




United States Courts
for the Ninth Circuit

2023 Annual Report





**The Office of the Circuit Executive
would like to acknowledge the following
for their contributions to the
2023 Ninth Circuit Annual Report:**

**The Honorable Mary H. Murguia
Chief Judge, U.S. Court of Appeals for the Ninth Circuit**

**The Honorable Johnnie B. Rawlinson
Circuit Judge, U.S. Court of Appeals for the Ninth Circuit**

**The Honorable Brian Morris
Chief District Judge, U.S. District Court, District of Montana**

**The Honorable Dale A. Drozd
District Judge, U.S. District Court, Eastern District of California**

**The Honorable August B. Landis
Chief Bankruptcy Judge, U.S. Bankruptcy Court, District of Nevada**

Molly C. Dwyer, Clerk of Court, U.S. Court of Appeals for the Ninth Circuit

**Susan Y. Soong, Circuit Executive
Office of the Circuit Executive, U.S. Courts for the Ninth Circuit**

Susan M. Spraul, Clerk, Ninth Circuit Bankruptcy Appellate Panel

**Debra D. Lucas, District Court Executive and Clerk of Court
U.S. District Court, District of Arizona**

John P. Morrill, Clerk of Court, U.S. District Court, Southern District of California

Brian Farren, Chief U.S. Probation Officer, District of Montana

Silvio Lugo, Chief U.S. Pretrial Services Officer, Northern District of California

Jon Sands, Federal Public Defender, District of Arizona

**Jodi L. Kruger, Circuit Librarian
U.S. Courts for the Ninth Circuit**

The Judicial Council of the Ninth Circuit

Mission Statement

The mission of the Judicial Council of the Ninth Circuit is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts within the circuit. To do so, it will promote the fair and prompt resolution of disputes, ensure the effective discharge of court business, prevent any form of invidious discrimination, and enhance public understanding of, and confidence in, the judiciary.



Chief Circuit Judge Mary H. Murguia, Chair
Senior Circuit Judge Michael Daly Hawkins
Circuit Judge Morgan Christen
Circuit Judge Eric D. Miller
Circuit Judge Jacqueline H. Nguyen
Circuit Judge Bridget S. Bade
Chief District Judge Philip S. Gutierrez
Chief District Judge Miranda M. Du
Chief District Judge G. Murray Snow
Chief District Judge Stanley A. Bastian
Senior District Judge Timothy M. Burgess

District Judge Leslie E. Kobayashi
District Judge Cathy Ann Bencivengo
Chief District Judge David C. Nye
Chief Bankruptcy Judge August B. Landis
Magistrate Judge Kendall J. Newman
District Court Clerk Ravi Subramanian
Bankruptcy Court Clerk Janet J. Stafford
Chief Probation Officer Brian Farren
Chief Pretrial Services Officer Silvio Lugo

*Membership as of December 31, 2023

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Chief Judge Mary H. Murguía

Message from the Chief

The 2023 Ninth Circuit Annual Report profiles federal courts in the nine most western states, including Alaska, Hawaii, the Commonwealth of the Northern Mariana Islands and the U.S. Territory of Guam.

Looking back on 2023, I continue to be impressed with the commitment of all those working for and with the Ninth Circuit to support the administration of justice in the West. My role as chief judge allows me the profound honor of serving the Ninth Circuit in multiple respects. I chair both the Executive Committee of the U.S. Court of Appeals for the Ninth Circuit and the Judicial Council of the Ninth Circuit, represent the Ninth Circuit at meetings of the Judicial Conference of the United States (JCUS), and serve as presiding judge of the 11-judge en banc court. My role also gives me the opportunity to report on the venerable work of our circuit.

In 2023, it was with great regret that we saw the passing of several judges throughout the circuit, including Associate Justice Sandra Day O'Connor (Ret.), of the U.S. Supreme Court. Justice O'Connor died on December 1, 2023, in Phoenix at the age of 93. She was the first woman appointed to the Supreme Court, and she retired in 2006 after serving more than 24 years. Please see the appreciation of how she touched the lives of many still serving in the Ninth Circuit on page 23. A tribute to all the Ninth Circuit judges who died in 2023 starts on page 20.

This report offers detailed statistical summaries of the work of judges and judiciary staff in 2023 and emphasizes important events and trends in our courts. Unless otherwise noted, statistics in this report cover fiscal year 2023, ending September 30.

Our court of appeals continued to be the nation's busiest federal appellate court, accounting for 19.5% of all new appeals nationally, with 7,784 appeals, down 9.1% from fiscal year 2022. There were 55,933 new

filings in our district courts, up 7.1% from fiscal year 2022. Bankruptcy filings in the circuit numbered 66,568, up 13.3% from the previous year, ending a three-year downward trend and slightly more than the national increase of 13% in bankruptcy filings.

Additionally, judicial appointments continued through December. We extend a warm welcome to the judges appointed in 2023—Circuit Judges Ana de Alba and Anthony D. Johnstone; District Judges Amanda K. Brailsford, Daniel J. Calabretta, Tiffany M. Cartwright, Kymberly K. Evanson, Wesley L. Hsu, Kenly Kiya Kato, Rita F. Lin, Araceli Martínez-Olguín, Adrienne C. Nelson, P. Casey Pitts, Monica Ramírez Almadani, Andrew G. Schopler, James E. Simmons Jr., Hernán D. Vera, and Jamal N. Whitehead; Bankruptcy Judge Hilary Barnes; and Magistrate Judges Michael A. Ambri, Alison S. Bachus, David T. Bristow, Stephanie S. Christensen, Steve B. Chu, Peter H. Kang, Grady J. Leupold, Angela M. Martinez, Brianna Fuller Mircheff, Michelle M. Pettit, A. Joel Richlin and Valerie E. Torres. Their photos and biographies are available starting on page 8 of this report.

Eight Ninth Circuit judges continue to sit on seven of the standing committees of the Judicial Conference of the United States, including Richard A. Paez, Committee on the Administration of the Bankruptcy System; Mark J. Bennett, Committee on Criminal Law; Morgan Christen, Committee on Federal-State Jurisdiction; M. Margaret McKeown, Committee on Judicial Conduct and Disability; Jay S. Bybee, Chair, and Sidney R. Thomas, Advisory Committee on Appellate Rules; Daniel A. Bress, Advisory Committee on Bankruptcy Rules; and Jacqueline H. Nguyen, Advisory Committee on Criminal Rules.

As part of our ongoing commitment to evolving technology, the Ninth Circuit has been working with the Second Circuit on a prototype for a state-of-the-art case-management system that will assist the Administrative Office of the U.S. Courts (AO) in developing a national replacement for CM/ECF. Our court has opened over 10,000 cases in the new system since the initial limited rollout in 2021, and we now are opening all new cases in that system. Both courts are committed to further enhancing this system to help sunset CM/ECF completely.

The Trial Improvement Committee (TIC) reviewed methods to convert and transmit electronic evidence to the court of appeals. Together, the TIC and Information Technology Committee formed the Ad Hoc Committee on Electronic Trial Exhibits to evaluate the best way to convert physical trial exhibits into electronic exhibits, among other issues. The TIC also helped develop a panel at the 2023 Ninth Circuit Judicial Conference focused on jury empanelment.

The Ninth Circuit's Opportunity and Equality Committee (O&E Committee) continues to consider diversity in chambers. The Law Clerk Diversity Subcommittee of the O&E Committee created a video now posted on the [Ninth Circuit YouTube page](#) that has drawn over 2,000 views.

The Magistrate Judge Diversity Subcommittee has collected magistrate judge applicant information in various districts and will use that information, including demographic information, to propose ways to improve recruitment going forward.

The Space and Facilities Unit of the Office of the Circuit Executive worked to confirm space for the judiciary's most recent additions and helped coordinate security installations for new projects and continuing occupancies. Over the past decade, space reduction efforts by court units within the Ninth Circuit have yielded more than \$13 million in annual rent savings. Projects under development could lead to an additional \$2 million in annual savings. The circuit continues to pursue funding for other major renovation projects in coordination with the General Services Administration. The full Space and Facilities Unit report is on page 56.

Our dedicated librarians fielded more than 7,000 research inquiries in 2023. They have also been immensely valuable to the court's understanding of artificial intelligence. The full report is on page 46.

The Public Information and Community Outreach (PICO) Committee continued its innovative outreach efforts in civics education and community engagement. Winners of the 2023 Ninth Circuit Civics Contest for high school students – themed “The 28th Amendment—What Should Our Next Amendment Be?” – can be found on the civics contest [website](#). Prizes ranged from \$1,000 to \$3,000. Our dedicated civics coordinators worked diligently to facilitate outreach events in various forms, including teachers' institutes and mock trials at our courthouses.

The 2023 Ninth Circuit Judicial Conference in Portland brought together judges and lawyers from around the circuit. Highlights included a visit by U.S. Supreme Court Justice Elena Kagan. Of note, the Conference hosted a one-hour session with the executive board of the Affiliated Tribes of Northwest Indians; 10 tribal judges, almost all of them chief judges; and 32 U.S. district judges, including U.S. District Judge Diane J. Humetewa, of the District of Arizona and chair of the Ninth Circuit's Ad Hoc Committee on Tribal and Native Relations. Judge Humetewa—an enrolled member of the Hopi Tribe—is the first Native American woman to serve as a federal judge.

Over a dozen of our judges received awards for their exceptional service, leadership, and commitment to our justice system. See page 29 for a complete listing of awards. Many judges in the Ninth Circuit also participated in programs aimed at helping defendants reintegrate in society, and this work does not go unnoticed.

The Appellate Lawyer Representatives conducted several meetings throughout the year, giving circuit judges a chance to hear more about practice-related issues. The Ninth Circuit's Lawyer Representatives Coordinating Committee and lawyer volunteers circuit-wide have shown their commitment to providing meaningful pro bono service. Their efforts make a vital difference in the lives of veterans, elders, asylum seekers, and women and children. See page 51 for the pro bono efforts around the Ninth Circuit in 2023.

Finally, I extend my sincere thanks to all our judges, staff, and lawyer representatives for their commitment to the administration of justice in the Ninth Circuit. I look forward to continuing our work together. 🌱

Ninth Circuit Overview

The United States Courts for the Ninth Circuit comprises the U.S. Court of Appeals for the Ninth Circuit, the federal district and bankruptcy courts within its 15 judicial districts and associated administrative units that provide various services to the courts.


The Ninth Circuit encompasses Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington state, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. It includes the U.S. Court of Appeals for the Ninth Circuit and the federal trial and bankruptcy courts in the 15 judicial districts within the circuit. The establishment of the Ninth Circuit in 1866 began the development of the federal judicial system for the western United States. It continues to be the busiest and largest federal circuit in the nation.

Judges serving on the court of appeals and district courts are known as Article III judges, a reference to the article in the U.S. Constitution establishing the federal judiciary. Nominated by the president and confirmed by the U.S. Senate, Article III judges serve lifetime appointments upon good behavior. The U.S. Court of Appeals for the Ninth Circuit Court is authorized 29 judgeships and ended calendar year 2023 with all of its authorized judgeships filled. The district courts were authorized 112 judgeships, eight of which were vacant at year's end.

Federal courts also rely on senior circuit and senior district judges to assist with their workload. These are Article III judges who are eligible to retire but have chosen to continue working with reduced caseloads. On the Ninth Circuit Court of Appeals, 22 senior circuit judges were at work for most of the year, sitting on motions and merits panels, submitting briefs, serving on circuit and national judicial committees, and performing a variety of administrative matters. In the district courts throughout the circuit, 80 senior judges were at work, hearing cases, presiding over procedural matters, serving on committees and conducting other business in FY 2023.

In addition to Article III judges, the federal bench includes Article I judges, who serve as magistrate judges in the district courts and bankruptcy judges in the bankruptcy courts. Bankruptcy judges are appointed by judges of the courts of appeals and serve terms of 14 years. Magistrate judges are appointed by the judges of each district court and hold their positions for eight years. Bankruptcy and magistrate judges may be reappointed after the court conducts a performance review and considers public comment evaluations.

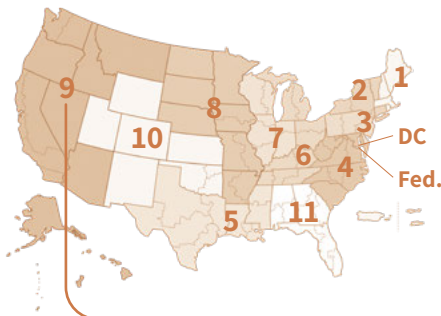
In 2023, bankruptcy courts in the Ninth Circuit were authorized 68 permanent and one temporary judgeship. The district courts were authorized 106 full-time and six part-time magistrate judges, and one combined position of part-time magistrate judge/clerk of court. Several courts also have recalled bankruptcy and recalled magistrate judges, who are retired but consented to return to the bench for a specified period of time to assist when courts are experiencing an increase in workload.

Overall, the U.S. Court of Appeals for the Ninth Circuit saw its caseload decrease. Total filings in district courts and bankruptcy courts in the circuit were up in fiscal year 2023. Unless otherwise noted, statistics in this report cover FY 2023 ending September 30. 



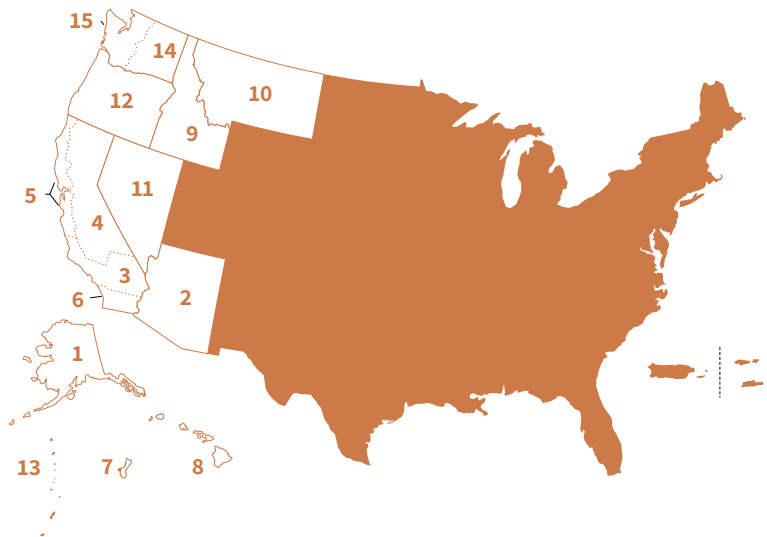
COURTS OF APPEALS

12 Regional Circuits + Federal Circuit



NINTH CIRCUIT

15 Districts



- | | | |
|------------------------------|------------------------------|------------------------------------|
| 1 Alaska | 6 Southern California | 11 Nevada |
| 2 Arizona | 7 Guam | 12 Oregon |
| 3 Central California | 8 Hawaii | 13 Northern Mariana Islands |
| 4 Eastern California | 9 Idaho | 14 Eastern Washington |
| 5 Northern California | 10 Montana | 15 Western Washington |

Ninth Circuit Article III & Article I Judges

Authorized Judgeships as of December 31, 2023

Circuit Judges

29

District Judges

112
8 Vacancies

Bankruptcy Judges

68 Permanent
1 Temporary

Magistrate Judges

106 Full-time
6 Part-time
1 Combination*

* The District of Northern Mariana Islands is authorized a combined magistrate judge/clerk of court position.

Judicial Council, Advisory Groups & Administration

The Judicial Council of the Ninth Circuit is the governing body for federal district and bankruptcy courts in nine western states and two Pacific island jurisdictions. The judicial council's statutory mission is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts. It has statutory authority to "make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit," [28 U.S.C. § 332(d)(1)].

The judicial council also has been delegated responsibilities by the Judicial Conference of the United States, the national governing body for the federal courts. These responsibilities include authorizing senior judge staffing levels and pay and managing the judicial misconduct complaint process.

The judicial council is chaired by the chief judge of the circuit and relies on advisory groups and committees to accomplish its governance goals. Chairs of five advisory groups attend council meetings as observers.

In 2023, the Judicial Council of the Ninth Circuit had two new voting members and eight new observers. New voting members are Circuit Judge Bridget S. Bade and Chief District Judge Stanley A. Bastian, Eastern District of Washington. New observers are Chief District Judge David C. Nye of the District of Idaho, Chief Bankruptcy Judge August B. Landis of the District of Nevada, District Judge Cathy A. Bencivengo of the Southern District of California, Magistrate Judge Kendall J. Newman of the Eastern District of California, District Court Clerk Ravi Subramanian of the Western District of Washington, Bankruptcy Court Clerk Janet Stafford of the District of Alaska, Chief Probation Officer Brian Farren of the District of Montana and Chief Pretrial Services Officer Silvio Lugo of the Northern District of California.

Under the Rules for Judicial-Conduct and Judicial-Disability proceedings, the Judicial Council of the Ninth Circuit considers petitions for review of the chief judge's orders in judicial misconduct complaints. In 2023, there were six petitions for review filed, two of which were resolved by the

judicial council at year's end. Additionally, the judicial council resolved six petitions for review that were received in 2022.

Conference of Chief District Judges

The Conference of Chief District Judges advises the Judicial Council of the Ninth Circuit regarding the administration of justice in the circuit's 15 district courts. The conference, which meets twice a year, is comprised of the chief district judges of each district. Chief District Judge David C. Nye, of the District of Idaho, succeeded Chief District Judge G. Murray Snow, of the District of Arizona, as chair on Jan. 1, 2023.

Conference of Chief Bankruptcy Judges

The Conference of Chief Bankruptcy Judges advises the Judicial Council of the Ninth Circuit on the administration of bankruptcy courts within the circuit. The conference, which also meets two to three times per year, consists of chief bankruptcy judges from each district, the chief bankruptcy judge of the Ninth Circuit Bankruptcy Appellate Panel and a recalled bankruptcy judge representative. Chief Bankruptcy Judge Benjamin P. Hursh, of the District of Montana, served as chair of the conference in 2023. Chief Bankruptcy Judge August B. Landis, of the District of Nevada, succeeded Judge Hursh as chair on Oct. 1, 2023.

Magistrate Judges Executive Board

The Magistrate Judges Executive Board communicates to the Judicial Council of the Ninth Circuit on behalf of 125 full-time, part-time and recalled magistrate judges serving in the district courts. The 15-member board meets twice a year and holds a session with all magistrate judges at the Ninth Circuit Judicial Conference. Magistrate Judge Kendall J. Newman of the Eastern District of California succeeded Magistrate Judge/Clerk of Court Heather L. Kennedy, of the District of Northern Mariana Islands, as chair on Oct. 1, 2023.

Clerks of Court

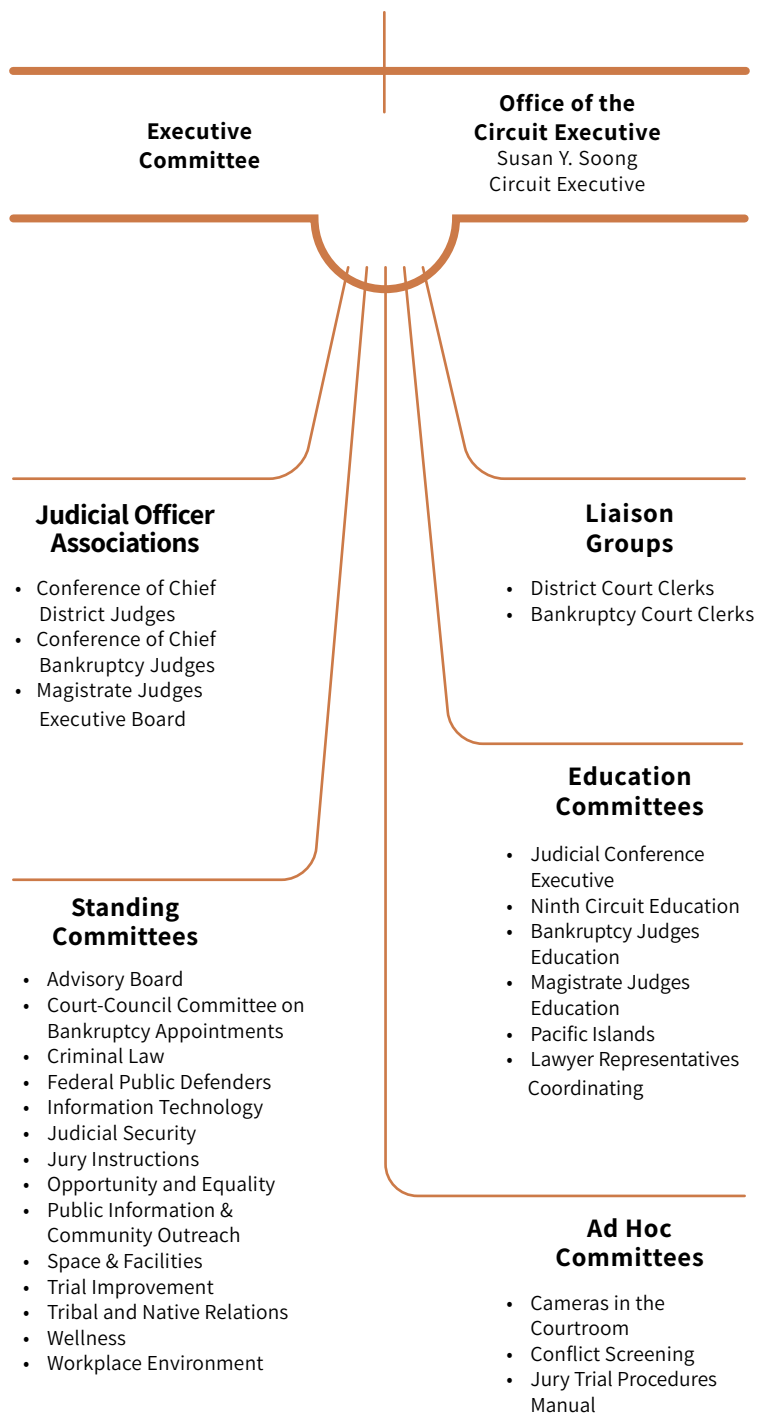
Daily management of the courts rests with the chief judges and clerks and/or district executives of the court of appeals and each of the district and bankruptcy courts of the circuit. The clerks' offices process new cases and appeals, handle docketing functions, respond to procedural questions from the public and bar and ensure adequate judicial staff resources. The clerk of the court for the court of appeals also supervises the work of the Circuit Mediation Office and the Office of the Staff Attorneys, which includes the research, motions, case management and pro se litigation units. The Office of the Appellate Commissioner, also in the Office of the Clerk for the U.S. Court of Appeals for the Ninth Circuit, reviews Criminal Justice Act vouchers for cases that come before the court of appeals.

Associated Court Units

Ninth Circuit courts also rely on several critical court-related agencies to ensure the fair administration of justice. The district courts maintain oversight of U.S. Probation and Pretrial Services offices. Pretrial services officers are responsible for background investigations and reports on defendants awaiting trial, while probation officers supervise persons convicted of federal crimes after their release into the community. Federal public defender offices are staffed by federal judiciary employees, and community defender organizations are nonprofit organizations staffed by nongovernment employees. By statute, judges of the courts of appeals select and appoint the federal public defender, while community defenders are appointed by members of the board of directors

Judicial Council of the Ninth Circuit

Chief Judge Mary H. Murguía



in their organization. All but one judicial district in the circuit is served by either federal public defenders or community defenders, who represent financially eligible defendants unable to afford private counsel. Such defendants in the District of Northern Mariana Islands are represented by private attorneys provided by the District of Guam and paid through the federal Criminal Justice Act.

Circuit Libraries

The Ninth Circuit Library System assists judges, attorneys, court staff and the public through a network of 22 law libraries housed in courthouses throughout the western states. The primary mission of court librarians is to provide research services to judges and their staff. Research librarians assist law clerks on case-related research by providing guidance and recommendations, offering training opportunities and performing direct research on more complex topics. Ninth Circuit librarians conduct research to assist court executives and judges in the administration of local courts and on matters involving committees of the Judicial Council of the Ninth Circuit and the Judicial Conference of the U.S. They also produce a range of publications and guides to inform the court community and increase the efficiency of court researchers. Library resources are made available to the bar and public with the level of access determined by local judges.

Office of the Circuit Executive


The Office of the Circuit Executive provides staff support to the Judicial Council of the Ninth Circuit and implements the council's administrative decisions and policies. By statute, the circuit executive is the administrative assistant to the chief judge of the circuit and secretary to the judicial council. The circuit executive and her staff assist in identifying circuit-wide needs; conducting studies; developing and implementing policies; and providing education programming, public information and human resources support. Circuit executive staff also coordinates building and information technology

projects and advises the council on procedural and ethical matters. The Office of the Circuit Executive provides management and technical assistance to courts within the circuit upon request. It also administers the Ninth Circuit Judicial Conference.

Office of Workplace Relations

The Office of Workplace Relations serves as a resource on workplace environment matters for the Ninth Circuit. The office implements and provides guidance on the Employment Dispute Resolution (EDR) Policy and all other related workplace policies. Office staff serves as a contact for employees who experience or witness workplace misconduct and wish to discuss or report such workplace misconduct. The office also consults with judges, court unit executives and staff on workplace environment issues and concerns and provides support and expert advice on diversity, equity and inclusion matters. The office oversees the development and execution of training programs on workplace relations and conduct for judges and employees.

Lawyer Representatives

Judges of the Ninth Circuit Court of Appeals and of each of the 15 district courts of the circuit appoint lawyer representatives. Lawyer representatives serve as a liaison between the federal bench and bar, fostering open communications between judges and lawyers and providing support and advice in the functioning of the courts within the circuit. Attorneys serving as lawyer representatives work closely with district, bankruptcy and magistrate judges in their home districts. They participate as members on various committees and help plan local district conferences, often serving as speakers or facilitators. Lawyer representatives also help plan the Ninth Circuit Judicial Conference, which is convened "for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit," pursuant to 28 U.S.C. § 333. 

Judicial Transitions

Circuit Judges



Ana de Alba was confirmed by the U.S. Senate to serve as a circuit judge for the U.S. Court of Appeals for the Ninth Circuit on Nov. 13, 2023, and received her judicial commission on Nov. 15, 2023. She is the fourth woman of Hispanic

descent appointed to the court. Before her appointment to the appellate bench, Judge de Alba was appointed a district judge for the U.S. District Court for the Eastern District of California in July 2022, when she became the first Latina appointed to that court. Prior to joining the federal bench, Judge de Alba served as a California Superior Court judge in Fresno County from 2018 to 2022. She was an adjunct professor for the San Joaquin College of Law in Clovis, California, in 2021. She began her legal career in 2007 as an associate and then as a partner in 2013 at Lang Richet & Patch. Born in Merced, California, Judge de Alba received her B.A., with highest honors, from U.C. Berkeley in 2002 and her J.D. from the University of California Berkeley School of Law in 2007. She maintains chambers in Fresno.



Anthony D. Johnstone was confirmed by the U.S. Senate to serve as a circuit judge for the U.S. Court of Appeals for the Ninth Circuit on May 1, 2023, and received his judicial commission on May 5, 2023. Before joining the federal bench,

Judge Johnstone served as the Helen and David Mason Professor of Law and an affiliated professor of public administration at the University of Montana, Alexander Blewett III School of Law, in Missoula since 2011. Judge Johnstone also served as trial and appellate counsel in federal and state courts, including the Ninth Circuit and the Supreme Court of the United States, and with Johnstone PLLC. Previously, he served the Montana Department of Justice as state solicitor from 2008 to 2011 and assistant attorney general from 2004 to 2008. He entered private practice as an associate at Cravath, Swaine & Moore in New York from 2000 to 2003. Judge Johnstone received his B.A. from Yale University in 1995 and his J.D., with honors, from the University of Chicago Law School in 1999. Following law school, he clerked for the Honorable Sidney R. Thomas of the U.S. Court of Appeals for the Ninth Circuit in Billings, Montana, from 1999 to 2000. Judge Johnstone maintains chambers in Missoula.

District Judges



Amanda K. Brailsford was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the District of Idaho on May 4, 2023, and received her judicial commission on May 17, 2023. She is the first woman appointed as an Article III judge in the District of Idaho.

Prior to her appointment to the federal bench, Judge Brailsford was a judge on the Idaho Court of Appeals from 2019 to 2023. Previously, she was a founding partner at Andersen Banducci PLLC in Boise from 2013 to 2017. Judge Brailsford was an associate and then a partner at Holland & Hart LLP from 1995 to 2002 and from 2003 to 2013, respectively. Judge Brailsford received her B.A. from the University of Idaho, cum laude, in 1989 and her J.D., summa cum laude, from the University of Idaho College of Law in 1993. She clerked for the Honorable Thomas G. Nelson of the U.S. Court of Appeals for the Ninth Circuit from 1993 to 1995. Judge Brailsford maintains chambers in Boise.



Daniel J. Calabretta was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Eastern District of California on Feb. 16, 2023, and received his judicial commission on Feb. 21, 2023. He is the first out gay judge appointed to the court. Before joining the

federal bench, Judge Calabretta had served as California Superior Court judge in Sacramento County since 2019, when Governor Jerry Brown appointed him. He was reelected in November 2020 to a full six-year term beginning in January 2021. Judge Calabretta had been the presiding judge of the Juvenile Court since 2022. Prior to his appointment to the state bench, he was the deputy legal affairs secretary for the Office of the Governor in Sacramento from 2013 to 2019. Before joining the governor's office, he was deputy attorney general for the California Department of Justice, Office of the Attorney General, from 2008 to 2013. Judge

Calabretta was in private practice as an associate at Munger, Tolles & Olson LLP in San Francisco from 2005 to 2008. He maintains chambers in Sacramento.



Tiffany M. Cartwright was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Western District of Washington on July 12, 2023, and received her judicial commission on July 18, 2023. Prior to her appointment to the bench, Judge Cartwright had been a

partner since 2018 and an associate from 2014 to 2017 at MacDonald Hoague & Bayless in Seattle, where she served as pro bono local counsel from 2019 to 2021 to the Campaign Legal Center. Previously, she was an associate at Jenner & Block LLP in Chicago from 2012 to 2014. Judge Cartwright was a Haas Center for Public Service summer fellow in 2006 at Stanford University, where she received her B.A., with distinction and Phi Beta Kappa, in 2007. She received her J.D. in 2010 from Stanford Law School, where she was also a public interest fellow and co-editor in chief of the Stanford Law & Policy Review. Following law school, she clerked for the Honorable Dana Fabe of the Alaska Supreme Court and for the Honorable Betty Binns Fletcher of the U.S. Court of Appeals for the Ninth Circuit. Judge Cartwright maintains chambers in Tacoma.



Kymberly K. Evanson was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Western District of Washington on July 11, 2023, and received her judicial commission on July 18, 2023. Prior to joining the bench, Judge Evanson had been a

partner at Pacifica Law Group LLP in Seattle since 2015 and was an associate in 2011 when she joined the firm at its founding. Before joining Pacifica, she was an associate from 2009 to 2011 in the Appellate, Governmental and Constitutional Law Group of K&L Gates LLP (formerly Preston, Gates & Ellis) in Seattle.

District Judges continued

Judge Evanson received her B.A., magna cum laude, from Seattle University, in 1999 and her J.D., cum laude, in 2007 from Georgetown University Law Center, where she was an articles and notes editor of the Georgetown Journal of Gender and the Law. Following law school, she clerked for the Honorable Emmet G. Sullivan of the U.S. District Court for the District of Columbia from 2007 to 2008. She maintains chambers in Seattle.



Wesley L. Hsu was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Central District of California on May 3, 2023, and received his judicial commission on May 12, 2023. Prior to his appointment to the federal bench, Judge Hsu had been a judge on the Los

Angeles County Superior Court since 2017. He served as an assistant U.S. attorney in the U.S. Attorney's Office for the Central District of California from 2000 to 2017, including as deputy assistant U.S. attorney in 2017, executive assistant U.S. attorney from 2015 to 2017 and chief of the Cyber and Intellectual Property Crimes Section from 2008 to 2015. Judge Hsu was an associate at Gibson, Dunn and Crutcher LLP from 1997 to 2000. Judge Hsu received his B.A. from Yale University in 1993 and his J.D. from Yale Law School in 1996. After law school, he clerked for the Honorable Mariana R. Pfaelzer on the U.S. District Court for the Central District of California from 1996 to 1997. He maintains chambers in Los Angeles.



Kenly Kiya Kato was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Central District of California on Nov. 7, 2023, and received her judicial commission on Nov. 17, 2023. Before she was elevated as a district judge, Judge Kato had served as a magistrate judge

since 2014 for the U.S. District Court in the Central District of California, where she handled a wide variety of civil and criminal cases. Previously, she engaged in

private practice in 2004 until her appointment to the bench. From 1997 to 2003, Judge Kato served as a deputy federal public defender in the Office of the Federal Public Defender for the Central District of California. Judge Kato received her B.A., summa cum laude, from the University of California, Los Angeles, in 1993 and her J.D., cum laude, from Harvard Law School in 1996. Following law school, she clerked for the Honorable Robert M. Takasugi of the U.S. District Court for the Central District of California. She maintains chambers in Riverside.



Rita F. Lin was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Northern District of California on Sept. 19, 2023, and received her judicial commission on Oct. 4, 2023. She is the first Chinese American woman judge appointed to the court. Before

her appointment to the federal bench, Judge Lin had served as a judge on the Superior Court of California, County of San Francisco, since 2018. Prior to her appointment to the bench, she had served as an assistant U.S. attorney for the Northern District of California since 2014. Before that, she was a partner at Morrison & Foerster LLP in San Francisco, where she worked since 2004. Judge Lin received her B.A., magna cum laude, from Harvard College in 2000 and her J.D., magna cum laude, from Harvard Law School in 2003. Following law school, she clerked for the Honorable Sandra Lynch of the U.S. Court of Appeals for the First Circuit from 2003 to 2004. Judge Lin taught criminal procedure as an adjunct professor at the University of California College of the Law, San Francisco, (formerly UC Hastings) in 2021. She maintains chambers in San Francisco.



Araceli Martínez-Olguín was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Northern District of California on Feb. 28, 2023, and received her judicial commission on March 3, 2023. Prior to joining the bench, Judge Martínez-Olguín had worked for the

National Immigration Law Center since 2018. Previously, she was the managing attorney for the Immigrants' Rights Project, Community Legal Services in East Palo Alto, in East Palo Alto, California, from 2017 to 2018, and was an attorney for the U.S. Department of Education's Office of Civil Rights from 2016 to 2017. She also worked as a senior staff attorney, staff attorney, and Women's Rights Project Fellow for the American Civil Liberties Union in San Francisco and New York, from 2013 to 2015 and from 2006 to 2010, respectively. Judge Martínez-Olguín was a staff attorney for Legal Aid at Work (formerly Legal Aid Society– Employment Law Center) from 2010 to 2013. She received her A.B. from Princeton University, School of Public and International Affairs, in 1999 and her J.D. from the University of California, Berkeley School of Law, in 2004. Between college and law school, Judge Martínez-Olguín taught bilingual kindergarten in Oakland, California, as a member of Teach for America. Following law school, she clerked for the Honorable David Briones of the U.S. District Court for the Western District of Texas from 2004 to 2006. Judge Martínez-Olguín maintains chambers in San Francisco.



Adrienne C. Nelson was confirmed by the Senate to serve as a U.S. district judge for the U.S. District Court for the District of Oregon on Feb. 15, 2023, and received her judicial commission on Feb. 23, 2023. She is the first African American woman appointed to the court. Prior to her

appointment to the federal bench. Judge Nelson had served as the first African American justice appointed to the Oregon Supreme Court since 2018. From 2006 to 2018, she served as a circuit court judge on the

Multnomah County Circuit Court in Portland. Prior to taking the bench, she was a coordinator and senior attorney for Portland State University from 2004 to 2006 and was an adjunct professor at Lewis & Clark Law School from 2002 to 2005. Judge Nelson was in private practice as an associate attorney at Bennett, Hartman, Morris & Kaplan LLP from 1999 to 2004. From 1996 to 1999, she was a public defender with Multnomah Defenders, Inc., where she represented indigent defendants who were charged with state crimes in all manner of criminal cases. Judge Nelson received her B.A., summa cum laude, from the University of Arkansas at Fayetteville in 1989 and her J.D. from the University of Texas School of Law, Austin, in 1993. She maintains chambers in Portland.



P. Casey Pitts was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Northern District of California on June 14, 2023, and received his judicial commission on July 7, 2023. He is the first out gay judge appointed to the court.

Before joining the bench,

Judge Pitts had been a partner since 2017 at Altshuler Berzon LLP in San Francisco and was an associate at the firm from 2009 to 2016. His practice focused on complex impact and appellate litigation in federal and state courts on behalf of workers, labor unions, consumers, public entities and public interest organizations in cases involving constitutional law, employment discrimination, federal and state wage and hour and labor laws, class and collective actions, voting rights, antitrust law and intellectual property; legal advice work for public interest clients, including government entities and international and local labor unions; and representation of local labor unions in collective bargaining. Judge Pitts received his B.A., summa cum laude, from Yale University in 2003 and his J.D. from Yale Law School in 2008. After law school, he clerked for the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit from 2008 to 2009. Judge Pitts maintains chambers in San Jose.

District Judges continued



Monica Ramírez Almadani was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Central District of California on Nov. 9, 2023, and received her judicial commission on Nov. 21, 2023. Prior to her appointment to the bench, Judge Ramírez Almadani had been president

and CEO of Public Counsel since 2021. Previously she was a visiting assistant clinical professor of law at the University of California, Irvine School of Law, from 2019 to 2021; was a special counsel at Covington & Burling LLP, from 2017 to 2019; and was a special assistant attorney general in the California Attorney General's Office from 2015 to 2017. From 2009 to 2015, Judge Ramírez Almadani held various positions at the U.S. Department of Justice, including assistant U.S. attorney in the Office of the U.S. Attorney for the Central District of California from 2012 to 2015; deputy chief of staff and senior counsel to the deputy attorney general in Washington, D.C., from 2011 to 2012; and counsel to the assistant attorney general for the Civil Rights Division also in Washington, D.C., from 2009 to 2011. She worked for the national American Civil Liberties Union Foundation Immigrants' Rights Project, where she was a staff attorney from 2007 to 2009 and an Equal Justice Works Fellow from 2005 to 2007. Judge Ramírez Almadani received her B.A., magna cum laude, from Harvard University in 2001 and her J.D. from Stanford Law School in 2004. Following law school, she clerked for the Honorable Warren J. Ferguson on the U.S. Court of Appeals for the Ninth Circuit from 2004 to 2005. Judge Ramírez Almadani maintains chambers in Los Angeles.



Andrew G. Schopler was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Southern District of California on March 7, 2023, and received his judicial commission on March 10, 2023. Previously, Judge Schopler had served as a magistrate judge for the

Southern District of California since Sept. 30, 2016. Before his appointment to the federal bench, Judge Schopler was deputy chief of the Major Frauds and Special Prosecutions Section for the Office of the U.S. Attorney in San Diego from 2014 to 2016. He joined the office as an assistant U.S. attorney in 2004. Prior to that, he was an associate, from 1998 to 2003, then of counsel in 2004 for Rudolf Maher Widenhouse & Fialko PA in North Carolina. He spent the summer of 1998 as an assistant public defender in the Public Defender's Office for District 15B in Hillsborough, North Carolina, and was in private practice from 1997 to 1998 in Chapel Hill, N.C. Judge Schopler was a member of the Ninth Circuit's Lawyer Representatives Coordinating Committee from 2014 to 2016. Judge Schopler received his J.D., cum laude, from Harvard Law School in 1997 and his B.A., summa cum laude, from Dartmouth College in 1994. Judge Schopler joined the U.S. Army, California Army National Guard, in 2014 and holds the rank of major. In 2018, he deployed to Afghanistan and was awarded a Bronze Star. Since 2021, he has participated in Operation North Star helping evacuate U.S. citizens and endangered Afghan allies from Afghanistan. He maintains chambers in San Diego.



James E. Simmons Jr. was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Southern District of California on March 9, 2023, and received his judicial commission the following day. Before joining the federal bench, Judge Simmons had been a judge on

the California Superior Court, San Diego County, since 2017 and had been the supervising judge of the North County Branch of the San Diego Superior Court

since April 2022. From 2006 to 2017, he was a deputy district attorney for the San Diego District Attorney's Office and was a deputy city attorney for the San Diego City Attorney's Office in 2005. While at the district attorney's office, Judge Simmons directed the office's participation in Project LEAD (Legal Enrichment And Decision Making) which included presenting lessons at a local elementary school, a tour of the juvenile detention facility and a mock trial at the courthouse as well as lessons on budgeting, peer pressure, making good decisions, avoid joining gangs and encouraging students to succeed academically. Judge Simmons received his J.D. from Golden Gate University School of Law in 2004 and his B.A. from the University of California, Berkeley School of Law, in 2001. He maintains chambers in San Diego.



Hernán D. Vera was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Central District of California on June 13, 2023, and received his judicial commission on June 15, 2023. Prior to joining the federal bench, Judge Vera had been a superior court

judge since 2020 in the Juvenile Division of the California Superior Court, Los Angeles County, where he handled dependency cases at the Edelman Children's Court in Monterey Park, California. Before his appointment to the bench, he was a principal at Bird Marella P.C. in Los Angeles from 2015 to 2020. He was president and CEO, and directing attorney of the Consumer Law Project at Public Counsel in Los Angeles from 2008 to 2014 and from 2002 to 2008, respectively. Judge Vera was in private practice at O'Melveny & Myers LLP in Los Angeles, where he was counsel, 2000-2002, and associate, 1997-2000 and 1994-1995. From 1996 to 1997, he was a staff attorney with the Mexican American Legal Defense & Educational Fund. Judge Vera received his B.A., with distinction, from Stanford University in 1991 and his J.D. from the UCLA School of Law in 1994. He clerked for the Honorable Consuelo B. Marshall of the U.S. District Court for the Central District of California from 1995 to 1996. He maintains chambers in Los Angeles.



Jamal N. Whitehead was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Western District of Washington on Feb. 28, 2023, and received his judicial commission on March 14, 2023. Prior to his appointment to the bench, Judge Whitehead had been a

shareholder since 2018 and was an associate from 2016 to 2018 at Schroeter Goldmark & Bender in Seattle, where his practice involved civil litigation in state and federal courts, including individual and class action employment law matters and tort litigation. From 2014 to 2016, he was an assistant U.S. attorney in the Civil Division of the U.S. Attorney's Office for the Western District of Washington. He was a senior trial attorney from 2011 to 2014 and trial attorney in 2010 for the U.S. Equal Employment Opportunity Commission in Seattle, where he enforced federal employment discrimination laws, including Title VII of the 1964 Civil Rights Act and the Americans with Disabilities Act. He was an associate at Garvey Schubert Barer (now Foster Garvey), from 2007 to 2010, and was part of the firm's Commercial Litigation and Labor & Employment Law practice groups. He received his J.D. from the Seattle University School of Law in 2007 and his B.A. from the University of Washington in 2004. He maintains chambers in Seattle.

Bankruptcy Judge



Hilary Barnes was appointed by the judges of the U.S. Court of Appeals for the Ninth Circuit to serve as a bankruptcy judge for the U.S. Bankruptcy Court for the District of Nevada on March 31, 2023. Before joining the bench, Judge Barnes was a member of Allen Barnes & Jones, PLC, where her practice

focused on bankruptcy and she represented various parties in Chapter 7, 11 and 13 bankruptcy cases. From 2009 to 2014, she was a partner at The Cavanagh Law Firm, P.A.; an associate and then partner at Quarles & Brady LLP, from 2005 to 2009. While at Quarles & Brady, she devoted a significant amount of time to The Arizona Justice Project as a pro bono lawyer. Judge Barnes was also an associate at Stoel Rives LLP and Squire Sanders & Dempsey, LLP (now Squire Patton Boggs). Judge Barnes received her B.A., with honors, from the University of Chicago in 1986 and her J.D. from the Sandra Day O'Connor College of Law at Arizona State University, where she served as executive editor of the *Jurimetrics*, the *Journal of Law, Science & Technology*, in 1999. Judge Barnes served as a Ninth Circuit Lawyer Representative from 2015 to 2018. In that role, she served as the co-chair for the District of Arizona from 2016 to 2017, and on the Lawyer Representatives Coordinating Committee for the Ninth Circuit Judicial Conference from 2017 to 2018. She maintains chambers in Reno.

Magistrate Judges



Michael A. Ambri was appointed a magistrate judge for the U.S. District Court for the District of Arizona on March 16, 2023. Before joining the bench, Judge Ambri served as civil chief for the last four years of his tenure in the Civil Division of the Office of the U.S. Attorney for the

District of Arizona, which he joined in 2012. He engaged in private practice as a commercial litigator with Lewis and Roca in Phoenix before opening his own small civil litigation office. Judge Ambri received his bachelor's degree with honors from Arizona State University in 1991. After working in newspaper journalism, he attended law school at the University of Arizona, serving on the *Arizona Law Review* and graduating with honors in 2002. He maintains chambers in Tucson.



Alison S. Bachus was appointed a magistrate judge for the U.S. District Court for the District of Arizona on April 12, 2023. Before her appointment to the federal bench, Judge Bachus served as a judge of the Superior Court of Arizona, Maricopa County, from 2015 to

2023. While a state court judge, she presided over civil, juvenile and family matters, and she served on court leadership. Judge Bachus began her legal career as a law clerk for then-Chief U.S. District Judge Stephen M. McNamee in the District of Arizona. She then served as an assistant U.S. attorney for the District of Arizona, from 2006 to 2013, and as senior counsel for the Federal Bureau of Prisons in Arizona from 2013 to 2015. Judge Bachus earned her B.A. from the University of Illinois at Urbana-Champaign in 1999 and her J.D. from the University of Arizona, James E. Rogers College of Law, in 2005. She maintains chambers in Phoenix.



David T. Bristow was appointed a magistrate judge for the U.S. District Court for the Central District of California on Nov. 22, 2023. This is his second appointment as a magistrate judge in the Central District. Before his return to the bench, Judge Bristow was general

counsel and executive vice president of Entrepreneurial Corporate Group, where he provided counsel and advice regarding operational and legal issues, supervised all litigation, and served on the board of directors of three corporate holding companies in the United Kingdom. Prior to that, Judge Bristow served as a magistrate judge in the Eastern Division of the Central District from 2009 to 2017. Prior to his appointment to the bench in 2009, Judge Bristow was the managing shareholder at the law firm of Reid & Hellyer, 2003-2009; a senior associate at Akin, Grump, Strauss, Hauer & Feld, 1999-2003; an associate at Burke, Williams & Sorenson, 1998-1999; an associate at Thomas, Mort, Prosser & Knudsen, 1997-1998; and an associate at Fidler, Bell, Orrock & Watase, 1993-1994. Additionally, from 1994 to 1997, Judge Bristow served as a deputy district attorney and then as a deputy public defender for San Bernardino County. Judge Bristow received his B.A. from California State University at San Bernardino in 1985 and his J.D. from the University of the Pacific, McGeorge School of Law, in 1993. He maintains chambers in Riverside.



Stephanie S. Christensen was appointed a magistrate judge for the U.S. District Court for the Central District of California on July 5, 2023. Prior to her appointment to the bench, she served in the U.S. Attorney's Office for 15 years, including as the acting U.S. attorney for the Central

District of California. Earlier in her career, Judge Christensen was an associate in private practice and served as a law clerk to the Honorable Sandra S. Ikuta of the U.S. Court of Appeals for the Ninth Circuit, and

to the Honorable Gary A. Feess of the U.S. District Court for the Central District of California. She received her B.A., with honors, from the University of Chicago, and her J.D., Order of the Coif, from UCLA School of Law, as a member of the Program in Public Interest Law and Policy. Judge Christensen maintains chambers in Los Angeles.



Steve B. Chu was appointed a magistrate judge for the U.S. District Court for the Southern District of California on June 30, 2023. Prior to joining the bench, Judge Chu served for 17 years in the Civil Division of the U.S. Attorney's Office for the Southern District of California. While

serving as an assistant U.S. attorney, Judge Chu defended the United States in high exposure personal injury, wrongful death, and medical malpractice cases. As an AUSA, Judge Chu tried multiple cases in district court and argued multiple appeals at the U.S. Court of Appeals for the Ninth Circuit. Additionally, Judge Chu served as an instructor at the National Advocacy Center, teaching civil trial advocacy. He received his J.D. in 2002 from the former U.C. Hastings College of the Law, where he was a national moot court champion. Following law school, Judge Chu worked in private practice in the Bay Area and was an associate at Murphy, Pearson, Bradley & Feeney from 2003 to 2006. He maintains chambers in San Diego.



Peter H. Kang was appointed a magistrate judge for the U.S. District Court for the Northern District of California on May 11, 2023. Before joining the bench, Judge Kang litigated patent/IP and complex commercial lawsuits. He started his career at Skjerven Morrill and was managing

partner of that firm's San Francisco office. In 2003, Judge Kang joined Sidley Austin in San Francisco and later was one of the founding partners of Sidley's Silicon Valley office. From 2020 until joining the bench, he

Magistrate Judges continued

was a partner in the Silicon Valley office of Baker Botts. Judge Kang previously was an arbitrator with the American Arbitration Association and was a court-appointed mediator in federal lawsuits. He served as settlement conference officer for the San Francisco Superior Court and presided as judge pro tem, court-appointed arbitrator and early settlement conference neutral for the Santa Clara County Superior Court. Judge Kang received his B.A. in classics and his B.S. in industrial engineering from Stanford University in 1986 and 1987, respectively. He received his J.D., cum laude, from Georgetown University Law Center in 1990. He served as law clerk for the Honorable Ernest C. Torres of the U.S. District Court for the District of Rhode Island. Judge Kang maintains chambers in San Francisco.



Grady J. Leupold was appointed as a magistrate judge for the U.S. District Court for the Western District of Washington on April 18, 2023. Before joining the bench, Judge Leupold served as a supervising attorney and assistant U.S. attorney in the General Crimes Unit of the

Office of the U.S. Attorney for the Western District of Washington after joining the office in 2014. Between 2011 and 2014, Judge Leupold represented the Department of Justice as an AUSA in the Southern District of Texas. Between 2003 and 2010, Judge Leupold was an active-duty judge advocate in the Office of the Judge Advocate General, U.S. Army, and was initially stationed at Fort Drum, New York, where he twice deployed to Afghanistan. Judge Leupold was later stationed at Joint Base Lewis-McChord, Washington. As an Army Reserve judge advocate, Judge Leupold served as a military judge from 2019 to 2023. He also taught criminal law as an adjunct professor at the Judge Advocate General's Corps Legal Center and School in Charlottesville, Virginia. Between 2011 and 2016, Judge Leupold defended soldiers as a trial defense services attorney. He also briefly represented the Washington State Attorney General's Office as an assistant attorney general. Judge Leupold began his legal career as a commercial litigator at Lane Powell Spears Lubersky

LLP in 2000. Judge Leupold received his J.D. with honors from the University of Florida College of Law in Gainesville, Florida, and served as a member of the law review. Judge Leupold graduated from the University of Washington with a B.A. in political science in 1997. He maintains chambers in Tacoma.



Angela M. Martinez was appointed a magistrate judge for the U.S. District Court for the District of Arizona on March 30, 2023. Before joining the bench, Judge Martinez served as senior litigation counsel for the U.S. Attorney's Office in Tucson, Arizona, where she also served as a

federal prosecutor for over 12 years prosecuting a wide range of criminal cases, including immigration related offenses, drug trafficking offenses, violent crimes and white-collar offenses. Prior to her career as a prosecutor, Judge Martinez served as a law clerk to the Honorable John M. Roll, 2000-2002, and the Honorable Jennifer G. Zipp, 2013-2015, of the U.S. District Court for the District of Arizona. In 2008 and 2009 she served as an adjunct professor at the University of Arizona James E. Rogers College of Law, where she taught legal writing and oral advocacy to first-year law students. She also worked in private practice at the law firms of Lewis & Roca, 2002-2004, and Farhang & Medcoff, 2012-2013, where she primarily practiced employment law. Judge Martinez received her J.D. from the University of Arizona James E. Rogers College of Law in 2000. As a law student she was a member of the Arizona Law Review and an Ares Fellow. Before law school, Judge Martinez worked as a team leader in therapeutic group homes and crisis shelters for at risk youth. In 1995, she earned her B.A. with honors from the University of Arizona. She maintains chambers in Tucson.



Brianna Fuller Mircheff was appointed a magistrate judge for the U.S. District Court for the Central District of California on April 18, 2023. Before her appointment to the bench, Judge Mircheff served in multiple roles at the Federal Public Defender's Office for the Central District of

California. From 2006 to 2010, she served as a deputy FPD in the Trial Unit where she represented clients charged with a broad range of federal offenses and handled all aspects of representation in the district court. From 2010 to 2017, Judge Mircheff served in the Appeals Unit handling direct appeals while managing office-wide post-conviction litigation projects. She also served as the office's immigration specialist from 2011 to 2015. Between 2018 and 2023, Judge Mircheff served as the office's chief of writs and appeals. In that role, she supervised a team of attorneys, oversaw the office's post-sentencing litigation, participated in the office's management team, chaired the office's ethics committee, managed the district's Criminal Justice Act Appellate Panel, and maintained her own caseload involving direct appeals, habeas petitions and other post-conviction matters. Judge Mircheff also had an active amicus practice. She received her B.A. from Messiah College in 2001 and her J.D. from Loyola Law School, Los Angeles, in 2005. Following law school, Judge Mircheff clerked for the Honorable Harry Pregerson of the U.S. Court of Appeals for the Ninth Circuit. She maintains chambers in Los Angeles.



Michelle M. Pettit was appointed a magistrate judge for the U.S. District Court for the Southern District of California on July 24, 2023. Prior to her appointment, she served for 16 years with the U.S. Attorney's Office for the Southern District of California, where she prosecuted a wide

variety of cases, including drug trafficking, human smuggling, child exploitation, cybercrimes, domestic and international terrorism, fraud and homicide, and

served as the chief of the Intake Section. Judge Pettit began her career as a surface warfare officer after graduating with distinction from the U.S. Naval Academy in 1994. She became a U.S. Navy judge advocate after she received her J.D., Order of the Coif, in 2001 from Vanderbilt University Law School, where she served as a managing editor of the Vanderbilt Law Review and was a member of the International Moot Court Team. She continues to serve in the U.S. Navy Reserve, and immediately prior to her appointment, she was recalled to active duty to be the circuit military judge for the Southwest and Northwest Judicial Circuits. Judge Pettit serves as the president of the Honorable William B. Enright American Inn of Court and is a director on the Federal Bar Association National Board of Directors. She maintains chambers in San Diego.



A. Joel Richlin was appointed a magistrate judge for the U.S. District Court for the Central District of California on July 31, 2023. Before joining the bench, Judge Richlin was general counsel and chief litigation officer for Prime Healthcare, where he led a national legal department of

more than 30 attorneys and 19 support staff. From 2012 to 2017, he was senior counsel at Foley & Lardner LLP in Los Angeles. While at the firm, Judge Richlin maintained a robust pro bono practice and completed a secondment at the Los Angeles City Attorney's Office to gain first-chair jury trial experience. From 2007 to 2012, Judge Richlin clerked for multiple federal judges in the Central District—first for the Honorable Alan M. Ahart of the U.S. Bankruptcy Court, next for the Honorable Fernando M. Olguin who was then a magistrate judge, and finally for the Honorable Suzanne H. Segal who was then the chief magistrate judge. He received his J.D., cum laude, in 2006 from Loyola Law School, where he was an editor of the Law Review and his B.A., with honors, from Northwestern University in 2003. Following law school, Judge Richlin was an associate at Heller Ehrman LLP from 2006 to 2007. Judge Richlin has

Magistrate Judges continued

served as an adjunct professor of law since 2008 at Loyola Law School, where he has taught various classes involving appellate brief writing and oral advocacy, as well as mentored law students interested in pursuing judicial clerkships. He maintains chambers in Los Angeles.



Valerie E. Torres was appointed a magistrate judge for the U.S. District Court for the Southern District of California on Dec. 8, 2023. Prior to her appointment, Judge Torres served for nine years as an assistant U.S. attorney in the Civil Division of the U.S. Attorney's Office

for the Southern District of California, including serving as civil deputy chief. Before joining the U.S. Attorney's Office, Judge Torres worked in the San Diego office of Latham & Watkins LLP, where she spent 12 years as an attorney specializing in environmental litigation, including mass toxic tort and product liability actions. She graduated magna cum laude in 2002 from Pepperdine University School of Law, where she served on the Law Review, and received a bachelor's degree in politics from Princeton University in 1999. Judge Torres maintains chambers in San Diego.

Senior Judges



Ann Aiken was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the District of Oregon on Jan. 28, 1998, and received her judicial commission on Feb. 4, 1998. She served as chief judge of her court from 2009 to 2016 and assumed senior status on

Dec. 29, 2023. Before her appointment to the federal bench, Judge Aiken served as a judge for the Oregon Circuit Court in Lane County from 1992 to 1997. She was a judge for the Oregon District Court in Lane County from 1988 to 1992. Prior to her appointment to the bench, she was chief clerk of the Oregon House of Representatives from 1982 to 1983. She was a fundraiser and field staff for Kulongoski for Governor of Oregon in 1982. Judge Aiken was in private practice in Oregon from 1983 to 1988 and from 1980 to 1982. She received her B.S. from the University of Oregon in 1974, her M.A. from Rutgers University in 1976 and her J.D. from the University of Oregon School of Law in 1979. Following law school, she clerked for the Honorable Edwin Allen of the Oregon Circuit Court, Lane County, from 1979 to 1980. Judge Aiken maintains chambers in Portland.



Gonzalo P. Curiel was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Southern District of California on Sept. 22, 2012. He received his judicial commission on Oct. 1, 2012, and assumed senior status on Sept. 7, 2023. Before his

appointment to the federal bench, Judge Curiel served as a California Superior Court judge in San Diego County from 2006 to 2012. Prior to his appointment to the bench, he served as an assistant U.S. attorney for the Central District of California, from 2002 to 2006, and for the Southern District of California, from 1989 to 2002, during which he was deputy chief and then chief of the Narcotics Enforcement Section from 1999 to 2002. Earlier in his career, Judge Curiel was in private

practice at Barbosa & Vera in Monterey, California, from 1986 to 1989, and at James, James and Manning in Dyer, Indiana, from 1979 to 1986. Judge Curiel received his B.A. from Indiana University in 1976 and his J.D. from Indiana University, School of Law, in 1979. He maintains chambers in San Diego.



William H. Orrick III was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Northern District of California on May 15, 2013. He received his judicial commission on May 16, 2013, and assumed senior status on May 20, 2023.

Prior to his appointment to the bench, Judge Orrick was a special counsel at the San Francisco law firm of Coblentz, Patch, Duffy & Bass LLP, where he engaged in private practice for over 25 years. He joined the firm as an associate in 1984 and then became a partner in 1988. From 2009 to 2012, he worked for the U.S. Department of Justice as a counselor to the assistant attorney general in the Civil Division and then as a deputy assistant attorney general for the Immigration Litigation Unit in the Civil Division. Judge Orrick received his B.A., cum laude, from Yale University in 1976 and his J.D., cum laude, from Boston College Law School in 1979. Judge Orrick maintains chambers in San Francisco.



Sidney R. Thomas was confirmed by the U.S. Senate to serve as a circuit judge for the U.S. Court of Appeals for the Ninth Circuit on Jan. 2, 1996, and received his judicial commission on Jan. 4, 1996. Judge Thomas served as chief judge of the Ninth Circuit from 2014 to 2021 and assumed

senior status on May 4, 2023. Prior to coming onto the federal bench, he was in private practice in Billings from 1978 to 1995. He also was as an adjunct instructor of law at Rocky Mountain College in Billings from 1982 to 1995. Judge Thomas received his B.A. from Montana State University in 1975 and his J.D.

from the University of Montana School of Law, graduating with honors in 1978. He maintains chambers in Billings.



George H. Wu was confirmed by the U.S. Senate to serve as a district judge for the U.S. District Court for the Central District of California on March 27, 2007. He received his judicial commission on April 17, 2007, and assumed senior status on Nov. 3, 2023. Prior to his appointment to the federal bench, Judge Wu

served as a Los Angeles County Superior Court judge, from 1996 to 2007, and served as a Los Angeles Municipal Court judge from 1993 to 1996. He twice served as an assistant U.S. attorney for the Central District of California, from 1991 to 1993 and from 1982 to 1989, and was an assistant professor of law at the University of Tennessee, College of Law, from 1979 to 1982. Judge Wu received his B.A. from Pomona College in 1972 and his J.D. from the University of Chicago Law School in 1975. Following law school, he clerked for the Honorable Stanley N. Barnes of the U.S. Court of Appeals for the Ninth Circuit, from 1976 to 1977 and in 1979. Judge Wu maintains chambers in Los Angeles.

In Memoriam



Bankruptcy Judge Randall L. Dunn (Ret.), of the U.S. Bankruptcy Court for the District of Oregon, died on June 7, 2023. He was 73. Judge Dunn was appointed to the court on Feb. 1, 1998, and was appointed in 2006 to the Ninth Circuit Bankruptcy Appellate Panel and served as

chief judge of the BAP from 2013 to 2016. He was reappointed to a second 14-year term as a bankruptcy judge in 2012 and retired on Jan. 20, 2017. Judge Dunn's legal career began in 1975 as an associate with the law firm of Berman and Giauque in Salt Lake City. In 1977, he joined the law firm of Copeland, Landye, Bennett and Wolf in Portland as an associate and later became a partner and managing partner of the firm before his appointment to the bench. Judge Dunn received his B.A., with honors, from Northwestern University in 1972 and his J.D. from Stanford Law School, where he was the articles editor of the Stanford Law Review and a member of the moot court board. While in law school, he played clarinet in the Stanford orchestra, where he met his future wife, Laurie Loomis. Judge Dunn was a member of the editorial boards of the American Bankruptcy Law Journal and the National Conference of Bankruptcy Judges' Conference News. He spent five years as an editor-in-chief of the Federal Bar Association's newsletter, Bankruptcy Briefs. Judge Dunn is survived by his wife, Laurie; his children, Cadence and Andrew; and grandson, Julian.



Senior District Judge Edward J. Garcia (Ret.), of the U.S. District Court for the Eastern District of California, died on April 29, 2023. He was 94. Judge Garcia was appointed to the court in 1984, assumed senior status in 1996 and retired in 2012. Before joining the federal bench, Judge

Garcia served as a California Municipal Court judge in Sacramento from 1972 to 1984. Prior to his appointment to the bench, he began his legal career at the Office of the District Attorney in Sacramento

County where he served as deputy district attorney from 1959 to 1972, as supervising deputy district attorney from 1964 to 1969 and as chief deputy from 1969 to 1972. Judge Garcia received his LL.B. from McGeorge School of Law in 1958. He served in the U.S. Army Air Corps from 1946 to 1949 and was stationed in Japan following the war. Judge Garcia is survived by his wife, Joanne, and their six children; daughters Linda Garcia, Aileen Ellsworth (Larry), Karen Telford (Ned), Jane Boyd (Fred); and sons, David Rice (Nita) and Rick Garcia (Brandee Mead). He was preceded in death by his brothers, Frank and Henry, and sisters, Ernestine, Susan and Theresa, and his son, Edward Garcia, Jr.



Circuit Judge Edward Leavy, of the U.S. Court of Appeals for the Ninth Circuit, died on March 12, 2023. He was 93. Judge Leavy was appointed to the Ninth Circuit in 1987 and assumed senior status in 1997. Before his appointment to the appellate bench, Judge Leavy served as a district judge for

the U.S. District Court for the District of Oregon in 1984 and was previously a magistrate judge for the district from 1976 to 1984. Prior to joining the federal bench, Judge Leavy was a Lane County circuit judge and previously a Lane County district judge from 1961 to 1976 and from 1957 to 1961, respectively. Judge Leavy served as deputy district attorney in Eugene, Oregon, from 1954 to 1957. He was in private practice in Eugene from 1953 to 1954. Judge Leavy received his A.B. from the University of Portland in 1950 and his LL.B. from Notre Dame Law School in 1953. Judge Leavy is survived by his wife, Eileen; three sons, Thomas, Patrick (Jean Ann), and Paul (Trisha); and five grandchildren. He was preceded in death by his daughters, Susan Ann and Mary Kay (Mark Brown).



District Judge Charles A. Legge (Ret.), of the U.S. District Court for the Northern District of California, died on Dec. 8, 2023. He was 93. Judge Legge was appointed in 1984 as a district judge for the Northern District of California, where he served until his retirement in 2001. Before his appointment

to the bench, Judge Legge was in private practice at Bronson, Bronson & McKinnon in San Francisco where he worked for over 30 years as a trial lawyer and then as the firm's managing partner. He received his A.B. from Stanford University in 1952 and his J.D. in 1954 from Stanford Law School, where he was an editor of the Stanford Law Review. Judge Legge served in the U.S. Army Counter-Intelligence Corps from 1954 to 1956. Judge Legge is survived by his wife Janice; three children, Jeff, Nancy and Laura, and their families; and extended family.



Senior District Judge Ronald S. W. Lew, of the U.S. District Court for the Central District of California, died on May 19, 2023. He was 81. Judge Lew was appointed to the court in 1987 and assumed senior status in 2006. He was the first Chinese American appointed to the federal bench outside of

Hawaii. Prior to his appointment to the federal bench, Judge Lew was a California Superior Court judge and a California Municipal Court judge in Los Angeles County from 1984 to 1987 and from 1982 to 1984, respectively. He was the L.A. fire and police pension commissioner from 1976 to 1982. Judge Lew was in private practice in Los Angeles from 1974 to 1981 and served as the deputy city attorney of the criminal and civil liability divisions in the L.A. City Attorney's Office from 1972 to 1974. Judge Lew received his B.A. from Loyola University in 1964 and his J.D. from Southwestern University School of Law in 1971. Judge Lew is survived by his wife, Mamie, four children and many grandchildren.



Senior District Judge Charles C. Lovell (Ret.), of the U.S. District Court for the District of Montana, died on June 14, 2023. He was 93. Judge Lovell was appointed to the court in 1985 and assumed senior status in 2000. He was on inactive status since 2021 after 36 years of service on the

federal bench in Montana. The court produced a biographical film depicting Judge Lovell's career which can be viewed at <https://www.mtd.uscourts.gov/district-montana-history>. Prior to his appointment to the bench, he was chief counsel of the Appellate Division in the Office of the Attorney General for the State of Montana from 1969 to 1972. He began his legal career in Great Falls, Montana, where he engaged in private practice from 1959 to 1985. Judge Lovell received his B.S. from the University of Montana in 1952 and received his J.D. from the University of Montana School of Law in 1959. He served in U.S. Airforce as a weapons controller beginning in 1952 and then transferred to active reserve in 1954. Judge Lovell reached the rank of captain before he was released to honorary retired reserve in 1967. He is survived by his wife, Catherine, and four children.



Chief Bankruptcy Judge Joseph M. Meier, of the U.S. Bankruptcy Court for the District of Idaho, died on Nov. 22, 2023. He was 64. Judge Meier was appointed a bankruptcy judge for the District of Idaho in 2018 and became the chief bankruptcy judge of his court in 2019.

Judge Meier was named a fellow of the American College of Bankruptcy in 2005 and served as a member and chair of the Ninth Circuit's Lawyer Representatives Coordinating Committee. Prior to his appointment to the bench, Judge Meier was a partner at the law firm of Cosho Humphrey, LLP, in Boise from 1990 to 2018. He joined the firm as an associate in 1985. Judge Meier earned his B.A. in 1981 from the University of Oregon, where he was a member and captain of the rowing team. He received

In Memoriam continued

his J.D. in 1984 from Willamette University College of Law, where he was a member of the Willamette Law Review. Judge Meier is preceded in death by his father, Joe. He is survived by his wife, Brenda; three children, Katie, Carly, Ryan and his wife, Megann. Judge Meier is also survived by his mother, Pat; his siblings, Mary Pat (Robert), Tim (Gayle) and Kathy (David); and extended family.



Magistrate Judge Venetta S. Tassopulos (Ret.), of the U.S. District Court for the Central District of California, died on Feb. 6, 2023. She was 95. Judge Tassopulos first served as a commissioner for the court, from 1968 to 1971, prior to the establishment of the federal magistrate system in

1971, when she was appointed as a magistrate judge. She was the first woman in the nation to serve as a full-time magistrate judge and the district's first chief magistrate judge, from 1971 to 1987, then referred to as the presiding magistrate. She retired in 1994. Prior to her appointment to the court, Judge Tassopulos was in private practice from 1962 to 1968. Before that, she served as a deputy public defender for Los Angeles County from 1960 to 1961. Judge Tassopulos received her undergraduate degree in 1948, her master's degree in 1957 and her law degree in 1960, all from the University of California, Berkeley. Before attending law school, Judge Tassopulos was an elementary teacher. She is survived by her son, Jim Tassopulos. She was preceded in death by her husband, Peter Tassopulos.



Chief District Judge Johnny "John" Sablan Unpingco (Res.), of the District Court of Guam, died on Oct. 11, 2023. He was 73. Judge Unpingco was appointed as a district judge for the District Court of Guam in 1992 and served until 2004, when he resigned from office.

He facilitated the construction of a new courthouse for the District Court of Guam and the first fulltime position of the court's first U.S.

magistrate judge—two of his many notable accomplishments on the bench. Judge Unpingco was a former U.S. Air Force judge advocate general and former command counsel at the Naval Warfare Center in China Lake, California. He received his B.A., magna cum laude, from St. Louis University; his M.B.A. and J.D. from New York University; and his LL.M from Georgetown University. Judge Unpingco is survived by his wife, Annie; three children, Chris, Mark and Meg-Anne, and their families; and extended family.



Senior District Judge Ronald M. Whyte, of U.S. District Court for the Northern District of California, died on April 10, 2023. Judge Whyte was appointed as a district judge for the U.S. District Court for the Northern District of California in 1992 and assumed senior status in 2009.

Prior to his appointment to the federal bench, Judge Whyte served as a California Superior Court judge in Santa Clara County from 1989 to 1992. He engaged in private practice as an associate, then as a partner, with the law firm of Hoge, Fenton, Jones and Appel, in San Jose, Calif., from 1971 to 1989. Judge Whyte served as a lieutenant in the U.S. Navy and the Judge Advocate General's Corps from 1968 to 1971 on active duty and from 1971 to 1974 on reserve duty. He was in private practice in Claremont, Calif., from 1967 to 1968. Judge Whyte received the 2011 American Inns of Court Professionalism Award for the Ninth Circuit and at the time was serving on a number of committees and boards, including George Washington University Law School's Intellectual Property Advisory Board and the Patent Jury Instruction Committee for the Northern District. He received his A.B. from Wesleyan University in 1964 and his J.D. from the University of Southern California, Gould School of Law, in 1967. Judge Whyte is survived by his wife, Ann; two children, Kevin Whyte (Mary Anne Mohanraj) and Susan Duran (Shawn); and four grandchildren. 🌿

Ninth Circuit Judges Reflect on the Death of Retired Associate Justice Sandra Day O'Connor

Associate Justice Sandra Day O'Connor (Ret.), of the U.S. Supreme Court, died Dec. 1, 2023, in Phoenix at the age of 93. Justice O'Connor was the first woman appointed to the Supreme Court. Appointed in 1981 by President Ronald Reagan, she retired in 2006 after serving more than 24 years on the court.



Photo Credit: The Collection of the Supreme Court of the United States

Justice O'Connor has a long history with the Ninth Circuit, which includes Arizona. As the Ninth Circuit's justice, she came to the circuit's annual judicial conferences and participated in the traditional Conversation with the Justice session held each year. Her last Ninth Circuit conference was in Spokane, Washington, in 2005, shortly after announcing her retirement.

In 2001, the Sandra Day O'Connor U.S. Courthouse was completed in Phoenix—the seat of the U.S. District Court for the District of Arizona. The nine-foot-tall bronze statue of Justice O'Connor was unveiled in September 2002, when judges, lawmakers, civic leaders, members of the bar and 200 elementary school children witnessed the ceremony.

Justice O'Connor reflected on her long career in a 2018 letter to colleagues: "It's been such a privilege to work on the court," she said, "to be one of the nine voices. That was a long time to be together," she said. "Sometimes the dissents get pretty vigorous. I don't always like that, but on the other hand, I occasionally resort to a little vigor of my own."

Justice O'Connor touched the lives of many still serving in the Ninth Circuit. "Justice O'Connor was a gracious mentor and guide to me," said Circuit Judge Sandra S. Ikuta, who clerked for Justice O'Connor from 1989 to 1990. "I had no idea, until I had law clerks of my own, how much energy Justice O'Connor expended in taking care of her clerks. Even while she was being treated for breast cancer, she had the time, energy and desire to enrich her clerks' experience. Justice O'Connor will always be remembered as the outstanding trailblazer she was, but to me she was also a friend."

Ninth Circuit Judge Michelle T. Friedland clerked for Justice O'Connor from 2001 to 2002. "We all lost a national treasure with Justice O'Connor's passing, and I personally lost my closest mentor," Judge Friedland said. "Justice O'Connor forged the path that my life has followed. Seeing her join the Supreme Court made me feel as a fourth-grade girl that I could aspire to anything. I had the great privilege of clerking for Justice O'Connor and learned many lessons from her that I think about every day—to think always about the effect of our decisions on real people, to treat everyone with dignity and to disagree respectfully.

"In 1981 Sandra Day O'Connor was catapulted from the second highest state court in Arizona to the highest court in the land," said Senior Circuit Judge Mary M. Schroeder. "Sandra had a brilliant mind, had experience in all three branches of state government and was thus a quick study. She carried herself with such dignity and grace that she became the role model for young women and girls everywhere. She was the first woman to serve as the Circuit Justice for the Ninth Circuit and she and I were the first all-woman team of circuit justice and circuit chief judge, something we were both proud of."

Ninth Circuit Chief Judge Mary H. Murguia said, “I vividly recall the morning in August of 1981 when President Reagan nominated Sandra Day O’Connor to the Supreme Court. At last, the highest court was open to women in the legal profession. This was a watershed moment for women of my generation. Justice O’Connor’s remarkable life and career paved the way for me, and so many others, to see ourselves in leading roles, and to aspire to serve on the federal bench. Her pragmatic, discerning, gracious and consensus-building tenure on the Court is a model for our times, and her legacy is a gift to our country and to the world. I will always be grateful for her service and feel indebted to her.”

Chief Judge Emeritus Sidney R. Thomas said, “Justice O’Connor was one of the most graceful persons I’ve ever met. In addition to working with her as our Circuit Justice, I had the privilege of hearing cases with her in San Francisco and Montana. She was unfailingly kind to everyone involved and made everyone in the room feel special. She was a true Westerner, having grown up on the Lazy B Ranch in Arizona, and understood the unique challenges of the West. She was a great friend, and we will miss her terribly.”

“I had the good fortune of being a young deputy county attorney assigned to the courtroom of then-Maricopa County Superior Court Judge Sandra O’Connor on an almost daily basis in the late ‘70s,” said Senior Circuit Judge Barry G. Silverman. “(Then-) Judge O’Connor was always impeccably prepared and ethical beyond reproach, but more importantly, she was demanding. Judge O’Connor’s courtroom was a daily master class on professionalism. I trace all of my subsequent good fortune in the legal business to having had the opportunity, early on, to watch and learn from that extraordinary woman.”

“The Ninth Circuit was blessed having Justice O’Connor as our circuit justice—a Westerner, the first woman on the U.S. Supreme Court, a trailblazer for women’s rights, and our good friend,” said Senior Circuit Judge M. Margaret McKeown. “She was remarkably pragmatic in her jurisprudence and she used the considerable skills gained as a state legislator to bring consensus to difficult issues. Justice O’Connor was a moderating force on the Court, yet she knew precisely where she stood in terms of jurisprudence and values. Importantly, she


understood the need to make sure that the Court achieved legitimacy in the eyes of the public.

“I worked closely with her on rule of law issues when she helped spearhead the American Bar Association’s efforts to work with emerging democracies following the fall of the Berlin Wall,” said Judge McKeown. “She was tireless in her advocacy for judicial independence, which she later transformed into a passion for civics education in the United States. She brought warmth, humor, and compassion to a demanding job. She was more than an icon and a role model for women, she was a national presence that brought out the best in all of us.”

“I did not meet Sandra O’Connor until she visited our Circuit after becoming a member of the United States Supreme Court and assigned as our circuit justice,” said Senior Circuit Judge J. Clifford Wallace. “President Ronald Reagan strongly felt that women should be open to the judicial ranks, including the United States Supreme Court. But he had a strong commitment that that appointment should fall only to the highly qualified because of the importance of the Constitution. As all of us know, Sandra was nominated because she met the high standard of President Reagan,” said Judge Wallace.

Justice O’Connor ended her 2018 letter to colleagues with a few important thoughts. “We must reach all our youth, and we need to find ways to get people – young and old – more involved in their communities and in their government,” she said. “There is no more important work than deepening young people’s engagement in our nation.”

“How fortunate I feel to be an American and to have been presented with the remarkable opportunities available to the citizens of our country. As a young cowgirl from the Arizona desert, I never could have imagined that one day I would become the first woman justice on the U.S. Supreme Court.”

Justice O’Connor concluded, “I hope that I have inspired young people about civic engagement and helped pave the pathway for women who may have faced obstacles pursuing their careers. My greatest thanks to our nation, to my family, to my former colleagues and to all the wonderful people I have had the opportunity to engage with over the years.” 

In Memoriam: Senior Circuit Judge Edward Leavy

Senior Circuit Judge Edward Leavy, 93, of the United States Court of Appeals for the Ninth Circuit, died March 12, 2023. Judge Leavy was born Aug. 14, 1929, on the family hop farm near Butteville, Oregon, and served as a judge in both state and federal courts for 66 years.

Judge Leavy graduated from the University of Portland in 1950 and from Notre Dame Law School in 1953. He served as deputy district attorney in Eugene, Ore., from 1954 to 1957. He was appointed, and then elected, as Lane County district judge from 1957 to 1960, and as Lane County circuit judge from 1961 to 1976. Judge Leavy was selected by judges of the U.S. District Court for the District of Oregon to serve as a U.S. magistrate for the District of Oregon in Portland from 1976 to 1984. In 1984, President Reagan appointed him to the U.S. District Court for the District of Oregon, where he presided over many civil and criminal trials, including the plea negotiations involving Bhagwan Shree Rajneesh and his followers. President Reagan in 1987 appointed Judge Leavy to the U.S. Court of Appeals for the Ninth Circuit, where he served until his death.

Judge Leavy assumed senior status in 1997 and continued to participate in the court's cases until 2022. In 2001, he was appointed by Chief Justice William H. Rehnquist, of the U.S. Supreme Court, to the Foreign Intelligence Surveillance Act Court of Review, serving until 2008. He also served as a mediator in many complex federal cases, including multiparty Oregon pension fraud cases and numerous precedent-setting mediations involving the Tribes of the Warm Springs, Umatilla, the Yakama Nation, the Department of Justice and the Federal Energy Regulatory Commission. In 2015, he was selected to receive the prestigious Edward J. Devitt Distinguished Service to Justice Award, considered to be among the federal judiciary's highest honors.



Judge Edward Leavy driving a tractor on the farm in 2003.
Photo Credit: Owen Schmidt.

“Simply put, Judge Leavy was a legend in Oregon and on this court,” expressed Ninth Circuit Chief Judge Mary H. Murguia. “He was truly a remarkable man, deeply respected and admired by all those who knew him. It was my honor to be his colleague and friend.”

“Judge Leavy was a brilliant yet humble and modest judge, mediator and mentor,” said Judge Diarmuid O’Scainnlain, U.S. Court of Appeals for the Ninth Circuit. “His wisdom, grace and goodness will be long remembered.”

When not working, Judge Leavy was happiest driving a tractor on the farm. He also enjoyed woodcutting and crabbing, and spending time with his grandchildren. Judge Leavy is survived by his wife of 71 years, Eileen; three sons, Thomas, Patrick (Jean Ann), and Paul (Trisha); and five grandchildren. He was preceded in death by his beloved daughters, Susan Ann and Mary Kay (Mark Brown). 🍀

Circuit Highlights

Administrative Changes



Lucy Carrillo was appointed clerk of court for the U.S. District Court for the District of Hawaii on March 20, 2023. Before her appointment, Carrillo served at the Ninth Circuit Office of the Circuit Executive as the assistant circuit executive

for Court Operations, Policy and Legal Affairs Unit. Before coming to the judiciary, she was a practicing attorney. Carrillo began her legal career as a U.S. Air Force judge advocate general; she later became a reservist and retired from the Air Force in 2022. As a JAG she prosecuted and defended cases and practiced in almost every area of the law imaginable, capping her career as a military appellate judge. Her civilian practice included serving as an assistant attorney general where she served as a homicide prosecutor, headed the Cybercrime Unit, and argued appeals before the state supreme court. Carrillo taught criminal law and procedure online for many years, and became a full time assistant professor for one year. Before joining the judiciary, she was a senior legal advisor for the military commissions for Guantanamo. Outside of work, Carrillo volunteers her services as a certified yoga teacher and breathwork coach to veterans.



Chris Carrubba-Katz was appointed chief U.S. probation officer for the Northern District of California on March 1, 2023. Carrubba-Katz began her probation career in 1998 with Travis County in Austin, Texas, and moved to the federal

system in 2003. Her experience includes community supervision with specialized work with youthful and treatment caseloads, and

involvement in work readiness programs. The majority of her career has been in presentence investigations at the county and as a U.S. probation officer, sentencing guidelines specialist, supervisory U.S. probation officer, assistant deputy chief and deputy chief. Carrubba-Katz also served as a firearms instructor and an Employee Dispute Resolution coordinator. Currently, she is serving on the Ninth Circuit Executive Committee, and is working locally and nationally on wellness and diversity, equity and inclusion initiatives. Her hope is to bridge local resources with persons on supervision to achieve home ownership. Carrubba-Katz is an avid baseball fan, who coaches and manages youth baseball teams with a focus on increasing pathways for girls in baseball.



Fidel Cassino-DuCloux was appointed federal public defender for the District of Oregon on June 30, 2023. He joined the FPD Office for the District of Oregon as an assistant federal public defender in 2007 and became a supervisor in

2020, as the office was adapting to the challenges of the COVID-19 pandemic. Since then, he has led and helped support a team of eight attorneys to ensure that clients receive the best possible representation. Cassino-DuCloux graduated cum laude in 1995 from Tuskegee University, where he was a Woodrow Wilson International Affairs Fellow. He earned his J.D. from Loyola University New Orleans College of Law in 1998 and began his legal practice as a staff attorney for the Louisiana Crisis Assistance Center. In 2000, he received a two-year Ford Foundation Grant to represent residents of the New Orleans St. Thomas Community Housing Project in criminal, civil, housing and family matters. He went on to work as an assistant public defender for the Orleans Indigent Defender Program's juvenile

and felony divisions. Displaced by Hurricane Katrina in 2005, he evacuated to Savannah, Georgia, where he worked as a public defender until he relocated to Portland, Oregon, in 2007.



Leilani V. Lujan was appointed federal public defender for the Districts of Guam and the Northern Mariana Islands on Nov. 17, 2023. She is the first Indigenous Chamorro, first woman, first Pacific Islander and first LGBTQ+ individual to lead the office. Lujan has nearly 30 years of practice and

previously served as an assistant FPD and senior litigator in the Guam Federal Defender's Office. Her criminal defense career began in 1994 when she joined the State of Hawaii Office of the Public Defender as a deputy public defender, where she worked in the Oahu and Maui offices. In 2005, Lujan became a solo practitioner, handling civil, criminal and family law cases. While in private practice, she was appointed by the chief justice of the Hawaii Supreme Court to serve as independent counsel for the grand jury and an arbitrator in the court-annexed arbitration program and served as a member of the First Circuit Court of Hawaii's court-appointed attorney panel. In 2008, she continued private practice in the local and federal courts until joining the Guam Federal Defender's Office in 2013. She received her undergraduate degree from University of Guam, where she was a Triton and Truman Scholar, and received her J.D. from the University of Hawaii, William S. Richardson School of Law, in 1992. Lujan clerked for the Honorable Simeon R. Acoba, Jr., 12th Division, First Circuit Court of Hawaii.



Aaron F. McGrath Jr. was appointed as the chief U.S. probation officer for the District of Alaska on June 20, 2023. He began his career as a probation officer in the District of Massachusetts in 2007. In 2014, McGrath was selected for a three-year detail at the Federal Probation and Pretrial

Academy in Charleston, South Carolina, serving as an instructor in the new officer training program. He served as a probation administrator at the Administrative Office of the U.S. Courts' Probation and

Pretrial Services Office, as a member of the Program Development Branch, and as a point of contact for training and technical support related to the Post-Conviction Risk Assessment. McGrath also served as a member of the Probation and Pretrial Services Office's Program Oversight Branch and facilitated cyclical office reviews geared toward assessing districts' adherence to national policy and procedure. In 2020, McGrath returned to the District of Massachusetts as an assistant deputy chief in the Boston office and served in that capacity for almost three years prior to his selection in Alaska. He is a 2018 graduate of the FJC's Leadership Development Program and has a B.A. from Wake Forest University in Winston-Salem, North Carolina, and an M.A. from The Citadel in Charleston, South Carolina.



Phillip Munoz Jr. was appointed as a chief U.S. pretrial services officer for the Northern District of California on Feb. 12, 1990. On July 11, 1994, Munoz transferred to U.S. Pretrial Services, District of New Mexico, in Las Cruces, where he was promoted to a senior U.S. pretrial services

officer. On Aug. 3, 1998, Munoz transferred to the U.S. Probation Office in the District of New Mexico, where was promoted as a sentencing guidelines specialist and a supervising probation officer, rising to the rank of deputy chief probation officer in December 2005. On Oct. 4, 2016, Munoz transferred to the District of Arizona as an assistant deputy chief of field supervision and was promoted to deputy chief U.S. probation officer on April 17, 2017. He was appointed chief U.S. probation officer for the District of Arizona on Oct. 4, 2023. Throughout his career, Munoz has served on various national committees such as the Probation Officer Advisory Group with the U.S. Sentencing Commission; Administrative Office of the U.S. Courts Director's National Search and Seizure Working Group and participated on the immigration panel during the National Guideline Seminar. He has served as a faculty member for the Federal Judicial Center's New and Experienced Deputy Court Unit Executives Leadership Seminars, as well as for the "Becoming an Executive" program. Munoz is also a graduate of the FJC's Leadership Development Program. He has a master's degree in public administration from New Mexico State University.



Khadijia White-Thomas, Ed.D., was appointed clerk of court for the U.S. Bankruptcy Court for the District of Arizona on Jan. 1, 2023. Before her appointment, she had served as clerk designee since Dec. 5, 2022. Previously, White-Thomas served as chief deputy clerk and the

Employment Dispute Resolution coordinator for the U.S. Bankruptcy Court for the Northern District of California. Prior to that, she served as the clerk of court for the U.S. Bankruptcy Court for the Central District of Illinois as well as the chief deputy clerk for the U.S. Bankruptcy Court for the District of Arizona from 2015 to 2019. She began her federal career as a bankruptcy case administrator for the U.S. Bankruptcy Court for the Central District of Illinois in 1999 as well as a human resources officer serving the U.S. District Court and U.S. Probation and Pretrial Services Office in the Southern District of Illinois. During her tenure, she served on the bankruptcy noticing committee, was faculty for the FJC's Advanced Leadership Institute for experienced leaders from 2019 to 2022 and has been on the Board of Governors for the National Conference of Bankruptcy Clerk's serving as the chair for the Education Committee and the Outreach Committee. White-Thomas has over 20 years of experience in court operations and administration. She earned her Doctor of Education in organizational change and leadership, a master's degree in public policy administration, and a bachelor's degree in criminal justice/psychology.



Gina Zadra Walton was appointed clerk of court for the U.S. Bankruptcy Court for the Western District of Washington on Jan. 1, 2023. She began her career with the Western District in 2000, serving as career law clerk to Bankruptcy Judge Karen A. Overstreet, then as chief

deputy clerk of court. Walton is the current chair of the Federal Judicial Center's (FJC) Advisory Committee for Management and Professional Development Education. During her tenure, she has served on several local and national committees related to bankruptcy rules and forms, was faculty for the FJC's Executive Education programs for new and experienced chief deputies from 2017 to 2023 and has been on the faculty of the National Conference of Bankruptcy Clerk's LEAD Academy since its pilot program in 2019. While chief deputy, she held an 18-month temporary duty position with the Administrative Office of the U.S. Courts' Technology Solutions Office, Best Practices Working Groups. Prior to joining the federal judiciary, Walton was an attorney at the Seattle law firm of Davis Wright Tremaine, where she focused on bankruptcy and commercial litigation. She has a B.A. from Stanford University and a J.D. from the University of Washington, School of Law. 🌱

Awards and Recognition

Senior District Judge William Alsup, Northern District of California, was named as a Courageous Judge by The National Judicial College for his commitment to the rule of law and providing equal justice under the law.

Magistrate Judge Laurel Beeler, Northern District of California, received the 2023 Jurist of the Year Award from the Women Lawyers of Alameda County

Magistrate Judge Cam Ferenbach (Ret.), District of Nevada, received the Justice Nancy Becker Pro Bono Award for Judicial Excellence from the Legal Aid Center of Southern Nevada.

Senior District Judge Phyllis J. Hamilton, Northern District of California, received the American Inns of Court Professionalism Award for the Ninth Circuit.

Bankruptcy Judge Mary Jo Heston, Western District of Washington, received the 2023 Chair Award from the Turnaround Management Association for her distinguished service.

Senior District Judge John A. Kronstadt, Central District of California, received the James A. Cobey, Mock Trial Judge of the Year Award, from the Constitutional Rights Foundation (now Teach Democracy).

Senior Circuit Judge M. Margaret McKeown received the Ethics in Complex Litigation Award from the Center for Litigation and Courts, University of California College of the Law, San Francisco, and the Thurman Arnold Award from the University of Wyoming College of Law.

Magistrate Judge Ruth Bermudez Montenegro, Southern District of California, received numerous awards and honors in 2023 in recognition of her


dedicated and longstanding service to the legal and greater community. She was recognized by MANA de San Diego at its annual Legacy Luncheon for her efforts in creating cyclical change for women, breaking barriers and her work in the judiciary. Judge Montenegro was inducted into the Imperial Valley College Hall of Fame and was selected as the Honorable Grand Marshal of the 67th Anniversary Cattle Call Parade in recognition of her dedication to justice and commitment to the Imperial Valley.

District Judge Troy L. Nunley, Eastern District of California, received the Sacramento Bar Association Judge of the Year Award in 2023. Saint Mary's College Alumni Association selected Judge Nunley as the Alumnus of the Year for 2023.

Ninth Circuit Judge Johnnie B. Rawlinson received the 2023 Bryan Scott Trailblazer Award, State Bar of Nevada; the 2023 Keeper of the Dream Lifetime Achievement Award, Cabarrus County, North Carolina; and the 2023 Cabarrus County Trailblazer Award.

Chief District Judge Dana M. Sabraw, Southern District of California, received the Bernard E. Witkin Award for Excellence in the Adjudication of the Law from the San Diego Law Library Foundation.

Ninth Circuit Chief Judge Emerita Mary M. Schroeder received the "Women in American History Award" from the local chapter of the Daughters of the American Revolution. She was also the co-recipient of the John Minor Wisdom Award from The American Law Institute for her contributions to the work of ALI.

District Judge Sunshine S. Sykes, Central District of California, received the Making the World A More Just Place Award during the National Judicial College 60th Anniversary event in Los Angeles in 2023. 

Ninth Circuit Hosts Informative Criminal Justice Act Summit

On Sept. 21-22, 2023, the Ninth Circuit's Office of the Circuit Executive, in collaboration with the 10th Circuit's Office of the Circuit Executive, held a Criminal Justice Act (CJA) Summit in San Diego. It was the first in-person, circuit-wide gathering of CJA staff in over four years.

Established in 1964, the CJA created a comprehensive system for appointing and compensating legal representation for accused persons financially unable to retain counsel in federal criminal proceedings. Such representation typically is provided by a federal defender organization or by counsel appointed from a panel of private attorneys, or CJA panels. Staff based in courts and defender offices are tasked with managing CJA panels and administering eVoucher, the system that facilitates payments to panel attorneys and service providers.



Ninth Circuit Office of the Circuit Executive's CJA Unit from left are Suzanne Morris, Jen Naegele, Brad Dobrinski, Karina Rodriguez, Kristine Fox and Kevin Morley.

The Ninth Circuit's CJA Unit spearheaded summit planning and organized the program to include plenary and breakout sessions. The more than 60 attendees included CJA supervisory attorneys, administrators and voucher review auditors from every court in the Ninth Circuit.

The summit opened with a warm welcome by U.S. District Judge Ruth Bermudez Montenegro, chair of the CJA Committee for the Southern District of California, and with national updates from eVoucher Program Director Jeff Engle and eVoucher Program Manager Desiree Reyes. The most significant changes on the horizon for attorney and expert eVoucher users are the transition to Login.gov and to a new vendor manager solution that will enable electronic payments. The latter is a high priority given the number of paper

checks that are lost or stolen, but direct deposit cannot be instituted until Congress amends the CJA to allow disbursements to law firms, and not just individual attorneys. The eVoucher team expressed optimism this legislative fix will be included in the FY 2024 appropriations bill.

Acting Chief Patrick Nyero, Disbursing and Reconciliation Services, Administrative Office of the U.S. Courts, explained the different processes for cancelling lost, returned and stolen checks, and Rebecca Skordas, 10th Circuit case budgeting attorney, discussed different ways courts handle voucher reductions. Attorney Adviser Geoff Cheshire, Legal and Policy Division, AO Defender Services Office, addressed issues of national concern and participated in a lively Q&A. The final plenary session focused on skills for effective communication and included interactive small group trainings facilitated by Ninth Circuit mediators.

Breakout sessions for Ninth Circuit staff were led by members of the Ninth Circuit CJA Unit. Supervising Attorney Kristine Fox, Administrative Attorney Kevin Morley, Analyst Brad Dobrinski, and Specialist Karina Rodriguez walked through the process for circuit review of excess funding requests and the "Top 10 Ways to Avoid a Circuit Call." Case Budgeting Attorneys Jen Naegele and Suzanne Morris led a discussion on service provider rates, budgeting and billing guides. In addition, CJA Resource Counsel Monica Colbath, Federal Public Defender's Office for District of Alaska, shared details about her district's innovative paralegal training program.

The summit's second day was divided into two tracks. The first was geared toward voucher auditors and eVoucher administrators and featured discussions on fixing eVoucher technical issues, eVoucher training for panel attorneys and staff members, gathering and analyzing useful data, and sharing best practices for technical auditing. The second track was for CJA supervisory attorneys and included presentations on sentencing resources, fostering a robust panel, managing voluminous electronic discovery and training new judges.

Overall, the first post-pandemic CJA summit was a big success, and attendees were pleased to have the opportunity to network, share ideas and learn together. 🌱

Montana's GLACIER Diversion Program Gives Offenders a Second Chance

"Some of us are just lost and now somebody has been able to help us find ourselves," said Victoria*, an enrollee in the District of Montana's new GLACIER Program.

The Group Led Alternative Court Inspiring and Encouraging Recovery (GLACIER) program is a post-plea/pre-adjudication program wherein the participant enters a guilty plea, and sentencing is held in abeyance while the participant completes the program. The program is the result of cooperation between the U.S. District Court for the District of Montana, the U.S. Probation and Pretrial Services Office for the District of Montana, the U.S. Attorney's Office for the District of Montana and the Federal Defenders of Montana. If the participant completes the program successfully, charges are dismissed. The program is built for success: flexible and with the understanding that the process is a slow track to recovery.

"GLACIER was modeled on the DREAM Court in (the U.S. District Court of) Western Washington," said Brian Farren, chief U.S. probation officer for the District of Montana. "Deputy Chief U.S. Probation Officer (DCUSPO) Jerrod Akins and I brought the idea to our judges. They liked the idea so we started working with the federal defenders office and the U.S. Attorney's Office to get the ball moving."

"Although Jerrod and I did most of the coordination, we had a significant amount of back and forth with both the Federal Defenders (FD) and U.S. Attorney's Office (USAO) to finalize the memorandum of understanding," said Farren. "United States Attorney Jesse Laslovich and Federal Defender Rachel Julagay (executive director of the federal defender program in Montana) played a huge role in helping us get this off the ground. We could not have gotten this court running without Jesse's leadership."

Now the program is up and running. "We are in the infancy stage of this program, so all participants are currently in phase one," said Farren. "We have not had anyone graduate yet. We currently have six participants in our Billings court and four in our Great Falls court. We are anticipating having two in our Missoula court in the near future."

"I'm looking forward to participating in the Glacier Court to provide a vehicle for offenders to get their lives on track without having to be incarcerated," said Chief District Judge Brian Morris of the U.S. District Court for the District of Montana. "I regularly encounter defendants who have made bad choices that get magnified due to their difficult personal circumstances."

"The District of Montana has faced unusual circumstances in trying to create a diversionary court due to the long distances that defendants must travel to participate, the lack of treatment options in their home communities and the lack of mentors in those communities willing to participate. Glacier Court seeks to overcome these obstacles through the efforts and cooperation of court personnel throughout the District of Montana. Offenders in federal court now will have the opportunity afforded to participants in state diversionary courts to prove themselves," Judge Morris concluded.



The Billings GLACIER court team, (l-r), are Assistant U.S. Attorney Paul Vestal, U.S. Probation Officer Ashley Dietz, U.S. District Judge Susan Watters and Assistant Federal Defender Vann Arvanetes.

Candidates have to meet some firm standards to qualify for the program. "I wouldn't say it's hard," said Akins, "but we really gear the program for success. You certainly want to provide services to higher risk people but a lot of times the change that you can make, the sobriety that you can help with, is often times obtainable with moderate to lower risk clients."

That was the basis behind the criteria that we set up to get into the program and quite frankly, it was a tough sell to the U.S. Attorney's Office. They are often very passionate about the cases they are prosecuting so they don't necessarily want to see those people, so to speak, get out of jail free. That's why we came up with these criteria:

"Their criminal conduct needs to be motivated and directly related to substance abuse issues, they have to be a lawful resident of the United States and they have to reside in the District of Montana. They are not allowed to work as an active informant during their time in the program, they have to accept responsibility for the offense, so in other words, they have to plead guilty before they are accepted into the program, and they have to be willing to basically provide the government with all the information they have surrounding their crime. If they meet all of those initial criteria, then they submit an application with an explanation of their background and history of substance abuse. Then we have an executive team which is made up of myself, two of our public defenders here, and two of our U.S. attorneys, and unanimously we have to agree to accept them into the program," said Akins.

The participant can be charged with any offense except aggravated identity theft, firearm crimes, sex offenses, violent crimes or have any history involving these crimes. Participants must sign a contract agreeing to participate and to abide by the governing terms of the program. They will be in the program a minimum of a year and a maximum of two years. If a participant fails to complete the program successfully, they are sentenced by the judge overseeing the GLACIER program according to their previously entered plea.

The GLACIER judge and GLACIER team work together to make all decisions about participation in the program. In Montana, each court has a divisional team consisting of a U.S. probation officer, federal defender and assistant U.S. attorney (AUSA).

Akins said the toughest element for the participant is to remain sober, but that's where the group part of the program kicks in. "Coming from a background where, obviously substance abuse led to them committing a federal crime, it's tough to simply put the brakes on and stop using. I think sobriety is definitely the

toughest part of it, but, I think compared to those traditional treatment programs, they find a lot of camaraderie in the other participants that are there with them in the same situation and looking to get sober and, ultimately, if they complete the program, have their charges dismissed."

The program handbook is very frank: "We know it is going to be very hard for you to stop using drugs and alcohol if you are hanging around other people who still use them. For this reason, you should not be in communication with these people," it advises. Participants are required to review their days and show the GLACIER team how they have progressed and combatted risky situations.

The participant must, as is usual, submit to frequent and random drug testing and is strongly encouraged to get involved in the sober community. The program may also provide education assistance, skills assessments, employment assistance, mental health assessments and housing assistance.

All that takes time. "We put a minimum of 12 months on the program and quite frankly, they can't do it any quicker than that," said Akins. "It is just tough for them to get through that program in that time anyway, so around the 18-month mark, I would think maybe June-ish of next year, would be about when our first candidate would be looking to finish up."

Akins believes the program will succeed. "When we were presenting it to judges and getting them to buy in, they said if you can get that one person to take that different path, then the program is worth it," he said. "I'm sure we'll be successful with at least one, so the program will definitely be successful."

Aside from the human element, Akins can measure success in dollars saved too. "If a person were sentenced to the low end of the guideline range, at a daily prison rate of \$121 dollars per day, we've saved the taxpayers usually somewhere in the realm of \$20,000-\$50,000, depending on the sentence, of what it would cost to put this person in custody," he said. "We continually hear the soaring number of incarcerations in the U.S. and the cost of that to taxpayers so I think when we can take some of these people who would be serving some of the shorter sentences for sure out of their confinement roles and put them into a program like this, I think it is

beneficial on a number of different levels.”

“It is going really amazing. It is a really good opportunity, I believe,” said Victoria, who is three months into the program. She has managed the challenges well. “(The program) has been pretty enjoyable actually. I like being held accountable for things and that’s something I get to do with the drug court program. I live in a sober living house and being part of the drug court program has helped me be able to do that in a really good, responsible way,” she said.


Further, the program is life-changing for her. “It was an opportunity for me to prove myself as a decent human being and that I am capable of change and that is something I am eager to show the court system. I look forward to gaining a normal lifestyle back, where I can help give back to the community instead of being the old person that I was, taking from the community,” she added.

The group element of the program has been especially helpful. “We meet every time before court and we talk about certain things we can progress

in, and we talk about what we’re doing, how we are doing things and it has been very helpful,” said Victoria. “We get to help and motivate each other which is a really awesome part of it.”

Victoria is working at a real estate company “as a personal assistant to an amazing woman who has been a really big supporter of me,” she said. “I think Ashley Dietz (United States probation officer, District of Montana) has been one of the most amazing supporters throughout this opportunity and we definitely couldn’t do it without her.”

“I really strongly hope that we, being the guinea pigs of the program, that we can keep it going, that this is something they’ll see is worth keeping. It will give everybody (qualified) a chance in the future,” said Victoria. “I really do think I’ll succeed. I pray every day, I meditate, I have a great sponsor and an amazing AA home group.”

*Victoria requested her last name not be used while she finishes the program. 

Convening the First National Information Technology Conference

For many years, individual federal circuit courts have organized separate or combined Information Technology conferences catering to IT staff, court unit executives, and judges within their respective circuits, yet the idea of a nationwide gathering remained unrealized. This became a reality with the 2023 National IT Conference.

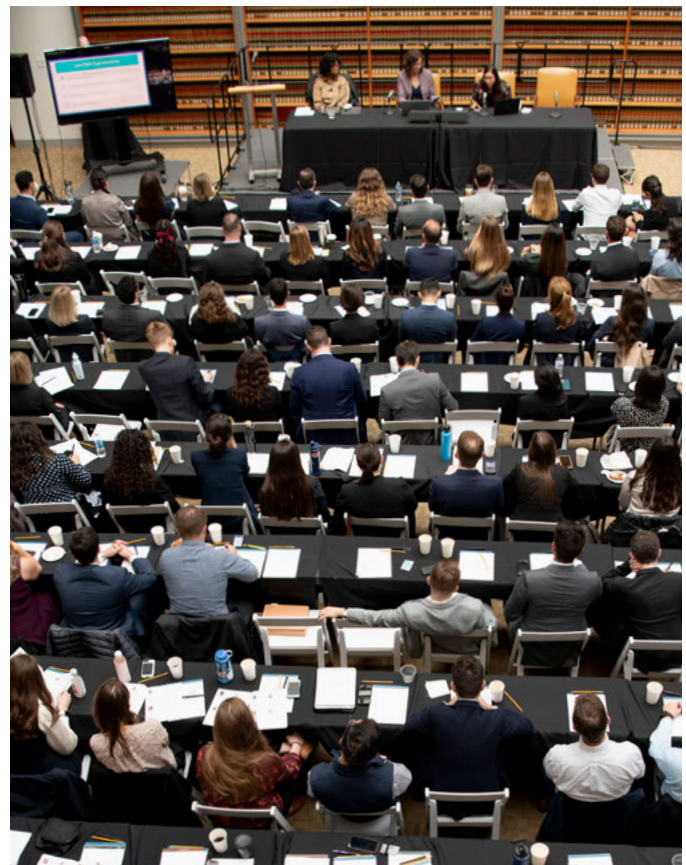
Held Aug. 16-18, 2023, in Louisville, Kentucky, the event drew approximately 700 attendees. Participants engaged in a dynamic mix of plenary and breakout sessions over the three-day event. The Ninth Circuit was actively contributing to the event. One session featured Ninth Circuit IT Security Officer Reggie Galjour, with the Office of the Circuit Executive (OCE), and her colleagues who presented on the proposed Circuit IT Security Plan. Additionally, Solutions Architect Krysia Sherburne, also with the OCE, shared her recent accomplishments in leveraging Microsoft

Power Automate and SharePoint. The Administrative Office of the U.S. Courts covered topics such as International Travel, CM/ECF Modernization and the Future of Courtroom Technology Design. Throughout the conference, various IT staff hosted breakout rooms, fostering in-depth discussions among their counterparts. Additionally, a social hour was held celebrating women in IT hosted by the Ninth Circuit's Circuit Executive Susan Soong, with nearly 50 in attendance.

Complimenting the intellectual exchange, a vibrant vendor exhibit hall featured representatives from nearly 20 companies. Attendees seized the opportunity to explore diverse products and solutions. The success of this event owes much to the collaborative efforts of judges, clerks, IT managers, and IT staff from around the country as well as the Administrative Office of the U.S. Courts. 

Ninth Circuit New Law Clerks Orientation

The U.S. Court of Appeals for the Ninth Circuit hosted the 2023 New Law Clerks Orientation at the James R. Browning U.S. Courthouse on September 20-21. Chief Judge Mary H. Murguia greeted the law clerks with a warm welcome, and Circuit Judge Johnnie B. Rawlinson, seated at left, emceed the orientation and moderated a conversation with district judges. Clerk of Court Molly Dwyer moderated a panel of key court staff. Mary Gaber Thompson, director of the Office of Workplace Relations, seated at center, and Anjuli Fiedler, deputy director of OWR, seated at right, featured the work of OWR and resources available to all employees. Circuit Judge Morgan Christen moderated a discussion with Chief Judge Emeritus Sidney R. Thomas and Senior Circuit Judge N. Randy Smith on chambers work environment and tips for success. Other topics discussed were security, court operations, en banc process, ethics, and jurisdiction and standards of review. 





Ninth Circuit Conference Features Thought-Provoking Programs and Gatherings to Advance the Administration of Justice



Ninth Circuit Chief Judge Mary H. Murguia, at podium, welcomes conference attendees on day one of the 2023 Ninth Circuit Judicial Conference.

Pictured at top are the “Empaneling a Jury” panel, (l-r), with Senior District Judge Marsha J. Pechman, Western District of Washington, District Judge Jill A. Otake, District of Hawaii, and Senior District Judge Anthony J. Battaglia, Southern District of California.

The 2023 Ninth Circuit Judicial Conference, held in Portland, Oregon, from July 31 to August 3, brought together members of the bench and bar from throughout the Ninth Circuit, distinguished guests, academia and honored leaders. This year’s theme was “If the past is prologue, then we have a lot to talk about.” Featured programs covered diverse topics ranging from “Interpreting the Constitution: A Debate on Originalism and Its Alternatives” to “How the Colorado River Runs or Runs Out: A Look Beneath the Surface.” These and other programs featured experts and legal practitioners and engaged attendees in thoughtful discussions.

Special guests included U.S. Supreme Court Justice Elena Kagan, U.S. District Judge Robert M. Dow, Jr., counselor to the chief justice of the U.S. Supreme Court, and Judge Carlton W. Reeves, of the Southern District of Mississippi, chair of the U.S. Sentencing Commission.

Ninth Circuit Chief Judge Mary H. Murguia opened the conference with remarks about the state of the circuit and acknowledged and introduced all the new judges appointed since the 2022 circuit conference.

The 2023 Ninth Circuit Judicial Conference was organized by the Conference Executive Committee led by U.S. District Judge Michael H. Simon, conference

chair, District of Oregon, and U.S. Bankruptcy Judge Madeleine C. Wanslee, program chair, District of Arizona.

Attended by 263 judges and 178 lawyers, the conference program opened with Judge Dow's introductory remarks followed by a review of the Supreme Court's recent activities by Lisa S. Blatt.

"This was the first Ninth Circuit Judicial Conference held in Portland in 27 years. Undoubtedly, our Conference would not have happened without the help of so many talented and dedicated individuals. I appreciate Molly Dwyer's continued invaluable support as Clerk of Court for the Court of Appeals, and Sue Soong, and her team in the Circuit Executive's Office for their outstanding service to each of the fifteen districts in our Circuit and to the court of appeals, as we continue to administer justice in the western states and Pacific islands," said Chief Judge Mary H. Murguia.

Each year the American Inns of Court recognizes a judge in each circuit for their dedication to access to justice issues and for their lifetime of public service and, this year, U.S. Senior District Judge Phyllis J. Hamilton, Northern District of California, received the prestigious 2023 American Inns of Court Professionalism Award for the Ninth Circuit. The award was given in recognition of her lifetime dedication to the highest standards in public service, in the legal profession and the rule of law. Judge Hamilton's distinguished career embodies the exemplary character, integrity, professionalism, and dedication to the rule of law required of recipients of this award, said the Honorable Edward A. Torpoco (Ret.), president of Edward J. McFetridge American Inn of Court, in his nomination letter. Read more about Judge Hamilton receiving the award on page 29 of this report.

The Ninth Circuit Advisory Board selects a lawyer who has demonstrated outstanding character and integrity, among other



District Judge Esther Salas, District of New Jersey, moderated a panel with Dr. Bruce D. Perry, who appeared by video, and former judge, John Gleeson, on "What Happened to You? A Conversation on Trauma, Resilience and Healing."

Above are, at center, Professor Akhil Reed Amar, Yale Law School, who moderated the panel "Interpreting the Constitution: A Debate on Originalism and Its Alternatives" with Professor John O. McGinnis, Northwestern University Pritzker School of Law, at left, and Professor David A. Strauss, University of Chicago Law School, at right.

attributes, and the 2023 recipient of the John P. Frank award is Erwin Chemerinsky, Dean of Berkeley Law. "This award recognizes Dean Chemerinsky for his many and unending contributions to the Courts," said Melinda Haag, chair of the Ninth Circuit Advisory Board, who presented the award. "Dean Chemerinsky has had a storied career in academia, is a distinguished law professor and educator, a public intellectual and an extraordinary appellate lawyer." Read more about Dean Chemerinsky receiving the award on page 41 of this report.

Other general programs included "U.S. Sentencing Commission: Current Issues," "Regulating Big Tech," "What Are Potential Solutions to the Homelessness Crisis" and "History—

What Is It Good For?” Speakers and panel experts at each session engaged participants in thought-provoking discussions.

“What Happened to You? A Conversation on Trauma, Resilience and Healing,” moderated by U.S. District Judge Esther Salas, District of New Jersey, included John Gleeson, former U.S. district judge, Eastern District of New York, and Bruce D. Perry, M.D., Ph.D., who explained his groundbreaking work on the impact of abuse, neglect and trauma in a person’s brain development. Judge Salas highlighted her personal journey healing after her son, Daniel, was murdered in 2020 in their home by a disgruntled lawyer. The killing brought widespread attention to vulnerabilities in judicial security. The Daniel Aderl Judicial Security and Privacy Act (Daniel Aderl Act), which became law in December 2022, provides protection for judges’ and certain family members’ personally identifiable information (PII), that is posted on the internet by private entities and the federal government.

Ninth Circuit committees met between general sessions—sometimes in person for the first time in years—and various business meetings and supplemental sessions were held over the conference. One notable bench-bar session was “Empaneling a Jury: Joint Criminal/Civil Breakout Session: An interactive session between bench and bar on jury empanelment from jury questionnaires to seating a jury.” Roger M. Townsend, chair elect of the circuit’s Lawyer Representatives Coordinating Committee (LRCC), coordinated the program because he was preparing to pick a jury in federal court, and “quickly realized how much variation there is between districts and judges within each district.” He also “discovered how strongly both judges and lawyers feel about what makes an appropriate jury selection process.”

“We have received excellent feedback and ongoing interest in the topic. I have had several conversations with lawyer representatives about replicating the program with the bench and bar in their home districts,” Townsend concluded.


The Magistrate Judges Education Committee presented a discussion about privacy rights for judges and attorneys, and the Bankruptcy Judges Education Committee presented a program about cryptocurrencies as they relate to Chapter 11 processes.

The top civics contest winners, Liam Hutchison from Honolulu and Luke Blue from Spokane, Washington, were honored at the civics contest reception on July 31. Additional winners from the local Oregon civics contest also attended the celebration. Hutchison and Blue accepted their awards and participated in a panel with judges from the Public Information and Community Outreach Committee. Chief Judge Murguia and Justice Kagan attended, and Justice Kagan presented the winners with a signed and personalized pocket U.S. Constitution. Read more about the civics contest winners on page 38 of this report.

On August 2, tribal judges and leaders from the Northwest met with U.S. Supreme Court Justice Elena Kagan, and Ninth Circuit Judges. U.S. District Judge Diane J. Humetewa, District of Arizona, the first Native American woman to serve as a federal judge was instrumental in arranging the meeting. Judge Humetewa is chair of the Ninth Circuit’s Ad Hoc Committee on Tribal and Native Relations. Both Justice Kagan and Chief Judge Murguia attended as honored guests. Read more about the historic meeting on page 40 of this report.

On the final day the conference, Justice Kagan held the traditional “Conversation with the Justice” program, taking the stage with Judge Wanslee and Misty Perry Isaacson, LRCC chair, for a Q & A session. The conversation ranged from favorite decisions she has written, her preferred authors and how to bolster confidence in the Supreme Court.

Authorized by law under 28 USC § 333, the Judicial Conference convenes “for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit.”

The Ninth Circuit encompasses Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington state, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. It includes the Ninth Circuit Court of Appeals and the federal trial and bankruptcy courts in the 15 judicial districts within the circuit. 

Civics Contest Winners Honored at Ninth Circuit Judicial Conference

On July 31, first-place winners of the 2023 Ninth Circuit Civics Contest, Liam Hutchison and Luke Blue, were celebrated at the Ninth Circuit Judicial Conference held in Portland, Oregon. U.S. Supreme Court Justice Elena Kagan and Ninth Circuit Chief Judge Mary H. Murguia congratulated the students in person.

The contest theme was “The 28th Amendment to the United States Constitution—What Should Our Next Amendment Be?” Students were challenged to think about what amendment would they propose and why, and how they would get their amendment ratified.



Ninth Circuit Judge Ryan D. Nelson, at right, watches civics contest winner Liam Hutchison, at left, address the audience as he and fellow winner, Luke Blue at center, engage in a discussion about the nuances of the contest and their entries.

Hutchison, from Punahou School in Honolulu, with his essay, and Blue, from Mt. Spokane High School in Mead, Washington, with his video entry, each won \$3,000 and a paid trip to the Ninth Circuit Judicial Conference. Two honorable mention prizes, one in each category, were awarded for the first time since the circuit-wide contest began in 2016.

Chief Judge Murguia thanked the Ninth Circuit’s Public Information and Community Outreach (PICO) Committee for its efforts to promote civics education throughout the circuit. “I’m so grateful for the work that every district does in promoting civics education,” she said. “I’m truly delighted that so many young people in our circuit answered the call for submission. “I feel honored to personally congratulate this year’s winners. We value your ideas, thoughtful essays, and creative video submissions.”

“Our legal constitutional future lies in the hands of our young people,” said Justice Kagan. “I encourage them to learn more about our system of government, and our legal system in particular. I thank the Ninth Circuit for making civics education a priority and I’m delighted to be associated with it myself. It is one of the most important things that any of us judges can do.

“Congratulations to everybody who won, placed or showed in this extremely competitive event and thanks again to the Ninth Circuit judges and administrators and everybody else who makes such a priority of this event,” Justice Kagan noted.

“Meeting all of the different judges was an awesome experience,” said Hutchison. “They all congratulated me on my contest entry and were interested in my next steps. I even got to see (District) Judge (Jill) Otake from my home state of Hawaii, which was a nice experience. I was very nervous to meet so many accomplished people, but everyone was down-to-earth and approachable.”

“I really do believe that this contest is an amazing opportunity for students to take part in, as the opportunity for learning is great. Being able to answer questions from members of the PICO committee allowed me to share my experiences with everyone, and I hope that I am able to encourage more students to enter the contest,” Hutchison concluded.

Federal courts in all 15 judicial districts in the Ninth Circuit held local contests with winners who went on to compete in the circuit-wide contest. Of the 966 essays and 86 video entries received, 45 essays and 30 videos from the local contests advanced to the circuit level. Of the entries that advanced, 12 essays and 10 videos were selected for final consideration by PICO members, judges, court and unit executives, and attorneys. Blind judging was used throughout the judging process. Winning essays and videos are posted on the civics contest website <https://www.ca9.uscourts.gov/civicscontest/>.

The competition was open to high school students in nine western states and two Pacific island jurisdictions—Guam and the Northern Mariana Islands. Prizes and contest-related expenditures were funded through attorney admission fees collected by the federal courts in the Ninth Circuit to fund educational programs for the bar and the community. 🌱

Judge Phyllis J. Hamilton Awarded Prestigious American Inns of Court Professionalism Award



Chief Judge Mary H. Murguia, pictured right, presents the 2023 American Inns of Court Professionalism Award for the Ninth Circuit to Senior District Judge Phyllis J. Hamilton.

U.S. Senior District Judge Phyllis J. Hamilton, Northern District of California, received the prestigious 2023 American Inns of Court Professionalism Award for the Ninth Circuit. Ninth Circuit Chief Judge Mary H. Murguia presented the award on July 31, 2023, at the 2023 Ninth Circuit Judicial Conference held in Portland, Oregon.

The award was given in recognition of her dedication to access to justice issues and for her lifetime of public service. “Judge Hamilton led important and groundbreaking work in collaboration with the UCSF Memory and Aging Center, and her contributions in this area have served as a national model for other circuit courts to follow as well as state courts and organizations nationwide. Anyone who knows or has worked with Judge Hamilton can attest to her thoughtful, fair-minded, respectful, and no-nonsense approach to the law. She truly embodies the best attributes of a judge,” expressed Chief Judge Murguia.

Judge Hamilton’s distinguished career embodies the exemplary character, integrity, professionalism and dedication to the rule of law required of recipients of this award, said the Honorable Edward A. Torpoco (ret.), president of Edward J. McFetridge American Inn of Court, in his nomination letter. “After graduating law school, she devoted almost her entire legal career to public service. She was the first African American woman in the court’s history to serve as Chief Judge.

“As long-standing members of our local bar and bench, our leadership team can attest to Judge Hamilton’s well-deserved reputation for the fair and efficient handling of both civil and criminal cases as a judicial officer. We also know her to be an active participant in local bar associations, a mentor to students and young lawyers, and a proponent of excellence and professionalism in the bar through her participation in continuing education programs,” Judge Torpoco said.


Judge Hamilton was appointed and became the first African American woman U.S. magistrate judge for the Northern District of California in 1991 and was elevated in 2000 as a U.S. district judge for the Northern District, where she served as chief judge from 2014 to 2021.

Judge Hamilton has served on various committees for the Northern District, the Judicial Council of the Ninth Circuit and the Judicial Conference of the U.S., including as a member of the JCUS Committee on Judicial Conduct and Disability and as the long-term chair of the Ninth Circuit Wellness Committee.

Judge Hamilton received the 2022 California Association of Black Lawyers Legendary Champions of Justice Award for judicial excellence and the 2021 Charles Houston Bar Association Trailblazer Award for a career of service and mentoring younger lawyers.

Prior to her federal judicial career, Judge Hamilton served as a court commissioner for the California Superior Court in Alameda County (formerly the Municipal Court, which was abolished when all California trial courts were unified in the late 90s), 1985-1991, and as an administrative judge for the U.S. Merit Systems Protection Board, San Francisco Regional Office, 1980-1985. She was a deputy public defender for the California Office of the State Public Defender, 1976-1980.

Judge Hamilton received her Bachelor of Arts from Stanford University and her Juris Doctor, cum laude, from Santa Clara University School of Law.

The American Inns of Court professionalism award is given annually in each of the federal circuits to “a lawyer or judge whose life and practice display sterling character and unquestioned integrity, coupled with ongoing dedication to the highest standards of the legal profession and the rule of law.” 

Northwest Tribal Judges and Leaders Meet with Justice Kagan and Ninth Circuit Judges



Federal judges and tribal judiciary representatives from similar regions get acquainted and talk about common issues.

A congenial and upbeat meeting among Native American tribal representatives and an array of judicial representatives, including U.S. Supreme Court Justice Elena Kagan and Ninth Circuit Chief Judge Mary H. Murguia, took place at the Ninth Circuit Judicial Conference in Portland, Oregon, on Aug. 2, 2023.

The one-hour session included the executive board of the Affiliated Tribes of Northwest Indians, or ATNI, including Leonard Forsman, president; 10 tribal judges, almost all of them chief judges; and 32 U.S. district judges, including chief judges; and U.S. District Judge Diane J. Humetewa, District of Arizona, an enrolled member of the Hopi Tribe and the first Native American woman to serve as a federal judge. Judge Humetewa is chair of the Ninth Circuit's Ad Hoc Committee on Tribal and Native Relations, or TNR, and led the effort to arrange the meeting.

"The Ninth Circuit has by far the largest populations of Indigenous peoples and Indian nations as compared to other circuits in the nation," said Judge Humetewa. "As one of the objectives in the TNR committee's charter states, we seek to better understand the common concerns related to judicial functions and open communication. For many years there have been state and tribal court forums which were meant to foster respect for jurisdictions and to understand the jurisdictional overlap. It makes sense to achieve this on the federal level given our similar overlapping jurisdictions."


"Considering the significance of advancing the administration of justice in Indian Country, Judge Humetewa and I agreed that this meeting would be an important, beneficial, and timely opportunity for judicial colleagues to meet tribal leaders. It was an honor for me to be a part of this unique event," said Chief Judge Murguia.

The program started with a half hour of tribal leaders and judges mingling. Chief Judge Murguia then introduced Justice Kagan, who addressed the group.

Forsman introduced the executive board and tribal judges and leaders and gave a presentation on the history of the ATNI. "A common theme in the remarks was the importance of clear and effective communication between the tribal and federal courts as they each do the work of providing justice and exercising jurisdiction in their respective communities," said Forsman.

"Everyone came to the meeting hoping that this would be the beginning of a longer collaboration. I think we accomplished that," he said. "Time will tell how frequent those meetings will become, who they will be with and how productive they will be. But we are optimistic that we can work together in the years ahead."

"We are in many ways the adjudication body for Indian Country but (courts are) so far removed from communities, it adds a layer of complexity to what justice looks like to the involved offenders, victims or their families' lenses," said Judge Humetewa. "Juries are often not representative due to the geographical distance between the community and the court, and the affected communities are often unaware of the outcomes."

"Justices and judges often travel to learn about European and state courts, and it makes sense for us to do the same with tribal justice systems. We acknowledge the need to invite our tribal judge counterparts to our courts, and we hope this meeting lays the foundation for future work and, eventually, visits by justices to the tribal lands," she finished. 

Erwin Chemerinsky Awarded Prestigious 2023 John P. Frank Award

Erwin Chemerinsky, dean of Berkeley Law, is the recipient of the 2023 Ninth Circuit John P. Frank Award, which recognizes lawyers who have demonstrated outstanding character and integrity, among other attributes.

“In the tradition of legendary Phoenix attorney John P. Frank, Dean Erwin Chemerinsky is both a great lawyer and a great teacher,” said U.S. Ninth Circuit Chief Judge Emerita Mary M. Schroeder. “His is a voice that stands up for the constitution, judicial independence and the Rule of Law whenever they are threatened. He is a most worthy recipient of this year’s Ninth Circuit “lawyer’s lawyer” award, created by our attorney Ninth Circuit Advisory Board and named in honor of Mr. Frank.”

The John P. Frank Award, established in 2003, recognizes a lawyer who has “demonstrated outstanding character and integrity; dedication to the rule of law; proficiency as a trial and appellate lawyer; success in promoting collegiality among members of the bench and bar; and a lifetime of service to the federal courts of the Ninth Circuit.”

“This award recognizes Dean Chemerinsky for his many and unending contributions to the Courts,” said Melinda Haag, chair of the Ninth Circuit Advisory Board, who presented the award. “Dean Chemerinsky has had a storied career in academia, is a distinguished law professor and educator, a public intellectual and an extraordinary appellate lawyer. He has been recognized as the most influential person in legal education, he is the most often cited American legal scholar, and he is acknowledged as one of the most important legal thinkers in the United States.

“Everyone who knows him says that Dean Chemerinsky is the most decent, kind and humble person they know. His students and former students revere him. And as a Berkeley Law alum myself I can tell you that the alums do as well. It is our honor to present him with the 2023 John P. Frank Award,” Haag concluded.

Prior to becoming dean, Chemerinsky was the founding dean and distinguished professor of law, and Raymond Pryke Professor of First Amendment Law, at the University of California, Irvine School of Law, 2008-2017. He was the Alston and Bird Professor of


Law and Political Science at Duke University, 2004-2008, and was a professor at the University of Southern California Law School, including as the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science, 1983-2004. From 1980 to 1983, he was an assistant professor at DePaul College of Law.



Erwin Chemerinsky, dean of Berkeley Law, is the recipient of the 2023 Ninth Circuit John P. Frank Award, which recognizes lawyers who have demonstrated outstanding.

Chemerinsky is the author of 16 books on constitutional law, criminal procedure and federal jurisdiction. His most recent books are “Worse than Nothing: The Dangerous Fallacy of Originalism” (2022) and “Presumed Guilty: How the Supreme Court Empowered the Police and Subverted Civil Rights” (2021).

In 2016, he was named a fellow of the American Academy of Arts and Sciences. In 2017, National Jurist Magazine again named Chemerinsky as the most influential person in legal education in the United States. He was the 2022 president of the Association of American Law Schools.

The late Mr. Frank was a renowned Phoenix attorney who, over the course of a 62-year career, argued more than 500 appeals before the Arizona Court of Appeals, the Arizona Supreme Court, the U.S. Court of Appeals for the Ninth Circuit, other federal circuit courts and the U.S. Supreme Court. The award was established in 2003 by the Judicial Council of the Ninth Circuit at the recommendation of the Ninth Circuit Advisory Board, a group of experienced attorneys who advise on circuit governance issues. 

Roadways to the Bench Meetings Promote Judicial Careers

Almost 350 lawyers and law students attended meetings across the Ninth Circuit designed to educate and encourage them to consider a judicial career.

The federal judiciary, led by the Judicial Conference of the U.S. Committees on the Administration of the Bankruptcy System and the Magistrate Judges System, held the second iteration of the national diversity event for law students and attorneys, “Roadways to the Bench: Who Me? A Bankruptcy or Magistrate Judge?”

Roadways to the Bench is a national effort to draw the best and brightest to the judiciary by introducing them to the culture and to judges who can answer questions about what it is like to take the bench.



Federal judges in the Central District of California, pictured at top, participated in the “Roadways to the Bench: Who Me? A Bankruptcy or Magistrate Judge?” event hosted by the Central District on April 3, 2023. Ninth Circuit Judge Jacqueline H. Nguyen, third from left, and Bankruptcy Judge Sandra R. Klein, first from right, engaged in small group discussions, moving from one table to the next, and offered encouragement to the participants as they work their own pathways to the bench.

The event, held nationwide at 38 venues, including eight locations in the Ninth Circuit, on April 3, 2023, started with a national panel discussion about panelists’ respective paths to the federal bench. The discussion was livestreamed from Washington, D.C., to 37 locations in 12 federal judicial circuits.

The panel, moderated by Fifth Circuit Judge Carl E. Stewart, comprised Chief District Judge Laura Taylor Swain, Southern District of New York, Second Circuit, who was a bankruptcy judge from 1996 to 2000; Sixth Circuit Judge Stephanie Dawkins Davis, who served as a district judge in Eastern District of Michigan from 2019 to 2022 and as a magistrate judge from 2016 to 2019; Magistrate Judge Mustafa T. Kasubhai, District of Oregon, Ninth Circuit; and Bankruptcy Judge Keshia Lynn Tanabe, District of Minnesota, Eighth Circuit.

During his remarks on the national panel, Judge Kasubhai emphasized two critical considerations as people chart their course for judicial service. “First, give yourself permission to see yourself as a judge,” he said. “Don’t let anyone hold back your personal capacity to see it for yourself. Then, make sure you tell trusted friends and mentors this is something you want to pursue.” Judge Kasubhai emphasized how important it is to exercise personal agency. He continued, “For lawyers who are not traditionally represented on the bench, don’t wait for someone to actively recruit you. You will need to move the ball yourself at first, and that is okay.”

Local gatherings, hosted by magistrate and bankruptcy judges from the local circuit, then moved to local roundtable sessions where visitors, limited to current law students and attorneys, interacted with the judges.

Trial attorney Edward K. Bernatavicius, Office of the U.S. Trustee, Region 14 in Phoenix, has been an attorney for about 23 years and has practiced bankruptcy law “almost my entire career,” he said. He attended the event—his second because he “always loved leadership, service and solving problems for others. I think being a bankruptcy judge encapsulates these three values at the highest level and would love to do this in the next step in my career for not only me, but the bankruptcy bar and public who I would serve,” he added.

“Even though this was my second time attending I still learned new information,” Bernatavicius continued. “Hearing the panel of judges talk in the opening 45-minute discussion regarding their stories and backgrounds is always helpful and energizing. After all, they have achieved what I hope to someday achieve and it is really helpful to hear their stories and how they made it to the bench.” He noted the roundtables with the judges were invaluable. “We talked about their own paths to the judiciary, how to improve on our individual applications, our interviews, careers, etcetera. As I am physically challenged and use a wheelchair, one day it would be helpful to hear from a judge who is also physically challenged and hear how that person navigates the judicial world and any of the challenges it may present.”

Chief Bankruptcy Judge August B. Landis, District of Nevada, hosted a gathering in Las Vegas, drawing nearly 60 visitors and providing perspective from 13 judges. “Ultimately,” he said, “there was one judge for every five non-judicial attendees during the roundtable session.

“My experience was that about two-thirds of the non-judicial attendees were already interested in pursuing a position as a federal jurist. Several attendees indicated that they enjoyed the AO panel, and in particular hearing from established and nationally recognized judges about their paths to the federal bench. The AO panel also afforded a nice introductory segue to the discussions at the local roundtable session in Las Vegas.


“The roundtable discussions tended to focus on the practical aspects of becoming a judge—i.e., how to find out when and where there are openings, what is the application process like, how should they hone their professional skills to be well positioned

to pursue a judicial opening, is it an enjoyable job, and so on,” said Judge Landis. “The Roadways to the Bench event provides the kind of information that is helpful to any interested candidate as they consider whether to pursue or not pursue a career on the federal bench,” Judge Landis concluded.

Bankruptcy Judge Magdalena Reyes Bordeaux, Central District of California, attended the 2019 Roadways to the Bench event and credits it with helping her attain her judgeship. “I think the biggest takeaway from the event was to just apply,” she said. “Prior to attending the Roadways Event, I thought that I might not be seriously considered for a bankruptcy judgeship because I had not worked at a Chapter 11 firm. However, after attending the Roadways event I felt my experience could be an asset, especially since over 98% of cases filed in the Central District are consumer bankruptcy cases.”

Judge Reyes Bordeaux has found her judgeship to be very rewarding. “It has exceeded my expectations,” she said. “I get to work on interesting issues, collaborate with great colleagues, and continue my efforts in making the courts accessible to all parties.

“It was so inspiring that judges took time out of their busy schedules to attend and encourage attorneys to apply to be a judge. I hope to do the same for others, now that I am a judge, at future Roadways to the Bench Events,” she said.

Bernatavicius noted the value of the event, “I believe such events are critical in establishing pipelines of diversity and roadways to the bench for a more inclusive bench,” he said. “The earlier in one’s career such roadways and mentorship are established, the better the chance to build on our already amazing judiciary. I would like to thank all the judges who took their time to be a part of this event.” 

Special Sitzings Benefit the Public, Parties and Judges in a Multitude of Ways

Each year the U.S. Court of Appeals for the Ninth Circuit holds a number of special sittings where the court holds hearings at venues other than the four courthouses designated for appellate proceedings in Seattle, Portland, San Francisco and Pasadena, California.

Special sittings, whether at district or bankruptcy courthouses in other locations, or at law schools or other venues, serve as a presence in those other states, both for the litigants and counsel who are appearing before the court and for the public. The sittings can also allow parties, judges and court staff to avoid long trips to existing courthouses. Appeals panels sit every year in Anchorage, Honolulu, Las Vegas, Phoenix and San Jose, California. The court also seats panels at law schools around the circuit to expand their presences and to provide a valuable experience for the students.

Gavin Garcia, a first-year law student at the University of Nevada, Las Vegas, attended the session with a number of classmates, staying for all the hearings and for the Q&A afterward. “My favorite part about appellate hearings is to see how the judges directly interact with the attorneys,” said Garcia. “The judges would interrupt the attorneys with incredibly difficult questions, and it was interesting to figure out what the judges truly cared about in each of the hearings. The attorneys handled the questions brilliantly.”

Garcia was impressed with the gravitas of the proceedings. “I was not expecting to feel the power of tone and personality of each individual in the proceedings,” he said. “In law school, we get used to reading transcripts of proceedings. We lose significant context when merely reading a legal question or legal analysis rather than hearing the emphasis of certain words through tone or cadence. It was refreshing to listen to emotional and stimulating legal discourse, as opposed to some of the static literature we study in school.”

He found the Q&A with the judges especially informative. “They provided a lot of insight on what their day to day looks like, what work their law clerks do and what they look for in externship applications,” he said. “It was also wonderful to meet the judges as regular people, once the hearings were over and the judicial robes were off.”

Garcia found the experience stimulating. “Attending these special sessions invigorate me to continue working hard in school,” he said. “One day, I want to be an appellate attorney. Physically being present in a hearing shows me what high standards I have to meet. Attending these sessions is humbling and they give me a future to look forward to.”



Ninth Circuit Judges Marsha S. Berzon, Eric D. Miller and Lawrence VanDyke stop for a photo October 4 while at the University of Hawai'i at Mānoa, William S. Richardson School of Law, where a special sitting was held as part of the U.S. Court of Appeals for the Ninth Circuit's weeklong sitting at the U.S. Bankruptcy Court in Honolulu. Photo Credit: Frankie Marullo.

Judges enjoy the change of venue as well. “I enjoy participating in special sittings because it gives us the opportunity to show the work of the court to audiences who would not ordinarily have access to a live sitting,” said Ninth Circuit Judge Johnnie Rawlinson. “Holding court in front of an audience of students as opposed to courthouse audiences is different because we are mindful that these arguments are part of the students’ educational experience and want them to come away with a sense of having complemented their classroom learning.

“Beyond advancing the cases on calendar, with special sittings we hope, to convey that every part of the circuit is important to us, and that we consider each case carefully regardless of its origin. The most interesting facet of participating in a special sitting is adapting our procedures to the available accommodations.” Judge Rawlinson noted she enjoys the question-and-answer sessions with the students. “They give us valuable insight into the students’ perception of the circuit and also gives us the opportunity to encourage students to consider pursuing a clerkship.”

Kapri Tulang-De Silva, a first-year law student at the University of Hawai’i at Mānoa William S. Richardson School of Law in Honolulu, attended the October session in Honolulu with her class and agreed the sittings are uniquely valuable. “Not many law students have the opportunity to experience a Ninth Circuit Court of Appeals sitting, especially on their own campus and of such high a level in our court system,” she said. “As a first-year law student, I learned about the Ninth Circuit’s role and position in our federal government hierarchy.”


Tulang-De Silva’s civil procedure professor reviewed the procedures utilized in a few of the cases that would be heard by the Ninth Circuit course in class. “This allowed us to apply the concepts we were learning in class to current cases,” she said.

For Tulang-De Silva, the most interesting part of the sitting “was observing how the presiding judges interacted with each other and with each attorney before them and vice versa. I found the dynamics between all the important players fascinating. The dialogue between judges and attorneys is often excluded from the opinions we read in class so it was

fascinating to hear how the attorney’s arguments were crafted, how they responded to each judge, and how each judge asked their questions or directed their points at the attorneys.”

Learning continued after the hearings were completed. “The Q and A with the clerks gave me an idea of what it takes to be a clerk for a judge at the Ninth Circuit level and the steps that I may take to achieve such a position,” said Tulang-De Silva “It also made me think about the type of legal career I hope to pursue post-law school and whether a clerkship is in that future. It was comforting to know that many of the clerks were in my shoes at one point or another and that at the end of the day, the clerks and the judges are people just like us.”

Tulang-De Silva took away some critical information. “As a law student, attending the special session helped me see high-level lawyering in action,” she said. “I was able to discern what to do or what not to do as an attorney and how to best represent myself and my clients and advocate for them effectively in the future. I also learned that being thoroughly prepared is extremely important. Both the attorneys as well as the judges were very well-versed in their cases and supporting research. There were regulations and acts discussed that clearly required deep analysis and examination to argue or question them effectively.

“Moreover, I realized that the attorneys and judges were real people litigating real problems. The issues discussed are happening now and affecting people today. The special session put our government system and the cases brought to court into perspective for me. The cases I often read for class are from the past so I sometimes struggle to conceptualize it in today’s context. However, witnessing the special session and the impact the rulings will have on real people and on the current world we live in, made me realize the power attorneys, judges, and the government have in shaping our world and future,” Tulang-De Silva concluded. 

Balancing Tradition and Innovation: The Library Leads the Way in Promoting New Technology While Preserving Time-Honored Services

In 2023, the landscape of information technology has experienced unprecedented growth. Throughout this period of rapid change, the Ninth Circuit Library remains at the forefront, championing the adoption of new tools while staying true to its foundational mission to deliver exemplary research services.

At its core, the circuit's library is a world-class research institution, tackling nuanced research questions; providing training to judges, court staff, law clerks and externs; and ensuring access to essential information and research resources for all court personnel. In 2023, the library fielded more than 7,000 research queries and offered nearly 200 training sessions with more than 1,000 participants. Serving as a vital conduit of news and other information, the library publishes over 20 current awareness newsletters for the court community. The library's most ubiquitous newsletter, the daily New & Noteworthy, has roughly 1,500 court subscribers.


In 2023, the library dove into the world of artificial intelligence. Branch Librarian David Vermooten, in Boise, Idaho, and Assistant Branch Librarian Heather Phillips, in San Diego, wrote and maintain an Artificial Intelligence & the Law research guide for court users. The library also offers training in AI legal research products. Because of interest among the court community, some of this training even covers products not currently available to the federal judiciary. The library looks forward to expanding its AI-related trainings in 2024.

Additionally, the library has spearheaded the adoption of various other online research and writing tools. Librarians were instrumental in collaborating with the Administrative Office of the U.S. Courts to obtain national approval of Perma.cc for judiciary use, allowing judges and court personnel to create permanent links to digital content cited in opinions and other documents. Anchorage Branch Librarian Anna Russell served on the National Library Program group tasked with developing a rollout plan for

Perma.cc. Librarians also successfully worked with the Administrative Office of the U.S. Courts to obtain approval of certain online citation checking and writing tools.

Librarians, led by Digital Services Librarian Shannon Lashbrook, regularly communicate with legal research vendors to enhance accuracy and improve the research experience for all users. For example, in 2023, librarians worked to improve processes to ensure that opinions are more accurately represented. The library also successfully encouraged one of its vendors to include parallel U.S. Reports pin cites in U.S. Supreme Court opinions as soon as they are available from the court (a few weeks after the original slip opinion is issued), rather than years later when the bound U.S. Reports are published.

Library staff regularly speak at various court and national conferences, sharing insights and best practices. At the Federal Judicial Center Workshop for Court Mediators, and again at an American Bar Association Conference, Lashbrook provided guidance on litigation analytics in mediation. Lashbrook and Honolulu Branch Librarian Pete Gayatinea offered training to Republic of the Marshall Island judges on online research resources. Librarians also presented at the Ninth Circuit Symposium, Conference of Chief Bankruptcy Judges and Court Clerks, New Ninth Circuit Judges Orientation, New Ninth Circuit Law Clerk Orientation and Montana Law Clerk Orientation.

Acknowledging the remarkable efforts of the library, in July 2023, Congressman Scott Peters nominated the San Diego Branch Library for the 2024 National Medal for Museum and Library Service. As a federal government library, the branch is ineligible to receive the award. Nonetheless, the nomination underscores the contributions of both the San Diego Branch, led by Branch Librarian Val Railey, and the entirety of the library system to the U.S. Courts for the Ninth Circuit. 

Office of Staff Attorneys

The Role of Staff Attorneys

The Office of Staff Attorneys (OSA) is the Ninth Circuit Court of Appeals' central legal staff. Over the years, the size and structure of OSA have fluctuated with the caseload, and workflows have advanced with technology, but the office's core mission has remained the same—to help maximize judicial resources.

In the early days of the court, judges heard oral argument and published an opinion in every case. After the caseload surged in the 1960s, the court began to allocate judge time more deliberately, with the idea that giving due process in every case did not necessarily mean giving the same process in every case.

This is where the staff attorneys come in. They review all new cases for appellate jurisdiction and issue an order to show cause when warranted. If the appellant or petitioner responds with a motion for voluntary dismissal or does not respond at all, no judge time is expended on the case.

The staff attorneys also process the motions filed in cases not assigned to chambers. Procedural motions can typically be handled by staff. Substantive motions are worked up by staff attorneys who orally

present their recommendations to rotating panels of judges. Roughly half of the court's cases are resolved by clerk order or decided by judge order before the completion of briefing. When the remaining cases are fully briefed, staff attorneys create a one-page profile that identifies the key issues and estimates the complexity of the case using a weighting system.

Staff attorneys work up most of the court's pro se cases and present their recommendations to monthly oral screening panels. In more complicated pro se cases without novel legal issues, a staff attorney or law clerk prepares a memo and recommended disposition and the case is decided by a written screening panel. If a pro se civil or agency case raises an open legal question, a staff attorney or judge can refer the case to the office's pro bono coordinator to recruit volunteer counsel.

Most counseled cases are assigned to argument panels, using the case weights to balance the workload across panels, chambers and law clerks. Staff attorneys support chambers by fielding questions that call for institutional or subject area knowledge. They also draft comprehensive bench memos in capital cases, process attorney fee motions in civil and agency cases, and coordinate the attorney discipline process. On occasion, staff attorneys are asked to fill in for law clerks in chambers.



Staff attorneys convene at a Federal Judicial Center conference in Miami in June 2023.

More broadly, staff attorneys assist the court in tracking issues and connections among cases. They maintain a database of pending legal issues and try to ensure that a panel asked to decide a novel question is aware of any other panel facing the same question, so the panels can confer as needed about publication. They also draft opinion summaries and circulate them to the full court before the opinions are released to the public.

About the Staff Attorneys

In 2023, the Office of Staff Attorneys had more than 70 attorneys along with 12 paralegals and case managers. Most staff attorneys are based in the San Francisco Bay Area, though the office also has a presence in Seattle, Portland, Pasadena and other cities.


Attorneys usually come to the court with several years of post-J.D. experience, often as associates at law firms, attorneys at public interest organizations or law clerks for federal judges. Attorneys are hired for one-year terms, renewable up to five years, and go on to a wide range of meaningful roles in federal and state courts and agencies, law schools, law firms, in-house, nonprofits and the arts.

Losing experienced attorneys every year means that the staff attorneys also recruit and train new attorneys every year. The influx of new energy and fresh perspectives keeps them engaged and forward-thinking, while departing attorneys, with their exposure to the judicial process, serve as ambassadors to the broader legal community. Staff attorney alumnae are an invaluable resource for the office, offering job and networking opportunities, and sitting on career panels to share their experience and advice.

Highlights from 2023

In 2023, OSA reviewed all newly-filed cases, processed over 8,000 procedural motions, prepared more than 3,000 substantive motions, and presented about 1,000 screening cases.

They also had new opportunities to collaborate with other court units. They partnered with librarians to update the office's legal outlines, including the Ninth Circuit Immigration Outline. They also provided attorney assistance to the Office of the Circuit Executive to process judicial misconduct complaints and develop diversity, equity and inclusion programming. And they worked closely with the clerk's office to help implement the court's new case management system (ACMS) and to tighten up briefing schedules in light of the reduced backlog.

Finally, the Federal Judicial Center hosted a conference in Miami where a group of staff attorneys gathered with staff from all the other circuit courts to hear presentations from academics and practitioners, and to exchange ideas with their counterparts about the various ways to process cases effectively in the courts of appeals. 

New Changes and Updates to the Office of Workplace Relations

The Ninth Circuit first established the Office of Workplace Relations (OWR) in January 2019 as a resource for all its employees—providing confidential guidance and advice, implementing the Ninth Circuit Employment Dispute Resolution (EDR) Policy, conducting trainings, developing workplace resources, and supporting the circuit’s diversity, equity and inclusion efforts. Since then, OWR continues to build and maintain a healthy and positive working environment for employees and judges.

OWR Staff Changes

In 2023, the office hired a new director and deputy director. Mary Gaber Thompson joined the Ninth Circuit as its second director of workplace relations in August 2023, after serving four years as the first Fifth Circuit director of workplace relations. Thompson brings a rich background that includes 10 years as a federal judiciary employee, with prior roles as an administrative attorney, circuit mediator and Criminal Justice Act (CJA) law clerk. She received her B.A. from the University of California, Davis, and her J.D. from the University of California, Davis School of Law. Thompson was excited to join the Ninth Circuit because it has been “at the forefront of workplace relations efforts since the director of workplace relations roles were established.”

Anjuli Conover joined the office as deputy director of workplace relations in March 2023. Prior to joining the Ninth Circuit, Conover was a senior associate at Van Dermeyden Makus Law Corporation, a law firm dedicated to workplace investigations. Her experience also includes six years as senior staff counsel at California’s Commission on Judicial Performance, where she investigated allegations of misconduct against California state judges, and six years as a court-appointed criminal defense attorney. She received her B.A. from the University of Pennsylvania, her M.P.P. from Pepperdine University and her J.D. from the University of California, Davis School of Law.



The revamped Office of Workplace Relations public website is available at <https://www.ca9.uscourts.gov/workplace/>.

New Reasonable Accommodation Resource

With the office fully staffed, OWR continues to ensure an inclusive working environment. In 2023, the office continued to provide trainings as requested and developed new resources for reasonable accommodations. In response to employees inquiring about the options and process to seek accommodations for a disability, OWR launched a new reasonable accommodation resource page on its intranet site in January 2023. This page provides

useful information for anyone who is seeking or managing disability accommodations, including a list of the primary points of contact for accommodations for each court unit. The primary point of contact is an individual who will work with the person requesting an accommodation and serve as a liaison between the employee and the employing office. In addition to the years of experience many of the points of contacts have, these individuals attended an OWR-led reasonable accommodation workshop, which included a review of policies, best practices and interactive scenarios.


Updated Public OWR Webpage

The Office of Workplace Relations has revamped its public website. The public page was first launched shortly after OWR was established in 2019. After a few years, it was revised and still includes links to the Ninth Circuit Employment Dispute Resolution (EDR) Policy, as well as the Ninth Circuit Federal Public Defender Organizations EDR Policy.

Additionally, the OWR utilizes a platform that allows for anonymous feedback and anonymous two-way communication with the office. While this option was previously only available through the intranet page, it has now been added to OWR's public page <https://www.ca9.uscourts.gov/workplace/>. The direct link is available at <https://ansr.me/9BigJ>.

Annual Trainings and Request for Trainings

The Office of Workplace Relations continues to develop annual EDR trainings for employees and judges. OWR developed new EDR trainings for judges, court employees and federal public defender offices. To provide employees and judges with multiple options for training, OWR now offers employees the choice of an online course to complete at their own pace and live, virtual training sessions. OWR also provides EDR and other workplace relations training both in person and virtually to court and defender units upon request.

The office is excited about this new chapter, and while the half of the OWR team is new, the mission remains the same—to be a trusted resource for all employees and judges. OWR will continue to provide all Ninth Circuit employees with support and guidance to help them be successful in their workplaces. This includes serving as a confidential resource, providing support to leadership, facilitating EDR options for resolution and conducting trainings. OWR is dedicated to ensuring an exemplary workplace environment for all Ninth Circuit employees. 

Ninth Circuit Lawyer Representatives and Other Volunteers Giving Back to the Community

Lawyer representatives throughout the Ninth Circuit provide assistance and support from volunteer work to pro bono services. Below is a summary of their work and contributions in supporting the administration of justice throughout the Ninth Circuit.

Central District of California

Lawyer representatives in the Central District of California handled dozens of worthy pro bono matters in 2023. They represented victims of perhaps the largest human trafficking conspiracy in California as material witnesses and to secure restitution.

In coordination with the ACLU and Elder Law and Disability Rights Center, lawyers represented individuals against the City of San Bernardino over its treatment of homeless, residents with disabilities and also represented a medical marijuana dispensary owner, ending a 17-year criminal dispute with the federal government.

They supervised representation of plaintiff in a case that involves claims under 42 U.S.C. § 1983 for medical deliberate indifference with respect to the inadequate medical care he received at Lancaster State Prison.

In collaboration with the Inner City Law Center, members of the Ninth Circuit Lawyer Representatives Coordinating Committee, or LRCC, obtained a \$2.1 million settlement for 42 clients living in slum housing conditions. The lawsuit involved 19 causes of action against 11 defendants. They also secured a compassionate release for a client serving a 40+ year federal sentence. The client was sentenced when he was only 22 years old and had about 18 years left on his sentence.

Lawyers represented an individual in his appeal of an immigration judge's order denying asylum before the U.S. Court of Appeals for the Ninth Circuit, a local charity that was defrauded by unscrupulous fraudsters and served as guardian ad litem to a pair of foster siblings who were injured in a car accident. With the proceeds of the insurance payout, the

lawyer representative opened an interest-bearing blocked account that will be available to the children when they turn 18.

In addition to providing charitable service in the courtroom, the Central District's lawyer representatives are also active in the community. In 2023, the lawyer representatives and the organizations with which they are affiliated organized a free community training on Gun Violence Restraining Orders with District 4 Supervisor Janice Hahn's office, the L.A. County Office of Violence Prevention and the L.A. County Sheriff's Department. They also served as panelists for free community Gun Violence Restraining Order training at Monterey Park City Hall.

LRCC representatives volunteered at "Stop Hate" event with Asian Youth Center, hosted a Pack-A-Backpack Service Event where 30 volunteers packed more than 100 backpacks with essential items for Orange County people experiencing homelessness. They also served as judges for high school mock trial tournaments and hosted a legal volunteer day at the Santa Ana Zoo, where lawyers cleaned and helped maintain the zoo's grounds.

In June 2023, the Central District held its annual Pro Bono Opportunities Luncheon where it shared and promoted federal pro bono opportunities available to practitioners in the district.

U.S. District Judge Sunshine S. Sykes presented on The POWER Act in October 2023 to encourage lawyers to offer pro bono legal services to survivors of domestic violence.

District of Idaho

The District of Idaho, its board of judges and lawyer representatives approved two grants from the court's non-appropriated funds. One grant went to Immigrant Justice Idaho, which helped to fund the training of volunteers to assist immigrants with their various needs. The second grant went to Idaho Public Television and the Idaho Humanities Council, or IHC, to help fund a documentary about Japanese men

who were drafted during WWII, but were at the time in an internment camp in Idaho.

The lawyer representatives also partnered with court employees and the Federal Bar Association to host two CLEs for federal practitioners. The first program, “Help the Clerks Help You: Using ECF to Your Advantage” with Jocelyn Dunnegan and Kirsten Wallace, was attended by 226 attorneys, paralegals and administrative assistants, and 130 lawyers received CLE credit. The second program, “Social Security Disability Claims: Rules & Hot Topics” with Taylor Mossman-Fletcher was attended by 140 paralegals and lawyers, and 107 lawyers received CLE credit.

District of Northern Marianas Islands

The new lawyer representative for the District of Northern Marianas Islands has focused on increasing bar and community awareness and encouraging participation in district events. In 2023, the district launched several inaugural events, including the Women’s History Month Meet and Mingle, Law Week Proclamation Ceremony and the POWER Act webinar.

The Women’s History Meet and Mingle focused on enhancing and promoting diversity in the legal profession. The Law Day Proclamation Ceremony encouraged bar and community members to practice civility, collaboration and dedication to civic responsibility. The POWER Act webinar provided an overview of the laws on domestic and family violence, and encouraged bar members to provide pro bono representation to victims seeking protection under these laws.

Other district activities included the annual Law Day Photo Contest featuring student-captured photos of the Law Day theme and the Red Ribbon Campaign outreach to students on the effects of illegal drug use. The district continues to collaborate with the CNMI Bar Association, CNMI Judiciary, and other stakeholders on other community outreach programs, including the CNMI Judiciary pre-law program, mock trial, and moot court, and is actively working to build on the district’s inaugural programs.

Western District of Washington

The Federal Bar Association of the Western District of Washington’s Pro Bono Committee, in collaboration

with the U.S. District Court for the Western District of Washington, administers the program, which provides pro bono counsel, when called for, to litigants who do not have the means to obtain counsel on their own.

The committee—comprised of volunteer lawyers, including Claire McNamara, Rose Stern, Rochelle Doyea and Camille McDorman, and the court’s pro bono coordinator, Emily Nero, coordinates a team of experienced federal practitioners who screen applications and recommend to the court if counsel should be appointed. The committee also maintains a panel of volunteer lawyers and law firms and may help identify a pro bono lawyer to represent the litigant.

2023 was a busy year for the pro bono program. The committee screened numerous cases and placed 11 with pro bono attorneys. Case topics ranged from lack of proper health and dental care in prison, to police violence, and a number of employment discrimination cases based on race and gender.

As part of an ongoing effort to build an online library of resources and training materials, the committee hosted two online CLE classes. One class addressed civil rights claims against police, jails, and the department of corrections, and the other addressed federal employment law claims. Each class had over 40 attorneys in attendance and was recorded.

In September 2023, the court adopted by General Order a new [Pro Bono Program Plan proposed by the committee](#) which increases the number of pro se litigants in civil rights cases who receive pro bono representation, makes improvements to the appointment process and clarifies screening criteria. The committee worked closely with Chief District Judge David G. Estudillo and Magistrate Judges Michelle L. Peterson and Brian A. Tsuchida among others. The committee also received helpful insight from Nicole Munoz at the District of Oregon.

In October 2023, the committee hosted its first reception at the courthouse to thank its volunteers and supporters, with remarks by Judge Estudillo. Eleven federal judges and numerous volunteer lawyers attended. The committee presented three awards to volunteer lawyers: the Legacy Award to Carolyn Cairns, who has served as a volunteer screener since the program’s inception and

helped improve the program, including during the development of the new plan; the Pro Bono Services Award to Lynne Wilson, who has assisted with five pro bono cases over the years, the most of any volunteer attorney; and the Mentorship Award to Lisa Elliott, who provides dedicated mentorship to newer attorney volunteers, helping them gain experience and confidence in federal practice.

District of Arizona

Lawyer representatives in the District of Arizona provided pro bono help in a variety of cases. Patrick Clisham represented two separate indigent individuals on non-bankruptcy debt relief issues.

Sarah Precup volunteered with the civics program at the courthouse in Tucson, helping high schoolers as lawyers and jurors participate in a mock case facilitated by local attorneys and judges. She is also a volunteer attorney for the ABA's Free Legal Answers site for Arizona, where qualifying users can post civil legal questions to be answered at no cost.

Michael A. Jones is heavily involved with the Community Legal Services' Volunteer Lawyer Program. Among other things, this nonprofit helps individuals who cannot afford to pay an attorney and are facing significant debt issues. He held a one hour CLE class with Bankruptcy Judge Paul Sala to help train new lawyer volunteers. He also conducted monthly meetings with low-income individuals to potentially receive help with a pro bono Chapter 7 bankruptcy filing. In addition, he worked with Community Legal Services' leadership to increase awareness of the organization with bankruptcy attorneys and judges, and to expand its pool of volunteer attorneys.

Jill H. Perrella volunteers monthly at the U.S. Bankruptcy Court Self-Help Center and the bankruptcy advice clinic for Southern Arizona Legal Aid Volunteer Lawyers Program. Additionally, she typically handles between 1-3 direct representation pro bono matters per year through the bankruptcy court's pro bono panel, usually representing creditors or other non-debtor parties in adversary proceedings.

John Gray has represented an inmate seeking redress for violation of his constitutional right to access to legal communications and was counsel for detained immigrants seeking compensation for

being subjected to a work program they alleged was involuntary at an immigration detention center.

Sivan R. Korn has worked with the University of Arizona's Center for Innovation since 2016 in various capacities (giving presentations on legal issues to the incubator's startups and consulting on ongoing issues). In 2023 she served as a mentor for one of the incubator's startups.


Alex Winkelman volunteers at the bankruptcy self-help center and Southern Arizona Legal Aid advice only clinic. He has taken three direct representation pro bono cases, including defending a college student in a defamation suit filed by a former romantic partner who was abusive during their relationship.

District of Nevada

Gil Kahn is representing an asylum seeker applying for affirmative asylum for fear of persecution in his home country on account of being a gay man and HIV positive. Kahn supplemented his client's initial application with an extensive supplementary application, consisting of his declaration, documentary evidence of similar persecution and two expert declarations.

Richard Tanasi represents a client who was released from prison and is trying to turn his life around, starting with sealing his record. Tanasi was connected to this pro bono client via Hope For Prisoners. He is also assisting a veteran indigent client with mental health issues. His office is helping her resolve her felony battery case at no charge.

Adam Hosmer-Henner represents an inmate in a suit against the Nevada Department of Corrections for deliberate indifference and claims related to the provision of inadequate medical care. He represents another inmate in a suit against the department for damages resulting from the use of excessive force by a corrections officer. He also serves as monitoring counsel in a class action settlement obtained on behalf of all inmates at the department who have or will be diagnosed with Hepatitis C.

Mark M. Weisenmiller accepts four to five individual Chapter 7 bankruptcy cases on an annual basis. His firm receives these referrals from the Legal Aid Center of Southern Nevada's Pro Bono Project. 

Pathways to Progress Event Brings Together Service Providers to Help Those in the Justice System

The eighth Pathways to Progress Empowerment Fair was held at The Justice Anthony M. Kennedy Library and Learning Center inside the Robert T. Matsui U.S. Courthouse in Sacramento, California, on Nov. 15, 2023. The event drew about 70 visitors.

The fair, designed to provide and equip justice-involved individuals and their families with education, employment, community, and health and wellness resources, was presented by the Office of the Federal Public Defender, U.S. Pretrial Services and the U.S. Probation Office for the Eastern District of California.

The first since 2019, the fair opened with remarks from U.S. District Judge Dale Drozd, Eastern District of California. A clothing drive was added to the mix to provide basic clothing such as sweatpants, jackets and undergarments to recently released offenders.

The fair brought together several court department representatives who bring valuable resources to clients and their families. Especially important are services for the families of those who are in custody. The Pathways Team included staff from the FPD Office and its social work team, U.S. Pretrial Services and U.S. Probation Office. The event included a success panel discussion featuring former clients who shared their success stories.

About 35 agencies and service providers, including representatives from Root & Rebound (reentry advocates), California Department of Motor Vehicles, and the Social Security Administration were in attendance providing resources on housing, veteran services, employment, literacy and legal services, and more.



A visitor checks on opportunities at the Bay Area Community Services (BACS) booth. Located in Sacramento County, BACS provides holistic mental health support.

The Center for Employment Opportunities table saw a stream of visitors throughout the day as they shared information on job training, employment readiness and employment opportunities offered by the organization.



James Cross, who was just released Nov. 1, 2023, due to his exceptional conduct, after 19 years in prison, attended the event. "I was there for the resources," said Cross "I just went to see exactly what they offered." Cross, who says he "left prison a different man than when I went in," said being out is "like looking at life through a whole new set of glasses and being able to re-integrate, pro-social as opposed to when I went in and I was anti-social," he said.

"I had no idea exactly what the event was going to involve until I got there," Cross said. "I found education resources and work resources. I'm taking advantage of a couple of them." He also hopes to have his record expunged in a few years so he no longer has to identify himself as a former prisoner. "It gave me hope that I could ... have the same rights I had before I became a felon."

There was more than material support at the event. "Best part, honest to goodness, was when (Judge Drozd) said that returning citizens have a value to the community," said Cross. "Not only did he become emotional, but so did I. He said we are all pulling on the same oar that is returning these men and women to society. That meant so much coming home. By him expressing that people care and that they want us to see us do good because we are of value to the community, that was just huge."

Cross definitely recommends the event to "all state and federal returning citizens. I would love to see them come and participate and take advantage of the resources," he said. "I feel a lot of people make bad decisions—they don't know how to ask for help. And by this being provided, it normalizes being able to ask for help to get your needs met."


Crystal Sheffield, non-capital mitigation specialist/social worker for the FPD Office in the Eastern District of California, said some of the sought-after resources included employment/training programs, school, housing resources and financial resources. "So far, I have heard that all tables were well-attended, and the agency representatives enjoyed the event thoroughly," she said.

"This fair was truly monumental," said Sheffield, "and probably the most attended and energetic fair to date. "The message we want to send to the clients served by the courthouse is that we care about them, all of us. District Court Judge John Mendez emphasized this point when he spoke at our November 2019 P2P Fair; that thought has been etched in my mind since that day, and I am always reminded that that is the message and the spirit of the Pathways to Progress fairs!"

Judge Drozd was invited to speak at the event by Tai Gaskins, long-time pretrial services officer in the Eastern District of California. "When Tai described the event to me—one bringing together federal defenders and their social workers, pretrial and probation officers, pretrial and probation supervisees, and the many service providers those supervisees need and use—I immediately understood the value of the event. What a great event it was!" said Judge Drozd.

"There was much present for each group of attendees," Judge Drozd continued. "For the agencies, seeing all the service providers who have services that may be helpful to their clients was definitely helpful. For the supervisees, I am sure that seeing everyone committed to helping them succeed all gathered together, including judges, provided meaningful encouragement. But hearing the success story of a former supervisee was truly inspiring for everyone in attendance, providing meaning for everything we all are working on."

"I believe that it is important that the supervisees all see how many people from all aspects of the criminal justice system are committed to and working hard at helping them to succeed in putting their lives back together. It's a great opportunity for team building and motivation for those working in this area. I also believe that events like this do put the judiciary in a good light—and properly so."

"Every judge I know wants the defendants they come in contact with to succeed and to rebuild their lives. Judges may express their commitment to help differently but they all are truly committed to achieving the same result. The courtroom can be a difficult place to shine a light on the judge's concern for the individuals coming before the court. Events like these give judges an opportunity to express their true concern and support. That, I hope, can send a powerful, supportive message to those coming in contact with the federal criminal justice system," Judge Drozd concluded. 

Space & Security

Ninth Circuit Space and Facilities Staff Address Courthouse Security and Facilities Issues

The Space and Facilities Unit, within the Office of the Circuit Executive for the Ninth Circuit, helps court units to plan and manage facilities projects in more than 100 federal and leased properties across the western states and Pacific islands. Staff support the Ninth Circuit Space and Facilities Committee, as well as the Ninth Circuit Judicial Security Committee, which provide guidance for the circuit's programs, approve budgets and space requests, and meet quarterly with senior leadership from the General Services Administration, the U.S. Marshals Service and the Federal Protective Service to help troubleshoot issues and enhance cooperation on important initiatives.

In response to the nationwide increase in threats against judges and courthouses, security matters have received increased attention in 2023. Circuit staff work closely with the Ninth Circuit-based judicial security officers (JSOs) provided by the Administrative Office of the U.S. Courts (AO) and with the U.S. Marshals Service to coordinate security installations for new projects and continuing occupancies. These efforts include ensuring that infrastructure for security devices provided by the U.S. Marshals Service and the Federal Protective Service are incorporated into new construction projects and assisting with specific security initiatives. Among those initiatives is the AO's National Courthouse Hardening Program. Within the Ninth Circuit, there are 18 court facilities included as part of the hardening program, which has been funded by a special \$122 million appropriation. The goal of that program is to harden the ground floor of courthouses against potential incursions and will include new perimeter windows, doors and electronic security equipment.

In addition to the security work related to new projects and funding programs, staff are also working with the JSOs to address other security priorities identified by the Ninth Circuit

Judicial Security Committee, including security enhancements for leased locations and a variety of other security-related projects raised by individual facility security committees or security assessments conducted by the JSOs. At the circuit committee level, staff and the JSOs track national efforts related to new security programs involving home and online security for judges.

In 2023, the Space and Facilities Unit, with the help of the JSOs, has focused on the specific security concerns of a number of facilities, including courthouses in Portland, San Francisco, Riverside and Sacramento, California. These efforts have included outreach to local law enforcement to improve local security around the court facilities, in-depth security assessments of the facilities, and significant outreach efforts to USMS, FPS and GSA to obtain help in addressing critical physical security concerns. Recent meetings of the Ninth Circuit Judicial Security Committee have included senior leadership from the USMS Judicial Security Division, facilitating high-level discussions of the Ninth Circuit's security concerns and opportunities to improve communication and collaboration across the circuit.

In addition to assisting the JSOs with circuit security matters, staff in this office provide a range of services from helping with budgeting and planning, to the development of housing solutions, to detailed design, to coordination with other federal agencies, as well as project management and technical support for projects in all phases of development from schematic design through construction.

A primary focus of the Space and Facilities Unit for the past several years has been providing chambers for the circuit's newly confirmed circuit judges. In 2023, the circuit completed chambers renovation projects in San Francisco and started procurements for additional

renovation projects in Portland and Pasadena, California. In addition, the circuit oversaw the provision of temporary chambers for circuit judges in Richland, Washington, and Missoula, Montana, while at the same time seeking funding from the AO for permanent chambers for those two judges. Unit staff continued to track ongoing chambers projects elsewhere around the circuit and began design efforts for a chambers renovation in Phoenix.

The Space and Facilities Unit has also worked with court units throughout the circuit to secure funding for district level courtroom and chambers projects. In 2023, two new courtrooms were completed at the James M. Carter and Judith N. Keep U.S. Courthouse in San Diego and, as the year ended, GSA was working to award another significant project in the Carter-Keep U.S. Courthouse for four magistrate judges' chambers and clerk's office expansion space. In Riverside, California, unit staff are helping to coordinate award of a project for a new chambers and jury deliberation suite and in Santa Barbara, California, unit staff are helping with a lease procurement to relocate the existing bankruptcy court to a new location.

In 2023, the Ninth Circuit continued to make progress toward four high-priority new courthouse projects in Anchorage; Flagstaff, Arizona; Medford, Oregon; and Riverside. For Anchorage, a detailed feasibility study for a new courthouse was completed. A request based on the study recommendations will be submitted to the Judicial Conference of the U.S. in 2024. This study will also be the basis of a future funding request to Congress for a new federally owned courthouse.


The Ninth Circuit continued to work closely with the District of Arizona on a procurement for a new leased facility in Flagstaff to replace the current undersized leased location. Great progress was made with GSA and court partners in 2023 and an award is anticipated in 2024. The new courthouse would be completed in 2026.

Similarly, the office worked with the District of Oregon on a procurement for a new leased courthouse in Medford to replace the aging James A. Redden U.S. Courthouse, which has significant structural and building system deficiencies. That lease is also poised for award in 2024, with an anticipated occupancy in 2026.

In 2022, the circuit was successful in having Riverside added to the national list of potential new courthouse projects. In 2023, the circuit continued to advocate for this project, which is in line for a preliminary feasibility study in the next two to three years.

In addition to these new facilities, the Ninth Circuit continues to pursue funding for other major renovation projects. These efforts are made in coordination with the GSA, which is the agency responsible for maintaining federal properties and for obtaining congressional appropriations for these major projects. As in other recent years, the funding provided by Congress for these projects has been minimal and, as a result, there has been limited progress. The list of key funding priorities for Ninth Circuit major building renovation projects remains unchanged from 2022 and includes major building seismic and building system renovation projects for the Richard H. Chambers U.S. Court of Appeals building in Pasadena, California, and the U.S. Courthouse at Union Station in Tacoma, Washington, and a renovation of the exterior cladding at the William Kenzo Nakamura U.S. Courthouse in Seattle.

The Space and Facilities Unit also managed efforts to replace expiring leases for other court units, including U.S. probation offices and federal public defender offices. A new probation office was completed in Hawthorne, California, in 2023. In Arizona, a lease renewal project was completed for the FPD Office in Tucson and a new lease was awarded for the FPD Office expansion space in Phoenix. In addition, lease renewals for FPD offices in Seattle and Las Vegas are underway. Preliminary planning efforts commenced for a new lease for the FPD headquarters in Los Angeles.

Unit staff continue to seek long-term savings on space rental costs by working with local courts to develop projects that will lead to greater efficiency in the use of existing space or allow the release of space. In 2023, the circuit secured funding for a significant space reduction project for the bankruptcy court in Seattle and began a study for a major space reduction project for the district and bankruptcy courts in San Francisco. Over the past decade, space reduction efforts by court units within the Ninth Circuit have yielded more than \$13 million in annual rent savings. Projects under development could lead to an additional \$2 million in annual savings. 

Neoclassical Browning Courthouse Resumes Docent-Led Tours

The art and architecture of the most beautiful historic building in San Francisco, the James R. Browning United States Courthouse, is once again ready for visitors following suspension of tours during the pandemic.

The Browning Courthouse, a National Historic Landmark, is at the corner of 7th and Mission Streets in San Francisco. Opened in 1905 as the U.S. Post Office and Courthouse, it is considered one of America's most beautiful public buildings. Following the 1989 Loma Prieta Earthquake, which damaged the building, it was carefully restored and seismically upgraded for safety. The building is filled with fine marbles from around the world, with world class stone and wood carvings, and sculptures. The original courtrooms are especially palatial, including one that is considered the most detailed and elegant in America. See the [video](#) for a view of the courthouse.


The courthouse reopened to the general public in September 2022 and is now offering free docent-led public tours. Full schedule is available at <https://www.ca9.uscourts.gov/information/sf-tours/>. The tours begin at 1 p.m. and last approximately 60 minutes. The tours include visiting the old post office lobby, on the first floor, and available courtrooms.

No reservations are required for individuals to join the public tour. Enter the building and meet the tour guide in the lobby. Each adult entering the building needs to pass through security screening and bring a valid government issued photo ID.



Courtroom One at the James R. Browning United States Courthouse

The Browning Courthouse is headquarters for the U.S. Court of Appeals for the Ninth Circuit, which hears appeals decided by certain executive branch agencies and federal trial courts in nine Western states and two Pacific island jurisdictions. Oral arguments are held for one week of each month and are available for public attendance now that the courthouse has reopened. A list of oral argument dates and locations is available at <https://www.ca9.uscourts.gov/calendar/>. Hearings are also livestreamed on the court's website and are archived for later viewing.

The court also welcomes group tours requiring advance arrangements. For more information about future tours, or to schedule a hosted group tour, submit an application at least 21 days in advance at <https://www.ca9.uscourts.gov/information/group-visit-request/>. In addition, virtual group experiences are available upon request. If you have additional questions, call (415) 355-8090. 

Work of the Courts

New Appeals, Pending Cases and Terminations Decline

Despite the slight increase in case processing times, the U.S. Court of Appeals for the Ninth Circuit reported a decrease in its pending caseload in fiscal year ending Sept. 30, 2023. Case processing time was up to four days compared to three days in FY 2022. New appeals and terminations were down in FY 2023.

New appeals filed with the Ninth Circuit numbered 7,784 in FY 2023, down 9.1% from the prior fiscal year. Appellate filings nationwide were 39,987, down 4.4%. Six of the 12 geographic circuits reported fewer filings. The Ninth Circuit continued to be the nation's busiest federal appellate court, accounting for 19.5% of all new appeals filed nationally.

The Ninth Circuit disposed of 8,581 cases in FY 2023, down 18.2%. The court's pending caseload dropped by 10.1% to 7,053 cases from 7,847 in FY 2022. Nine of the 12 geographic circuits reported reductions in terminations, and four of the 12 circuits had fewer pending caseloads compared to the prior fiscal year.

Appellate Caseload Profile

Caseload Measure	2022	2023	Change 2022-2023
Filings	8,559	7,784	-9.1%
Terminations	10,492	8,581	-18.2%
Pending Cases	7,847	7,053	-10.1%

Breakdown of New Appeals

Of the new filings, 25.7% of all new appeals in the Ninth Circuit involved immigration and other administrative agency matters, while 41% of new filings were pro se cases, or those involving at least one self-represented litigant.

Ninth Circuit district courts, which serve as trial courts in the federal judicial system, accounted for 16.2% of all new appeals originating from

district courts nationwide in FY 2023. The district courts generated 5,083 new appeals, down 2.9% from the prior fiscal year. Of the total, 4,151 were civil appeals and 932 were criminal appeals. Prisoner petitions involving habeas corpus, capital habeas corpus, civil rights, prison conditions and other matters accounted for 31.6% of all new civil appeals from district courts.

Among the 15 district courts of the circuit, the four district courts in California produced 52.3% of new civil appeals and 52.8% of new criminal appeals. The Central District of California, the busiest court in the circuit, generated 1,196 civil and criminal appeals, down 2.4% from FY 2022.

Of the 932 new criminal appeals, 26.3% were related to drug offenses and 7.6% were immigration offenses. The court reported 245 drug offenses and 71 immigration offenses. Total appeals involving property offenses and fraud were 143 and 135, respectively. Appeals involving firearms and explosives offenses was 139, of which 41 were alleged to have committed during a violent or drug-trafficking crime. Also reported were 96 appeals involving sex offenses and 98 for violent offenses.

Appeals of decisions by the Board of Immigration Appeals, or BIA, and other executive branch agencies continue to make up a substantial portion of the court's caseload. Appeals of agency decisions decreased by 19.8% to 2,076 cases in FY 2023. The BIA accounted for 92.6% of agency appeals and 24.7% of the court's total new filings. The Ninth Circuit had 53.3% of the total BIA appeals filed nationally in FY 2023.

Original proceedings and miscellaneous applications commenced in FY 2023 were 477, down from 544 the previous fiscal year. The bulk of original proceedings cases involved second or successive habeas corpus petitions, 205, and mandamus appeals, 155.

Terminations and Pending Cases

The Ninth Circuit terminated 8,581 cases in fiscal year 2023, down 18.2% from the prior year. The total includes 4,251 civil and 848 criminal appeals originating in the district courts and 2,843 appeals of agency decisions.

Of the total case terminations, 5,420 cases, or 63.2%, were terminated on the merits, and 215 of those cases were terminated by consolidation. The remaining 3,161 cases were terminated on procedural grounds. Of the merit decisions, 1,125 came after oral arguments, down 13.5%, and 4,080 after

Cases Commenced, Terminated and Pending by Nature of Proceeding

Type of Appeal	2022 Filings	2023 Filings	Change 2022-2023	% of Circuit Total	2022 Terminations	2023 Terminations	Change 2022-2023	2022 Pending	2023 Pending	Change 2022-2023
Civil										
U.S. Prisoner Petitions	346	275	-20.5%	3.5%	417	323	-22.5%	286	238	-16.8%
Private Prisoner Petitions	1,349	1,311	-2.8%	16.8%	1,442	1,298	-10.0%	1,055	1,067	1.1%
Other U.S. Civil	609	549	-9.9%	7.1%	646	597	-7.6%	533	485	-9.0%
Other Private Civil	2,010	2,016	0.3%	25.9%	2,085	2,033	-2.5%	1,747	1,730	-1.0%
Criminal	919	932	1.4%	12.0%	943	848	-10.1%	887	971	9.5%
Other										
Bankruptcy	195	148	-24.1%	1.9%	186	149	-19.9%	159	158	-0.6%
Administrative Agency Appeals	2,587	2,076	-19.8%	26.7%	4,233	2,843	-32.8%	3,055	2,293	-24.9%
Original Proceedings and Miscellaneous Applications	544	477	-12.3%	6.1%	540	490	-9.3%	125	111	-11.2%
Circuit Total	8,559	7,784	-9.1%		10,492	8,581	-18.2%	7,847	7,053	-10.1%
National Appellate Total	41,839	39,987	-4.4%		44,902	40,636	-9.5%	32,512	32,039	-1.5%
Ninth Circuit as % of National Total	20.5%	19.5%	-1.0%		23.4%	21.1%	-2.2%	24.1%	22.0%	-2.1%

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Totals include reopened, remanded and reinstated as well as original appeals. Beginning in March 2014, data include miscellaneous cases not included previously.

Median Time Intervals in Months for Cases Terminated on the Merits

By Stage of Appeal	Number of Months			
	Ninth Circuit		National	
	2022	2023	2022	2023
¹ From Filing of Notice of Appeal or Docket Date to Filing of Appellee's Last Brief	7.8	7.4	5.6	5.9
From Filing of Appellee's Last Brief to Oral Argument or Submission on Briefs	6.2	6.3	4.5	4.7
From Oral Argument to Last Opinion or Final Order	1.6	1.4	2.6	2.6
From Submission on Briefs to Last Opinion or Final Order	0.2	0.2	0.4	0.4
¹ From Filing of Notice of Appeal or Docket Date to Last Opinion or Final Order	13.2	13.7	9.8	9.8
From Filing in Lower Court to Last Opinion or Final Order in Appeals Court	33.4	33.3	33.7	33.5

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous applications not included previously. Cases terminated include appeals, original proceedings and miscellaneous applications.

¹Docket date is used when computing the mean time intervals for original proceedings, miscellaneous applications and appeals from administrative agencies.



Ninth Circuit Court of Appeals En Banc Ballots, 2019-2023

Year	Petitions Filed for Rehearing En Banc	En Banc Ballots Sent	Grants of Rehearing En Banc Following A Vote	Denials of Rehearing En Banc Following A Vote
2023	650	30	14	16
2022	701	24	12	12
2021	886	19	7	12
2020	820	29	7	22
2019	817	24	14	10

submission on briefs, down 10.2% from the prior year. Excluding cases terminated by consolidation, total merit terminations included 1,103 prisoner cases, 565 criminal cases and 1,606 administrative agency appeals.

In FY 2023, cases terminated on the merits that were affirmed or enforced, which includes appeals affirmed in part and reversed in part, numbered 3,675; 437 reversed, 29 remanded and 560 dismissed. The court's reversal rates were down across the board. The overall reversal rate was 8.5%, down from 8.7% in FY 2022. The FY 2023 national average is 7.7%. The Ninth Circuit reversal rate was 11.7% for criminal cases; 14.6% for civil cases involving the federal government; 14.5% for other private civil cases; and 4.7% for administrative agency cases. Percent reversed are not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.

In FY 2023, judicial panels produced 350 signed opinions, one of them unpublished, and 4,855 unsigned opinions, 18 of them published.

The court's pending caseload decreased again in FY 2023. Pending cases numbered 7,053, down 10.1% from FY 2022. Of the pending caseload in FY 2023, 32.5% involved administrative appeals; 31.4% involved other private and other U.S. civil matters; 18.5% for U.S. prisoner petitions and private prisoner petitions; 13.8% for criminal matters; and 2.2% for bankruptcy matters. Of the pending caseload, 44.2% had been pending less than six months, 26.7% pending six to 12 months and 29.1% pending for more than 12 months.

Sources of Appeals, Original Proceedings and Miscellaneous Applications Commenced

District	Commenced	% of Total
Alaska	130	1.7%
Arizona	569	7.3%
C. Calif.	1,196	15.4%
E. Calif.	476	6.1%
N. Calif.	655	8.4%
S. Calif.	334	4.3%
Guam	13	0.2%
Hawaii	121	1.6%
Idaho	159	2.0%
Montana	159	2.0%
Nevada	450	5.8%
Northern Mariana Islands	9	0.1%
Oregon	277	3.6%
E. Wash.	136	1.7%
W. Wash.	399	5.1%
Bankruptcy	148	1.9%
Administrative Agencies, Total	2,076	26.7%
IRS	38	0.5%
NLRB	35	0.4%
BIA	1,922	24.7%
Other Administrative Agencies	81	1.0%
Original Proceedings and Miscellaneous Applications	477	6.1%
Circuit Total	7,784	

Median Time Intervals

Median time intervals measure how long it takes for cases decided on the merits to proceed through the appellate process. In the Ninth Circuit in FY 2023, the median time interval in months for cases terminated on the merits from filing of a notice of appeal to final disposition was 13.7 months, up from 13.2 months in FY 2022 and 13.1 months in FY 2021. The median time interval from the filing of a case in a lower court or final disposition was 33.3 months, down from 33.4 months in FY 2022. The total national median time interval from filing of a notice of appeal to final disposition in FY 2023 was 9.8 months and 33.5 months from the filing of a case in a lower court to final disposition by a circuit court.

Once an appeal was fully briefed, Ninth Circuit judges decide all types of cases fairly quickly. In FY 2023 the median time interval for panel decisions was 1.4 months, down from 1.6 months in FY 2022, for a case in which oral argument was held, and held steady from 2022 at three days (0.2 of a month) for cases submitted on briefs.

Pro Se Filings and Terminations

Pro se appeals involve at least one party who is not represented by counsel. In FY 2023 new appeals by pro se litigants numbered 3,192 down 4.7% from the prior fiscal year. Pro se litigants accounted for 41% of all appeals opened during FY 2023. Pro se appeals involving federal and private prisoner petitions numbered 1,286. Pro se appeals involving agency appeals numbered 466, making up 14.6% of all new pro se filings.

The court terminated 3,373 pro se appeals in FY 2023, down 6.1% from the prior year. Of the total terminations, 2,189 were terminated on the merits—2,154 were terminated after submissions on the briefs, 25 by consolidation and 10 after

oral arguments. Prisoner petitions and U.S and other private civil appeals made up the bulk of the terminations.


En Banc Cases

En banc courts, which consist of 11 judges rather than three, are convened quarterly to resolve intra-circuit conflicts of law or other legal questions of exceptional importance. During the fiscal year, the court received 650 petitions seeking en banc review, a decrease of 7.3% from FY 2022. During FY 2023, 12 en banc courts were convened. Oral arguments were heard in 11 cases, all in person, and one case was submitted on the briefs. During the calendar year, nine en banc courts were convened. Oral arguments were heard in eight cases, all in person, and one case was submitted on the briefs.

Death Penalty Cases

The court ended calendar year 2023 with 21 pending death penalty appeals resulting from crimes in four states: California, 35 cases; Arizona, 21; Nevada 13; and Idaho, two. Within the circuit, another 728 death penalty cases were pending in federal trial courts and state supreme courts. There were 942 prisoners on death row. Since 1976, there have been 75 executions within the circuit in the following states: Arizona, California, Idaho, Montana, Nevada, Oregon and Washington.

Contributions by Active, Senior and Visiting Judges

At the end of 2023, the court had 29 active circuit judges and 22 senior circuit judges. Of the 5,420 written opinions issued by the court in FY 2023, excluding consolidations, 57.9% were authored by active circuit judges, 35.5% by senior judges and 6.6% by visiting judges who sat by designation. 

Overall District Court Filings Increase in 2023

United States district courts serve as the trial courts in the federal judicial system and have jurisdiction to consider civil and criminal matters and other types of cases. A district court operates in each of the nation's 94 judicial districts.

The combined caseload for the 15 district courts within the Ninth Circuit increased in fiscal year 2023. Total

new civil and criminal filings numbered 55,933, up 7.1% from FY 2022. Number of cases terminated was 54,412, down 4.5% and total pending cases were up 2.7% to 60,951. The circuit accounted for 14.2% of all filings nationwide, down from 15.9% in 2022. Total new civil and criminal filings nationwide in 2023 were 392,879, up 19.2%, or 63,177 more filings compared to FY 2022.

U.S. District Courts - Criminal Felony Defendants Commenced (Excluding Transfers) by Offense and District

	AK	AZ	C. Calif.	E. Calif.	N. Calif.	S. Calif.	GU	HI	ID	MT	NV	NMI	OR	E. Wash.	W. Wash.	Total 2022	Total 2023	Change 2022-2023
Violent Offenses																		
Homicide	0	30	6	0	1	0	0	0	0	8	1	0	2	5	1	56	54	-3.6%
Robbery	3	3	10	1	5	3	0	2	0	3	3	0	8	0	2	57	43	-24.6%
Assault	0	84	5	5	3	22	0	1	5	34	7	0	11	7	6	170	190	11.8%
Other	5	25	36	20	11	4	1	4	4	16	10	0	4	10	1	123	151	22.8%
Property Offenses																		
Burglary, Larceny & Theft	1	12	34	15	12	11	1	0	3	5	6	0	2	3	5	131	110	-16.0%
Embezzlement	3	8	10	2	3	0	0	1	0	0	0	0	2	1	2	37	32	-13.5%
Fraud	19	55	197	34	67	76	1	15	17	24	22	4	51	16	39	731	637	-12.9%
Forgery & Counterfeiting	0	0	4	1	0	0	0	0	0	1	2	0	0	0	0	14	8	-42.9%
Other	0	0	3	1	1	7	2	0	1	1	0	0	1	0	5	17	22	29.4%
Drug Offenses																		
Marijuana	1	5	0	4	3	4	0	0	0	3	1	0	3	3	2	63	29	-54.0%
All Other Drugs	63	551	235	172	129	1,422	22	72	165	189	54	3	234	139	117	3,813	3,567	-6.5%
Firearms and Explosives Offenses	44	200	155	54	63	31	5	11	33	96	49	0	75	54	37	1,094	907	-17.1%
Sex Offenses	13	69	42	26	22	31	2	7	41	35	20	1	36	21	36	382	402	5.2%
Justice System Offenses	0	18	10	5	5	29	2	3	1	2	2	0	3	15	5	118	100	-15.3%
Immigration Offenses																		
Improper Reentry	0	2,908	15	5	2	757	0	0	50	6	51	0	12	24	0	3,807	3,830	0.6%
Other	2	1,054	6	2	0	840	0	0	4	1	0	24	0	2	1	1,649	1,936	17.4%
General Offenses	4	44	52	15	10	25	10	3	4	7	2	4	7	5	5	263	197	-25.1%
Regulatory Offenses	9	56	24	3	7	36	0	1	5	4	2	0	3	0	4	190	154	-18.9%
Traffic Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0.0%
All Offenses Total	167	5,122	844	365	344	3,298	46	120	333	435	232	36	454	305	269	12,716	12,370	-2.7%

Criminal Caseload and Defendants

District courts in the Ninth Circuit reported a decrease in criminal case filings, down 3.2% with 10,802, while cases terminated during the year were also down a shade, 1.5% to 11,410 cases. Combined pending criminal caseload in the district courts was 15,026, down 3.8%.

Nine of the 15 district courts in the nine western states comprising the Ninth Circuit reported fewer criminal case filings in FY 2023. The biggest decrease percentage-wise was in the District of Nevada, down 27.2%, a drop of 77 filings. The Eastern District of California had the next largest decrease, down 24.9%, going from 313 to 235 filings. The highest increase in the continental U.S. was in the District of Idaho with 13.5% more case filings than in FY 2022. The District of Montana had the next highest increase at 7.7%, going from 324 to 349, and the District of Arizona had the most filings of any district at 4,800, up 170 cases from FY 2022. The Southern District of California was down 6.8%, going from 2,932 to 2,732 cases, and the Western

District of Washington was down 8.3% with 400 cases in FY 2023. The District of Guam had a 60.9% increase, from 23 cases to 37 cases.

The District of Alaska had the smallest increase in filings, up at 0.8%, from 128 to 129. The District of Oregon was down 7.2% from 387 to 359, while the Northern District of California was down 13.9%, and the Central District of California was down 8.7%.

The Ninth Circuit accounted for 20.3% of the new criminal case filings nationally, which numbered 53,148, down 3.2% from 54,931 in FY 2022.

In the Ninth Circuit, the total number of defendants involved in criminal cases, excluding transfers, was 12,782, down 3.1% from FY 2022. The majority of the defendants, 12,370 were charged with felony offenses. Defendants charged with drug offenses, excluding transfers, numbered 3,596. They accounted for 28.1% of total criminal defendants in the circuit. Of the total drug offenses, 29 involved marijuana and 3,567 involved all other drug offenses.

U.S. District Courts - Weighted and Unweighted Filings Per Authorized Judgeship

District	Authorized Judgeships	Weighted Filings Per Judgeship						Unweighted Filings Per Judgeship			
		Civil	Criminal	Supervision Hearings	2023 Total	2022 Total	Change 2022-2023	Civil	Criminal	Supervision Hearings	2023 Total
Alaska	3	108	87	0.0	195	231	-18.5%	116	57	-	173
Arizona	13	241	281	8.9	532	493	7.9%	287	400	111.0	798
C. Calif.	28	542	51	2.1	596	560	6.4%	530	31	26.1	587
E. Calif.	6	609	98	5.5	712	675	5.5%	728	63	47.2	839
N. Calif.	14	525	39	3.8	568	606	-6.3%	556	25	47.1	628
S. Calif.	13	183	266	9.1	458	485	-5.6%	184	255	112.3	551
Hawaii	4	138	49	2.5	190	196	-3.1%	133	30	29.3	193
Idaho	2	256	231	6.0	492	462	6.5%	270	171	74.0	515
Montana	3	163	230	7.7	401	404	-0.7%	181	146	57.0	383
Nevada	7	350	44	3.1	397	424	-6.4%	370	35	35.3	441
Oregon	6	286	118	5.5	410	417	-1.7%	320	78	67.8	465
E. Wash.	4	149	117	12.8	278	270	3.0%	197	76	148.5	421
W. Wash.	7	408	62	3.7	474	404	17.3%	434	70	35.6	540

Note: Case weights are based on the 2015 district court case weighting study conducted by the Federal Judicial Center. Data for the territorial courts are not included. This table excludes civil cases arising by reopening, remand or transfer to the district by the order of the Judicial Panel on Multidistrict Litigation. This table includes defendants in all criminal cases filed as felonies or Class A misdemeanors but includes only those defendants in criminal cases filed as petty offenses that were assigned to district judges rather than magistrate judges. Remands and reopens for criminal defendants are excluded. This table includes trials conducted by district and appellate judges only; all trials conducted by magistrate judges are excluded. Sentencing hearings are excluded. Due to rounding, subtotals may not equal totals.

U.S. District Courts - Total Criminal and Civil Cases Filed, Terminated and Pending

Caseload Measure	2022	2023	Change 2022-2023
Civil Filings	41,085	45,131	9.8%
Criminal Filings	11,161	10,802	-3.2%
Total Filings	52,246	55,933	7.1%
Civil Terminations	45,414	43,002	-5.3%
Criminal Terminations	11,581	11,410	-1.5%
Total Terminations	56,995	54,412	-4.5%
Pending Civil Cases	43,755	45,925	5.0%
Pending Criminal Cases	15,619	15,026	-3.8%
Total Pending Cases	59,374	60,951	2.7%
Civil Case Termination Index (in months)	11.56	12.82	10.9%
Criminal Case Termination Index (in months)	16.20	15.80	-2.5%
Overall Case Termination Index	12.50	13.40	7.2%
Median Time Intervals in Months from Filing to Disposition			
Civil Cases	8.0	6.3	-21.3%
Criminal Defendants	8.0	7.8	-2.5%
Civil Cases National Average	11.5	8.7	-24.3%
Criminal Defendants National Average	10.3	10.4	1.0%

Note: Median time intervals from filing to disposition of civil cases terminated excludes land condemnations, prisoner petitions, deportation reviews, recovery of overpayments and enforcement of judgments. Includes cases filed in previous years as consolidated cases that thereafter were severed into individual cases. For fiscal years prior to 2001, the table included data on recovery of overpayments and enforcement of judgments. Median time intervals computed only for 10 or more cases. Median time interval from filing to disposition for criminal defendants includes defendants in all cases filed as felonies or Class A misdemeanors but includes only those defendants in cases filed as petty offenses that were assigned to district judges rather than magistrate judges. Median computed only for 10 or more defendants. Beginning March 2012, the median time interval is computed from the proceeding date for a defendant (e.g., the date an indictment or information was filed) to the date on which the defendant was found not guilty or was sentenced. Previously, the median time interval was computed beginning with the defendant's filing date. Therefore, data for March 2012 and thereafter are not comparable data for previous periods.

Criminal defendants charged with immigration offenses numbered 5,794, up 6.1%, in FY 2022. Immigration offenses accounted for 45.3% of all criminal defendants. Of the total, 3,830 defendants were charged with improper reentry into the United States.

The District of Arizona had the largest total number of defendants, 5,202, of whom 4,550 were charged with immigration and drug offenses, 88% of the total. The district reported 3,990 defendants charged with immigration offenses, up 3.8% from FY 2022.

Defendants charged with drug offenses in the District of Arizona rose from 492 to 560 in FY 2023, up 13.8%. The district had 69.1% of all defendants in the circuit charged with immigration offenses and 15.5% of all defendants with drug offenses in the circuit.

The district with the second highest number of defendants, the Southern District of California, with 3,316 total defendants, of whom 3,023 were charged with immigration and drug offenses, 91.2% of their total. The Southern District of California had 27.6% of all defendants in the circuit charged with immigration offenses and 39.4% of all defendants with drug offenses in the circuit.

Ninth Circuit district courts reported 929 defendants charged with property offenses, down 10.1%. Under this category, defendants charged with fraud were most numerous, totaling 675, followed by burglary, larceny or theft, 177; embezzlement, 34 forgery and counterfeiting, nine; and 34 for other property offenses.

In the Ninth Circuit, defendants charged with firearms and explosives offenses numbered 915. Total number of defendants charged with violent offenses, which includes homicide, robbery, assault and other violent offenses, was 476, up 5.3% in FY 2023.

Total pending criminal caseload numbered 15,026, down 3.8% from FY 2022. Ten of the 15 district courts in the circuit reported a decrease in pending criminal caseload.

Civil Caseload

During FY 2023, Ninth Circuit district courts reported more new civil filings, and terminated fewer cases, ending the year with higher pending caseloads. New civil filings rose by 9.8% to 45,131. Case terminations numbered 43,002 down 5.3% from FY 2022. Pending caseload was 45,925 an increase of 5%. New civil filings accounted for 80.7% of total caseloads in the district courts.

New private civil cases numbered 35,473 and accounted for 78.6% of all new civil filings in the Ninth Circuit. Major categories of new private civil cases were civil rights, 7,489 cases; prisoner petitions, 7,655; personal injury, 5,019; contracts cases, 4,332; intellectual property, 2,844; and labor matters, 2,038.

The U.S. was a party to 9,658 new civil cases, accounting for 21.4% of the total new civil caseload in the district courts. Among the matters involving the government, Social Security cases were most numerous, 3,583 or 37.1% of the total U.S. civil cases in the Ninth Circuit. Prisoner petitions followed with 1,023 cases or 10.6%. Other categories were tort actions, 400 cases; civil rights, 266 cases; and forfeitures and penalties, 112 cases.

Prisoner petitions totaled 8,678 or 19.2% of all new Ninth Circuit civil filings. About 87.2% or 7,564 of all prisoner petitions were initially filed pro se. The federal trial courts in Arizona, California and Nevada had the most prisoner petitions, accounting for 80.3% of the circuit's total prisoner petitions.

New civil filings increased in 11 of the 15 district courts of the Ninth Circuit. Arizona and the Southern District of California both increased filings by 22.2%. The District of Guam went from 25 to 29 filings, a 16% increase, the Western District of Washington increased 15.8% and the Eastern District of California had an increase of 15.5%. The District of Alaska saw a drop in filings, from 464 to 355, or 23.5%. The Central District of California, which had the fifth most new civil filings in the nation, rose 1,578 cases to 15,243, up 11.5% in FY 2023. The District of Montana had a decrease in civil filings, from 634 to 559, down 11.8%.

Debra D. Lucas, district court executive and clerk of court for the District of Arizona, noted their civil case filings increased over 20% from 2022 to 2023. "First, Judge Campbell accepted an MDL case, which increased our personal injury case filings although not dramatically," said Lucas. "Second, and no doubt the true driver behind the increase, is [that] we received a prisoner civil rights case signed individually by 370 inmates that required us to sever the case into individual actions. We then received a second case signed individually by 70 plaintiffs that also had to be severed. Those two cases then turned into 440 cases."

The Southern District of California saw an increase of 459 civil cases to 2,525, an increase of 22.2%. Three

major categories of new civil filings were contracts, 73 cases; Social Security, 76 cases; and all other, 141 cases. Of the 141 cases in the all other category, 38 cases were filed under the Telephone Consumer Protection Act (TCPA), 23 were other immigration actions, and 80 cases were in the other statutory category.

Breaking down the contract cases, there was an increase of about 35 cases filed against motor vehicle manufacturers under both other contract and product liability categories. There was also one attorney who filed a spate of 28 or so class action product liability cases in particular, all regarding nutritional supplements.

In examining the "all other category," there was an increase of TCPA by 38 cases, an increase of other immigration actions by 23 cases, and an increase in the other statutory category by 53 cases. Looking more closely at the other statutory category, Clerk of Court John P. Morrill said "I am again finding a large proportion of those difficult-to-quantify cases regarding website tracking claims. They do not all use the same causes of action—some are filed under the civil wiretapping statute, and some are filed as wrongful disclosure of videotape rental or sales records. I count at least 27 of those filed by various plaintiffs through various attorneys."

Case Processing Times

Civil case processing times in the district courts of the Ninth Circuit from filing to disposition of civil cases terminated were down significantly from 8 months to 6.3 months compared to the prior fiscal year, 2.4 months better than the national median time of 8.7 months.

Many criminal cases are disposed of either through a guilty plea or dismissal of the charges. In the Ninth Circuit the median time intervals from filing to termination for criminal defendants was 7.3 months for guilty pleas, down from 7.9 in FY 2022, and 15.9 months for dismissals, up from 8.7 months the prior fiscal year. Median times for the 219 criminal defendants who went to trial increased in FY 2023 to 28.1 months from 25.9 months in FY 2022 for a bench trial and increased from 26.7 months in 2022 to 31.9 months in FY 2023 for jury trials. The median time for all criminal dispositions in the Ninth Circuit was 7.8 months, down from 8 months in 2022; nationally the median is 10.4 months for all criminal dispositions. 🌱

Bankruptcy Filings Increase After Three Years of Declines

Almost all bankruptcy courts in the Ninth Circuit experienced an increase in new filings ranging from 2.8% to 29% in fiscal year 2023, ending the three-year downward trend in filings. The District of Guam had a 35.3% drop in cases, from 34 to 22, and the District of the Northern Marianas Islands stayed steady at one case.

New bankruptcy filings in the circuit numbered 66,568 up 13.3% from FY 2022 when filings were 58,740. Filings nationwide were up to almost 50,000 new cases, or 13%, from 383,810 in FY 2022 to 433,658 in FY 2023.

The Central District of California, which again ranked first in bankruptcy filings nationwide, had the largest numerical increase in the circuit, going from 17,836 in FY 2022 to 19,702 in FY 2023, up 1,866 cases, or 10.5%.

Of the 15 judicial districts in the Ninth Circuit, 13 are served by a bankruptcy court—district judges preside over bankruptcy cases in the districts of Guam and the Northern Mariana Islands.

The Eastern District of Washington had the highest percentage increase at 29%, followed by the District of Oregon with a 27.5% increase, and the Eastern District of California rose from 6,345 to 7,824, up 23.3%, resulting in 2,968 more cases among the three districts.

New filings in the Northern District of California rose from 3,893 to 4,600, an increase of 18.2%; the District of Alaska rose from 182 to 214 new filings, up 17.6%, followed by the Western District of Washington which rose 16.7%. The District of Nevada rose 15.8%, which went from 5,559 to 6,436 or 877 more cases than the prior fiscal year.

The District of Idaho had an increase of 169 filings, or 11.2%; the District of Montana rose from 587 to 626 filings, a 6.6% increase; the Southern District of California rose 6.4% to 3,860 filings; Hawaii had an increase of 4.8%, going from 990 filings to 1,038; and the District of Arizona rose to 9,176 filings, up 2.8%.

New bankruptcy filings by nonbusiness filers were up across the board in the Ninth Circuit in fiscal year 2023. Total nationwide nonbusiness filings, which

involves individual debtors, numbered 416,607 or 96.1% of all new bankruptcy filings in the U.S. Total nonbusiness filings in the Ninth Circuit were up by 12.6% to 63,281 new filings, accounting for 95.1% of all new filings in the circuit.

New business and nonbusiness Chapter 7 filings were most numerous in the Ninth Circuit, where filings numbered 51,712 or 20.8% of all Chapter 7 filings in the nation and 77.7% of all new filings in the circuit.

Chapter 13 filings, which allow individuals with regular income to develop a plan to repay all or part of their debts, numbered 178,214 nationally a 19.5% increase over FY 2022. In the Ninth Circuit, new Chapter 13 filings were 13,959, up 25.5% from FY 2022 and 21.0% of all bankruptcy filings in the circuit. Chapters 11 and 13 filings made up the remainder.

Ninth Circuit Bankruptcy Courts

District	2022 Total Filings	2023 Total Filings	Change 2022-2023
Alaska	182	214	17.6%
Arizona	8,926	9,176	2.8%
C. Calif.	17,836	19,702	10.5%
E. Calif.	6,345	7,824	23.3%
N. Calif.	3,893	4,600	18.2%
S. Calif.	3,628	3,860	6.4%
Guam	34	22	-35.3%
Hawaii	990	1,038	4.8%
Idaho	1,508	1,677	11.2%
Montana	587	626	6.6%
Nevada	5,559	6,436	15.8%
¹ N. Mariana Is.	1	1	-
Oregon	4,105	5,232	27.5%
E. Wash	1,250	1,612	29%
W. Wash.	3,896	4,548	16.7%
Circuit Total	58,740	66,568	13.3%

¹Percent change not computed when fewer than 10 cases reported for the previous period.

Business and Nonbusiness Bankruptcy Cases Commenced by Chapter of the U.S. Bankruptcy Code

Predominant Nature of Debt	2022	2023	Change 2022-2023
Business Filings			
Chapter 7	1,718	2,240	30.4%
Chapter 11	622	765	23.0%
Chapter 12	24	17	-29.2%
Chapter 13	198	260	31.3%
Nonbusiness Filings			
Chapter 7	45,106	49,472	9.7%
Chapter 11	155	110	-29.0%
Chapter 13	10,914	13,699	25.5%
¹Total	58,737	63,281	7.7%
Terminations	72,284	68,374	-5.4%
Pending Cases	69,338	67,579	-2.5%

NOTE: The nature of debt is business if the debtor is a corporation or partnership, or if debt related to the operation of a business predominates. Nonbusiness debt includes consumer debt, as defined in Section 101 of the U.S. Bankruptcy Code, or other debt that the debtor indicates is not consumer debt or business debt. The United States territorial courts assume the jurisdiction of the U.S. bankruptcy courts within their respective territories, which do not have separate bankruptcy courts.

¹The following filings are not reflected in the total business and nonbusiness bankruptcy cases commenced for fiscal years 2022 and 2023:

Fiscal Year 2022
Central Calif. (Chapter 15=3)

Fiscal Year 2023
Northern Calif. (Chapter 9=1; Chapter 15=1)
Central Calif. (Chapter 15=3)

Pro Se Bankruptcy Filings

Bankruptcy cases filed by parties who do not have legal counsel are pro se filers, whose cases result in frequent dismissals because they often are not familiar or lack understanding of the law and legal procedures. In general, pro se filers require more staff time to process their cases.

Bankruptcy filings by pro se debtors in the Ninth Circuit were up by 26.5% to 7,556 in fiscal year 2023. Pro se filers accounted for 11.4% of all bankruptcy filings in the circuit. The Central District of California reported the second-

highest number of pro se bankruptcy cases nationwide with 2,427 new filings, accounting for 32.1% of all pro se bankruptcy filings in the circuit.

The District of Arizona ranked sixth nationwide with 1,181 pro se filings, up 4.6% from the prior fiscal year. Filings in the Eastern District of California were up by 48% to 1,128, and the District of Nevada was up 18.7% to 457 cases. More cases were reported in all other districts except the District of Hawaii, which reported 39 filings, down 9.3% from 43 in FY 2022.

Termination and Pending Cases

In the Ninth Circuit, bankruptcy cases terminated totaled 68,374 or 15% of the 455,846 bankruptcy cases closed nationwide in fiscal year 2023.

The Central District of California terminated 19,405 cases or 28.4% of all cases closed in the circuit. The District of Arizona had 10,210 cases closed or 15%; the Eastern District of California had 7,845 cases closed or 11.5%; the District of Nevada had 6,082 cases closed or 8.9%; the District of Oregon had 5,235 cases closed or 7.7%; the Northern District of California had 5,139 cases terminated or 7.5%; and the Western District of Washington had 5,072 cases closed or 7.4%. The districts of Alaska, Southern California, Guam, Hawaii, Idaho, Montana, Northern Mariana Islands and Eastern Washington made up the remaining 9,386 cases terminated in the circuit.

Pending cases in the circuit were reduced to 67,579, 2.5% fewer cases in fiscal year 2023 compared to FY 2022. The Central District of California had 15,223 pending cases, up 2.1%; the District of Arizona with 11,497 cases, down 8.3%; the Northern District of California with 6,852 cases, down 7.3%; and the Eastern District of California with 7,308 cases, down 0.2%. Total pending cases nationwide numbered 655,168, down 3.2% from FY 2022.

Transition

In 2023, judges of the United States Court of Appeals for the Ninth Circuit appointed Bankruptcy Judge Hilary L. Barnes for the District of Nevada.

BAP Decides More Appeals on the Merits and Speeds up Case Resolution Time

The Ninth Circuit Bankruptcy Appellate Panel operates under the authority of the Judicial Council of the Ninth Circuit to hear appeals from the bankruptcy courts of the circuit. All district courts within the Ninth Circuit have issued general orders providing for the automatic referral of bankruptcy appeals to the BAP. However, if any party files a timely election, the appeal is transferred to the appropriate district court according to the consent rule.

New Bankruptcy Appeal Filings

District	Bankruptcy Appellate Panel	District Court ¹	Total
Alaska	0	1	1
Arizona	12	8	20
C. Calif.	66	115	181
E. Calif.	13	12	25
N. Calif.	30	33	63
S. Calif.	9	16	25
Hawaii	4	10	14
Idaho	10	4	14
Montana	2	0	2
Nevada	14	13	27
Oregon	8	12	20
E. Wash.	0	1	1
W. Wash.	9	8	17
Total	177 (43%)	233 (57%)	410

¹The numbers for bankruptcy appeals to the district courts are taken directly from a statistical caseload table prepared by the Administrative Office of the United States Courts. The numbers for bankruptcy appeals to the BAP are calculated based on data from AOUSC tables and on data from the BAP's CM/ECF docketing system. The district court numbers include all appeals in which a timely election was made to have the appeal heard in the district court (both appellant and appellee elections) as well as other cases transferred in the interest of justice. The BAP numbers exclude all such appeals.

Six bankruptcy judges from the circuit are appointed to serve seven-year terms on the BAP, and each BAP judge may be reappointed to an additional three-year term. In their appellate capacity, BAP judges are precluded from hearing matters arising from the districts in which they are designated to hear bankruptcy cases.

New Filings

For the fiscal year ending Sept. 30, 2023, new total bankruptcy appeals filed was 410, a decrease of 9% when compared to FY 2022. The BAP handled 43% of all bankruptcy appeals, and the district courts handled 57%.

Dispositions

The BAP disposed of 241 appeals, down 9% from FY 2022. Of those, 107 appeals were merits terminations, an 11% increase from FY 2022. Oral argument was held in 93 appeals, up 19% from FY 2022. Fourteen appeals were submitted on briefs. The BAP published 14 opinions, 13% of merits decisions. The reversal rate was 1%. The percentage of cases either reversed or remanded was 7%. The median time for an appeal decided on the merits was 7.9 months, a 5% reduction from FY 2022. Of the remaining 134 closed cases, two were terminated by consolidation and 40 were transferred to the district courts after appellee elections or in the interest of justice. The balance of 92 closed appeals were terminated on procedural grounds, such as lack of prosecution, lack of jurisdiction or voluntary dismissal. The BAP ended FY 2023 with 86 appeals pending, down 22% compared to FY 2022.

Pro Se Appeals

BAP pro se filings equaled 53% of new appeals in FY 2023. Forty-five percent of BAP cases closed were initiated by pro se parties. At fiscal year's end, the BAP pro se caseload equaled 55% of pending appeals, up from 37% at the end of FY 2022.

Appeals to the Ninth Circuit

Appeals from a bankruptcy decision of either the BAP or a district court may be filed with the court of appeals for second-level appellate review. In FY 2023, total second-level appeals filed was 146, a decrease of 24% compared to FY 2022. Of these, 67 were appeals from decisions by the BAP and 79 were from decisions by the district courts. Thus, of the 241 appeals that were disposed of by the BAP, roughly 72% were fully resolved, with only 28% seeking second-level review.




BAP judges seated from left are Chief Bankruptcy Judge Gary A. Spraker of the District of Alaska, Chief Bankruptcy Judge Robert J. Faris of the District of Hawaii, and Bankruptcy Judge Frederick P. Corbit of the Eastern District of Washington. Standing from left are Bankruptcy Judge Scott H. Gan of the District of Arizona, Bankruptcy Judge Julia W. Brand of the Central District of California and BAP Chief Judge William J. Lafferty III of the Northern District of California.

Oral Arguments

The BAP conducted oral arguments both in hybrid and video formats. The U.S. Court of Appeals for the Ninth Circuit assisted with the video and livestreamed BAP oral arguments, enabling widespread access to the proceedings. By utilizing both in person and video technology, the BAP was able to set cases from multiple districts on a single calendar, speeding up oral argument settings in fully briefed appeals and reducing the lag time between the filing of the last brief and the submission of the matter by 10% from FY

2022 and by 30% from pre-pandemic levels. In hybrid arguments, 55% opted to appear in person and 45% opted to appear by video.

New BAP Judge

In December 2022, Judge Frederick P. Corbit of the Eastern District of Washington was appointed to a seven-year term on the BAP, replacing Judge Laura S. Taylor of the Southern District of California who completed a 10-year term, which included service as the BAP's chief judge from 2020 through 2022. 

Ninth Circuit Bankruptcy Appeal Filings, 2021-2023

Year	Bankruptcy Appeals Total	Raw Bankruptcy Appeals Received by BAP ¹	Net Bankruptcy Appeals BAP ²	Net Bankruptcy Appeals District Court ³	Election Rate ⁴	Percentage of Appeals Heard by BAP
FY 2021	474	270	216	258	54%	46%
FY 2022	449	273	225	224	50%	50%
FY 2023	410	217	177	233	57%	43%

¹Number of new appellate filings received and opened as new case files at the BAP Clerk's Office. This figure includes some appeals where an appellee files an election and the appeal thereafter is transferred to district court. (Where a timely election is made by an appellant, the bankruptcy court generally bypasses the BAP and refers the appeal directly to the district court.)

²The number of raw bankruptcy appeals received by BAP less the number of appeals transferred from BAP to district court by election or other transfer.

³Includes the number of all bankruptcy appeals received by district court either referred directly from the bankruptcy court or transferred from the BAP.

⁴Percentage of bankruptcy appeals where one or more parties timely elected to have their appeal heard in district court.

Magistrate Judges See Increase in Workload

In fiscal year 2023, there were 106 full-time magistrate judges, six part-time magistrate judges and one magistrate judge/clerk of court. There were 20 recalled magistrate judges, who served in 10 districts throughout the Ninth Circuit for part or all of FY 2023. All told, Ninth Circuit magistrate judges disposed a total of 225,784 civil and criminal matters in FY 2023, up 5.5% from FY 2022.

Appointed under Article I of the United States Constitution, magistrate judges are selected by the district judges of their judicial district. They are appointed to an eight-year term, may be reappointed and may serve as recalled magistrate judges. The Judicial Conference of the U.S., the judicial councils of the circuits and the director of the Administrative Office of the U.S. Courts determine the number of magistrate judge positions based on recommendations made by the respective district courts.

Magistrate judges make substantial contributions to the work of the federal trial courts involving a variety of judicial matters. Their work includes presiding over preliminary hearings and detention hearings, issuing search and arrest warrants, conducting settlement conferences in civil cases and pretrial conferences in criminal cases, handling petty offenses and taking felony pleas. Magistrate judges decide trial jurisdiction matters, review prisoner petitions and perform other duties. They may preside over civil trials with consent of the parties.

The largest category of matters presided over by magistrate judges is felony preliminary proceedings, which include complaints, initial appearances, search warrants, arraignments, detention hearings, arrest warrants, preliminary hearings, summonses, bail reviews, forfeitures, Nebbia hearings, attorney appointments and material witness hearings. Magistrate judges disposed of 102,147 felony preliminary proceedings, or 22% of the national total, down 3% from FY 2022.

Magistrate judges across the circuit handled 15% more petty offense defendants than in FY 2022, 10,041 total, 38.7% of the national total of 25,981. Nearly half, 4,284, or 42.7% were immigration

offenses as opposed to only 20% of the national total due to immigration offenses. Of the total, 58%, or 5,832 were convicted, all but 25 pled guilty.

Miscellaneous matters handled by magistrate judges of the Ninth Circuit totaled 16,838, or 24.4% of the national total. Calendar calls, grand jury and other jury matters, and non-dispositive motions made up 14,070 of those matters, 84% of the circuit total.

Additional duties related to criminal pretrial matters disposed of in FY 2023 numbered 44,768 down 9.8%. Non-dispositive and dispositive motions, pretrial conferences, probation and supervised release revocation hearings, guilty plea and evidentiary proceedings, motion hearings, reentry/drug court proceedings, writs and mental competency proceedings fall under this category. Non-dispositive motions total was 25,058, down 11.1% from 28,177, while dispositive motions total was 196, a decrease of 27.4% from 270, in FY 2023.

Additional duties involving civil pretrial matters were down 4.7% from 31,378 to 29,909. This category includes non-dispositive motions/grants of in forma pauperis, or IFP, status, other pretrial conferences, settlement conferences/mediations, other civil dispositive motions, evidentiary proceedings, social security appeals, special master references, summary jury/other ADR/early neutral evaluations, motion hearings and fee applications.

Class A misdemeanor and petty offenses cases disposed of by magistrate judges increased 15.8% from 9,149 to 10,597. Petty offenses were up 15% from 8,733 to 10,041 while Class A misdemeanors were up 33.7%, from 416 to 556 in FY 2023.

Civil consent cases terminated, in which a magistrate judge presides at the consent of the parties, were down 16.1% from 5,742 to 4,819. All but 41 cases under this category were disposed of without trial.

Prisoner petitions were down 9.8% from 9,160 to 8,263. The bulk of the work under this category involves civil rights prisoner petitions, down 6.6%. State habeas prisoner petitions dropped by 10.4% in FY 2023.



Matters Disposed by Ninth Circuit Magistrate Judges

	2022	2023	Change 2022-2023
Total Matters	234,920	225,784	-3.9%
Felony Preliminary Proceedings	105,273	102,147	-3.0%
Search Warrants	23,253	25,251	8.6%
Arrest Warrants	8,022	7,057	-12.0%
Summonses	1,135	1,104	-2.7%
Complaints	12,573	12,517	-0.4%
Initial Appearances	21,234	18,817	-11.4%
Preliminary Hearings	6,716	6,515	-3.0%
Arraignments	13,044	11,472	-12.1%
Detention Hearings	13,157	13,109	-0.4%
Bail Reviews/Forfeitures/Nebbia Hearings	1,926	1,615	-16.1%
¹ Other	4,213	4,690	11.3%
Trial Jurisdiction Defendants	9,149	10,597	15.8%
Class A Misdemeanor	416	556	33.7%
Petty Offense	8,733	10,041	15.0%
Civil Consent Cases Terminated	5,742	4,819	-16.1%
Without Trial	5,705	4,778	-16.2%
Jury Trial	28	29	3.6%
Bench Trial	9	12	33.3%
Criminal Pretrial Matters	49,614	44,768	-9.8%
Reports and Recommendations on Dispositive Motions	270	196	-27.4%
Orders on Non-Dispositive Motions	28,177	25,058	-11.1%
Pretrial Conferences	8,061	6,964	-13.6%
Evidentiary Hearings	254	108	-57.5%
Guilty Plea Proceedings	8,582	7,988	-6.9%
Probation and Supervised Release Revocation Hearings	1,693	1,868	10.3%
Reentry/Drug Court Proceedings	1,310	1,355	3.4%
² Other	1,537	1,427	-7.2%
Civil Pretrial Matters	31,378	29,909	-4.7%
Reports and Recommendations on Dispositive Motions	2,569	2,128	-17.2%
Orders on Non-Dispositive Motions	18,388	17,997	-2.1%
Settlement Conferences/Mediations	3,462	2,880	-16.8%
Other Pretrial Conferences	4,015	3,977	-0.9%
³ Fee Applications and Grants of IFP Status	839	727	-13.3%
⁴ Other	2,105	2,200	4.5%
Reports and Recommendations	18,320	16,526	-9.8%
Prisoner Petitions	9,160	8,263	-9.8%
State Habeas	1,748	1,567	-10.4%
Federal Habeas	194	292	50.5%
Civil Rights	4,077	3,808	-6.6%
Social Security Appeals	302	272	-9.9%
Special Master References	0	0	-
Other Civil Dispositive Motions	2,569	2,128	-17.2%
Criminal Dispositive Motions	270	196	-27.4%
Evidentiary Proceedings	400	180	-55.0%
⁵ Miscellaneous Matters	15,044	16,838	11.9%

¹Includes attorney appointment hearings and material witness hearings.

²Includes mental competency proceedings, motion hearings and writs.

³Beginning in September 2021, this category no longer includes grants of in forma pauperis status in cases involving prisoners and Social Security.


⁴Includes summary jury/other and ADR/early neutral evaluations and motion hearings/oral arguments. Beginning in September 2021, the motion hearings/oral arguments category includes evidentiary hearings.

⁵Includes seizure/inspection warrants and orders of entry, IRS enforcement, judgment debtor exams, extradition hearings, contempt matters, CJA fee applications, international prisoner transfer proceedings, calendar calls, voir dire, grand jury/other jury, naturalization proceedings and non-dispositive motions.

New Magistrate Judges

Twelve new full-time magistrate judges were appointed in 2023. Magistrate judges appointed were Michael A. Ambri, Alison S. Bachus and Angela M. Martinez, District of Arizona; David T. Bristow, Stephanie S. Christensen, Brianna Fuller Mircheff and A. Joel Richlin, Central District of California; Steve B. Chu, Michelle M. Pettit and Valerie E. Torres, Southern District of California; Peter H. Kang, Northern District of California; and Gary J. Leupold, Western District of Washington.

Education Program

The Magistrate Judges Education Committee organized a program titled “Nothing to see here: First Amendment and Privacy—Advice for Judges and Attorneys on Motions that Seek the Closure of the Courtroom, Sealing of Documents, and Other Protective Orders” at the 2023 Ninth Circuit Judicial Conference in Portland, Oregon. Senior District Judge Loretta A. Preska, Southern District of New York; Dean Erwin Chemerinsky, U.C. Berkeley School of Law, served as moderator; and David McCraw, senior vice president and deputy general counsel, The New York Times Company, led the discussion which combined practical and scholarly resources for judges deciding whether the personal and societal interests supporting confidentiality outweigh the First Amendment and common law rights of the press and public to access court proceedings. 

Relaxation of COVID Restrictions Result in More Public Defender Cases Opened and Closed

The Office of the Federal Public Defender was created by Congress to fulfill the constitutional requirement that financially eligible individuals be guaranteed the right to representation by counsel. Criminal defendants facing prosecution in federal courts are provided with legal representation at no cost. Congress provides funds to the Defender Services Division of the Administrative Office of the U.S. Courts for this purpose.

Federal public defender offices, which are staffed by federal judiciary employees, and community defender organizations, which are nonprofit organizations staffed by nongovernment employees, provide a consistently high level of representation. Federal public defender representations include criminal defense and appeals, court-directed prisoner and witness representations, bail/pre-sentencing, supervised release, and probation and parole revocation hearings.

By statute, judges of the courts of appeals select and appoint the federal public defender for a renewable four-year term. In the Ninth Circuit, FPD applicants are evaluated by both a local screening committee and the court's Standing Committee on Federal Public Defenders, applying Equal Opportunity guidelines. The court makes its initial appointment after a nationwide recruitment and the use of its local screening committee. An incumbent federal public defender may be reappointed if the court concludes that he or she is performing in a highly satisfactory manner based upon a broad survey and performance evaluation process. Community defenders are appointed by members of the board of directors in their organization, and their performance are reviewed periodically.

Federal defenders and community defenders in the Ninth Circuit opened 23,250 cases, up 3.9% in fiscal year 2023. Total cases opened nationwide numbered 83,412 in FY 2023, down 2% from FY 2022.

Federal defenders and community defenders reported fewer cases opened in six districts in FY 2023. Percentagewise, the FPD Office in the Eastern District of California had the largest decrease, down 7.1% from 989 to 919 cases. Next was the District of Nevada, opening 7% fewer cases, 862, down from 927 in FY 2022. Other districts that reported drops were the Southern District of California, down 3.4%, from 5,079 to 4,907 cases; District of Oregon, down 2.4%, from 1,471 to 1,436; District of Hawaii, down 2% from 402 to 394 new cases; and the Eastern District of Washington, down 0.4%, from 1,060 to 1,056 cases.

FPD offices and community defender organizations reporting more new cases in fiscal year 2023 are the District of Guam, up 51.3% from 76 to 115 new cases. The Northern District of California had a 22.7% increase, going from 1,477 to 1,812 new cases; the District of Idaho had an increase of 21.8%, going from 325 to 396 cases; the District of Alaska had an increase of 16.8%, going from 268 to 313 cases; the District of Arizona went from 5,713 to 6,266, up 553 cases or 9.7%. The remaining districts, Central District of California, the District of Montana and the Western District of Washington had increases of less than 5%.

"The Northern District of California has historically seen dramatic swings in case filings from year to year, and the change from last year to this is another clear example of that," said Federal Public Defender Jodi Linker of the Northern District of California.

Ninth Circuit Federal Defender Organizations: Cases Opened, Closed and Pending

Cases	2019	2020	2021	2022	2023	Change 2022-2023
Opened	36,468	27,940	21,670	22,384	23,250	3.9%
Closed	34,603	24,809	23,680	24,404	24,980	2.4%
Pending	13,093	16,151	14,123	12,100	10,304	-14.8%



Federal Defender Organizations: Summary of Representations by District

District	Opened 2022	Opened 2023	Change 2022-2023	Closed 2022	Closed 2023	Change 2022-2023	Pending 2023
Alaska	268	313	16.8%	337	305	-9.5%	256
Arizona	5,713	6,266	9.7%	6,115	6,611	8.1%	1,374
C. Calif.	2,850	2,976	4.4%	2,909	3,014	3.6%	2,187
E. Calif.	989	919	-7.1%	1,025	1,083	5.7%	641
N. Calif.	1,477	1,812	22.7%	1,744	1,879	7.7%	711
¹ S. Calif.	5,079	4,907	-3.4%	5,735	5,484	-4.4%	1,301
Guam	76	115	51.3%	100	124	24.0%	51
Hawaii	402	394	-2.0%	389	410	5.4%	174
¹ Idaho	325	396	21.8%	385	401	4.2%	210
¹ Montana	746	748	0.3%	738	754	2.2%	255
Nevada	927	862	-7.0%	1,116	943	-15.5%	984
Oregon	1,471	1,436	-2.4%	1,825	1,900	4.1%	1,153
¹ E. Wash.	1,060	1,056	-0.4%	941	1,069	13.6%	578
W. Wash.	1,001	1,050	4.9%	1,045	1,061	1.5%	429
Circuit Total	22,384	23,250	3.9%	24,404	25,038	2.6%	10,304
National Total	83,302	83,412	0.1%	89,521	87,900	-1.8%	51,192
Circuit Total as % of National Total	26.9%	27.9%	1.0%	27.3%	28.5%	1.2%	20.1%

¹Community Defender Organizations

Note: Northern Mariana Islands is not served by a defender organization. Other representations include court-directed prisoner, bail/presentment, witness, probation revocation and parole revocation representations.

“The primary driver of the increase in caseloads in our District appears to be the federalization of what traditionally have been state drug cases—low-level hand-to-hand drug sales. These cases, which used to be filed primarily in state court unless certain extenuating factors were present, are being regularly filed in federal court. Additionally, as a District that saw an extreme slow down due to Covid, we are only now seeing cases come back to pre-pandemic levels,” she said.

FPD Nicole Owens, of the District of Idaho, said their 21.9% increase in cases was the result of several factors. “The reduction in COVID-19 restrictions led to a backlog of cases that needed addressing, increasing new cases as court operations returned to normal,” said Owens. “Additionally, our office expanded by hiring more staff attorneys and support personnel, boosting our capacity. My review shows increase in supervised release violations, drug

prosecutions, and appeals. Notably, with the hiring of our first appellate attorney, appeals rose from five in statistical year 2022 to 20 in SY 2023, a 300% increase, directly related to our increased personnel (the statistical year opens in April and closes the following March). In summary, the rise in opened cases can be attributed to the easing of COVID-19 restrictions, the addition of new personnel, and an increase in federal prosecutions in our district. We are committed to adapting to these changes and continuing to serve our community effectively,” she said.

Federal defenders and community defenders in the circuit closed 24,980 cases in FY 2023, up 2.4%, while pending cases were down 14.8% from 12,100 to 10,304 cases in FY 2023. Cases closed nationwide totaled 87,900 down 1.8% from 89,521, while pending caseload nationwide dropped to 51,192 from 55,733 cases, down 8.3% in FY 2023.

Federal defenders in three districts reported closing more cases in FY 2023, with a net result of a 2.4% increase in cases closed circuit wide. In terms of percentage, the FPD Office in the District of Guam had the largest increase, closing 24% more cases than FY 2022, going from 100 to 124. The next greatest change was in the District of Arizona with 8.1% more closed cases, going from 6,115 to 6,611, an increase of 496, followed by the Northern District of California, with a 7.7% increase, going from 1,744 to 1,879 cases closed in FY 2023.

The District of Guam had the highest percentage of both opened and closed cases in the Ninth Circuit. “The increases in opening new cases and closing cases trace back to the ending of the COVID-19 pandemic and resuming normal operations,” said Leilani Lujan, FPD for the District of Guam. “After President Biden ended the COVID-19 National Emergency on May 11, 2023, the Guam District Court, U.S. Attorney’s Office, U.S. Probation Office and local Government of Guam returned to normal operations. The Navy and Air Force Bases on Guam followed suit. The return to normal life and operations had a direct result in increased charging of new cases and increased filings of post-conviction revocation petitions. The most notable spikes in new case openings involved offenses occurring on military bases and supervised release violations. The increase in new case openings had a direct correlation to case closings. The more cases we opened, the more efficient and effective we became in resolving and closing them,” she said.

Other increases were the Eastern District of California with 5.7% more cases from 1,025 to 1,083. The District of Hawaii had a 5.4% increase in closed cases, going from 389 cases to 410 cases in FY 2023. The remaining increases, in the Districts of Idaho, Oregon, Central California, Montana and Western Washington, were all under 5%.

Offsetting those gains were reductions in three districts. The Southern District of California saw the largest drop numerically, down 4.4% or 251 fewer cases closed. The District of Nevada down 15.5% or 173 fewer cases and the District of Alaska down to 9.5% or 32 fewer cases in FY 2023, going from 337 to 305 closed cases.

Of Note

Federal Public Defender Rene L. Valladares, of the District of Nevada, received the “Champion of Justice Legal Education Award” from the National Association of Criminal Defense Lawyers during the NACDL Foundation for Criminal Justice Redemption Gala held at the Smithsonian’s National Museum of the American Indian in Washington, D.C., on Oct. 19, 2023. He was honored for the positive changes he brings to the U.S. criminal legal system. Valladares has been the federal public defender for the District of Nevada since 2011. He joined the office in 1993 and served as chief of the Trial Unit in Las Vegas before becoming FPD. Valladares supervises 62 attorneys and 48 support staff.



Federal Public Defender Rene Valladares, of the District of Nevada, pictured with Juval Scott, director of the National Sentencing Resource Counsel and a sentencing resource counsel attorney in the FPD Office for the District of Arizona, as he accepts his Champion of Justice Legal Education Award from the National Association of Criminal Defense Lawyers. Photo Credit: National Association of Criminal Defense Lawyers.

Transitions

Judges of the U.S. Court of Appeals for the Ninth Circuit appointed two new federal public defenders in 2023. Fidel Cassino-DuCloux was appointed FPD for the District of Oregon, and Leilani V. Lujan was appointed FPD for the Districts of Guam and the Northern Mariana Islands. 🌱

Probation Offices Remain Steadfast Despite Challenges

Budget challenges were at the forefront of fiscal year 2023. For the fourth consecutive year, U.S. probation offices and the entire federal judiciary were facing another significant financial plan reduction. Ultimately, the final financial plan reduction came in at 9.6%. Despite an increase in workload, these budget cuts limited the ability of the probation leaders to hire proactively and ease some of the pressure on officers. Essentially, officers were asked to do more with less. Nonetheless, U.S. probation officers throughout the Ninth Circuit remained steadfast and continued to fulfill their mission of serving the court, protecting the public and motivating positive change in those they serve.

Presentence Reports

The number of presentence investigations completed in fiscal year 2023 by probation officers in the Ninth Circuit, 11,544 reports submitted, was nearly unchanged from 11,660 in FY 2022, dropping less than 1%. Similarly, total reports completed nationally in FY 2023 decreased by 1.3% compared to FY 2022 total. With such little change between fiscal reporting periods, total investigations completed by probation offices in the Ninth Circuit still represent 18.3% of all presentence reports completed nationally.

Persons Under Post-Conviction Supervision

Following suit with presentence investigations, total persons under post-conviction supervision in the Ninth Circuit was 23,640 comprising 19.2% of those supervised nationally in FY 2023. However, unlike national supervision numbers which slightly decreased, probation officers in the Ninth Circuit continue to supervise an increasing number of persons under post-conviction supervision, with an increased 3% over FY 2023, supervising the highest number of persons in a decade. Of those persons, 11.3% are on probation.

Drug offenses persist as the most prevalent offense of persons under supervision both nationally and in the Ninth Circuit. This is followed by firearms/ weapons crimes, sex offenses and then other crimes of violence for both entities. Percentages of offenses among persons under supervision correspond

closely across the circuit and the nation with two exceptions: firearms/weapons offenses are 7.6% higher nationally, while immigration offenses are 5.1% higher in the Ninth Circuit.

Probation: Persons Under Post-Conviction Supervision

Post-Conviction Supervision	2022	2023	Change 2022-2023
¹ From Courts	2,550	2,638	3.5%
² From Institutions	20,381	21,002	3.0%
Total	22,931	23,640	3.1%

¹Includes conditional release, probation and the former categories known as judge probation and magistrate judge probation.

²Includes parole, special parole, mandatory release and military parole. BOP accounts for Bureau of Prisons Federal Location Monitoring and Elderly Home Confinement (effective Jan. 26, 2020).

Revocations and Early Terminations

The revocation rate for the Ninth Circuit (percentage of cases revoked out of those closed not due to death and transfer) is holding steady at 36.6%. However, the percent of cases closed in the circuit due to the revocation dropped significantly by 3.9% over the reporting period, from 3,692 cases in FY 2002, to 3,553 in FY 2023. The circuit revocation rate had been showing increases in recent years. While the circuit revocation rate is 3.4% higher than the national rate, it's increasing at only half the pace of the national rate.

In FY 2023, the Ninth Circuit maintained the number of cases granted early termination of supervision by only a difference of four cases from the previous period. This represents 19.5% of all early terminations in the country and yielded \$10,624,152 in costs savings at the current rate of \$12 per day to supervise defendants.

Outreach and Training Activities

District of Arizona

In 2023, probation office staff participated in the Build-a-Bike program and built 32 children's bicycles that were donated to the Arizona Association for

Foster and Adoptive Parents and were distributed during the holiday season.

Central District of California

Recognizing the growing gap between veteran and new officers and the need for leadership training in their agency, the Central District's Probation and Pretrial Office launched a Leadership Development Program in 2023, modeled after the national leadership program, intended to address this gap and train a new generation of leaders for the future health of the agency.

Eastern District of California

The probation office in the Eastern District of California underwent a massive overhaul of supervision practices for its highest risk clients. In response to the district's 2022 Administrative Office Program Review, the probation office reorganized supervision units by dedicating two supervisors to oversee the officers responsible for the district's

sex offender population, the location monitoring program and certain high-risk offenders who constitute an increased danger to the community. The district has centralized most of these cases in these two units to increase conformity to program standards, district policy and treatment delivery across the district. The district's office is also endeavoring to decrease the footprint of officers who handle these cases to maximize community safety as well as increase positive outcomes in the lives of this challenging population in its community. This project is bigger than moving cases around. To provide the oversight needed for high-risk and high-liability supervision, the officers in this unit will be encouraged to take advantage of training opportunities to build skills to effectively manage this population of clients. Further, the district is in the process of developing protocol and criteria for a client's placement in these units, and for their possible step-down out of these units as they stabilize or as their risk level decreases.

Probation: Persons Under Post-Conviction Supervision by District

District	From Courts	Referred by Institutions			Persons Under Supervision, 2022	Persons Under Supervision, 2023	Change 2022-2023
	¹ Probation	Supervised Release	² Parole	³ BOP Custody			
Alaska	37	272	1	1	324	311	-4.0%
Arizona	973	3,738	12	0	4,438	4,723	6.4%
C. Calif.	542	4,910	18	0	5,287	5,470	3.5%
E. Calif.	114	1,609	9	4	1,809	1,736	-4.0%
N. Calif.	153	1,486	2	7	1,650	1,648	-0.1%
S. Calif.	247	3,736	3	0	3,557	3,986	12.1%
Guam	17	75	0	3	121	95	-21.5%
Hawaii	35	397	2	18	473	452	-4.4%
Idaho	74	630	0	2	682	706	3.5%
Montana	78	717	1	6	840	802	-4.5%
Nevada	114	982	2	3	1,124	1,101	-2.0%
N. Mariana Is.	4	19	0	2	22	25	13.6%
Oregon	111	872	5	12	988	1,000	1.2%
E. Wash	38	580	0	0	644	618	-4.0%
W. Wash.	101	848	18	0	972	967	-0.5%
Circuit Total	2,638	20,871	73	58	22,931	23,640	3.1%

¹Includes conditional release, probation and the former categories known as judge probation and magistrate judge probation.

²Includes parole, special parole, mandatory release and military parole.

³BOP accounts for Bureau of Prisons Federal Location Monitoring and Elderly Home Confinement (effective Jan. 26, 2020).

The Eastern District of California is committed to enforcing the conditions of supervision as imposed by the court; however, it is also committed to the reintegration of those formerly incarcerated by collaborating with other agencies in having access to resources and clothing, and by giving their children a memorable holiday experience. Officers in the Eastern District of California have collaborated with pretrial services, the assistant federal defenders social work team and The Justice Anthony M. Kennedy Library and Learning Center to bring resources to persons under supervision and, overall, bring about positive change in their lives. On Nov. 15, 2023, the eighth Pathways to Progress Empowerment Fair was held at the federal courthouse in Sacramento. The event hosted 36 community vendors who shared information on employment, education, vocational training, substance abuse and mental health treatment, housing and government. Read more about the event on the [Ninth Circuit's website](#).

Simultaneously, the office conducted a clothing drive. All court agencies contributed winter clothing, professional wear, undergarments and bedding. The clothing closet will be located at the Federal Public Defender's Office and will be available to assist pretrial services defendants and persons under supervision in need.

The holidays can be a challenging time for some of the clients under supervision, especially when they have children. The probation office organized an Angel Tree, in which officers referred the children of clients they knew would have a hard time during the season. Officers and staff members adopted a family and purchased items identified by the family. The office was able to bring holiday cheer to five families!

Northern District of California

The probation office in the Northern District of California returned to having new officers sworn in by district and magistrate judges. Because this practice ended about 22 years ago, the district had three "Reaffirmation of Oath" ceremonies in each venue office. Returning to this practice properly marks entry into this profession and highlights the esteem the officers have with the court.

The district focused on officer safety in 2023 and added handcuffs to their practices. Instructors from the academy helped with handcuff training. Lisa Lambeth from Concealed 360 attended the district's conference to facilitate After Critical Incident Training and Plan Creation.

Southern District of California

Probation officers continued to employ monitoring strategies which included consent and plain view searches, telephone and computer forensic analysis, and searches pursuant to court-imposed search conditions. In FY 2023, officers conducted eight searches, with two of those being exigent in nature. Officers also seized 38 items of contraband from persons under supervision. The probation office in the Southern District of California was ranked number two in the country for plain view seizures in FY 2023, demonstrating its priority to address safety concerns in the community.

Conducting searches is one of the most inherently dangerous activities performed by the officers. It also is extremely time consuming from reviewing a case for a search, to organizing the search, recruiting officers from the search time for the event, coordinating with local law enforcement and the U.S. Marshals Service, conducting the actual search, reviewing any contraband seized during the search and finally, submitting information to the court for any violation conduct. As part of the office's search team, an entry team was formed consisting of 14 officers, one supervisor and an assistant deputy chief. This initiative will assist in the timely clearing of residences prior to searches for persons under supervision. It also relieves the team's reliance on law enforcement partners who may not be able to assist in a search in a timely manner.

The district had several staff members participate in national training or projects in 2023. Officers trained other probation officers across the nation in sex offender management and in Staff Training Aimed at Reducing Rearrest, or STARR. The district has one officer who provided Sex Offender Management Training at the Federal Law Enforcement Training Center (FLETC). One district IT staff member was selected for a four-year, full-time assignment to work with the Administrative Office of the U.S. Courts on IT related issues and help desks.

Additional leadership and training opportunities included a comprehensive program by the San Diego County Regional Leadership Institute, an intense three-week program hosted by the District Attorney's Office, which three supervisors attended, and the multiphase Federal Judicial Center's (FJC) "Becoming an Executive." A three-day Human Resources training for the entire HR team offered many sessions on staff retention; well-being; leadership for organizations; diversity, equity and inclusion; and a variety of other topics.

Officers attended training programs ranging from new supervisor training to location monitoring training to a multidistrict search training, which led to the district's search team creating its first entry team for use when other law enforcement is not able to assist in clearing residences or other property.

The office made a concerted effort to address stress in their agency in 2023, when a three-day retreat was held for staff. The focus of the retreat was staff well-being, addressing recovery and peer support for those who have suffered challenges and loss. Staff appreciated a conference devoted to their well-being and focusing on what can be done to improve personally and as an agency. The probation office also used the conference as an opportunity to recognize staff members who had received various awards during the year.

District of Montana

U.S. probation officers from the District of Montana, led by Chief U.S. Probation Officer Brian Farren participated in community outreach events such as the Special Olympics, where the office assisted in awards ceremonies throughout the spring and summer of 2023. Fund raising events held in 2023 benefiting the Special Olympics and law enforcement community included a torch run, softball game, Beat the Heat 5K run and the eighth annual Polar Plunge—the district's team name was "U.S. FroZZZation!!!"

In June, 11 U.S. probation officers from the District of Montana had an in-depth tour of the Federal Correctional Institution (FCI) in Sheridan, Oregon, where officers were given an overview of all programs offered to inmates. Participating officers conducted "job shadows" with classification counselors which led to a wealth of information exchanged between all parties.

The Group Led Alternative Court Inspiring and Encouraging Recovery (GLACIER) program is a post-plea/pre-adjudication program wherein the participant enters a guilty plea and sentencing is held in abeyance while the participant completes the program. The program is the result of cooperation between the U.S. District Court for the District of Montana, the U.S. Probation and Pretrial Services Office for the District of Montana, the U.S. Attorney's Office for the District of Montana and the Federal Defenders of Montana. The GLACIER program began in January 2023 and currently has 18 participants between the Billings, Great Falls and Missoula divisions. Read more about the GLACIER Program on page 31.

District of Oregon

The District of Oregon continues to promote health and wellness in the district through a variety of activities offered throughout the year. One has been going strong for the last three years—The Mother of All Relays. In August 2023, probation and pretrial services officers participated in the Hood to Coast Relay Race. This 12-person team runs anywhere from 130 to 200 miles through the beautiful state of Oregon. The fitness fun continued in November with a Turkey Trot.

Through all the hustle and bustle during the holidays, the District of Oregon set out to give back to their communities by collecting donations for both the Portland and Eugene Missions. Items collected by staff helped build upon their growing supply of clothing, blankets and other warm gear in preparation for the cold season. 🍷

Pretrial Services Offices – Remaining Mission Focused

The Ninth Circuit has six districts which maintain independent U.S. pretrial services offices separate from the U.S. probation offices, the most of any circuit. Although the six separate offices remain focused on their unique mission, each office collaborates closely with their U.S. probation office through shared services arrangements, joint training efforts and specialized programs. This ongoing collaboration remains focused on assisting the court with achieving its mission to dispense justice fairly. Fiscal year 2023 saw the continuation of the “new normal” that resulted from the effects of the COVID-19 pandemic. Offices settled into more well-established telework practices but experienced an increase in personal contact with colleagues, defendants and the court family. In addition, offices enjoyed more in-person training, court initiatives and community partnerships.

Defendants Under Pretrial Supervision

The mission of pretrial services officers in the federal judiciary is to balance a defendant’s risk of non-appearance and/or danger to the community with their presumption of innocence to assist the court in reducing unnecessary pretrial detention. A primary responsibility of pretrial services officers is to interview charged defendants for the purpose of completing a written report for the court to assist in determining a defendant’s appropriateness for release on bail pending the outcome of their legal proceedings. Another important responsibility of pretrial services officers is to help protect the community by supervising defendants released on bail. Bail supervision involves monitoring a defendant’s compliance with court ordered conditions of release while using the least restrictive assisting and monitoring strategies available.

Another important responsibility of pretrial services officers is to conduct pretrial diversion investigations and prepare written reports about a diversion candidate’s suitability for the Office of the U.S. Attorney’s Pretrial Diversion Program. Defendants accepted to the diversion program are supervised by officers to ensure they meet the obligations of the program.

Case Activations

In fiscal year 2023, pretrial services officers in the Ninth Circuit activated 18,163 new cases, representing a 1.1% decrease in activations. Comparatively, case activations nationwide were 71,297, down 3.25% from FY 2022. In fiscal year 2023, the Ninth Circuit ranked first in cases activated, accounting for 25.5% of all new cases.

Pretrial Bail Reports and Supervision

Pretrial services officers in the Ninth Circuit ranked first nationally in pre-bail reports prepared, with 17,704, and bail reports were prepared on 97.4% of all cases activated. Officers also completed 260 post-bail reports and completed 7,275 defendant interviews. Excluding immigration cases, officers made recommendations for initial pretrial release to the court in 56.6% of cases, the highest rate of any circuit nationally, while assistant U.S. attorneys in the circuit recommended release in 43.6% of cases.

During FY 2023, 4,889 defendants were received for supervision, a reduction of 10% from 5,402 defendants received for supervision in FY 2022. Defendants received for supervision included 3,506 received for regular supervision, 1,332 were supervised on a courtesy basis from another district or circuit; and 51 defendants were received for pretrial diversion supervision, including courtesy supervision diversion cases.

Pretrial Services Caseload

Caseload Measure	2022	2023	Change 2022-2023
Reports	18,081	17,964	-0.6%
Interviews	7,874	7,275	-7.6%
Cases Activated	18,371	18,163	-1.1%

Pretrial Services Caseload by District

District	Defendant Contact		Written Reports		No Reports Made	Total Cases Activated 2022	Total Cases Activated 2023	Change 2022-2023
	Interviewed	¹ Not Interviewed	² Prebail	Postbail				
Alaska	66	106	165	2	5	147	172	17.0%
Arizona	2,187	6,384	8,461	28	82	8,215	8,571	4.3%
C. Calif.	1,111	134	1,237	7	1	1,481	1,245	-15.9%
E. Calif.	267	176	431	10	2	438	443	1.1%
N. Calif.	266	160	288	132	6	394	426	8.1%
S. Calif.	1,837	2,754	4,495	61	35	4,967	4,591	-7.6%
Guam	38	9	46	0	1	27	47	74.1%
Hawaii	114	21	123	6	6	151	135	-10.6%
Idaho	157	200	356	0	1	276	357	29.3%
Montana	324	136	453	5	2	397	460	15.9%
Nevada	228	105	327	0	6	466	333	-28.5%
N. Mariana Is.	30	7	37	0	0	15	37	146.7%
Oregon	286	190	468	1	7	505	476	-5.7%
E. Wash	154	167	287	0	34	358	321	-10.3%
W. Wash.	210	339	530	8	11	534	549	2.8%
Circuit Total	7,275	10,888	17,704	260	199	18,371	18,163	-1.1%
National Total	42,447	28,820	66,156	1,643	3,498	73,690	71,297	-3.2%
Circuit % of National	17.1%	37.8%	26.8%	15.8%	5.7%	24.9%	25.5%	0.5%

Note: This table excludes data for the District of Columbia and includes transfers received.

¹Includes complaints, indictment/information, material witness, superseding, and other cases.

²Includes data reported for previous periods as “transfers received.”

Detention Summary

The Ninth Circuit detained 21,395 defendants during FY 2023. Defendants were detained an average of 303 days during this same period. The courts located along the U.S.–Mexico border, the Southern District of California and the District of Arizona, reported the highest number of defendants detained and collectively accounted for 67.7% of all defendants detained in the circuit. The Southern District of California detained 3,949 defendants, and the District of Arizona detained 10,528 defendants. The Ninth Circuit accounted for 17.3% of the total days of defendant incarceration nationally.

Violations

Of the 12,012 cases in release status during FY 2023, cases with violations reported to the court numbered

2,214 (17.7% of all cases in release status). They included 68 violations due to a felony rearrest, 59 violations due to a misdemeanor rearrest, and 193 for failure to appear. The remaining violations included 1,996 technical violations for noncompliance with court ordered conditions of release, such as violations of location monitoring conditions, positive urine tests for illicit substances, possession of contraband, or failure to report to a supervising officer. The circuit experienced a small reduction in the percent of cases with violations from the prior fiscal year.

Evidence-Based Practices for Pretrial Services

Pretrial services officers in the circuit continue to utilize evidence-based practices to reduce disparities in recommendation rates and improve outcomes. Such practices include the use of the

Pretrial Risk Assessment (PTRA) instrument, which is a scientifically based assessment instrument that provides a consistent and valid method of predicting risk of failure to appear, new criminal arrest, and revocations due to technical violations. The instrument is used to both inform bail recommendations to the court and to assess the appropriate level of supervision for defendants received for supervision. The tool can be most helpful in identifying low to moderate-risk defendants who are good candidates for release due to their lower likelihood of pretrial failure.

Staff Training Aimed at Reducing Re-Arrest (STARR) is another evidence-based practice that continues to be utilized by officers in the Ninth Circuit. Use of STARR communication techniques helps improve the quality of the interaction between the officer and the defendant to effect long-term behavior change and thinking patterns. The Administrative Office of the United States Courts continues to support extensive training opportunities for officers to learn and enhance STARR skills, including training for new users and coaches.

Specialty Courts and Pre-entry Programs

In FY 2023, several pretrial services offices in the Ninth Circuit operated innovative specialty courts and programs, including drug courts, emerging adult programs and sentencing alternative courts. Specialty courts provide rehabilitative services to defendants who are at higher risk of pretrial failure and recidivism while giving them a chance to have their cases dismissed or sentences reduced upon successful completion of an intensive period of supervision.

The Northern District of California operates the Conviction Alternatives Program (CAP), a post-plea 12-to-18-month drug court program which promotes long-term recovery and pro-social lifestyle in a court managed group setting and utilizes cognitive behavior therapy-based interventions. The district also operates the Leading Emerging Adults to Develop Success (LEADS) program designed for young adult ages 18 to 26. After entering a guilty plea, participants work closely with an assigned officer and a social worker for resource support and to aid in implementing their individual success plan which focuses on addressing a defendant's criminogenic

needs. Successful participants in both programs either receive a non-custodial sentence or a dismissal of their charges.

The Eastern District of California operates the Better Choices Court (BCC) Program. The program is a collaboration between the court, the U.S. Attorney's Office, the Federal Public Defender's Office and U.S. Pretrial Services. BCC is an alternative to detention program, and it provides treatment and sanction alternatives to address both behavior and rehabilitation, as well as the safety of the community.

The District of Oregon continues to operate its Court Assisted Pretrial Services (CAPS). CAPS provides resources and active supervision for criminal defendants whose criminal history, charged crimes, and other relevant data would make it unlikely for that defendant to be released based on typical considerations under the Bail Reform Act. The program involves collaboration between the defendant, the court, an AUSA, an assistant FPD and a pretrial services officer. The CAPS program holds the defendant more directly accountable to the court while also creating an opportunity for the court to recognize and acknowledge the defendants' success and accomplishments. The district also entered its second year of the pilot Deferred Sentencing to Advance Rehabilitation and Treatment (D-START) program, which is an alternative to incarceration court. It is a post-guilty plea program for select defendants, designed to enhance community safety, and reduce recidivism by focusing on the correlation between thinking and behavior, needed drug and mental health treatment, resource linkage, incentives, alternative sanctions, and restorative justice, while under the supervision of pretrial services.


In FY 2023, the Southern District of California reinstated the Alternative to Prison Solutions Diversion (APSD) Program which operated continuously from November of 2010 through February of 2021. The APSD Program's primary goal of utilizing an early intervention approach to reduce recidivism has historically yielded favorable results. This program involves voluntarily participation in a court-supervised, intensive pretrial supervision program aimed at early intervention, rehabilitation, employment and education. In FY 2023, 66 defendants entered the program and, during the

initial 10-year period, 936 individuals were entered into the program. APSD enjoyed an 88% successful completion rate and a recidivism rate of 4.8%. Participation requires a defendant enter a guilty plea and successful completion results in a dismissal of the charges. The program targets young adult U.S. citizens charged with alien smuggling activity.

The Southern District of California also operates the Veterans Treatment Court (VTC) Program. Since its inception in 2016, the VTC Program in the Southern District of California has provided a 12–18-month alternative to detention pathway for former military service members. To date, the program has had 76 participants with a 91% success rate. Participants are required to enter a guilty plea and participation involves close supervision by a pretrial services officer; however, the program utilizes a court managed team approach with the assistance of a Veteran’s Administration outreach social worker and other veteran specific treatment providers. Participants who successfully complete the program have their charges dismissed with prejudice.

Community Outreach and Notable Recognitions

In FY 2023, the District of Oregon’s Pretrial Services Agency continued its partnership with a local community agency to sponsor under-privileged children for the holidays. This has become a fulfilling tradition for staff and a positive way to engage with the community.

In November 2023, Intensive Supervision Specialist Jade McCawley, of the District of Arizona Pretrial Services, was unanimously selected by the Federal Probation and Pretrial Services Officers Association Board as Western Region Line Officer of the Year. McCawley was recognized for his after-hour supervision work in which he assisted a defendant who had become suicidal and then attempted to take his life. Pretrial services is very proud of McCawley and the contributions he has made to better the lives of defendants and make the community safer. 

Juror Utilization

District	Grand Juries Serving, 2023	Petit Juries Selected, 2023	Petit Juror Utilization Rate ¹ Percent Not Selected or Challenged		
			2022	2023	Change 2022-2023
Alaska	2	5	31.3	42.5	11.2
Arizona	13	53	31.3	45.0	13.7
C. Calif.	24	159	58.0	58.7	0.7
E. Calif.	7	34	51.7	42.6	-9.1
N. Calif.	10	63	48.9	35.6	-13.3
S. Calif.	7	78	43.2	39.6	-3.6
Guam	2	2	78.8	70.0	-8.8
Hawaii	3	17	45.5	42.0	-3.5
Idaho	6	12	37.5	28.1	-9.4
Montana	5	22	30.4	35.1	4.7
Nevada	4	23	38.0	54.3	16.3
N. Mariana Is.	2	1	55.6	12.1	-43.5
Oregon	9	25	25.1	17.8	-7.3
E. Wash.	5	9	30.6	25.1	-5.5
W. Wash.	4	27	30.3	30.3	0.0
Circuit Total	103	530	***	***	
Circuit Average	6.9	35.3	42.4	38.6	-3.8
National Total	707	3,508	***	***	
National Average	7.5	37.3	41.1	40.8	-0.3

Note: This table includes data on jury selection days only. Data on juror service after the selection day are not included. Due to rounding, percentages may not total 100%.

¹Includes jurors who completed pre-screening questionnaires or were in the courtroom during the conducting of voir dire but were not selected or challenged. Includes other jurors not selected or challenged who were not called to the courtroom or otherwise did not participate in the actual voir dire.

Interpreter Usage by District Courts

Language	AK	AZ	CAC	CAE	CAN	CAS	GU	HI	ID	MT	NV	NMI	OR	WAE	WAW	2022 Total	2023 Total	Change 2022-2023
Arabic	0	6	10	4	2	27	0	0	0	0	0	0	1	43	2	173	95	-45%
Armenian	0	0	27	0	0	0	0	0	0	0	1	0	3	0	0	64	31	-52%
Cantonese	0	0	11	0	14	8	0	3	0	0	0	0	1	0	36	52	73	40.4%
Farsi	0	0	0	5	2	0	0	0	0	0	0	0	10	0	0	14	17	21.4%
Japanese	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	9	4	-56%
Korean	0	0	34	10	0	3	1	2	0	0	0	4	0	0	5	109	59	-45.9%
Mandarin	4	4	182	41	36	38	2	8	0	0	3	59	3	0	1	275	381	38.5%
Navajo (Certified)	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	-
Navajo (Non-Certified)	0	23	0	0	0	0	0	0	0	0	0	0	0	0	0	19	23	21%
Russian	0	4	32	9	8	16	0	0	0	0	0	0	0	3	21	87	93	6.9%
Sign (American)	0	0	43	2	8	0	0	0	0	7	2	0	0	2	0	44	64	45.5%
Sign (Mexican)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Spanish Staff	0	26,939	878	825	231	11,289	0	0	0	0	303	0	518	181	0	41,073	41,164	0.2%
Spanish (Certified)	25	2,030	419	655	688	288	0	12	140	1	137	0	123	187	345	3,298	5,050	53.1%
Spanish (Non-Certified)	3	0	0	0	0	0	0	4	0	53	29	0	0	0	0	109	89	-18.3%
Tagalog	2	0	6	4	0	4	0	0	0	0	3	5	0	0	0	26	24	-8%
Vietnamese	2	3	31	1	6	10	0	0	0	0	0	0	1	0	2	82	56	-31.7%
All Others	5	228	101	37	59	146	7	8	0	2	14	6	4	0	32	558	649	16.3%
Total	41	29,238	1,774	1,593	1,054	11,829	10	41	140	63	492	74	664	416	444	45,993	47,873	4.1%

District by District Caseload

District of Alaska

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	592	484	-18.2%	161
Terminations	597	491	-17.8%	164
Pending	687	679	-1.2%	226
Bankruptcy Court				
Filings	182	214	17.6%	107
Terminations	200	236	18.0%	118
Pending	217	195	-10.1%	98

Authorized Judgeships	
District	3
Bankruptcy	2
Magistrate	
Full-time	2
Part-time	2

Authorized places of holding court:
Anchorage, Fairbanks, Juneau

District of Arizona

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	7,800	8,673	11.2%	667
Terminations	7,661	8,321	8.6%	640
Pending	5,734	6,075	5.9%	467
Bankruptcy Court				
Filings	8,926	9,176	2.8%	1,311
Terminations	11,328	10,210	-9.9%	1,459
Pending	12,531	11,497	-8.3%	1,642

Authorized Judgeships	
¹ District	13
Bankruptcy	7
Magistrate	
Full-time	14
Part-time	1

Authorized places of holding court:
²Bullhead City, Flagstaff, Phoenix,
Prescott, Tucson, Yuma

¹Includes one authorized temporary judgeship.

²Bullhead City applies only to the bankruptcy court.

District Caseload continued

Central District of California

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	14,389	15,904	10.5%	568
Terminations	14,970	15,586	4.1%	557
Pending	12,821	13,117	2.3%	468
Bankruptcy Court				
Filings	17,836	19,702	10.5%	938
Terminations	21,412	19,405	-9.4%	924
Pending	14,906	15,223	2.1%	725

Authorized Judgeships	
¹ District	28
Bankruptcy	21
Magistrate	
Full-time	24
Part-time	1

Authorized places of holding court:
Los Angeles, Riverside, Santa Ana, ²San
Fernando Valley, ²Santa Barbara

¹Includes one authorized temporary judgeship.

²San Fernando Valley and Santa Barbara apply only to the bankruptcy court.

Eastern District of California

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	4,152	4,668	12.4%	778
Terminations	4,317	4,567	5.8%	761
Pending	7,752	7,841	1.1%	1,307
Bankruptcy Court				
Filings	6,345	7,824	23.3%	1,304
Terminations	7,856	7,845	-0.1%	1,308
Pending	7,326	7,308	-0.2%	1,218

Authorized Judgeships	
District	6
Bankruptcy	6
Magistrate	
Full-time	12
Part-time	0

Authorized places of holding court:
Bakersfield, Fresno, ¹Modesto, Redding,
Sacramento, ²Yosemite

¹Modesto applies only to the bankruptcy court.

²Yosemite applies only to the district court.

Northern District of California

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	8,254	8,620	4.4%	616
Terminations	10,886	6,809	-37.5%	486
Pending	12,023	13,851	15.2%	989
Bankruptcy Court				
Filings	3,893	4,600	18.2%	511
Terminations	5,217	5,139	-1.5%	571
Pending	7,390	6,852	-7.3%	761

¹Eureka applies only to the district court.

²Santa Rosa applies only to the bankruptcy court.

Authorized Judgeships	
District	14
Bankruptcy	9
Magistrate	
Full-time	12
Part-time	0

Authorized places of holding court:

¹Eureka, Oakland, San Francisco, San Jose, ²Santa Rosa

Southern District of California

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	4,998	5,257	5.2%	404
Terminations	5,844	5,830	-0.2%	448
Pending	5,035	4,508	-10.5%	347
Bankruptcy Court				
Filings	3,628	3,860	6.4%	965
Terminations	4,433	3,941	-11.1%	985
Pending	3,231	3,169	-1.9%	792

¹El Centro applies only to the district court.

Authorized Judgeships	
District	13
Bankruptcy	4
Magistrate	
Full-time	12
Part-time	0

Authorized places of holding court:

¹El Centro, San Diego

District Caseload continued

District of Guam

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	48	66	37.5%	66
Terminations	57	53	-7.0%	53
Pending	348	352	1.1%	352
Bankruptcy Court				
Filings	34	22	-35.3%	385
Terminations	44	56	27.3%	271
Pending	81	47	-42.0%	327

Note: The chief district judge in Guam also handles all bankruptcy cases.

Authorized Judgeships	
District	1
Bankruptcy	0
Magistrate	
Full-time	1
Part-time	0

Authorized places of holding court:
Hagåtña

District of Hawaii

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	684	659	-3.7%	165
Terminations	714	720	0.8%	180
Pending	864	802	-7.2%	201
Bankruptcy Court				
Filings	990	1,038	4.8%	1,038
Terminations	1,058	1,071	1.2%	1,071
Pending	1,682	1,650	-1.9%	1,650

Authorized Judgeships	
¹ District	4
Bankruptcy	1
Magistrate	
Full-time	3
Part-time	0

Authorized places of holding court:
Honolulu

¹Includes one temporary judgeship.

District of Idaho

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	797	849	6.5%	425
Terminations	848	827	-2.5%	414
Pending	1,033	1,060	2.6%	530
Bankruptcy Court				
Filings	1,508	1,677	11.2%	839
Terminations	1,921	1,682	-12.4%	841
Pending	1,520	1,515	-0.3%	758

Note: The chief district judge in Guam also handles all bankruptcy cases.

Authorized Judgeships	
District	2
Bankruptcy	2
Magistrate	
Full-time	2
Part-time	0

Authorized places of holding court:
Boise, Coeur d'Alene, Pocatello

District of Montana

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	958	908	-5.2%	303
Terminations	937	858	-8.4%	286
Pending	1,027	1,078	5.0%	359
Bankruptcy Court				
Filings	587	626	6.6%	626
Terminations	851	697	-18.1%	697
Pending	955	887	-7.1%	887

Authorized Judgeships	
¹ District	3
Bankruptcy	1
Magistrate	
Full-time	3
Part-time	0

Authorized places of holding court:
Billings, Butte, Great Falls, ¹Helena, Missoula

¹Helena applies only to the district court.

District Caseload continued

District of Nevada

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	2,924	2,901	-0.8%	414
Terminations	3,135	3,107	-0.9%	444
Pending	4,316	4,105	-4.9%	586
Bankruptcy Court				
Filings	5,559	6,436	15.8%	1,609
Terminations	6,251	6,082	-2.7%	1,521
Pending	4,933	5,287	7.2%	1,322

¹Includes one authorized temporary judgeship.

Authorized Judgeships	
District	7
¹ Bankruptcy	4
Magistrate	
Full-time	7
Part-time	0

Authorized places of holding court:
Las Vegas, Reno

District of Northern Mariana Islands

Caseload Measure	2022	2023	¹ Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	33	35	6.1%	35
Terminations	35	39	11.4%	39
Pending	95	91	-4.2%	91
Bankruptcy Court				
Filings	1	1	-	1
Terminations	1	0	-	-
Pending	5	6	-	1

Authorized Judgeships	
District	1
Bankruptcy	0
Magistrate	
Full-time	0
Part-time	0
² Combination	1

Authorized places of holding court:
Saipan

Note: The chief district judge in Northern Mariana Islands also handles all bankruptcy cases.

¹Percent change not computed when fewer than 10 cases reported for the previous period.

²Heather Kennedy holds the combined position of magistrate judge/clerk of court.

District of Oregon

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	2,334	2,321	-0.6%	387
Terminations	2,524	2,593	2.7%	432
Pending	3,204	2,947	-8.0%	491
Bankruptcy Court				
Filings	4,105	5,232	27.5%	1,046
Terminations	4,679	5,235	11.9%	1,047
Pending	6,437	6,434	0.0%	1,287

¹Pendleton applies only to the district court.

Authorized Judgeships	
District	6
Bankruptcy	5
Magistrate	
Full-time	6
Part-time	1

Authorized places of holding court:
Eugene, Medford, ¹Pendleton, Portland

Eastern District of Washington

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	1,179	1,098	-6.9%	275
Terminations	1,250	1,129	-9.7%	282
Pending	1,101	1,067	-3.1%	267
Bankruptcy Court				
Filings	1,250	1,612	29.0%	806
Terminations	1,805	1,703	-5.7%	852
Pending	1,945	1,854	-4.7%	927

¹Richland applies only to the district court.

Authorized Judgeships	
District	4
Bankruptcy	2
Magistrate	
Full-time	2
Part-time	0

Authorized places of holding court:
¹Richland, Spokane, Yakima

District Caseload continued

Western District of Washington

Caseload Measure	2022	2023	Change 2022-2023	Per Judgeship Unweighted 2023
District Court				
Filings	3,104	3,490	12.4%	499
Terminations	3,220	3,482	8.1%	497
Pending	3,334	3,378	1.3%	483
Bankruptcy Court				
Filings	3,896	4,548	16.7%	910
Terminations	5,228	5,072	-3.0%	1,014
Pending	6,179	5,655	-8.5%	1,131

Authorized Judgeships	
District	7
Bankruptcy	5
Magistrate	
Full-time	6
Part-time	1

Authorized places of holding court:
¹Bellingham, ²Everett, ²Port Orchard,
 Seattle, Tacoma, Vancouver

¹Bellingham applies only to the district court.

²Everett and Port Orchard apply only to the bankruptcy court.



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