by tort and social security cases (approximately 6% each). Self-represented prisoner cases were composed almost exclusively of prisoner civil rights, habeas corpus, vacate sentence, and prison condition petitions.

ALTERNATIVE DISPUTE RESOLUTION

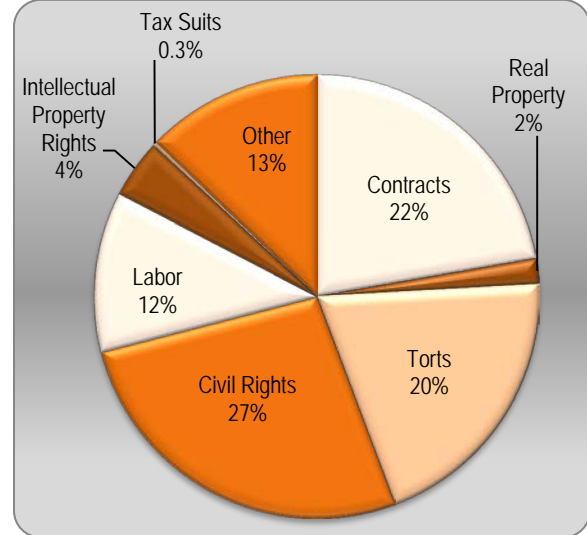
MOED's Alternative Dispute Resolution (ADR) program is designed to give litigants access to case evaluation and settlement assistance, encouraging a mutually satisfactory resolution in the early stage of litigation. Most civil case types are eligible for ADR referral. In 2015, 417 cases were referred to ADR. (Figure 9) Averaged over the 5-year time period from 2011 to 2015, the number of referrals is generally unchanged. [Appendix D] In 2015, an estimated 40% of cases eligible for ADR were referred.⁷

Figure 9. Referrals to Alternative Dispute Resolution, by Calendar Year



For the 5-year time period from 2011 to 2015, the civil case categories with the most ADR referrals were civil rights, contracts and torts. (Figure 10)

Figure 10. 2011-15 – Average Referrals to Alternative Dispute Resolution, by Civil Case Category



For the 5-year time period from 2011 to 2015, the overall settlement rate for cases referred to ADR remained relatively constant, ranging from 43% to 49%. Real property and labor case categories (generally) had the highest settlement rates, while tax suits (very few of which are referred to ADR) had the lowest. (Table 4)

Table 4. Alternative Dispute Resolution Settlement Rates, by Case Category

Case Category	2015	2011-15 Average
Contracts	41%	43%
Real Property	50%	64%
Torts	48%	48%
Civil Rights	57%	50%
Labor	59%	55%
Intellectual Property Rights	20%	43%
Tax Suits	-	0%
Other	40%	38%
Total	48%	47%

⁷ Reopened cases; MDL filings/transfers; prisoner petitions; forfeiture, immigration & bankruptcy cases; and cases aged <= 120 days (at disposition or the end of the calendar year) were not eligible for referral – differing from previously reported data.

The average (or mean) time to disposition for ADR-referred cases that closed in 2015 was 18.3 months. (Table 5) ADR referrals achieving a settlement closed in markedly fewer months (14.6) than those that did not (22.7). Overall time to disposition slightly increased over the 5-year period, almost exclusively because of increased time to disposition for referred cases which did not achieve a settlement through ADR.

Table 5. Time to Disposition (in Months) for cases referred to Alternative Dispute Resolution – 2015 Estimates and 2011-15 Averages & Trends

Measures	2015 Value	2011-2015	
		Average	Percent Change
Settlement	14.6	14.2	2%
No settlement	22.7	21.9	13%
Total	18.3	17.8	9%

During 2015, 39 attorneys volunteered to serve as limited scope counsel for parties whose case had been referred to ADR, of whom seven were appointed to one case each. (Table 6)

Table 6. Pro Bono Counsel, 2013-2015

	2015	3-Yr Average
Volunteered	39	41
Appointed	7	8

ADR Participant Survey. In May 2013, MOED and its ADR Advisory Committee implemented an online survey of participants (i.e., plaintiffs and defendants) in the mediation process. Survey questions elicit participants' experience and satisfaction with mediation and the mediator. Between May 2013 and December 2015, 932 cases were referred to ADR. During this time, 102 individuals have, at least partially, completed the ADR survey. [Appendix E]

More respondents identified as defendant (57%) than plaintiff (43%). Plaintiffs were more often involved in employment (38%) and contract (23%) cases or had a disability claim, while defendants were more often involved in employment (53%) and contract (17%) cases as well and also a civil rights claim. Three-fifths (or 60%) of plaintiffs had no prior mediations, while almost one-half (or 45%) of defendants had 10 or more.

Almost three fifths of respondents indicated their case was (at least in part) resolved in mediation. Plaintiffs were less likely to report achieving resolution through mediation (60% vs. 30%, respectively). However, almost one-half of those not achieving resolution thought mediation increased the likelihood of a future resolution for their case.

More than four-fifths of respondents were fairly to very satisfied with the mediation process, while about nine-tenths were fairly to very satisfied with the mediator and would use him/her again. Plaintiffs were more likely to report dissatisfaction with the mediation process and/or the mediator.

MULTIDISTRICT LITIGATION CASELOAD

The United States Judicial Panel on Multidistrict Litigation determines if civil actions pending in different federal districts involve common questions of fact such that these actions should be transferred to a single district for consolidated pretrial proceedings.⁸ In addition, the Judicial Panel on Multidistrict Litigation selects the judge(s) and court to conduct these proceedings. Transferring these cases into multidistrict litigation (MDL) consolidations avoids duplication of discovery, prevents inconsistent pretrial rulings, and to conserves resources.

At the end of 2015, there were five MDL consolidations pending in MOED. (Table 7) Almost all of these (97.4%) belong to the Nuvaring Products Liability litigation.

Table 7. Multidistrict Litigation Consolidations Active in the Eastern District of Missouri during 2015

Pending Begin	Filed / Reopened	Closed	Pending End
Genetically Modified Rice			
12	-	10	2
Nuvaring Products Liability			
1,761	9	161	1,609
Express Scripts, Inc., Pharmacy Benefits Management			
1	1	2	-
Emerson Electric Co. Wet/Dry Vac Marketing & Sales Practices			
8	-	-	8
Schnuck Markets, Inc., Customer Data Security Breach			
5	-	5	-
Blue Buffalo Company, LTD., Marketing & Sales Practices			
10	3	-	13
Avida Life Media, Inc., Customer Data Security Breach			
-	20	-	20

⁸ An Introduction to the United States Judicial Panel on Multidistrict Litigation. http://jpml.ao.dcn/sites/default/files/JPML-Overview-Brochure-2-23-2016_0.pdf. United States Judicial Panel on Multidistrict Litigation. Washington D.C.

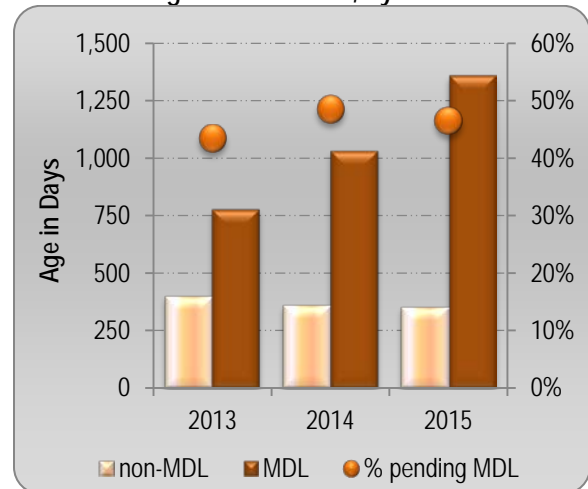
The number of MDL filings (including reopenings and transfers) and dispositions vary markedly by year.⁹ [Appendix C] For instance, filings ranged from 33 in 2015 to 551 in 2013, while dispositions ranged from 24 in 2014 to 249 in 2012. (Table 8) For the 5-year time period from 2011 to 2015, the pending MDL caseload increased by an estimated 45%, approximately 131 cases per year.

Table 8. 2011-2015: Multidistrict Litigation Caseload Statistics

	Filings	Dispositions	Pending at end of Year
2011	298	84	1,129
2012	283	249	1,163
2013	551	116	1,598
2014	213	24	1,799
2015	33	178	1,654

At the end of 2015, open MDL cases accounted for almost one-half of the total pending civil caseload. (Figure 11) For the 3-year time period from 2013 to 2015, the average age in days of pending MDL cases (1,056 days) was almost three times greater than non-MDL cases (369 days). Average age of pending MDL cases increased by 65%, while pending non-MDL cases decreased by 12%. Also during this time, the proportion of the pending caseload composed of MDL cases slightly increased by 8%.

Figure 11. Case Age of non-MDL & MDL Pending Cases and MDL Cases as a Proportion of the Pending Civil Caseload, by Calendar Year

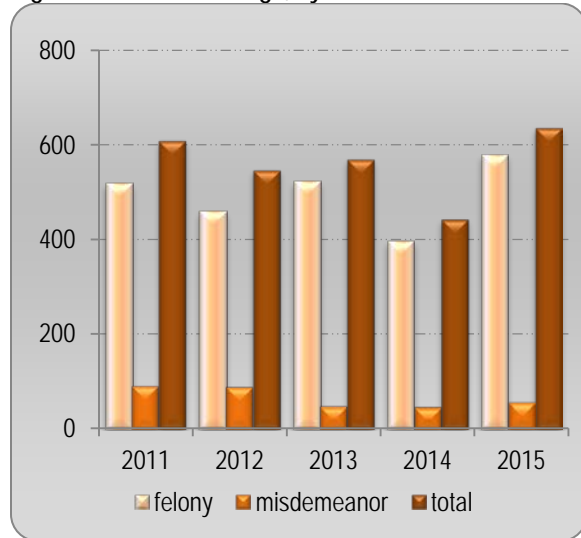


⁹ This section does not include civil cases filed in MOED but transferred to a different district court for MDL consolidation.

CRIMINAL CASELOAD

In 2015, 636 criminal cases were filed in MOED, more than 90% of which were felony cases. [Appendices F-G] This represents an estimated 44% increase from 2014 criminal filings. (Figure 12) In 2015, criminal cases (excluding probation supervision and supervised release transfers) accounted for 22% of the caseload and were filed at an average rate of 53 per month.

Figure 12. Criminal Filings, by Calendar Year

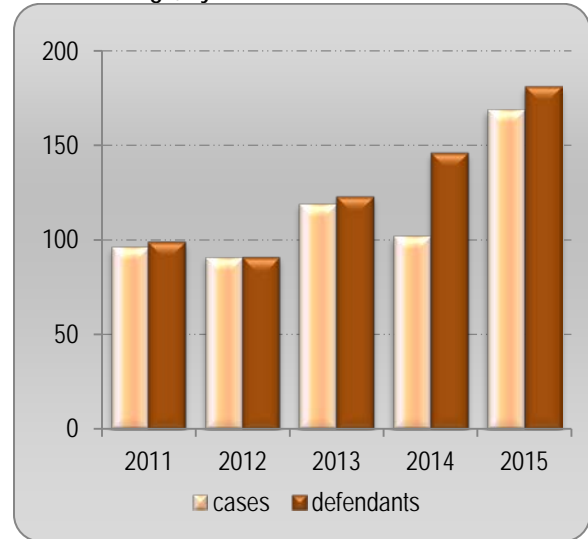


Comparing 2011 to 2015, MOED's criminal filings increased by an estimated 4% - with felony filings increasing by 12% while misdemeanor and petty offense filings decreased by 38%. MOED's overall increase is in contrast to decreased criminal filings in all U.S. District Courts (by an estimated -22%) and in the Eighth Circuit (-11%) during the same time period.

The increase in MOED's criminal caseload is largely due to a 77% increase over the 5-year time period in the number of cases with illegal possession of a firearm (18 U.S.C. § 922[g][1-9]) listed as the most serious charge.¹⁰ (Figure 13) In 2015, these cases were approximately 30% of the felony caseload, increasing as a proportion of the felony caseload by almost one-half from 2011 to 2015. {See figure in next column.}

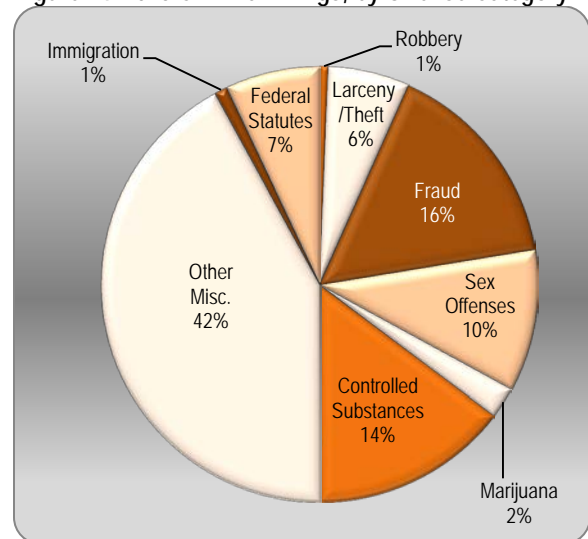
¹⁰ The criminal offense category of a case and defendant is determined by the most serious charge listed on the criminal complaint or information. The most serious charge is usually listed first.

Figure 13. Number of Criminal Cases and Defendants with Illegal Possession of a Firearm as the most Serious Charge, by Calendar Year



As with the previous year, in 2015 the three most common types of specific criminal offenses were fraud (99 cases), controlled substances (92) and sex offenses (66). (Figure 14)

Figure 14. 2015 Criminal Filings, by Offense Category*



* Embezzlement, forgery & counterfeiting, and assault were less than 0.5% each of cases filed during the calendar year.

For the 3-year time period from 2013 to 2015, MOED's criminal filings increased (if only slightly) in six of seven offense categories with 10 or more cases filed in each year. The offense category with the largest, most consistent numerical increase in filings was other miscellaneous general offense. Conversely, the number of marijuana drug offense filings decreased.

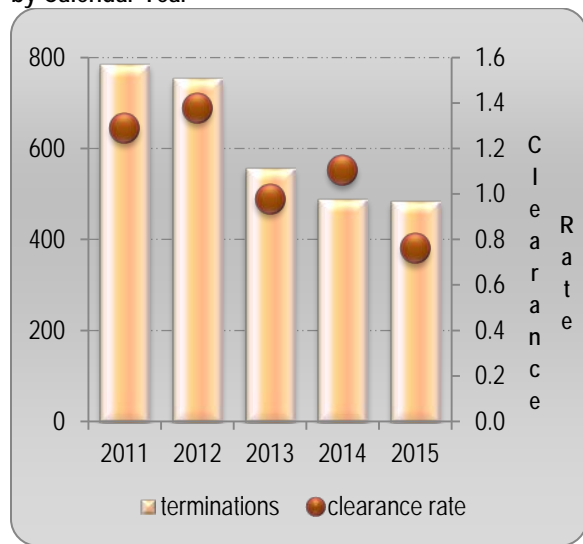
Over the past 5-years, MOED has handled numerous motions from prisoners for early release. (Table 9)

Table 9. Criminal Motions Filed, 2011-2015

Motion	5-Yr Total	5-Yr Average
Amendment 782	351	70
Johnson	49	10

Dispositions. Similar to last year, in 2015 almost 500 criminal cases were closed in MOED, for approximately 40 dispositions each month. (Figure 15) For the 5-year time period from 2011 to 2015, MOED's criminal dispositions decreased by an estimated 43%. In 2015, MOED's clearance rate, which was generally at or above 1.0 from 2011-2014, decreased by 45%.

Figure 15. Criminal Dispositions and Clearance Rate, by Calendar Year

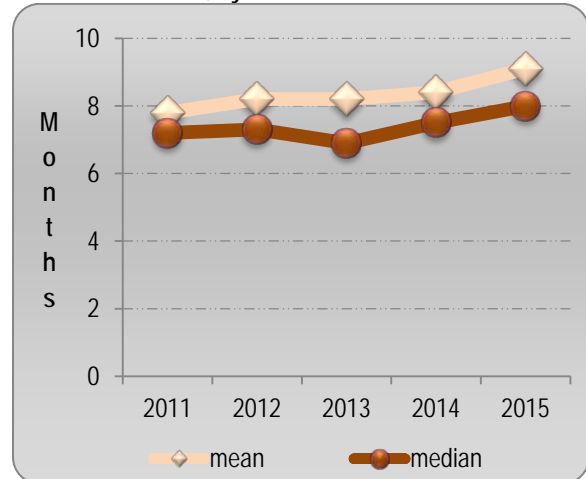


For criminal cases closed during 2015, the (5% trimmed) mean time to disposition was 9.1 months, while the median time to disposition was 8.0 months.¹¹

¹¹ 5% trimmed mean time to disposition excludes the highest and lowest 2.5% times to minimize the impact of extreme values. Median time to disposition is the midpoint of times ranked from lowest to highest.

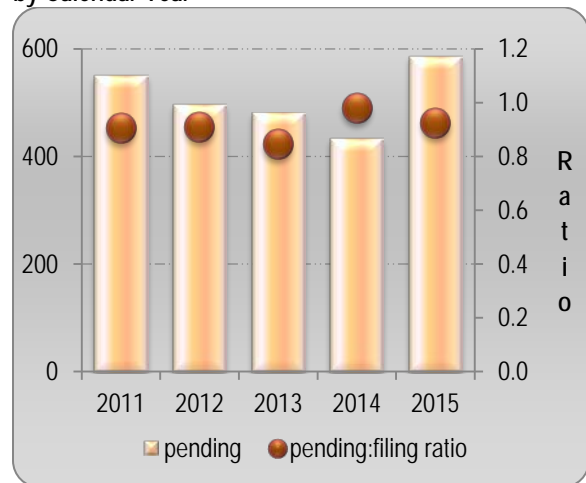
(Figure 16) From 2011-15, mean and median times to disposition increased by approximately 10%, primarily due to in longer time(s) to disposition in 2015.

Figure 16. Mean & Median Times to Disposition for Criminal Cases, by Calendar Year



Pending Caseload. At the end of 2015 there were 587 criminal cases pending in MOED, a 36% increase from 2014.¹² (Figure 17) As a proportion of the active criminal caseload; for every case filed during 2015, 0.9 cases were pending at the end of the year. For the 5-year time period from 2011 to 2015, MOED's criminal pending caseload increased by an estimated 13% - due exclusively to a 36% increase (more than 150 cases) from 2014 to 2015.

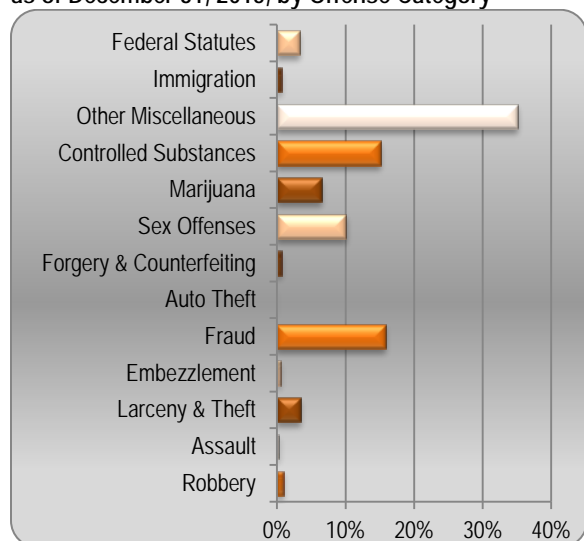
Figure 17. Pending (End of Year) Criminal Caseload, by Calendar Year



¹² This includes 78 cases in fugitive status.

Similar to last year, at the end of 2015 fraud (101 cases), controlled substance (96), and sex (64) offenses were the most common specific criminal charge categories among the pending caseload. (Figure 18) From 2013-15, offense categories with the largest numerical increase in pending cases were other miscellaneous general offenses and, to a lesser extent, fraud. In line with the 70% increase in other miscellaneous general offense case filings, the number of pending "other" cases increased by an estimated 87%. Conversely, the number of pending marijuana drug offense cases decreased.

Figure 18. Pending Criminal Caseload as of December 31, 2015, by Offense Category

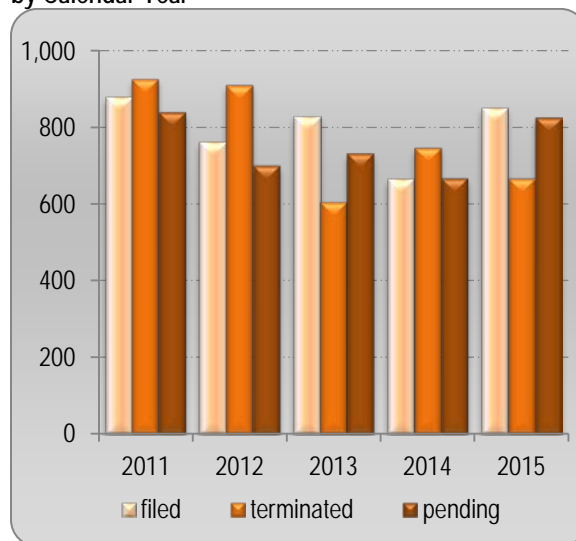


CRIMINAL DEFENDANT CASELOAD

Criminal defendant caseload statistics for MOED were generally similar to the criminal case statistics above. [Appendix H] In 2015, there were 851 criminal defendants commenced (of which 93% were felony defendants) and 668 closed. (Figure 19) At the end of 2015, 825 defendants had a case pending.¹³ While fluctuating over the 5-year time period from 2011 to 2015, MOED's criminal defendant caseload (i.e., filing, disposition and pending) has exhibited a general trend towards declining numbers until 2015. From 2014 to 2015, defendant filings increased by 28% while dispositions decreased by 11%, resulting in a 24% increase in the number of pending criminal defendants. {See figure in next column.}

¹³ This includes 122 defendants in fugitive status

Figure 19. Criminal Defendant Caseload Statistics, by Calendar Year



Similar to the caseload trends, the number of criminal defendants with an illegal possession of a firearm (18 U.S.C. § 922[g][1-9]) listed as the most serious charge increased by 70%. In 2015, defendants with this charge approached 25% of felony defendants, increasing as a proportion of the felony defendants by more than two-thirds from 2011 to 2015.

Unlike MOED, criminal defendant filings slightly decreased from 2014 to 2015 in all U.S. District Courts (-1%) and in the Eighth Circuit without MOED (-3%).

MOED's 2015 median times to disposition for criminal defendant dispositions were very similar to 2014. (Table 10) However, in comparison to 2013, time to disposition for defendants closed by dismissal increased while time to disposition for defendants closed by jury trial decreased.

Table 10. 2015 – Median Times to Disposition (in Months) for Criminal Defendants, by Year & Method of Disposition*

Year	Total	Dis-missed	Guilty Plea	Bench Trial	Jury Trial
2013	7.6	4.9	7.6	N/C	21.0
2014	8.1	6.1	8.1	N/C	13.6
2015	8.3	6.3	8.3	N/C	14.0

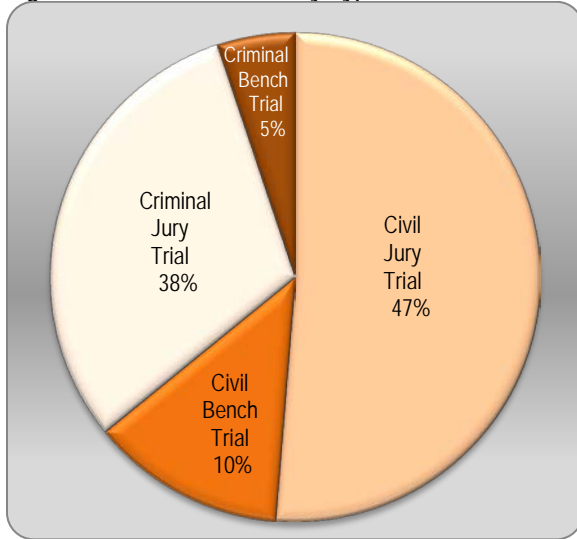
*Estimates include defendants in cases filed as a felony or Class A misdemeanor and petty offenses assigned to a district judge. Median value not calculated if less than 10 defendants.

TRIAL & JUROR STATISTICS

TRIAL STATISTICS

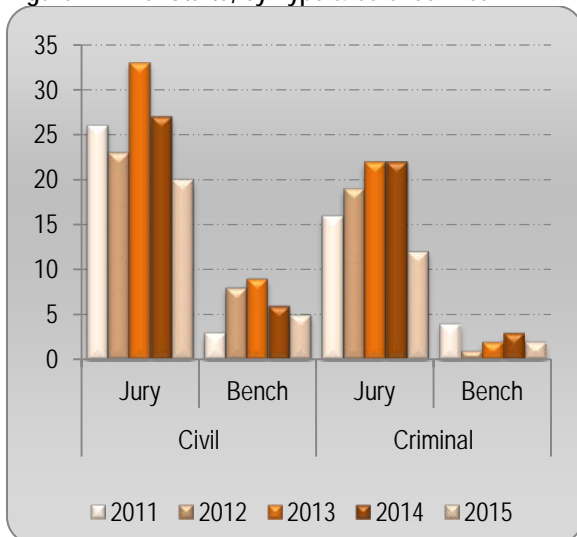
During 2015, there were 39 trial starts in MOED. [Appendix I] Three-fourths were civil trials (either by jury or bench). More than four-fifths were jury trials (either civil or criminal). (Figure 20)

Figure 20. 2015 Trial Starts, by Type



For the 5-year time period from 2011 to 2015, MOED's trial starts decreased by an estimated 11%, primarily because of the large decrease in the number of civil and criminal jury trial starts from 2014 to 2015 (-26% and -45%, respectively). (Figure 21)

Figure 21. Trial Starts, by Type & Calendar Year



Most trials were in prisoner petition, tort and contract cases. (Table 11) In comparison to previous years, there were more trials in prisoner petition cases and fewer in civil rights cases.

Table 11. Civil Trial Starts – 2015 Counts and 2011-2015 Averages, by Civil Case Category

Case Category	2015 Count	5-Yr Average
Contracts	4	6.6
Real Property	-	0.8
Torts	5	6.8
Civil Rights	2	8.4
Prisoner Petitions	9	4.0
Labor	-	1.2
Intellectual Property Rights	-	1.4
Tax Suits	-	0.2
Other Statutes	5	2.6

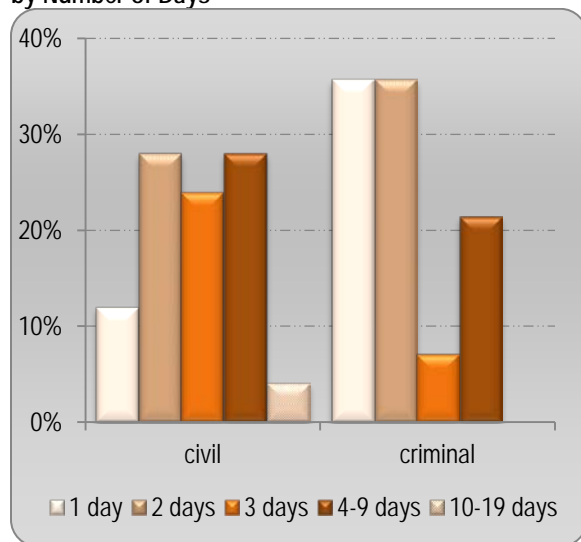
Most trials were for other miscellaneous general offenses. (Table 12) In comparison to previous years, there were slightly more trials for robbery and fewer for sex and marijuana drug offenses.

Table 12. Criminal Trial Starts – 2015 Counts and 2011-2015 Averages, by Offense Category

Offense Category	2015 Count	5-Yr Average
Robbery	2	0.4
Assault	-	0.2
Larceny & Theft	-	0.6
Embezzlement	-	0.4
Fraud	3	2.4
Auto Theft	1	0.2
Forgery & Counterfeiting	-	0.4
Sex Offenses	-	2.0
Marijuana Drug Offenses	1	3.0
Controlled Substances Offenses	1	1.0
Other Misc. General Offenses	5	7.0
Immigration Laws	-	0.4
Federal Statutes	1	2.0

In 2015, approximately one-quarter of MOED's civil trials lasted 4-9 days, down from almost two-fifths in 2104. (Figure 22) Conversely, approximately one quarter lasted 2 days, up from one-seventh in 2014. Similar to last year, in 2014 approximately two-thirds of criminal trials lasted 1-2 days.

Figure 22. 2015 Proportion of Trial Completions, by Number of Days



In 2015, MOED's median time from filing to trial for civil cases in which a trial was completed was approximately two years and two months. (Table 13)

Table 13. Time (in Months) from Filing to Completed Civil Trial – 2015 and 2013-15 Estimates, by Trial Type*

Case Category	2015	3-Yr Average
Non-Jury	24.3	23.7
Jury	27.8	27.8
Total	27.2	26.7

*Estimates include only trials conducted by District Judges; excluding those in land condemnation, forfeiture and penalty, prisoner petitions, and bankruptcy petition cases. MOED's non-jury medians calculated by MOED staff.

JUROR UTILIZATION

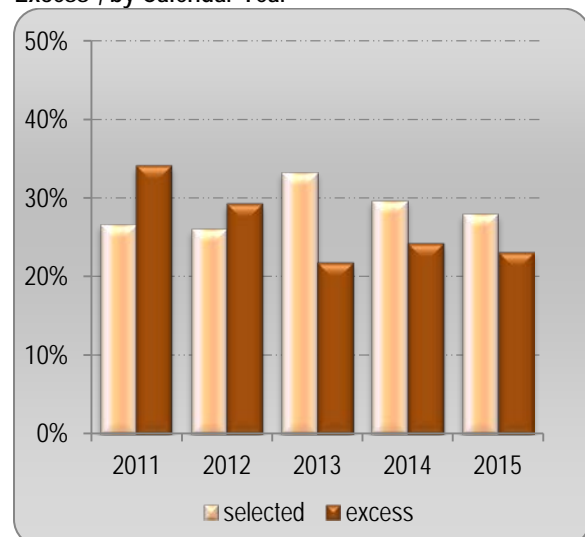
In the federal judiciary, effective juror utilization is defined as 30% or less of jurors not selected, serving, or challenged (NSSC) on the first day of service. [Appendix J] In 2015, MOED's NSSC rate for was 23%, compared to 37% for all U.S. District Courts and 32% for the Eighth Circuit. For the 5-year time period from 2011 to 2015, MOED's NSSC rate decreased – or improved – by an estimated 33%.

MOED's effective use of jurors can be attributed to a suite of policies, which include:

- empaneling juries on Monday and Wednesday;
- holding morning and afternoon panel selection so jurors not selected in the morning are available in the afternoon;
- mailing screening questionnaires six weeks prior to trial when a large number of jurors or a lengthy voir dire is expected;
- a weekly call to schedule jury trials sent to all judges and support staff; and
- encouraging the assessment of jury costs against the parties when they settle on the day the jury was to be selected.

As a result of these policies, during the 5-year time period from 2011 to 2015 almost one-third of jurors were selected to serve on a jury, while the proportion of excess jurors decreased by an estimated 33%. (Figure 23)

Figure 23. Percent of Total Jurors Selected and Excess*, by Calendar Year



* Excess jurors are those who were not selected or challenged.

In comparison to 2014, in 2015 the number of jury trial starts decreased by 41%. The number of individuals who appeared for jury duty and jurors who participated in voir dire or were selected for trial decreased by a similar amount. As a result, juror utilization in 2015 was markedly lower than the 5-year average. (Table 14)

Table 14. Juror Utilization – 2015 Counts and 2011-15 Averages & Trends

Measures	2015 Counts	2011-2015	
		Average	Percent Change
Questionnaires sent	26,000	27,340	1%
Summoned for duty	9,178	10,028	-9%
Appeared for duty	1,031	1,509	-32%
Participated in voir dire	933	1,358	-15%
Selected for trial	288	433	-22%
Jury trial starts	29	43	-21%

JURY SERVICE EVALUATION

MOED continued to survey a sample of jurors who reported for selection regarding their jury service in 2015. However, a number of survey questions were changed, so some results are not comparable to previous years' data. Due to the marked decrease in jury starts in 2015 (~40%), fewer jurors were surveyed. From October through December, 144 jurors (at least partially) completed the Jury Service Exit Questionnaire.¹⁴ As in previous years, respondents were predominantly female (55%) and 35-64 years of age (69%). Respondents were not asked about race/ethnicity. Of those completing the question, 14% reported asking to be excused or deferred from service, and 32% reported being selected to serve as a juror.

Nine-tenths of respondents rated their experience as either 'favorable' or 'more favorable than before'. This is similar to past years, when more than 90% of respondents indicated jury service was 'more favorable than first expected' or 'about what I expected'.

Similar to 2014, with the exception of 'length of service' more than four-fifths or more of respondents reported

¹⁴ Typically ~1-4% of respondents didn't complete each question. However, 13% of respondents didn't rate their jury experience. Percentages presented in this section are generally for completed responses only.

above average satisfaction with various aspects of jury service. (Table 15) Overall, the proportion of respondents who rated various aspects of jury service as 'above average' increased (from 2014 to 2015) by 7% on average, with 'scheduling time at the courthouse' improving by 12%.

Table 15. 2015 – Jurors' Ratings of Service

Jury Service Aspects	Above Average	Average	Below Average
Online eJuror Program	94%	5%	1%
juror information on website	92%	7%	1%
Info, provided before report date	91%	7%	2%
automated phone notification	93%	6%	1%
initial orientation at court	93%	5%	1%
treatment by jury unit staff	98%	1%	1%
treatment by courtroom staff	97%	2%	1%
treatment by security staff	95%	4%	1%
physical comforts	93%	6%	1%
parking facilities	89%	10%	1%
scheduling time at courthouse	85%	10%	4%
length of service	77%	17%	6%

For the first time we asked what hardship(s), if any, was caused by jury service. Forty-percent of all respondents indicated one or more hardship. The need to re-arrange work schedule and lost income were the two most common hardships. (Table 16) Other hardships included a scheduling conflict with a vacation and a union meeting.

Table 16. 2015 – Jurors' Rating of Hardship

Hardship	Percent of Respondents	Percent of Responses
lost income	17%	29%
child care/primary care giver	4%	7%
need to rearrange work schedule	23%	39%
transportation	5%	8%
health/medical appointment	3%	6%
school obligation	3%	5%
other	3%	6%

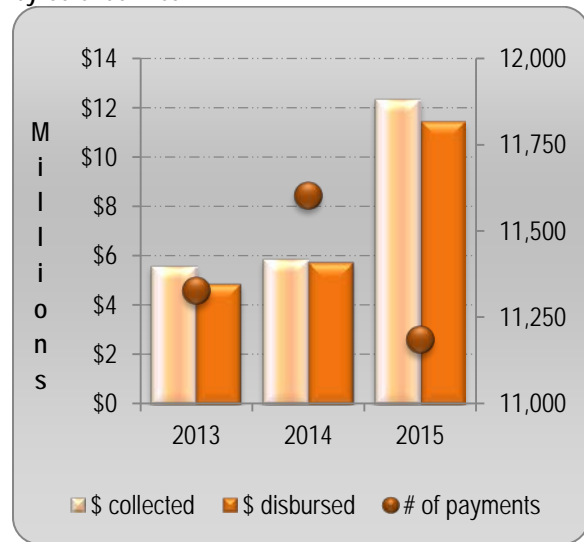
Twenty-three (23) respondents provided approximately 26 additional comments and suggestions.¹⁵ Almost one-third of responses were generically positive – such as good experience, well done!, etc. Suggestions for improvement were:

- comfort of the juror assembly room (12%);
 - difficult to hear
 - uncomfortable seating
 - cold
- provide earlier/clearer notice (12%);
 - including that pocket knives are not allowed in the courthouse
- selection process (12%);
 - too few young people
 - select jurors downstairs
- better refreshments (8%); and
- higher reimbursement (4%).

FINANCE

In 2015 more than \$12 million in restitution, civil garnishments and refunds were collected by MOED – including \$651,896 collected through the Treasury Offset Program. The amount collected more than doubled from previous years. During this same time, MOED disbursed more than \$11 million (or 93% of collections) to victims and creditors through 11,183 payments. (Figure 24)

Figure 24. Collections, Disbursements & Payments, by Calendar Year



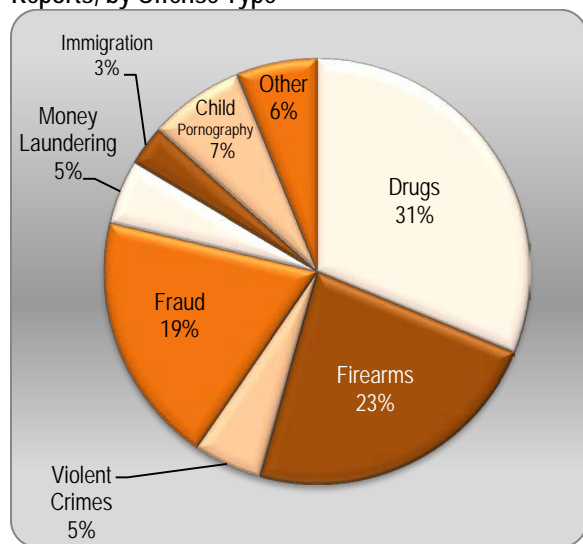
¹⁵ This includes three ambiguous responses.

UNITED STATES PROBATION OFFICE

PRESENTENCE REPORTS

MOED's Probation Office wrote 588 presentence reports in Fiscal Year 2015 (FY15), a 15% decrease from the previous year. Similar to 2014, drug offenses were the most common crime charged (31%), followed by firearm and financial (fraud, white collar, etc.) offenses. (Figure 25)

Figure 25. Probation Office: FY15 Presentence Reports, by Offense Type



The Probation Office assisted the Southern District of Iowa with its substantial increase in presentence reports, completing an additional 55 reports.

SUPERVISION

MOED's Probation Office was supervising 2,055 ex-offenders at the end of Fiscal Year 2015, an increase of 5 cases from 2014. Similar to 2014, the supervision caseload was the largest in the Eighth Circuit and 18th in the federal system. Similar to last year, nearly half of supervisees were convicted of a drug offense, 15% of a firearms offense, and 12% of a sex offense.

The Probation Office continued to have among the highest risk caseload in the federal system.¹⁶ Despite this, the district's revocation rate was only 8.3%.¹⁷ This was lower than the revocation rate in 43 of the 94 United States District Courts' probation offices.

The initial wave of drug offenders released early under Amendment 782 arrived in Residential Reentry Centers (RRC). Our reentry unit provided an orientation to supervision, including a 90-day program to assist them with education, employment, housing, cognitive programming, and family reunification. A U.S. Department of Labor grant was awarded to Fathers' Support Center, which provides skill training and employment assistance to residents of the RRC.

Treatment resources were targeted to moderate and high risk offenders. The Probation Office maintained 58 contracts with drug treatment, mental health and sex offender treatment providers. During 2015, \$425,301 was invested on mental health programming, \$362,288 was spent on sex offender treatment, and \$952,946 was utilized on drug treatment.

The Probation Office continues to be one of only two districts in the country with an in-house GED program. Individuals are also encouraged to enroll in higher education. Through the Reach Higher community partnership with the Caritas Connection and St. Gerard Majella Catholic Church, 52 laptop computers were donated to ex-offenders and their children to facilitate obtaining education and employment. Other community partnerships include Money Smart (a financial literacy program) and Project Home (helping individuals improve financial stability and increasing their likelihood of home ownership).

Second Chance Act resources provided skill training in construction, welding, Certified Nurses Aid and Commercial Driver License certification, as well as provided emergency services to assist with transportation, housing, and utility assistance. The Probation Office invested \$344,157 in Second Chance Act funding, more than any other district in the nation, helping to keep the unemployment rate among the lowest in the federal probation system.

¹⁶ Based on the national Risk Prediction Index (RPI) completed for each person under supervision. The RPI predicts the likelihood of reoffending based upon factors such as criminal history, education, and family support.

¹⁷ Of 3,005 supervisees during FY15, 250 were revoked.

In addition to employment being an important factor reducing recidivism, research indicates family support is also vital to successful reintegration. The Probation Office's family team travelled with a group of mothers and children, one who had never seen his father, to attend a Family Day at the Leavenworth Federal Correctional Institution. The family team continued to provide family videoconferencing between inmates and families and also utilized this technology with inmates who were granted clemency.

Reentry Courts. Four reentry treatment courts continue to produce impressive results:

- Project EARN for drug offenders led by Magistrate Judge David N. Noce;
- Project GRIP for gang members led by District Judge Henry E. Autrey;
- Veterans Court led by District Judge Stephen N. Limbaugh, Jr; and the
- Janis C. Good Mental Health Court (named in memory of the outstanding, passionate legal services provided by former Assistant Federal Defender Janis C. Good) led by District Judge John A. Ross and Magistrate Judges Nannette A. Baker and Noelle C. Collins.

Despite the programming opportunities available for ex-offenders, a number of them will continue criminal activity. The Probation Office is the only district in the nation to expand the immediate sanctions available in reentry courts to all cases under supervision through an agreement with the Bureau of Prisons which provides a weekend in jail as an alternative to placement in an Residential Reentry Center or revocation. Use of location monitoring has been increased to monitor the location and movement of high risk offenders. The Probation Office also has nationally recognized search and surveillance teams who are available to respond immediately to prevent criminal activity and apprehend those who re-offend. These teams provide training to other districts and have assisted with national policy development.



UNITED STATES PRETRIAL SERVICES

U.S. Pretrial Services in the Eastern District of Missouri operates in both the Thomas F. Eagleton U.S. Courthouse in St. Louis and the Rush Hudson Limbaugh Sr. U.S. Courthouse in Cape Girardeau. The twenty-one (21) personnel of Pretrial Services include the chief U.S. pretrial services officer, two supervising pretrial services officers, 13 pretrial services officers, four administrative personnel, and a shared IT position.

One of the primary responsibilities of Pretrial Services is to conduct pretrial investigations of all federal defendants and advise the Magistrate Judges as to whether defendants are significant risks of flight or danger to the community. Officers recommend the least restrictive release conditions to address these risks. Pretrial case activations increased from 1,002 in 2014 to 1,057 in Fiscal Year 2015. (Table 17) The detention rate for the Pretrial Services Office in the Eastern District of Missouri increased from 50% in 2014 to 61% in 2015.¹⁸ The detention rate for Pretrial Services in the Eastern District of Missouri is slightly above the national detention rate of 59%. According to the Pretrial Risk Assessment, these case activations included 27.5% low risk cases and 72.5% high risk cases.

Table 17. Pretrial Services – Proportion of Cases Activated and Supervised in Fiscal Year 2015, by Offense Category

Offense Category	% of Cases Activated	% of Cases Supervised
Drugs	34%	33%
Financial	25%	44%
Immigration	1%	1%
Obstruction/Escape	2%	1%
Public Order	1%	3%
Sex Offense	9%	11%
Traffic/DWI	-	-
Violence	4%	2%
Firearms	24%	5%

¹⁸ The Pretrial Services Office in the Eastern District of Missouri investigates supervised release violators; therefore, the published detention rates have been controlled for supervised release violators to allow for more accurate statistical comparison with other districts who do not investigate supervised release violators.

The other primary responsibility of Pretrial Services is to supervise defendants who have been released on bond by the Court. Pretrial supervision entails monitoring and ensuring release conditions are met. Pretrial supervision requires officers to make referrals to, and monitor the progress of defendants in, various treatment programs. In 2015, 427 cases under pretrial supervision were classified as lower risk, and 257 cases were classified as greater risk because of the high level of activities and services required in the supervision of these defendants. It should be noted, however, of the lower risk defendants, 61 sex offense cases and 21 violent or weapons offense cases also required more intensive supervision due to the nature of the alleged offense. Addressing substance abuse issues by utilizing drug testing and counseling continues to be the most essential need identified in supervising defendants. Mental health treatment was also frequently utilized to assist defendants and manage risks. In 2015, the Pretrial Services Office spent \$293,353.75 in drug, alcohol, and mental health treatment services. Of this expenditure, \$61,861.85 was spent on location monitoring.

The Pretrial Services Office joined the Probation Office's Family Program, which conducts quarterly orientation programs for defendants and their families to introduce them to the Probation Office and the Bureau of Prisons and address potential questions and concerns about serving a federal sentence. In 2016, the Family Program will start a new series of discussions which focus on defendants in fraud/financial and sex offense cases. This program will help prepare defendants for a potential term of incarceration by facilitating intimate discussions about prison between defendants and former inmates. The Pretrial Services Office also began collaborating with the Probation Office on a veteran's program which assists veterans in obtaining services offered by the Veteran's Administration. In 2016, the Pretrial Services Office will also start an employment initiative which focuses on unemployed defendants.

Pretrial Services staff served as members of the following advisory and working groups at the national level: Information and Technology, Federal Judicial Center Education, Pretrial Services, Location Monitoring, Detention/Release Team, District Review Team, and Workforce Development. Pretrial Services staff also participated in and completed local and national leadership programs and again demonstrated

involvement with the local community by presenting at local schools and by organizing the Motion for Kids program for the district. Officers also presented at the American Probation and Parole Association Annual Conference.

PRETRIAL DIVERSION

The Pretrial Services Office continues to operate a Pretrial Diversion Program under an agreement with the Office of the U.S. Attorney in the Eastern District of Missouri. This program is a pre-conviction diversion program in which criminal charges are dismissed if the subject successfully completes the program. The Pretrial Services Office had 58 pretrial diversion case activations in 2015. Additionally, in 2015, the Pretrial Services Office collected \$144,875.32 in restitution payments, which are distributed to individual, private, and government victims who sustained financial losses as a result of the divertees' criminal conduct.

Sentencing Alternatives Improving Lives. In March 2015, the Pretrial Services Office implemented a post-guilty plea diversion program, Sentencing Alternatives Improving Lives (SAIL). The SAIL program is designed to include a period of intensive supervision combined with services to address the root causes of an individual's criminal conduct. It is theorized to prove more effective than incarceration in decreasing the likelihood of recidivism for participants. The SAIL team is comprised of U.S. District Judge Audrey G. Fleissig, Senior U.S. District Judge E. Richard Webber, Supervising U.S. Pretrial Services Officer Susan Hendrickson, Senior U.S. Pretrial Services Officer Dan Diekemper, attorneys from the U.S. Attorney's Office and Federal Public Defender's Office, a treatment provider, and interns from local universities. SAIL defendants were provided various services and resources, such as substance abuse and mental health treatment; General Education Development (GED) and college courses; job training and appropriate clothing for employment; housing, medication, transportation, and veteran's benefits assistance; computers, and food. Of the eight initial program participants, four are on track to successfully complete the SAIL program in March 2016.

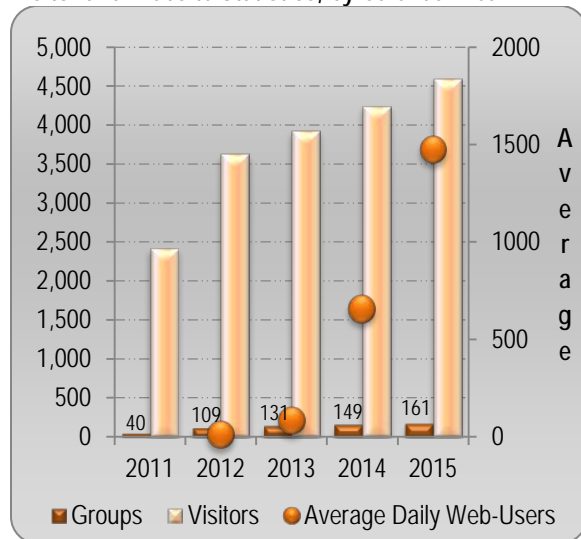
Moral Reconciliation Therapy. In 2015, the Pretrial Services Office again expanded our in-house Moral Reconciliation Therapy (MRT) program, which yielded an overall savings of \$66,798 in treatment costs. In 2015, 37 defendants were referred for in-house MRT, with only three participants unsuccessfully discharged from the program or discontinued due to bond revocation. While the number of referrals significantly increased from 26 in 2014, the number of unsuccessful terminations remained unchanged. In fiscal year 2015, seven defendants successfully completed the in-house MRT program.

PUBLIC EDUCATION & COMMUNITY OUTREACH

Public education and community outreach at the Thomas F. Eagleton United States Courthouse continued to be a priority for the Eighth Circuit, Eastern District of Missouri, and the Judicial Learning Center. In 2015, activities included general tours, youth events – including Boy and Girl Scout advancement opportunities, career fairs, (pre-)law student visits and mock trials, educational seminars on various aspects of the criminal justice system, and contributions to charitable causes – such as the Bar Association of Metropolitan St. Louis’ and the St. Louis Bar Foundation’s Motion for Kids holiday party.

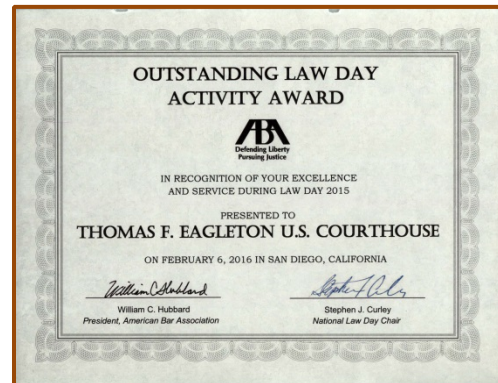
In 2015 more than 4,500 people participating in educational and outreach programs visited the Thomas F. Eagleton U.S. Courthouse. (Figure 26) For the 5-year time period from 2011 to 2015, the number of documented visitors increased by an estimated 74%, while the number of groups increased by more than 200%. In addition, the Judicial Learning Center’s average number of daily web-users more than doubled in 2015, increasing by 56%.

Figure 26. T.F. Eagleton United States Courthouse Visitor and Website Statistics, by Calendar Year



LAW DAY

For the second consecutive year, the Eastern District of Missouri’s Law Day activities, hosted in collaboration with the Eighth Circuit and the Judicial Learning Center, was honored by the American Bar Association with its Outstanding Activity Award for Best Student Program. Lessons on the theme “*Magna Carta: Symbol of Freedom Under Law*” were created for elementary, middle, and high school levels. The curriculum packet was distributed in a variety of ways throughout April-May 2015. Participating high schools completed the curriculum prior to their field trip to the courthouse. Students from McCluer South Berkeley High School in Ferguson-Florissant School District, and Metro Classical and Academic High School in St. Louis Public Schools attended for a full day of activities. The students met several judges and legal professionals, observed court, completed a themed activity in the Judicial Learning Center, and participated in a mock evidentiary hearing. For the mock hearing; students were coached by federal judges, prosecutors, and defense attorneys.



CONSTITUTION DAY

For Constitution Day, the Eighth Circuit again joined with the Missouri Bar Office of Citizenship Education to host the annual live broadcast at the Eagleton Courthouse. This partnership between the Missouri Bar and HEC-TV brings together legal professionals with a live audience of students in the courthouse and around the country. Participants from area high schools have the opportunity to listen to a panel of topic experts and to submit questions and comments to the panel. Students from several local schools participated in two live broadcasts and also toured the courthouse. In addition, schools from around the county joined the conversation via the web and videoconference. The event theme commemorated the 50th anniversary of Voting Rights Acts of 1965 and its impact on American life. Distinguished panel members included the Honorable Catherine D. Perry – Chief District Judge, Eastern District of Missouri, Jason Kander – Missouri Secretary of State, Denise Lieberman – Senior Attorney for the Advancement Project, Mark Updegrove—Executive Director of the LBJ Presidential Library, and Stephen Davis – private attorney and Adjunct Professor at the St. Louis University School of Law.

As part of a national initiative, a special naturalization ceremony was also held on Constitution Day. Judge Henry E. Autrey presided over the ceremony at the Old Courthouse in downtown St. Louis. The DeSmet Jesuit High School Black Robe Choir participated in the ceremony by singing God Bless America and the National Anthem.



JULY 4TH NATURALIZATION CEREMONY

Judge Stephen L. Limbaugh, Jr. presided over a naturalization ceremony on July 4th at Arena Park in Cape Girardeau. Speakers, musical accompaniment, and Color Guard included Circuit Judge Duane Benton – U.S. Court of Appeals for the Eighth Circuit, the Cape Girardeau Municipal Band, and the American Legion. Afterward, the League of Women Voters helped the new citizens register to vote.



TEACHER WORKSHOPS

Summer Teacher Institute. The United States Courts and the Judicial Learning Center, along with the Federal Reserve Bank of St. Louis, co-hosted a two-day workshop for middle-school and high-school teachers. This new program explored connections between core constitutional principles and today's vibrant economy. Morning sessions at the Thomas F. Eagleton U.S. Courthouse observed courtroom and other settings with judges and other legal professionals. Afternoon sessions at the St. Louis Federal Reserve included presentations by research economists, lesson and activity demonstrations, and tours of the new and award-winning Inside the Economy[®] Museum.



Street Law Teacher Workshop. The United States Courts and the Judicial Learning Center, along with the Missouri Bar Office of Citizenship Education, collaborated to bring a high-quality teacher program to St. Louis. While Street Law has been offering professional development for teachers for many years in Washington D.C., this event was only the second time the program was offered in Missouri. The workshop included an in-depth look at the federal courts (specifically the U.S. Supreme Court) and offered teachers the opportunity to meet a variety of legal professionals. The two-day event culminated in a simulated activity in which all teachers participated, and that they can repeat with students in the classroom.

SECTION TWO

SERVING THE BENCH & BAR

STAFF TRANSITIONS

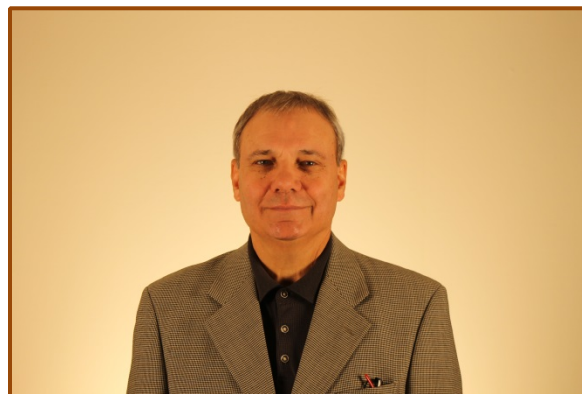
A large number of notable staff changes occurred in the Eastern District of Missouri during 2015. Transitions include the end of chief judge tenures, retirements and appointment to the bench.

THE HONORABLE
CATHERINE D. PERRY
COMPLETES TENURE AS CHIEF JUDGE



The Honorable Catherine D. Perry completed her tenure as Chief Judge.¹⁹ As Chief Judge, she emphasized the historic role of the court as the protector of fair and impartial justice under the law by updating several court rules and processes. Judge Perry promoted civic education through the court's judicial learning center. She guided the court through a lengthy period of budgetary difficulty. She also met the challenge of keeping a full court schedule while undergoing massive renovations to half of the courtrooms due to a flood in the building.

THE HONORABLE
THOMAS C. MUMMERT III
COMPLETES TENURE AS CHIEF MAGISTRATE JUDGE
AND RETIRES FROM THE BENCH



The Honorable Thomas C. Mummert III completed his tenure as Chief Magistrate Judge, also retiring from the federal bench after nearly 20 years of service. He served as the Magistrate Judge representative to the U.S. Judicial Conference, on the U.S. Judicial Conference's Committee on the Codes of Conduct and the Federal Judicial Center's Committee on Magistrate Judge Education, as the President of the Federal Magistrate Judges Association, and as a member of the United States Courts Advisory Group of Magistrate Judges.

Judge Mummert received his Juris Doctor from St. Mary's University School of Law in San Antonio, Texas. He was St. Louis Municipal Court Judge and was later appointed a Missouri Circuit Judge. He served a 2-year term as Presiding Judge of the 22nd Circuit. While on the state bench, Judge Mummert was a member of the Supreme Court of Missouri's Civil Rules Committee, Task Force on Cameras in the Courtroom, Court Automation, and Committee on Criminal Instructions and Charges. Judge Mummert twice received the President's Award for Outstanding Service from Bar Association of Metropolitan St. Louis (BAMSL) and served five years as Chair of its Federal Practice Committee. He also was an adjunct professor at Washington University School of Law.

¹⁹ This, or similar, information also appeared in the United States Courts, Eighth Circuit 2015 Annual Report. Prepared by the Office of the Circuit Executive.

**THE HONORABLE
TERRY I. ADELMAN
U. S. MAGISTRATE JUDGE RETIRES**



The Honorable Terry I. Adelman completed 22 years of distinguished service as a Magistrate Judge in 2015, including a term as Chief Magistrate Judge.¹⁹ Judge Adelman was widely known as an expert on difficult issues of federal criminal procedure. Before becoming a Magistrate Judge, he was an Assistant U.S. Attorney for 21 years, including 13 as First Assistant. He graduated from Saint Louis University School of Law where he is an Adjunct Professor of Criminal Law. He served on numerous judicial and bar committees, including the Eighth Circuit Model Criminal Jury Instructions Subcommittee.

**JOHN M. BODENHAUSEN
APPOINTED U.S. MAGISTRATE JUDGE**



The Honorable John M. Bodenhausen was sworn in as a Magistrate Judge - replacing Judge Adelman - in September 2015.¹⁹ Judge Bodenhausen received his undergraduate degree in electrical engineering from the University of Missouri in 1985, his master's in electrical

engineering in 1992, and his Juris Doctor from St. Louis University School of Law in 1998, where he graduated as Valedictorian. Prior to practicing law, Mr. Bodenhausen worked for more than ten years as an electrical engineer at McDonnell Douglas and General Dynamics. He began his legal career as a clerk for Circuit Judge David R. Hansen of the U.S. Court of Appeals for the Eighth Circuit. After completing his clerkship, he practiced patent law with a firm in St. Louis. Beginning in 2002, he was an Assistant U.S. Attorney for the Eastern District of Missouri, where he served as the Computer Hacking and Intellectual Property Crimes Coordinator and District Election Officer for the district. He has handled cases about intellectual property crimes, computer crimes, online fraud, credit card fraud, identity theft, and tax crimes.

**NATIONAL, CIRCUIT AND DISTRICT COMMITTEE
& COURT ACTIVITIES**

The Eastern District of Missouri is privileged to have District and Magistrate Judges who serve beyond the bench. Judges of the court serve on committees that improve the administration of justice throughout the federal judiciary and preside over specialty courts dedicated to reducing recidivism and improving lives.

- Chief Judge Catherine D. Perry served on the United States Judicial Panel of Multidistrict Litigation. She continued as the district's representative to the Eighth Circuit Judicial Council, serving on the circuit's Judicial Council's Defender Services Committee, Rules Committee, and Ad Hoc Committee on Death Penalty Cases. She also served on Eastern District's Budget and Criminal Justice Act committees.
- District Judge Carol E. Jackson continued to serve on the Federal Judicial Center's Committee on District Judge Education.
- In 2014, District Judge Rodney W. Sippel completed terms as the Eighth Circuit District Judge on the Judicial Conference of the United States (JCUS), as an (JCUS) Executive Committee member, as an Ex-Officio member of the (JCUS) Committee on Federal-State Jurisdiction, and as U.S. Judiciary delegate at the Conference of Chief Justices. Effective January 1, 2015, the Chief Justice appointed Judge Sippel to be the chair of the Judicial Conference Committee on the Judicial Branch.

ACTIVITIES CONTINUED

- District Judge Henry A. Autrey presides over Project G.R.I.P, the only re-entry court for gang members seeking redirection. He also continues to serve as Chair of the Eastern District's Court Security Committee and as Court member of the district's IT Advisory Council.
- District Judge Stephen N. Limbaugh Jr. continued to serve on the Eighth Circuit's Committee on Model Jury Instructions. He also presides over the Eastern District's Veterans Court.
- District Judge Audrey G. Fleissig was appointed by the Chief Justice to serve on the JCUS's Committee on Court Administration and Case Management. She also co-presides over Pretrial Services' SAIL diversion program.
- District Judge John A. Ross was appointed by the Chief Justice to serve on the JCUS's Committee on Defender Services. He also presides over the Eastern District's Janis C. Good Mental Health Court.
- Senior District Judge E. Richard Webber co-presides over Pretrial Services' SAIL diversion program.
- Senior District Judge Jean C. Hamilton continued to serve the JCUS's Advisory Committee on Bankruptcy Rules.
- Chief Magistrate Judge Thomas C. Mummert III continued to serve as the Magistrate Judge representative to the JCUS and on the FJC Committee on Magistrate Judge Education.
- Magistrate Judge David D. Noce has been a Magistrate Judge of the District Court since 1976. He is a member of several committees of the Eastern District and is the presiding judge of Project EARN, the district's Drug Court. He currently serves as the Chair of the Eighth Circuit's Subcommittee on Model Civil Jury Instructions. He is a member of the Advisory Committee of the Administrative Office publication *Federal Probation*.
- Magistrate Judge Noelle C. Collins co-presides over the Eastern District's Janis C. Good Mental Health Court and Project G.R.I.P.

JUDICIAL RECOGNITION & HONORS

Judges of the Eastern District of Missouri received a number of professional honors since January 1, 2015. Among these are:

- District Judge Ronnie L. White received the National Bar Association's Gertrude E. Rush Award, the Theodore McMillian Award of Judicial Excellence, and the Missouri Lawyers' 2015 Influential Lawyer Award.
- Senior District Judge Charles A. Shaw was selected to receive the Benjamin N. Cardozo Award from the Missouri Association of Criminal Defense Lawyers (MACDL). The MACDL is dedicated to protecting the rights of the criminally accused through a strong and cohesive criminal defense bar and strives to improve the quality of justice in Missouri by seeking to ensure fairness and equality in the law. The Cardozo Award was presented to Judge Shaw in recognition of judicial courage and excellence for his long-standing efforts opposing mandatory federal sentencing guideline. Judge Charles A. Shaw also received the Excellence in Jurisprudence Award from Better Family Life, Inc. at its Annual Unity Ball in St. Louis, for his courageous stance against the Federal Mandatory Sentencing Guidelines and the devastation they can cause to individual families and the community as a whole. Better Family Life provides social, cultural, artistic, economic, housing, educational, and youth programs that help promote positive and innovative changes in the lives of individuals and their families. In addition, Judge Shaw received an award from Boy Scouts of America, Grand Tower, in gratitude for his support and community service to the organization.

ACADEMICS & PROFESSIONAL ASSOCIATIONS

Judges from the Eastern District of Missouri continue to contribute to the improvement of the legal profession and criminal justice system through their activities in academic institutions and professional organizations. These include:

- Magistrate Judge David N. Noce is a member of the Insurance and Benefits Committee of the Federal Magistrate Judges Association, and is an editor of the Federal Courts Law Review. Judge Noce is an adjunct law professor at St. Louis University School of Law, presenting the course Jury Instructions and the Trial Process.
- Magistrate Judge Nanette A. Baker was elected Chair of the National Conference of Federal Trial Judges of the American Bar Association (ABA). She will serve in that capacity until August 2016. She is also an editor of the ABA's *Judges' Journal*.
- Magistrate Judge Shirley Padmore Mensah was an Adjunct Professor of Trial Practice and Procedure at Washington University during the fall semester. Judge Mensah also attended the U.S. Sentencing Commission's Annual National Seminar.

U.S. MAGISTRATE JUDGE UTILIZATION

CIVIL CASE ASSIGNMENT

By local rule 2.08(a), MOED's Magistrate Judges are eligible to be directly assigned new civil cases at filing – excluding prisoner petitions, bankruptcy appeals, civil forfeiture cases; Multidistrict Litigation filings & transfers; and cases with motions for temporary restraining orders or class certifications. In 2015, 610 new civil filings were directly assigned to MOED's magistrate judges, an estimated 29% of available cases. (Table 18)

Table 18. Magistrate Judge Utilization – 2015 Utilization Statistics and 2011-15 Averages

Measures	2015	2011-15	
		Average	% Change
new civil case filings	2,291	2,587	-10%
assigned exclusively to US District Judges	172	432	-49%
available to US Magistrate Judges	2,119	2,155	1%
assigned to US Magistrate Judges	610	739	-40%
% of new assigned to US Magistrate Judges	29%	34%	-41%

For the 5-year time period from 2011 to 2015, MOED directly assigned an estimated one-third of available new civil filings to magistrate judges. During this time, the number of new civil filings assigned exclusively to district judges decreased by almost one-half, while the number available to be assigned to magistrate judges was generally unchanged. However, the number of direct assignments of new civil filings to magistrate judges decreased by an estimated two-fifths.

CIVIL CONSENT AND CONSENT DISPOSITIONS

In accordance with 28 U.S.C. § 636(c), upon consent of parties, a U.S. Magistrate Judge may conduct any or all proceedings in a jury or non-jury civil matter and order the entry of judgment in the case. For new civil filings initially assigned to magistrate judges in 2015, MOED's estimated full consent rate was 59%. For the 5-year time period from 2011 to 2015, MOED's consent rate averaged 55%.

MOED consistently has one of the highest counts of civil consent terminations by magistrate judges in the federal judiciary. In 2015, there were 466 in MOED, which was the seventh highest number among the 94 U.S. District Courts.²⁰ For the 5-year time period from 2011 to 2015, the number of civil consent terminations by MOED's magistrate judges decreased by an estimated 25% and ranged from 466 to 604 with an average of 532.

ATTORNEY APPOINTMENTS & REPRESENTATION

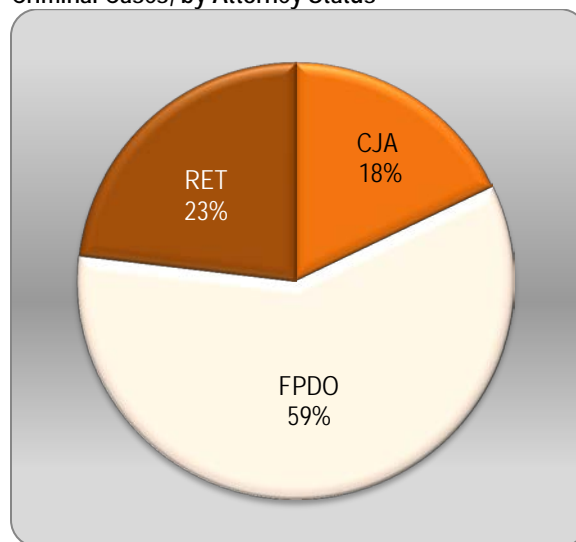
ASSIGNMENTS IN CIVIL CASES

In 2015, 16 attorneys were appointed pro bono counsel in 15 civil cases in the Eastern District of Missouri. In broad categories, pro bono appointments were in prisoner petition (11), civil rights (2), tax (1), and immigration (1) cases.

REPRESENTATION IN CRIMINAL CASES

In 2015, the Federal Public Defender's Office (FPDO) accounted for almost three-fifths of criminal defendants with attorney representation, while private attorneys appointed under the Criminal Justice Act (CJA) accounted for less than one-fifth.²¹ (Figure 27) Privately retained attorneys (RET) composed the remainder. *{See figure in next column.}*

Figure 27. 2015 Attorney Representation in Criminal Cases, by Attorney Status



For the 5-year time period from 2010 to 2014, the number (and proportion) of criminal defendants represented by the Federal Public Defender's Office increased by an estimated 23%. (Table 19) In contrast, the number (and proportion) of cases represented under the Criminal Justice Act or by privately retained attorneys decreased.

Table 19. Attorney Representation in Criminal Cases – 2015 Counts and 2011-15 Averages & Trends

Measures	2015 Counts	2011-2015	
		Average	Percent Change
Federal Public Defender	1,000	800	23%
Criminal Justice Act	333	317	-21%
Privately retained	392	404	-14%

²⁰ Administrative Office of the U.S. Courts. Table M-5. U.S. District Courts – Civil Consent Cases Terminated by U.S. Magistrate Judges under 28 U.S.C. Section 636(c) During the 12-Month Period Ending September 30, 2014.

²¹ Includes multiple appointments in a single case as well as appointments in probation and supervised release revocation proceedings.

PROFESSIONAL EDUCATION

FEDERAL PRACTICE FUNDAMENTALS

The Eastern District of Missouri and the Federal Practice Memorial Trust held the Tenth Annual Federal Practice Fundamentals in November at the Thomas F. Eagleton Courthouse. This annual seminar is targeted at attorneys newly practicing in the federal judiciary. Topics included federal civil procedure, ethical standards & courtroom professionalism, alternative dispute resolution, and electronic filing. Thirty-six (36) people attended. More than two-thirds of attendees who completed a program evaluation form rated the overall seminar as very useful, with the remainder rating it somewhat useful – especially for new attorneys.



MEET THE MAGISTRATE JUDGES

Meet the Magistrate Judges was held in October at the Thomas F. Eagleton Courthouse. The forum introduced attorneys to the Eastern District of Missouri's Magistrate Judges and their role in the court. In addition, modifications to civil rules and procedures within the district, federal practice tips, and a session on ethics were presented. One hundred and six (106) attorneys attended. More than nine-tenths of attendees who completed a program evaluation form rated the overall program as either very or somewhat useful. The Federal Practice Tips with the panel of Magistrate Judges was the mostly highly rated portion of the program. *{See photo in next column.}*



WOMEN LAWYERS' ASSOCIATION LAW DAY

The Women Lawyers' Association of Greater St. Louis hosted its second Law Day program at the Thomas F. Eagleton United States Courthouse in April. Marian Middle School 8th grade girls of diverse religious, racial, and ethnic backgrounds participated. The goal of the program was to improve the participants' understanding of the federal judicial system. Activities included tours of the Judicial Learning Center and a courtroom, an overview of careers in the federal judiciary, and informal discussion with judges and other court staff on how the federal judicial system operates.





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APPENDIX A

2011-2015 New Case Filings Report January 1 – December 31					
DIVISION/CASE TYPE	2011	2012	2013	2014	2015
CIVIL CASES ¹					
EASTERN CIVIL CASES	2,257	2,401	2,621	2,118	1,959
SOUTHEASTERN CIVIL CASES	229	216	197	189	242
NORTHERN CIVIL CASES	97	93	116	110	90
TOTAL CIVIL CASES	2,583	2,710	2,934	2,417	2,291
CRIMINAL CASES ²					
EASTERN CRIMINAL CASES	479	420	467	349	508
▪ <i>FELONY CASES</i>	441	388	436	329	484
▪ <i>MISDEMEANOR CASES</i>	38	32	31	20	24
SOUTHEASTERN CRIMINAL CASES	130	127	103	94	128
▪ <i>FELONY CASES</i>	78	71	86	68	96
▪ <i>MISDEMEANOR CASES</i>	52	56	17	26	32
TOTAL FELONY CASES	519	459	522	397	580
TOTAL MISDEMEANOR CASES	90	88	48	46	56
TOTAL CRIMINAL CASES	609	547	570	443	636
CRIMINAL DEFENDANTS					
EASTERN CRIMINAL DEFENDANTS	708	610	709	555	712
▪ <i>FELONY DEFENDANTS</i>	670	578	678	534	688
▪ <i>MISDEMEANOR DEFENDANTS</i>	38	32	31	21	24
SOUTHEASTERN CRIMINAL DEFENDANTS	170	150	121	108	139
▪ <i>FELONY DEFENDANTS</i>	118	94	104	82	107
▪ <i>MISDEMEANOR DEFENDANTS</i>	52	56	17	26	32
TOTAL FELONY DEFENDANTS	788	672	782	616	795
TOTAL MISDEMEANOR DEFENDANTS	90	88	48	47	56
TOTAL CRIMINAL DEFENDANTS	878	760	830	663	851
MISCELLANEOUS CASES ³					
EASTERN MISCELLANEOUS CASES	747	715	663	728	596
SOUTHEASTERN MISCELLANEOUS CASES	56	35	40	15	26
TOTAL MISCELLANEOUS CASES	803	750	703	743	622
TOTAL NEW CASE FILINGS ⁴	3,995	4,007	4,207	3,603	3,549

1. *New civil case filings include sealed civil cases and Multidistrict Litigation transfer cases, but exclude reopened cases.*
2. *New criminal case filings include sealed criminal cases and excludes probation/supervised release transfers.*
3. *New miscellaneous case filings include sealed miscellaneous cases.*
4. *Total new case filings include civil, criminal, and miscellaneous case filings.*

APPENDIX B

2015 Civil Caseload Report – I				
	District	St. Louis	Cape Girardeau	Hannibal
Total Civil Case Filings ¹	2,334	1,992	250	92
New Civil Case Filings ²	2,291	1,959	242	90
Reopened Case Filings	43	33	8	2
Civil Case Filings by Type	2,334	1,992	250	92
Contracts	271	246	17	8
Real Property	25	22	1	2
Torts	361	339	18	4
Civil Rights	254	220	24	10
Prisoner Petitions	521	385	112	24
Forfeiture/Penalty	8	8	0	0
Labor	211	204	5	2
Immigration	3	3	0	0
Intellectual Property Rights	51	50	1	0
Social Security	279	173	68	38
Tax Suits	5	5	0	0
Bankruptcy	8	8	0	0
Other Statutes	337	329	4	4
Civil Cases Closed by Type	2,420	2,084	219	117
Contracts	239	218	12	9
Real Property	31	26	2	3
Torts	536	514	21	1
Civil Rights	240	207	21	12
Prisoner Petitions	500	365	113	22
Forfeiture/Penalty	13	13	0	0
Labor	216	210	4	2
Immigration	2	2	0	0
Intellectual Property Rights	50	49	0	1
Social Security	278	175	38	65
Tax Suits	6	5	1	0
Bankruptcy	14	14	0	0
Other Statutes	295	286	7	2
Civil Cases Pending by Type	3,557	3,295	183	79
Contracts	223	203	15	5
Real Property	18	17	0	1
Torts	1,848	1,828	15	5
Civil Rights	207	182	16	9
Prisoner Petitions	550	478	55	17
Forfeiture/Penalty	9	9	0	0
Labor	156	151	5	0
Immigration	2	2	0	0
Intellectual Property Rights	41	40	1	0
Social Security	283	173	70	40
Tax Suits	3	3	0	0
Bankruptcy	4	4	0	0
Other Statutes	213	205	6	2
Performance Measures				
Average Age of Pending Cases	27.7 months	29.3 months	8.7 months	8.6 months
Clearance Rate	1.04	1.05	0.88	1.27
Mean Time to Disposition	12.6 months	13.1 months	8.9 months	11.2 months
Mean Time to Disposition (5% trimmed) ³	11.3 months	11.8 months	8.4 months	11.0 months
Median Time to Disposition	8.2 months	8.2 months	4.5 months	11.5 months
Inventory Control Index	17.6 months	19.0 months	10.0 months	8.1 months

1. Total civil case filings include sealed civil cases, Multidistrict Litigation transfer cases, and reopened cases.
2. New civil case filings include sealed civil cases and MDL transfer cases, but exclude reopened cases.
3. 5% trimmed mean excludes the lowest and highest 2.5% of disposition times from the calculation of the mean.

APPENDIX C

2015 Civil Caseload Report – II				
	District	St. Louis	Cape Girardeau	Hannibal
Total MDL Transfer Case Filings¹	33	33	0	0
MDL 1811	1	1		
MDL 1964	9	9		
MDL 2470	3	3		
MDL 2562	20	20		
Pro Se Filings by Type	623	505	94	24
Self-Represented (SR)	141	118	21	2
Contracts	3	3		
Real Property	5	5		
Torts	9	8	1	
Civil Rights	83	70	12	1
Prisoner Petitions ²	21	16	4	1
Forfeiture/Penalty	0			
Labor	2	1	1	
Immigration	0			
Intellectual Property Rights	1	1		
Social Security	8	5	3	
Tax Suits	1	1		
Bankruptcy	0			
Other Statutes	8	8		
Self-Represented Prisoner (SRP)	468	347	101	20
Contracts	1	1		
Real Property	0			
Torts	0			
Civil Rights	2	2		
Prisoner Petitions	465	344	101	20
Forfeiture/Penalty	0			
Labor	0			
Immigration	0			
Intellectual Property Rights	0			
Social Security	0			
Tax Suits	0			
Bankruptcy	0			
Other Statutes	0			
Civil Cases Pending, by Type & Age	<1 Year	1 & 2 Years	2 & 3 Years	>3 Years
Total Civil Cases Pending	1,306	565	674	1012
Contracts	170	39	8	6
Real Property	12	2	1	3
Torts	168	220	507	953
Civil Rights	147	48	7	5
Prisoner Petitions	237	150	133	30
Forfeiture/Penalty	4	4	1	
Labor	114	28	8	6
Immigration	2			
Intellectual Property Rights	29	6	4	2
Social Security	245	38		
Tax Suits	2			1
Bankruptcy	3	1		
Other Statutes	173	29	5	6

1. MDL refers to Multidistrict Litigation. Counts include filings and transfers in, but do not include reopenings.
2. Prisoner petition cases include miscellaneous cases filed by non-prisoners attacking convictions, such as petitions for writ of coram nobis or audita querela.

APPENDIX D

2011-2015 Alternative Dispute Resolution Activity Report					
Civil Case Categories	2011	2012	2013	2014	2015
Referrals to ADR					
Contracts	117	117	86	86	90
Real Property	7	14	4	7	9
Torts	92	124	93	64	76
Civil Rights	116	152	123	92	112
Labor	38	48	61	55	57
Intellectual Property Rights	24	22	18	18	13
Tax Suits	2	3	1	1	0
Other	43	58	68	56	60
Total	439	538	454	379	417
ADR Settlement Rate					
Contracts	51%	34%	43%	43%	41%
Real Property	100%	57%	25%	80%	50%
Torts	51%	42%	49%	52%	48%
Civil Rights	54%	47%	42%	53%	57%
Labor	35%	59%	59%	69%	59%
Intellectual Property Rights	45%	46%	47%	38%	20%
Tax Suits	0%	0%	0%	0%	N/C
Other	39%	28%	32%	50%	40%
Total	50%	42%	45%	52%	48%

APPENDIX E

Alternative Dispute Resolution Participant Survey Results – through December 31, 2015					
Survey Question	Response Category				
	Plaintiff		Defendant	Other	
Relationship to the case	40%		53%	7%	
Type of case	Contract Dispute	Personal Injury	Property Damage	Employment	Other
	17%	10%	2%	47%	25%
Number of prior mediation experiences	None	1-3	4-6	7-9	10+
	39%	22%	3%	2%	35%
Case resolved in mediation	Yes		In part	No	
	52%		5%	43%	
Mediation increased prospect of future resolution	Yes		No	NA / Resolved	
	28%		33%	40%	
Satisfaction with mediation	Very Satisfied	Fairly Satisfied	Somewhat Dissatisfied	Very Dissatisfied	
	48%	34%	12%	6%	
Effect of mediation on time spent pursuing this matter	Decrease time spent	No effect on time	Increase time spent	Not sure	
	41%	28%	13%	17%	
Mediator sufficiently explained mediation process	Yes		No		
	96%		4%		
Mediator treated {me} fairly	Yes		No		
	95%		5%		
Mediator adequately prepared to discuss case	Yes		Not sure	No	
	88%		7%	9%	
Mediator had appropriate level of expertise	Yes		No		
	90%		4%		
Mediator permitted you/your attorney to fully explain your position	Yes		In part	No	
	94%		2%	4%	
Allowed to participate in mediation session as much as {I} wanted	Yes		No		
	87%		3%		
Mediator discussed strengths/weaknesses of case	Yes		No		
	91%		9%		
Mediator recommended how to achieve a settlement	Yes		No		
	85%		15%		
Mediator was persistent in moving to a resolution	Yes		No		
	85%		15%		
Felt unfairly pressured to settle by the mediator	Yes		No		
	8%		92%		
Overall satisfaction with the mediator	Very Satisfied	Fairly Satisfied	Somewhat Dissatisfied	Very Dissatisfied	
	73%	17%	7%	3%	
Would use mediator again or recommend to others	Yes		No		
	88%		12%		
Would use mediation again or recommend to others	Yes		No		
	91%		9%		

APPENDIX F

2015 Criminal Caseload Report – I				
	District	St. Louis	Cape Girardeau	Hannibal
Total Criminal Case Filings ¹	636	508	128	0
Felony Case Filings	580	484	96	
Misdemeanor Case Filings	56	24	32	
Criminal Case Filings by Offense	636	508	128	0
Homicide	0			
Robbery	4	1	3	
Assault	1	1		
Burglary, Breaking & Entering	0			
Larceny & Theft	38	34	4	
Embezzlement	3	3		
Fraud	99	93	6	
Auto Theft	0			
Forgery & Counterfeiting	3	3		
Sex Offenses	66	53	13	
Marijuana Drug Offenses	15	11	4	
Controlled Substances Offenses	92	71	21	
Other Miscellaneous General Offenses	265	220	45	
Immigration Laws	6	5	1	
Federal Statutes	44	13	31	
Criminal Cases Closed by Offense	483	374	109	0
Homicide	0			
Robbery	9	5	4	
Assault	4	4		
Burglary, Breaking & Entering	0			
Larceny & Theft	38	36	2	
Embezzlement	3	3		
Fraud	75	74	1	
Auto Theft	3	3		
Forgery & Counterfeiting	5	5		
Sex Offenses	46	42	4	
Marijuana Drug Offenses	16	6	10	
Controlled Substances Offenses	72	55	17	
Other Miscellaneous General Offenses	161	115	46	
Immigration Laws	11	10	1	
Federal Statutes	40	16	24	
Criminal Cases Pending by Offense	587	509	78	0
Homicide	0			
Robbery	6	3	3	
Assault	2	2		
Burglary, Breaking & Entering	0			
Larceny & Theft	22	20	2	
Embezzlement	3	3		
Fraud	101	94	7	
Auto Theft	0			
Forgery & Counterfeiting	4	4		
Sex Offenses	64	52	12	
Marijuana Drug Offenses	41	37	4	
Controlled Substances Offenses	96	83	13	
Other Miscellaneous General Offenses	223	195	28	
Immigration Laws	4	3	1	
Federal Statutes	21	13	8	

1. Criminal case filings include sealed criminal cases.

APPENDIX G

2015 Criminal Caseload Report – II				
	<1 Year	1 & 2 Years	2 & 3 Years	>3 Years
Criminal Cases Pending by Offense by	439	52	8	9
Homicide				
Robbery	4			1
Assault	1			
Burglary, Breaking & Entering				
Larceny & Theft	20	2		
Embezzlement	3			
Fraud	69	8		1
Auto Theft				
Forgery & Counterfeiting	2	1		
Sex Offenses	52	5		2
Marijuana Drug Offenses	11	4	2	3
Controlled Substances Offenses	66	15	3	
Other Miscellaneous General Offenses	195	17	3	1
Immigration Laws	1			1
Federal Statutes	15			
Criminal Caseload Performance Measures	District	St. Louis	Cape Girardeau	Hannibal
Average Age of Pending Cases ¹	7.8 months	7.7 months	8.0 months	-
Filed/Closed Ratio	0.76	0.74	0.85	-
Mean Time to Disposition	10.1 months	10.8 months	7.7 months	-
Mean Time to Disposition (5% trimmed) ²	9.1 months	9.7 months	7.3 months	-
Median Time to Disposition	8.0 months	8.3 months	6.2 months	-

1. Count begins with the case filing date. The count excludes cases in unassigned.
2. 5% trimmed mean excludes the lowest and highest 2.5% of disposition times from the calculation of the mean.

APPENDIX H

2015 Criminal Defendant Report				
	District	St. Louis	Cape Girardeau	Hannibal
Total Criminal Defendant Filings	851	712	139	-
Felony Defendant Filings	795	688	107	-
Misdemeanor Defendant Filings	56	24	32	-
Criminal Defendants Filed/Closed Ratio	0.78	0.76	0.89	-
Criminal Defendant Filings by Offense	851	712	139	-
Homicide	0			-
Robbery	5	1	4	-
Assault	1	1		-
Burglary, Breaking & Entering	0			-
Larceny & Theft	49	43	6	-
Embezzlement	3	3		-
Fraud	157	151	6	-
Auto Theft	0			-
Forgery & Counterfeiting	4	4		-
Sex Offenses	66	53	13	-
Marijuana Drug Offenses	42	38	4	-
Controlled Substances Offenses	176	148	28	-
Other Miscellaneous General Offenses	290	245	45	-
Immigration Laws	7	6	1	-
Federal Statutes	51	19	32	-
Criminal Defendants Closed by Offense¹	668	544	124	-
Homicide	0			-
Robbery	15	6	9	-
Assault	4	4		-
Burglary, Breaking & Entering	0			-
Larceny & Theft	40	38	2	-
Embezzlement	8	8		-
Fraud	106	102	4	-
Auto Theft	24	24		-
Forgery & Counterfeiting	7	7		-
Sex Offenses	46	42	4	-
Marijuana Drug Offenses	31	21	10	-
Controlled Substances Offenses	152	132	20	-
Other Miscellaneous General Offenses	179	129	50	-
Immigration Laws	12	11	1	-
Federal Statutes	44	20	24	-
Criminal Defendants Pending by Offense	824	740	84	-
Homicide	0			-
Robbery	6	3	3	-
Assault	2	2		-
Burglary, Breaking & Entering	0			-
Larceny & Theft	33	29	4	-
Embezzlement	11	11		-
Fraud	147	140	7	-
Auto Theft	0			-
Forgery & Counterfeiting	5	5		-
Sex Offenses	63	52	11	-
Marijuana Drug Offenses	74	70	4	-
Controlled Substances Offenses	215	197	18	-
Other Miscellaneous General Offenses	239	211	28	-
Immigration Laws	4	3	1	-
Federal Statutes	25	17	8	-

1. Defendants whose probation/supervised release were revoked during the reporting period are not included in the closed defendants' totals.
2. Pending counts by offense category do not include one defendant in a criminal contempt case in the Eastern Division.

APPENDIX I

2015 Trial Starts and Completions Report													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2015
Civil Trial Starts													
Jury	0	5	0	2	1	2	2	1	2	0	3	2	20
Bench	1	0	0	1	0	1	0	1	0	0	1	0	5
Total	1	5	0	3	1	3	2	2	2	0	4	2	25
Civil Trials Completed													
Jury	0	4	1	2	1	1	2	1	2	0	2	3	19
Bench	1	0	0	1	0	1	0	1	0	0	1	0	5
Total	1	4	1	3	1	2	2	2	2	0	3	3	24
Criminal Trial Starts													
Jury	1	1	1	2	2	1	0	2	1	1	0	0	12
Bench	0	0	0	0	0	1	0	0	0	0	0	1	2
Total	1	1	1	2	2	2	0	2	1	1	0	1	14
Criminal Trials Completed													
Jury	1	1	1	2	2	1	0	2	1	1	0	0	12
Bench	0	0	0	0	0	1	0	0	0	0	0	1	2
Total	1	1	1	2	2	2	0	2	1	1	0	1	14
Total Trial Starts													
Jury	1	6	1	4	3	3	2	3	3	1	3	2	32
Bench	1	0	0	1	0	2	0	1	0	0	1	1	7
Total	2	6	1	5	3	5	2	4	3	1	4	3	39
Total Trials Completed													
Jury	1	5	2	4	3	2	2	3	3	1	2	3	31
Bench	1	0	0	1	0	2	0	1	0	0	1	1	7
Total	2	5	2	5	3	4	2	4	3	1	3	4	38

2015 Lengths of Civil and Criminal Trials Completed							
	1 Day	2 Days	3 Days	4-9 Days	10-19 Days	20+ Days	Total
Civil Trials (jury & bench)	3	7	6	7	1	1	25
Criminal Trials (jury & bench)	5	5	1	3	0	0	14
Total	8	12	7	10	1	1	39

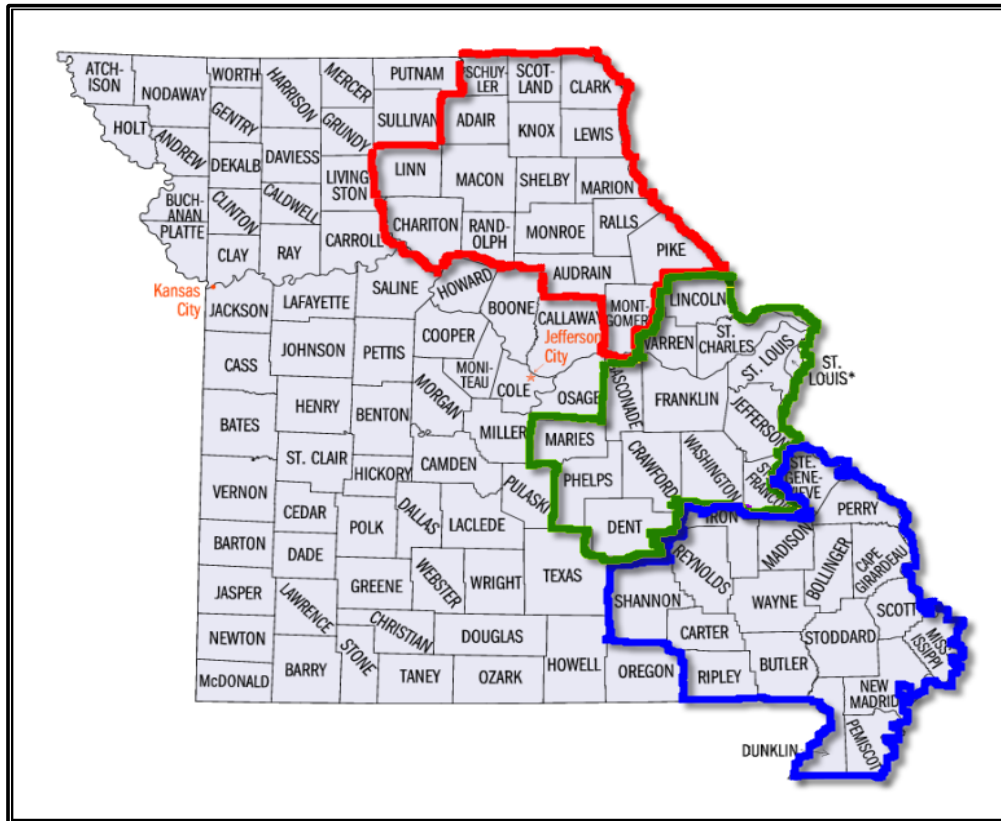
APPENDIX J

2015 Juror Usage Report					
	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	2015
Juror Utilization Statistics					
Civil Juries	5	3	4	5	17
Criminal Juries	3	5	3	1	12
Total Number of Jurors	263	321	295	152	1,031
Selected (S)	78	89	70	51	288
Challenged (C)	144	165	131	65	505
Participated in Voir Dire	8	24	74	34	140
Did not Participate in Voir Dire	33	43	20	2	98
Juror Usage Performance Measures					
Jurors not S/C who participated in Voir Dire	3%	7%	25%	22%	14%
Jurors not S/C who did not participate in Voir Dire	13%	13%	7%	1%	10%
Jurors participated in Voir Dire	87%	87%	93%	99%	90%
Juror Utilization (NSSC)	16%	21%	32%	24%	23%

1. *Effective juror utilization, as defined by the Judicial Conference of the United States, is thirty percent or less of jurors not selected, serving, or challenged (NSSC) on the first day of service. The NSSC statistic is calculated for each court by combining the percentage of prospective jurors who did not participate in voir dire and the percentage in voir dire that were neither selected nor challenged on the first day of service.*

APPENDIX K

United States District Court, Eastern District of Missouri Jurisdiction(s)



EASTERN DIVISION

CRAWFORD
DENT
FRANKLIN
GASCONADE
JEFFERSON
LINCOLN
MARIES
PHELPS
ST. CHARLES
ST. FRANCOIS
ST. LOUIS CITY
ST. LOUIS COUNTY
WARREN
WASHINGTON

NORTHERN DIVISION

ADAIR
AUDRAIN
CHARITON
CLARK
KNOX
LEWIS
LINN
MACON
MARION
MONROE
MONTGOMERY
PIKE
RALLS
RANDOLPH
SCHUYLER
SCOTLAND
SHELBY

SOUTHEASTERN DIVISION

BOLLINGER
BUTLER
CAPE GIRARDEAU
CARTER
DUNKLIN
IRON
MADISON
MISSISSIPPI
NEW MADRID
PEMISCOT
PERRY
REYNOLDS
RIPLEY
SCOTT
SHANNON
STE.GENEVIEVE
STODDARD
WAYNE

SERVING THE PUBLIC, THE BENCH AND THE BAR IN 2015

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI
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