

Federal Judicial Center

ANNUAL REPORT 2019

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A MESSAGE FROM THE DIRECTOR

One of the privileges of my job is attending occasional meetings and events at the Supreme Court. It never gets old. When I approach the building, I invariably pause to take in its majestic entrance. Inside, the courtesy and professionalism everyone at the Court exhibits complement the magnificent interior. The same is true when I visit other courts around the country. To enter a federal courthouse is typically to enter a space of calm solemnity befitting the weighty matters at stake there.

Maintaining this atmosphere of dignity and deliberation can be difficult. Public discourse today often seems to focus less on the merits of issues than on the motives and character of the people debating them. Much of what passes as “news” aims more to incite than to inform. Social media has amplified the old adage (sometimes misattributed to Mark Twain) that “a lie can travel halfway around the world while the truth is putting on its shoes.”

Courts must operate in this maelstrom while continuing to be places where all people, no matter their origins or station in life, are treated with respect and where issues are decided based on evidence, law, and reason. Thankfully, judges and staff in our courts understand these truths. But core values and fundamental principles are not self-executing. They need regular nurturing and reinforcement.

The Center plays an important role in this. Of course Center research and education frequently examine fine points of law, case management, and judicial administration, just as the courts themselves are often consumed with the daily details of thousands of individual cases. And we always seek to find and impart new ideas and means for conducting the business of the courts most effectively. Yet these efforts should not obscure the larger picture, nor the value in discussing not only the ways judges and others in the courts do their work, but why.

Fostering core values and upholding fundamental principles is a point of particular attention in Center orientation seminars, programs for court leaders at all levels, and midcareer programs for judges. It also finds its place in other education programs and in research that helps identify how courts can better operate and serve the public. The Center’s work on federal judicial history reminds us of the heritage that all of us in the courts have been entrusted to build on. And the Center’s international judicial relations programs and services deepen our appreciation for our judiciary, even as these efforts help extend the rule of law abroad.

I am proud of the people at the Center, whose names appear on page 3 of this report, and of their work, reflected in the pages of this report. They help keep our judiciary a model that is respected and admired around the world and an institution that strives to serve the public and to deliver equal justice under law every day.



JOHN S. COOKE

ABOUT THE FEDERAL JUDICIAL CENTER

Statutory Mission

Congress created the Federal Judicial Center in 1967 “to further the development and adoption of improved judicial administration in the courts of the United States.” The Center provides education and training for judges and employees of the federal courts and conducts empirical and exploratory research into various aspects of judicial administration, including case management and potential changes to the federal rules of procedure. This annual report, mandated by statute, describes the Center’s activities in calendar year 2019.

Governance

The Chief Justice of the United States chairs the Center’s Board, which by statute also includes two circuit judges, three district judges, one bankruptcy judge, and one magistrate judge, who are elected to four-year terms by the Judicial Conference of the United States, and the director of the Administrative Office of the U.S. Courts, who serves *ex officio*. The Board oversees the Center’s activities, and its members serve on standing committees on education and research and on advisory committees on judicial education programs (listed on pages 15–16).

In March 2019, the Judicial Conference elected Nancy Freudenthal of the U.S. District Court for the District of Wyoming and Raymond Jackson of the U.S. District Court for the Eastern District of Virginia to the Center’s Board. They replaced Curtis L. Collier of the U.S. District Court for the Eastern District of Tennessee and Kimberly J. Mueller of the U.S. District Court for the Eastern District of California.

The Board appoints the Center’s director and deputy director; the director appoints the Center’s staff. The Center’s director is John S. Cooke. The Center’s deputy director is Clara J. Altman.

Organization

The organization of the Center reflects its primary statutory mandates. The Education Division plans and produces education and training for judges and court staff, including in-person programs, video programs, publications, curriculum packages for in-district training, and web-based programs and resources. The Research Division examines and evaluates current and alternative federal court practices and policies. This research assists Judicial Conference committees, who request most

Board

The Chief Justice of the United States, *Chair*
Magistrate Judge Tim A. Baker, U.S. District Court for the Southern District of Indiana
Judge Duane Benton, U.S. Court of Appeals for the Eighth Circuit
Judge Nancy Freudenthal, U.S. District Court for the District of Wyoming
Chief Judge Barbara J. Houser, U.S. Bankruptcy Court for the Northern District of Texas
Judge Raymond Jackson, U.S. District Court for the Eastern District of Virginia
Judge George Z. Singal, U.S. District Court for the District of Maine
Judge David S. Tatel, U.S. Court of Appeals for the District of Columbia Circuit
James C. Duff, Director of the Administrative Office of the U.S. Courts

Senior Staff

John S. Cooke, Director
Clara J. Altman, Deputy Director
Dana Chipman, Director, Education Division
Esther DeVries, Director, Information Technology Office
James B. Eaglin, Director, Research Division
Mira Gur-Arie, Director, International Judicial Relations Office
Nancy Payne, Director, Office of Administration
Christine Lamberson, Director, Federal Judicial History Office

Center research, in developing policy recommendations. The Center’s research also contributes substantially to its educational programs. The Federal Judicial History Office helps courts and others study and preserve federal judicial history. The International Judicial Relations

Office provides information to judicial and legal officials from foreign countries and informs federal judicial personnel of developments in international law and other court systems that may affect their work. Two units of the Director's Office—the Information Technology Office and the Editorial and Information Services Office—support Center missions through technology, editorial and design assistance, and organization and dissemination of Center resources.

Coordination Within the Judicial Branch

Many programs and projects described in this annual report involve coordination, cooperation, and consultation with committees of the Judicial Conference, the Administrative Office, the U.S. Sentencing Commission,

the U.S. Judicial Panel on Multidistrict Litigation, and the courts. Advisory committees of judges, court staff, and others help in planning and producing education programs and publications.

Staffing and Appropriation

The Center had a fiscal year 2019 appropriation of \$29,819,000, and it employed 122* people at the end of calendar year 2019. Its fiscal year 2020 appropriation is \$30,436,000. More than two-thirds of Center expenditures support its education and training activities, with the remainder devoted almost entirely to its research activities.

* The employee count of 122 includes all full- and part-time staff.

2019 FEDERAL JUDICIAL CENTER STAFF

Somayah Allibhai-Mawani	Shelly Easter	Jennifer Krause	Dana Przesmitzki
Clara Altman	Rebecca Eyre	Jana Laks	David Rauma
Marlene Annoni	Charles Fenaoui	Elizabeth Lambert	Tim Reagan
Chuck Arberg	Kimberly Fisher	Timothy Lau	Joy Richardson
Marvin Astrada	Jessica Folk	Hai Le	Jennifer Richter
Brenda Baldwin-White	Kristin Garri	Marie Leary	Christina Ruffino
Elia Bendavid	Carly Giffin	Emery Lee	Steve Saltzgeber
Craig Bowden	Anna Glouchkova	Ken Lee	Nanticha Sangsung
Travatia Bowden	Vashty Gobinpersad	Frank Leidy	Mark Sherman
Winston Bowman	Samuel Golant	Angelia Levy	Michael Siegel
Myrrt Burge	Morgan Goodin	Ed Liberatore	Michelle Slavin
Jason Cantone	Dexter Green	Julie Linkins	Claire Smearman
Jim Chance	Mary Greiner	Lee Lipscomb	Deena Smith
Garbo Cheung-Jasik	Krishna Gunupati	Dwayne Livingston	Jessica Snowden
Dana Chipman	Naveen Gupta	Angela Long	Cassandra Snyder
Jackie Clark	Mira Gur-Arie	Kris Markarian	Rhonda Starks
Sally-Anne Cleveland	LaVerne Heade	Richard Marshall	Donna Stienstra
John Cooke	Stephanie Hemmert	Ursula Maurer	Mark Trimble
George Cort	Marquita Henry	Susanna McCrea	Elizabeth Tyler
LaTonja Cox	Marland Holloway	Susie Merchant	Tatiana Varanko
Tyeika Crawford	Laural Hooper	Dean Miletich	Micheline Verdant
Missy Cross	Beth Johnson	Doug Mitchell	Danielle Vestal
Ben Curry	Molly Johnson	Lori Murphy	Clint Wang
Esther DeVries	Rebecca Johnson	Christopher Murray	Frank Washington
Joseph Donahoe	Andrew Kaplan	Denise Neary	Yvonne Washington
Nathan Dotson	Tracy Keels	Matt Nixon	Beth Wiggins
Phyllis Drum	Mary Keller	Hanna Ortiz	Margaret Williams
Meghan Dunn	Satnam Khalsa	Nancy Payne	Robb Wilmot
Hieu Duong	Mariam Khan	Olivia Pennock	Jefri Wood
Trung Duong	Jake Kobrick	Gloria Pleasure	
Jim Eaglin	Meghan Kocijanski	Maisha Pope	

2019 AT A GLANCE

20+ major research and evaluation projects completed and work continued on **50** others

30 reports, manuals, monographs, or reference guides published or updated

220+ in-person and technology-based educational programs provided for **22,000+** federal judges, legal staff, and court employees and help provided to design, conduct, and teach another **33** programs, produced by other organizations, for **2,000+** judges and court staff

14th annual teachers institute on historical cases in the federal courts conducted

16 new educational videos produced, either for online delivery or use in other education and training programs

10 new podcasts created

430+ visiting foreign judges, court officials, and attorneys hosted from **67** different countries and jurisdictions

15,689 printed copies of Center publications distributed

EDUCATION

Center staff consult with the Board and ten education advisory committees to design and deliver educational programs and resources for the judges and court staff of the federal judiciary. Programs address emerging issues as well as perennial concerns, and use a competency-based curriculum that helps learners develop relevant knowledge, skills, and attributes in a structured, progressive way. Center programs continued to address priority issues for the judiciary, including promoting an exemplary workplace and cybersecurity.

In 2019, the Center provided the following educational products:

- 15 programs for 464 executives, including chief judges, clerks and deputy clerks of court, and probation and pretrial services chief deputies and deputy chiefs
- 12 orientation and 33 continuing education programs for 1,758 judges
- 6 in-person programs for 855 judiciary attorneys
- 114 programs for 4,394 supervisors, managers, and court staff
- 30 programs for 1,229 senior probation and pretrial services officers
- 6 new videos for judges, judiciary attorneys, and court staff
- 10 webcast episodes for judiciary attorneys and judges, 6 podcast episodes for executives, and 4 podcast episodes for probation and pretrial services officers
- 13 e-learning programs for at least 1,596 managers, supervisors, judiciary attorneys, and court staff
- 33 educational components for programs produced by the Administrative Office, individual courts, and other organizations, and attended by 2,338 court staff and judges
- 2 ongoing educational projects undertaken in collaboration with the Administrative Office

The figures listed above include both in-person and distance-education events. The tables on page 9 contain detailed statistics.

Education Division staff also conducted thirteen organizational consulting projects for courts in 2019.

Executive Education

Chief judges, court unit executives (CUEs), and deputy court unit executives (DCUEs) across the judiciary receive leadership and management education from the Center.

Programs for Chief Judges

In 2019, the Center held a conference for chief judges of the district courts and two leadership seminars for new chief judges. These programs focused on developing the skill of conducting difficult conversations, on the importance of civility in maintaining an exemplary workplace, and on the role they play as chief judges in influencing civility in their districts. Among other topics, participants also learned about how the First Step Act of 2018 might affect the workload of the U.S. district courts, including the impact on sentencing and probation and pretrial services.

In the Leadership Seminar for New Chief Judges, participants from all courts focused on their leadership values, considered their vision for their courts during their tenure, and evaluated the culture of their courts. For another part of the program, the judges were joined by their court unit executives to strengthen their executive teams' processes and develop plans for implementing a shared vision for their courts.

Programs for Court Unit Executives

The Center held the year-long Judiciary Executive Leadership Program (JELP) for experienced CUEs. The program focused on leadership and management challenges, best organizational practices, and organizational development. In July, the Center launched the New Court Unit Executive Leadership Seminar, which focused on four leadership competencies identified as most critical to the success of new CUEs: integrity and trust, ethics and values, managerial courage, and embracing and communicating vision and purpose. The Center also supported the Administrative Office's Orientation for New CUEs and DCUEs with a leadership seminar and faculty development training.

Programs for Deputy Court Unit Executives

In 2019, the Center held a leadership seminar for new DCUEs, two seminars for experienced DCUEs, and one training for trainers to develop faculty for both programs. These programs helped deputies transition into and thrive in their leadership roles, working through common challenges and opportunities.

Judicial and Legal Education

The Center offers programs and resources for judicial officers from orientation through senior status. These offerings address substantive law, administrative and management guidance, and personal growth and development. The Center also offers programs for judiciary attorneys.

Orientation Seminars for New Judges

Within the first year of taking the bench, district, bankruptcy, and magistrate judges are invited to attend a two-phase orientation program. Each week-long program addresses a judge's duties and responsibilities; reviews critical, substantive law; and introduces judges to people who can provide resources and mentorship. All new judges also receive a select set of publications for addition to chambers or bench reference materials.

In 2019, the Center provided eight Phase I orientations (four for district judges, two for bankruptcy judges, and two for magistrate judges), and three Phase II orientations (one each for district, bankruptcy, and magistrate judges). Appellate judges were invited to participate in portions of the district judges' Phase II orientation.

Continuing Education for Judges

The Center offered thirty-three continuing education programs for judges, including special-focus seminars to help participants understand, among other topics, key issues in water rights management, electronic discovery, employment law, climate science, neuroscience, law and society, law and technology, law and the biosciences, patent case management, search and surveillance warrants in the digital age, the Fourth Amendment and privacy, and intellectual property. Midcareer seminars for district and magistrate judges included discussions of the role of judges as leaders, effective strategies for handling common challenges, and developments in technology. The Center also held virtual conferences for bankruptcy judges on topics including cryptocurrency, developments in the credit markets, and agricultural bankruptcies.

The Center hosted national workshops for magistrate and bankruptcy judges. Topics for magistrate judges included the legal and ethical implications of artificial intelligence as well as a historical civil rights case study. The quinquennial gathering of all bankruptcy judges included plenary conversations on encouraging public understanding of the rule of law, on ensuring that the judiciary provides an exemplary workplace, and on the impact of the 9/11 attacks on the judiciary and on the financial underpinnings of the nation.

The Center also provided workshops for judges of the First, Second, Fourth, Seventh, Eighth, and Eleventh Circuits and supported attendance of appellate judges at the Appellate Judges Education Institute Summit.

Programs for Federal Judiciary Attorneys

The Center offers programs for federal judiciary attorneys, including federal defenders and appellate staff attorneys, district court pro se and death penalty law clerks, circuit and district mediators, circuit librarians, bankruptcy administrators, and chambers law clerks.

In 2019, the Center held a national conference for pro se and death penalty staff attorneys. Topics included issues related to sentencing, mental health, the death penalty, transgender prisoners, and the First Amendment. A program for career law clerks focused on such topics as summary judgment, new federal procedure cases, and workplace civility. The workshop for federal court mediators focused on skills in adapting mediation processes to handle cross-cultural challenges, preserving value and relationships, and navigating common ethical dilemmas in mediation.

The Center supported a range of programs for federal defenders, including an orientation seminar, a national seminar, and a conference for the Capital Habeas Unit. Sessions at these programs addressed issues in substantive federal criminal law, as well as sentencing, trial tactics, evidence, ethics, computer technology, and mitigation.

Management and Professional Development Education

The Center offers education to strengthen supervisors' and managers' proficiency in relevant competencies. The Center also provides instruction in workplace skills common to all court staff positions.

Programs for Court Employees

In 2019, the Center launched the new Federal Court Leadership Development Program (FCLDP), a twelve-month course designed for nonsupervisory staff working in the courts. It replaced the legacy Federal Court Leadership Program and the Leadership Development Program. This program is designed to help participants develop their leadership knowledge and skills and prepare for future leadership roles. It includes in-person workshops (one two-and-a-half-day workshop and one one-and-a-half-day workshop), a multiday site visit, and an in-district process-improvement project, along with webinars,

readings, and other projects. The first workshop took place in July, and the program will conclude in 2020.

In-district court trainers delivered the Center's packaged programs on topics with enduring value to new and experienced court employees. In 2019, the Center organized more than 100 in-district programs; the most requested topics included preventing workplace harassment, personality temperaments, the code of conduct, and respect and inclusion in the workplace. National programs for court employees included a webinar workshop for new court trainers, offered twice. Programs for court employees were also made available online on topics including ethics, the federal courts, and project management.

Programs for Managers and Supervisors

The Center also launched the Advanced Leadership Institute (ALI), an eighteen-month program for supervisors and managers (below the DCUE level) who have at least five years of supervisory or managerial experience in the federal courts. The program is designed to help participants enhance their leadership skills and knowledge to make greater organizational contributions, become exemplary leaders, and prepare for advanced leadership roles. It includes two two-and-a-half-day in-person workshops and a five-day temporary-duty assignment along with webinars, projects, and readings.

The Center continued to offer the New Supervisors' Development Program (including two Tier 2 workshops) and the Management Development Program (three sessions).

Probation and Pretrial Services Education

After completing basic training, probation and pretrial services officers may participate in the Center's continuing education programs for court employees and for supervisors and managers (when eligible).

Programs for Supervisors

In 2019, the Center conducted one capstone and two in-district sessions as part of the year-long program Supervising Officers in an Evidence-Based Environment. Participants learned the value and practice of incorporating evidence-based principles into case management, reducing risk in the community.

Programs for Officers

Participants in two sessions of the Treatment Services: Negotiating Pathways and Supporting Successful Transitions program examined research on substance use and mental health disorders, treatment services in the community, and the development of job-related skills. The program includes an online course open to all interested members of the judiciary and an in-person seminar by application, for treatment specialists only. The Center held the one-day seminar, titled How Being Trauma-Informed Improves Criminal Justice System Responses, for the six districts that requested the program.

Programs for Court Teams

In 2019, the Center continued working with Massachusetts General Hospital's Center for Law, Brain, and Behavior and the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School to offer the Science-Informed Decision Making program for district-based teams. The program uses workshops and webinars to help federal criminal justice stakeholders apply research-based approaches to improve their work with justice-involved individuals (offenders and defendants) who have mental health and substance use disorders.

In November, three federal problem-solving court teams (one reentry drug court, one veterans' court, and one pretrial diversion court) launched a year-long process to implement the formal quality improvement (QI) approach to their operations. The program helps teams optimize underlying processes to achieve better offender reentry results by facilitating deeper team and systems integration and improving supervision of defendants and offenders.

In addition to the trauma-informed responses program, popular in-district programs in 2019 included Supervising Officers in an Evidence-Based Environment and Pretrial Decision Making for Magistrate Judges and Pretrial Services Officers. Center staff also conducted three in-district consultations for federal problem-solving courts.

Online Resources

The Center's online content, including videos, podcasts, e-learning programs, discussion forums, and interactive webcasts, supplements its in-person programs.

In 2019, the Center produced the following educational videos for judges, judiciary attorneys, and court staff:

- *A Review of Eighth Circuit Bankruptcy Decisions (2019 Program)*
- *A Review of Ninth Circuit Bankruptcy Decisions (2019 Program)*
- *Court to Court: One Team. One Vision. One Goal.*
- *In the Case of Statutory Ambiguity, Who Decides? Chevron Revisited* (for the Historical Society of the District of Columbia)
- *Relationships with Key Bankruptcy Court Players*
- *Technology and the Bench: Cloud Computing*

The Center produced the following podcasts and webcasts in 2019:

- *Executive Edge*
 - Episode 5: “Mastering Civility in the Workplace”
 - Episode 6: “How to Be a Courageous Follower and Demonstrate Intelligent Disobedience”
 - Episode 7: “Cracking the Inspiration Code”
 - Episode 8: “Making Smarter Decisions Under Pressure”
 - Episode 9: “Finding Common Ground”
 - Episode 10: “How to Think Differently”
- *Off Paper: The Criminal Justice Podcast from the FJC*
 - Episode 10: “Smart Supervision Project, Multnomah County, Oregon”
 - Episode 11: “A Conversation About Presentence Investigation, the Presentence Report, and Sentencing”
 - Episode 12: “A Conversation with U.S. Probation Community Resources Specialist Clark Porter”
 - Episode 13: “‘Reentry Begins at Arrest’: A Conversation with Chief U.S. Pretrial Services Officer Christine Dozier”
- *Court Web*
 - “A Look at the Supreme Court’s October Term 2018”
 - “Recent Developments in Federal Sentencing”
 - “Unconscious Bias, Equity, and Ethics in the Courtroom”
 - “New Developments in the Law of Incarceration”
 - “The Triple Wave Epidemic: Opioids, Heroin, and Fentanyl”
 - “Ethics for Federal Law Clerks”
 - “Litigation Ethics Issues”
 - “Unexampled Courage: The Case That Ignited the Civil Rights Movement”

In 2019, the Center also offered the following webinars and e-learning programs:

- Avoiding Ethics Pitfalls (for clerk’s office staff)
- Conditions of Post-Conviction Supervision: The Officer’s Critical Role
- Everyday Ethics: A Matter of Choice (for probation and pretrial services staff)
- Experienced Officer Competencies Tool Kit
- Information Technology Security Awareness
- Inside the Federal Courts
- Interactive Orientation for Federal Judicial Law Clerks (iOLC)
- Maintaining the Public Trust
- Making the Transition to Supervisor
- New Chief Judges’ Tool Kit
- New Court Unit Executives’ Tool Kit
- Scientific Evidence Resources
- Treatment Services: Negotiating Pathways and Supporting Successful Transitions

Judicial Education Programs	Number of Programs	Number of Participants
Orientations for newly appointed district judges	5	104
Orientations for newly appointed bankruptcy judges	3	30
Orientations for newly appointed magistrate judges	3	98
National workshop for bankruptcy judges	1	245
National workshops for magistrate judges	2	307
Appellate judge programs	2	26
Circuit workshops	5	251
Special-focus seminars	18	408
Midcareer seminar for district judges	1	40
Midcareer seminar for magistrate judges	1	18
TOTAL	41	1,527

Judiciary Attorney Education Programs	Number of Programs	Number of Participants
National conference for pro se law clerks	1	130
National seminar for federal defenders	1	339
Judicial clerkship institute	1	47
Workshop for federal court mediators	1	48
Orientation seminar for assistant federal defenders	1	155
Capital habeas unit national conference	1	136
TOTAL	6	855

Programs and Planning Meetings for Executives, Managers, Supervisors, Probation and Pretrial Services Officers, and Staff	Number of Programs	Number of Participants
Leadership and management programs for chief judges, court unit executives, and deputy court unit executives	15	464
Programs for supervisors, managers, aspiring leaders, court staff, and trainers	10	536
Programs specifically for probation and pretrial services officers	11	416
In-district programs for supervisors, managers, aspiring leaders, court staff, and trainers	123	4,671
TOTAL	159	6,087

Distance Education	Number of Programs	Number of Participants
Technology-based programs (e-learning programs, videoconferences, audio-conferences, and online conferences) for judges and legal staff	13	10,882
Technology-based programs for court unit executives, deputy court unit executives, legal staff, supervisors, managers, aspiring leaders, court staff, and trainers	9	3,480
TOTAL	22	14,362

GRAND TOTAL (does not include programs developed with other organizations)	228	22,831
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RESEARCH

The Center conducts empirical and legal research on a range of issues facing the federal courts. In 2019, the Center started work on eighteen new projects, completed twenty major projects, and continued work on fifty others.

Appellate Courts

The Center developed a resource guide for chief circuit judges' deskbooks. The guide outlines a chief circuit judge's key responsibilities and includes information about the role chief circuit judges play in fostering judicial wellness and collegiality and in promoting an exemplary workplace.

Bankruptcy Courts

At the request of the Committee on the Administration of the Bankruptcy System, the Center began planning to update the current bankruptcy case weights, which were adopted in 2009. Data collection is scheduled to begin in March 2020.

The Center continued its evaluations of two multiyear pilot programs authorized by the Judicial Conference, one evaluating horizontal consolidation in bankruptcy courts and another evaluating the bankruptcy judgeship vacancy pilot program. The Center also continued to study several other consumer-related bankruptcy issues for the Bankruptcy Committee.

The Center completed an update of a bankruptcy system timeline that maps the evolution of bankruptcy law from its constitutional inception in 1787 through 2019.

Civil Litigation

At the request of the chair of the Judicial Conference Committee on Defender Services, the Center produced a report, *Representation Differences: Federal Public Defenders vs. Criminal Justice Attorneys*, that examined a variety of comparative measures, including costs, in capital habeas representations by attorneys in capital habeas units and panel attorneys appointed under the Criminal Justice Act (CJA).

The Center also conducted and prepared a draft report of the results of a limited survey of demographic data on CJA panel attorneys and started work on a design for a multiyear study of the implementation of the Judicial Conference-approved interim recommendations of the Ad Hoc Committee to Study the Criminal Justice Act.

The Center completed a webpage for judges with publications and other resources related to third-party litigation financing.

The Center continued an evaluation of a three-year pilot of mandatory initial discovery procedures underway in three districts, authorized by the Judicial Conference. The Center also conducted research to assist the committee with its examination of interlocutory appeals filed under 28 U.S.C. § 1292(b), and its examination of the incidence and duration of petitions under Rule 23(f) of the Federal Rules of Civil Procedure, for permission to appeal district court rulings on class-certification orders.

The Center continued its evaluation of the congressionally mandated ten-year pilot of patent case assignments. The pilot program began in 2011, and the Center issued its five-year midpilot report in 2016. The Center continues to monitor activities in the thirteen designated districts in the pilot.

Criminal Litigation

At the request of the chair of the Committee on Defender Services, the Center completed work on a report outlining the potential implications that the Chapter 154 special procedures could have on the workload of the federal courts.

The Center assisted the Administrative Office with gathering information about the need to revise the wiretap forms used to gather and report data from the federal and state courts. The Center conducted three regional focus groups with key stakeholder representatives and state and federal judges and prosecutors on the reporting of federal and state wiretap activities.

Multidistrict Litigation

In response to a request from the Discovery Subcommittee of the Advisory Committee on Civil Rules, the Center prepared a pocket guide, *Plaintiff Fact Sheets in Multidistrict Litigation Proceedings: A Guide for Transferee Judges*, to help judges use plaintiff fact sheets to screen MDL proceedings.

The Center conducted two rounds of exit surveys of transferee judges in recently closed MDLs. The Center conducts these surveys periodically at the request of the chair of the Judicial Panel on Multidistrict Litigation (JPML). The Center also completed another survey of district judges to gauge their interest in serving as MDL transferee judges.

Other Center Research

At the request of the Committee on Federal-State Jurisdiction, the Center completed a study of state-law questions that were certified to the federal courts in the Third, Sixth, and Ninth Circuit Courts of Appeals during an eight-year period. The Center also prepared a brief report summarizing federal and state court educational programs that it has offered on the topic of implicit bias.

At the request of the Western District of Oklahoma, the Center surveyed judges on their use of the circuit's

JHealth Program. The survey results were provided to the Tenth Circuit Judicial Health and Assistance Committee.

The Center published the report of the American Association for the Advancement of Science's 2018–2019 science and technology fellow assigned to the Center. The report, entitled *Disability and the Federal Courts: A Study of Web Accessibility*, examined access of people with disabilities to many of the federal judiciary's online resources.

FEDERAL JUDICIAL HISTORY

The Center is directed by statute to conduct, coordinate, and encourage programs on the history of the judicial branch.

The Center completed *Approaches to Federal Judicial History*, an edited volume of essays on historical approaches to significant topics in the study of the federal judiciary. The essays address the practices and importance of the lower federal courts; the relationship between the district and circuit courts, the courts of appeals, and the Supreme Court; and the broader role of the federal court system in the American economy and society.

The Center continued to develop the historical reference materials available on the History of the Federal Judiciary section of its website by expanding and refining information on historical federal courthouses. The Center also completed a web series, *Cases that Shaped the Federal Courts*, that includes resources for teachers on historical federal trials that addressed challenging institutional questions about the judiciary and federal courts and their place in the federal government.

The Center also continued its efforts to increase knowledge of the history of the federal courts through outreach and public education. The Center's Twitter account, @FedJudicialHist, includes tweets with links to history materials on the website, as well as historical facts about the the federal courts.

Partnering with the American Bar Association Division for Public Education, the Center held the fourteenth annual teachers institute on historical cases in the federal courts. History teachers from across the country met with federal judges, scholars, and curriculum experts to examine *U.S. v. Susan B. Anthony*, the Chinese exclusion cases, and *U.S. v. Cassius Clay*. The teachers attended a U.S. Supreme Court session and visited the U.S. District Court for the District of Maryland in Greenbelt. The Center will offer the fifteenth annual teachers institute in Washington, D.C., in 2020.

In the fall of 2019, the Center was pleased to invite Christine Lamberson to become its new History Office director, beginning in January 2020.

INTERNATIONAL JUDICIAL RELATIONS

The International Judicial Relations Office coordinates the Center's work in the field of international rule of law. This includes hosting briefings and short programs for visiting delegations, providing assistance to judicial reform projects abroad, coordinating the Center's Visiting Fellows program, and serving as a resource for U.S. judges and executive branch agencies working with foreign judiciaries. Funding and logistical support for the Center's international programs comes from U.S. government agencies, international institutions, and partner judiciaries.

In 2019, the Center hosted 430 visitors from sixty-seven different countries and jurisdictions (see map below) for discussions about the Center's research and education initiatives, as well other issues related to judicial administration. These meetings covered a range of topics, including alternative dispute resolution, case weighting, curriculum development, and judicial ethics.

At the request of foreign judiciaries and in collaboration with the U.S. Department of State and other government agencies, experts from the Center travel to other

countries to participate in workshops and conferences or consult on the implementation of judicial reform initiatives. In 2019, these collaborations included work with India's National Judicial Academy to develop a curriculum on adjudicating terrorism cases and a program with the judiciary of Uzbekistan and the NGO Regional Dialogue on best practices in judicial education.

The Visiting Foreign Judicial Fellows Program offers judges, prosecutors, lawyers, and scholars from other countries the opportunity to be scholars-in-residence at the Center. During their fellowship, they typically spend one to three months at the Center researching an area relevant to judicial and legal reforms in their home countries. In 2019, the Center hosted fifteen fellows from Brazil, Bulgaria, China, Hungary, India, Japan, Mexico, Nepal, Pakistan, Papua New Guinea, and the Philippines. The Center provides fellows with office space and assistance in their research, and facilitates meetings with U.S. judges, court personnel, Center staff, and experts across the United States.



Afghanistan, Albania, Argentina, Armenia, Benin, Bosnia and Herzegovina, Brazil, Brunei, Bulgaria, Burkina Faso, Chad, China, Costa Rica, Cote d'Ivoire, Egypt, Estonia, Ethiopia, France, Gabon, Georgia, Ghana, Guatemala, Guinea-Bissau, Haiti, Hungary, India, Indonesia, Iraq, Japan, Kazakhstan, Kenya, Kosovo, Liberia, Lithuania, Malawi, Malaysia, Mali, Mexico, Mongolia, Niger, Nigeria, North Macedonia, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Serbia, Seychelles, Singapore, Slovakia, South Africa, South Korea, Spain, Taiwan, Tanzania, Thailand, Tunisia, Turkey, Uganda, Ukraine, Uzbekistan, Vietnam, Zambia, and Zimbabwe

RESOURCES

Websites

The Center's website on the judiciary's intranet, fjc.dcn, provides a place for judges and court staff to find information on the Center's research, education, history, and international programs and activities and to find print, video, and audio materials. Digital recordings of many conferences and workshops are also available on the site. All federal judicial history and international judicial relations material, most Center publications, and some other resources are available to the public on the Center's internet site (fjc.gov).

Media Library

The media library contains audio and video programs, including Center-produced educational videos, video and audio recordings of seminars and workshops, and commercially produced educational videos. The media library loans programs to federal judges and judicial branch personnel by request and sends Center-produced media programs directly to the courts for their use in local education and training programs.

Information Services

Drawing from a specialized collection of books, journals, and published and unpublished documents on the work of the federal courts, the Center serves as a clearinghouse for information on federal judicial administration. During the year, it answered requests for information from judges and court staff, visiting foreign judicial fellows, congressional staff, other government agencies, academics, researchers, the media, and others.

Records Management

In 2019, the Center transferred 116 unique audio/video programs in a variety of formats to the National Archives. These programs, which have been used in the orientation of new federal judges since 1986, instruct on various legal and judicial topics and feature many federal judges as panelists and presenters.

Publications

As part of its statutory mission to provide research and educational resources to the federal courts, the Center publishes research reports, monographs on substantive legal issues, manuals, and reference guides. In 2019, the Center distributed 15,689 printed copies of its publications. Digitization of out-of-print Center titles is ongoing. Commercial publishers make several Center publications available for sale to the public, including the *Reference Manual on Scientific Evidence*, 3d ed.; *Manual for Complex Litigation*, 4th ed.; and *Patent Case Management Judicial Guide*, 3d ed. In 2019, the Center produced the following publications for judges, judiciary attorneys, and court staff:

- *Annual Report 2018*
- *A Study of ADR and Settlement Assistance in Eight Federal District Courts – Working Papers*
- *Bellwether Trials in MDL Proceedings: A Guide for Transferee Judges*
- *Comparing Representation by Capital Habeas Unit and Criminal Justice Act Panel Attorneys in Capital Habeas Litigation, Fiscal Years 2013–2017*
- *Disability and the Federal Courts: A Study of Web Accessibility*
- *Evolution of U.S. Bankruptcy Law: A Timeline*
- *Maintaining the Public Trust: Ethics for Federal Judicial Law Clerks* (2019 rev. 4th ed.)
- *Patent Mediation Guide*
- *Patent Pilot Program: Status Update, December 2018*
- *Patent Pilot Program: 2019 Interim Report*
- *Plaintiff Fact Sheets in Multidistrict Litigation Proceedings: A Guide for Transferee Judges*
- *Resource Guide for Chief Circuit Judges' Deskbooks*
- *Social Security Disability Appeals*
- *United States v. Guiteau: Assassination and Insanity in Gilded Age America*
- *U.S. v. New York Times: The Pentagon Papers*

FEDERAL JUDICIAL CENTER FOUNDATION

The Federal Judicial Center Foundation is a private, non-profit corporation that Congress established to receive gifts to support the work of the Center. The foundation has sole authority to decide whether to accept gifts, and thereby to determine the suitability of would-be donors. The foundation may not accept gifts earmarked for projects that have not previously been approved by the Center's Board, and the Center has sole control over the design and conduct of activities supported by donations.

The foundation is governed by a seven-person board appointed by the Chief Justice, the president pro tempore of the Senate, and the speaker of the House of Representatives. No foundation board member may be an active judge. The following were foundation board members at the close of 2019:

James M. Wagstaffe, San Francisco, Cal., *Chair*
Judge Rebecca Love Kourlis (Ret.), Denver, Colo.
Peter A. Kraus, Dallas, Tex.
Laurie L. Michel, Washington, D.C.
Blake D. Morant, Winston-Salem, N.C.
John B. White, Jr., Spartanburg, S.C.
Benjamin L. Zelenko, Washington, D.C.

In creating the foundation, Congress directed that in its annual report the Center describe the purposes for which foundation gifts were used in the reporting year. The Center used the following foundation gifts in 2019:

- Funds from the American Association for the Advancement of Science paid the travel expenses for federal judges to attend two programs on emerging issues in neuroscience.
- Funds from the Electronic Discovery Institute paid the travel expenses for judges to attend a program on electronic discovery.
- Funds from the Environmental Law Institute paid the travel expenses for judges to attend four programs on climate science.

EDUCATION ADVISORY COMMITTEES

Advisory committees provide guidance on curriculum development and education programs and publications. The Chief Justice appoints the members of the advisory committees on appellate, bankruptcy, district, and magistrate judge education and the benchbook committee, and Center Board members serve on each of these committees. The advisory committees have the following membership as of December 2019:

Committee on Appellate Judge Education

Judge David F. Hamilton (7th Cir.), *Chair*
Judge Duane Benton (8th Cir.), *Center Board Representative*
Judge Catharina Haynes (5th Cir.)
Judge David S. Tatel (D.C. Cir.), *Center Board Representative*
Judge Paul Watford (9th Cir.)

Committee on Bankruptcy Judge Education

Bankruptcy Judge Shelley C. Chapman (S.D.N.Y.), *Chair*
Bankruptcy Judge Mildred Caban (D.P.R.)
Chief Bankruptcy Judge Barbara J. Houser (N.D. Tex.), *Center Board Representative*
Bankruptcy Judge William J. Lafferty III (N.D. Cal.)
Bankruptcy Judge Benjamin Kahn (M.D.N.C.)
Troy McKenzie (Professor, New York University School of Law)
Bankruptcy Judge Cynthia A. Norton (W.D. Mo.)

Committee on District Judge Education

Judge Brian Cogan (E.D.N.Y.), *Chair*
Judge Edward M. Chen (N.D. Cal.)
Judge Catherine C. Eagles (M.D.N.C.)
Judge Raymond Jackson (E.D. Va.), *Center Board Representative*
Judge Abdul Kallon (N.D. Ala.)
Judge Landya McCafferty (D.N.H.)
Judge George Z. Singal (D. Me.), *Center Board Representative*

Committee on Magistrate Judge Education

Magistrate Judge Evelyn J. Furse (D. Utah), *Chair*
Magistrate Judge Tim A. Baker (S.D. Ind.), *Center Board Representative*
Magistrate Judge Noelle C. Collins (E.D. Mo.)
Magistrate Judge Jonathan E. Hawley (C.D. Ill.)
Magistrate Judge Anthony E. Porcelli (M.D. Fla.)
Magistrate Judge David A. Sanders (N.D. Miss.)

Committee on the Benchbook for U.S. District Court Judges

Chief Judge Julie A. Robinson (D. Kan.), *Chair*
Judge Kathleen Cardone (W.D. Tex.)
Judge Nancy Freudenthal (D. Wyo.), *Center Board Representative*
Judge Irene M. Keeley (N.D.W.V.)
Magistrate Judge Lisa Lenihan (W.D. Pa.)
Chief Judge Danny C. Reeves (E.D. Ky.)

Committee on Court Attorney Education

D. Robert Smith, Staff Attorney (N.D. Tex.), *Chair*
Kimberly Berger, Pro Se Law Clerk (D. Md.)
Lisa Fitzgerald, Senior Staff Attorney (9th Cir.)
Eileen Garcia-Wirshing, Career Law Clerk, Chief District Judge (D.P.R.)
Terees Jenkins, Pro Se Law Clerk (E.D. Tex.)
Jennifer Knight, Career Law Clerk, District Judge (D.D.C.)
Lauren Mandel, Career Law Clerk, District Judge (E.D. Mich.)
Delores Simmons, Career Law Clerk, District Judge (D.D.C.)
Tamala Wayne, Supervisory Staff Attorney (2d Cir.)
Gloria J. Malkin, Attorney Advisor (Court Services Office, Administrative Office of the U.S. Courts)
Henry Wigglesworth, Senior Attorney (Judicial Services Office, Administrative Office of the U.S. Courts)

Defender Services Advisory Group Panel on Defender Education

Jon Sands, Federal Public Defender (D. Ariz.), *Chair*
Denise Barrett (Sentencing Resource Counsel Project)
Lisa Freeland, Federal Public Defender (W.D. Pa.)
Christina Hunt, Federal Community Defender
(M.D. Ga.)
David McCann, CJA Panel Attorney
Representative (D.S.C.)
Marjorie Meyers, Federal Public Defender (S.D. Tex.)
Anthony Natale, Supervisory Assistant Federal Public
Defender (S.D. Fla.)
David Patton, Federal Community Defender
(E. & S.D.N.Y.)
Gilbert Schaffnit, CJA Panel Attorney Representative
(N.D. Fla.)
Carlos Williams, Federal Community Defender
(S.D. Ala.)
James Wyda, Federal Public Defender (D. Md.)

Committee on Executive Education

James Corpening, Chief U.S. Probation and Pretrial
Services Officer (E.D.N.C.), *Chair*
Chief Bankruptcy Judge Kathryn C. Ferguson (D.N.J.)
Chief Judge Lynn Winmill (D. Idaho)
Diane F. Bauersfeld, Deputy Circuit Librarian
(10th Cir.)
Robert Carr, Clerk of Court (E.D. Ky.)
Vikram Chandhok, Chief Circuit Mediator (5th Cir.)
Janet Medlock, Clerk of Court (Bankr. E.D. Wis.)
Kathleen Shambaugh, Chief Deputy (N.D. Cal.)
Todd Stickle, Chief Deputy (Bankr. E.D. Mich.)
Mitsi Westendorff, Chief U.S. Probation Officer
(W.D. Tex.)
Robert Lowney (Chief, Court Services Office,
Administrative Office of U.S. Courts)
Charles Robinson (Deputy Chief, Probation and
Pretrial Services Office, Administrative Office of
U.S. Courts)

Committee on Management and Professional Development Education

Katherine Gullo, Clerk of Court (Bankr. E.D. Mich.),
Chair
Jane Bauer, Operations Manager (D. Conn.)
Kito Bess, Chief U.S. Probation Officer (D. Minn.)
Beryl Dixon, Director of Human Resources
(Bankr. C.D. Cal.)
Daniela Guido, Deputy Chief (D.N.J.)
Briit Shelton, Supervisory Probation Officer
(M.D. Tenn.)
Eric Storms, Chief Deputy (D. Me.)
Christopher Wolpert, Clerk of Court (10th Cir.)
William Hicks, Jr., Probation Administrator (Probation
and Pretrial Services Office, Administrative Office of
U.S. Courts)
Gary McCaffrey (Chief, Operations Division,
Administrative Office of the U.S. Courts)

Committee on Probation and Pretrial Services Education

Robin Grimes, Chief U.S. Probation Officer
(N.D. Ohio), *Chair*
Scott Anders, Chief U.S. Probation Officer (E.D. Mo.)
Tony Anderson, Chief U.S. Probation Officer
(E.D. Tenn.)
Scott Kowal, Chief U.S. Pretrial Services Officer
(S.D.N.Y.)
Kandice Mullivan, Assistant Deputy Chief U.S.
Probation Officer (D.S.D.)
Andrea Neumann, Supervisory U.S. Probation Officer
(S.D. Iowa)
Jennifer Simone, U.S. Pretrial Services Officer
Specialist (D. Nev.)
January Welks, U.S. Probation Officer (D. Conn.)
Amanda Garcia, Probation Administrator (Probation
and Pretrial Services Office, Administrative Office of
U.S. Courts)
Cynthia Mazzei, Probation Administrator (Probation
Training Academy)



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