

Federal Judicial Center

Annual Report 2021



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A MESSAGE FROM THE DIRECTOR

The names of the 131 people who served at the Center in 2021 are listed on page 4 of this report. They deserve the credit for the many programs, reports, publications, and materials described in these pages, and for the positive difference those resources and services made in the courts and beyond.

We didn't do it all by ourselves. The Center's Board (page 2), its advisory committee members (pages 15–16), and its Foundation board members (page 14), all provided vital advice and support. This brief report isn't long enough to list the many hundreds of other people who have contributed so much to the Center's work.

We regularly ask very busy people to give us advice, to serve as faculty, to keep us informed about issues and problems confronting the courts, to help us understand these challenges, and to find ways to meet them. The Center has always enjoyed this kind of support, to the benefit of all those we serve.

This support has never been more important than recently. The pandemic that began in early 2020 and continues today has forced every individual and organization to make huge adjustments in longstanding procedures and routines. Besides obliging many of us to work remotely, here at the Center it has required big changes in the content of our research and education and in how we conduct them. This includes foregoing in-person education programs, ordinarily an essential component of our curriculum, for safety reasons going on two years now.

Many people have thoughtfully helped us to identify and learn about the judiciary's needs and its responses in the pandemic. They have worked with us patiently as we adapted education programs to a virtual environment, a process that involves acquiring technological proficiency as well as applying different teaching methods. They have provided feedback that makes us better. They have done all this and more in a time of extraordinary change and stress, when the demands on them were greater than ever.

Most of the people contributing to the Center's work are judges and judicial branch personnel, but we draw on people from a wide range of other fields and disciplines. Whatever their backgrounds and interests, they share a commitment to justice and the rule of law and a willingness to commit their valuable time to assisting the Center in its mission "to further the development and adoption of improved judicial administration in the courts of the United States."

To all those with whom we worked and to my colleagues in the Center, thank you. It is my privilege to serve our judiciary and our country with you.



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 2021.

Governance

The Chief Justice of the United States chairs the Center’s Board. By statute, the Board 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 2021, the Judicial Conference elected Chief Bankruptcy Judge Mildred Cabán of the U.S. Bankruptcy Court for the District of Puerto Rico and Magistrate Judge Anthony E. Porcelli of the U.S. District Court for the Middle District of Florida to the Center’s Board. They replaced Bankruptcy Judge Barbara J. Houser of the U.S. Bankruptcy Court for the Northern District of Texas and Magistrate Judge Tim A. Baker of the U.S. District Court for the Southern District of Indiana. Judge Roslynn R. Mauskopf was also appointed as the director of the Administrative Office of the U.S. Courts, replacing James C. Duff.

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 judicial branch personnel, including in-person programs, videos, podcasts,

Board

The Chief Justice of the United States, *Chair*
Judge Carol Bagley Amon, U.S. District Court
for the Eastern District of New York

Judge Duane Benton, U.S. Court of Appeals
for the Eighth Circuit

Chief Bankruptcy Judge Mildred Cabán,
U.S. Bankruptcy Court for the District of
Puerto Rico

Judge Nancy D. Freudenthal, U.S. District
Court for the District of Wyoming

Judge Thomas M. Hardiman, U.S. Court of
Appeals for the Third Circuit

Judge Raymond A. Jackson, U.S. District
Court for the Eastern District of Virginia

Magistrate Judge Anthony E. Porcelli,
U.S. District Court for the Middle District
of Florida

Judge Roslynn R. Mauskopf, Director of the
Administrative Office of the U.S. Courts

Senior Staff

John S. Cooke, Director

Clara J. Altman, Deputy Director

Dana K. Chipman, Director, Education Division

Esther DeVries, Director, Information
Technology Office

Mira Gur-Arie, Director, International Judicial
Relations Office

José Idler, Director, Editorial and Information
Services Office

Christine Lamberson, Director, Federal
Judicial History Office

Nancy Payne, Director, Office of Administration

Elizabeth C. Wiggins, Director, Research Division

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, which request most 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.

Appropriation and Staffing Information

The Center had a fiscal year 2021 appropriation of \$29,015,000 and it employed 125 people at the end of calendar year 2021.

Effects of the COVID-19 Pandemic

The coronavirus pandemic affected Center operations and spending substantially in 2021. Most significantly, the Center conducted no in-person programs in 2021. In place of in-person programming, the Center added more virtual programs. Virtual programs are valuable and even advantageous in some circumstances. In other cases, however, in-person programs provide a better educational experience. The Center has always sought to use the most effective and efficient ways to maximize its educational efforts, which include a mix of in-person and virtual programming. In 2022, the Center seeks to resume in-person programming as soon as such gatherings can safely be held.

2021 AT A GLANCE

28 research and evaluation projects completed, and work commenced or continued on 50 others

113 programs conducted, reaching almost 28,000 participants

40 new educational videos produced

3 international virtual programs hosted with judicial training institutes in other countries

21 new podcasts created

36 reports, manuals, monographs, guides, and articles published

1 four-part video series created for educators covering key historical cases on judicial independence

9,365 publications and media items shipped

2021 FEDERAL JUDICIAL CENTER STAFF

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

EDUCATION

Center staff consult with the Board and education advisory committees to design and deliver educational programs and resources for the judges and court staff of the federal judiciary.

In 2021, the Center produced 113 virtual programs (web-based programs, audio conferences, and e-learning) for almost 28,000 participants (see table on page 9). The Center also made available various educational resources, including videos, podcasts, and webpages. As a result of the pandemic, the Center canceled seven planned in-person programs that had been scheduled to reach 356 participants.

The Center's educational programs address emerging issues as well as perennial concerns and use a competency-based curriculum that focuses on the relevant knowledge, skills, and attributes of various positions. Center programs continued to address priority issues for the judiciary, including promoting an exemplary workplace, cybersecurity, and diversity, inclusion, and respect. Its programs and resources continued to help judges and court staff address the challenges posed by the COVID-19 pandemic.

Executive Education

The Center offers leadership and management education to chief judges, court unit executives (CUEs), and deputy court unit executives (DCUEs) across the judiciary. In 2021, these programs continued to focus on leadership skills such as conducting difficult conversations, promoting diversity, and maintaining an exemplary workplace. They also continued to assist executives in the judiciary navigating challenges posed by the COVID-19 pandemic. The Center offered the following executive education programs in 2021:

- *Becoming an Executive* (7 webinars with independent study)
- *Becoming an Executive – Faculty Development* (webinar with independent study)
- *Conference for Chief Judges of U.S. District Courts* (webinar)
- *Cultivating a Coaching Habit: Five Questions to Grow Your Leadership* (webinar)
- *FOCUS: Thriving Through Crisis* (webinar with independent study)
- *Leader as Coach* (3 webinars and 2 small-group practice sessions)

- *Leading the Judiciary Through Uncertainty: Adaptive Leadership* (webinar)
- *Leading the Judiciary Through Uncertainty: Enduring Leadership Principles* (webinar)
- *Leading the Judiciary Through Uncertainty: The Head, Heart, and Hands of Change* (webinar)
- *Practices of Exemplary Leadership: Chief Judges* (webinar with independent study)
- *Practices of Exemplary Leadership: Court Unit Executives* (webinar with independent study)
- *In Session: Leading the Judiciary* Podcast (formerly *Executive Edge*) (episodes 18–24)
 - “Great Managers Are Made, Not Born”
 - “Decision Making, Collaborating, and Coaching”
 - “Transitioning Gracefully to Executive Leadership”
 - “Lessons in Leadership from the White House to the Courthouse”
 - “How Rethinking Revolutionizes Decision Making”
 - “Leveraging Our Individual Paths to Leadership”
 - “Cultivating an Inclusive Workplace”

Judicial and Legal Education

The Center offers orientation and continuing education programs and resources for judges. These offerings address law, ethics, case management, the judicial role, and more. The Center also offers programs for court 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. Appellate judges are invited to an orientation seminar. These programs address a judge's duties and responsibilities, review critical substantive law, and introduce judges to people who can provide resources and mentorship. All new judges also receive a select set of Center publications to supplement chambers or bench reference manuals.

The Center previously held its orientation programs for judges exclusively in person. During 2021, these seminars were conducted virtually to ensure that all new

judges would continue to be offered an orientation program during the COVID-19 pandemic. The Center held the following virtual orientation programs for judges:

- Appellate Judges (1 program)
- District Judges (2 Phase I programs; 2 Phase II programs)
- Bankruptcy Judges (1 Phase I program; 1 combined Phase I and II program)
- Magistrate Judges (2 Phase I programs; 1 combined Phase I and II program)

Continuing Education Programs and Resources

The Center also offers continuing education programs for judges, including special-focus seminars. The Center offered the following continuing education programs in 2021:

All Judges

- *Employment Law Workshop for Federal Judges* (cosponsored with the NYU School of Law's Institute of Judicial Administration and Center for Labor and Employment Law) (webinar)
- *Intellectual Property Law and Case Management* (cosponsored with the UC Berkeley School of Law's Berkeley Judicial Institute) (6-part webinar series)
 - *Patent Basics*
 - *Patent Case Management*
 - *Copyright Basics*
 - *Copyright – Music*
 - *Trade Secret Basics and Case Management*
 - *Trademark Basics and Case Management*
- *Science Seminar for Federal Judges* (cosponsored with the Berkeley Judicial Institute) (webinar)

District and Magistrate Judges

- *Electronically Stored Information (ESI) and Discovery Misconduct in an Electronic Age* (webinar)
- *Please Proceed: Judicial Education Videos Worth Sharing* (3 episodes)
 - "Chairing the Committee to Review the Criminal Justice Act (CJA)"
 - "Encouraging Junior Associates in Court: A Conversation"
 - "One Court's Approach to Magistrate Judge Utilization"

Bankruptcy Judges

- *Business Case Law Update for Bankruptcy Judges* (webcast)
- Conference Calls for Bankruptcy Judges (4 audio conferences)
 - "Challenges of Judicial Self-Awareness and Effective Techniques for Judicial Self-Assessment"
 - "How Is the Pandemic Affecting the Issues Bankruptcy Courts Are Being Asked to Decide?"
 - "Judicial Decision Making – How Non-Judges Judge What We Do"
 - "The Challenges of Reopening the Bankruptcy Courts"
- *Consumer Case Law Update for Bankruptcy Judges* (audio conference)
- *A Look at the Use of Nonverbal Communication in a Forensic Setting* (webcast)
- *National Workshop for Bankruptcy Judges* (multiday web conference, delivered 2 times)
- *Onward and Upward Bankruptcy Judges' Chat* (3 webinar episodes)
 - "Monthly Operating Forms and Instructions"
 - "Discussion with Clifford White, Director of the U.S. Trustee Program"
 - "Open Discussion"
- *A Review of Eighth Circuit Bankruptcy Decisions, 2021* (video)
- *A Review of Ninth Circuit Bankruptcy Decisions, 2021* (video)

Magistrate Judges

- *Reforming the Bail Reform Act* (webinar)

Judges and Court Attorneys

- *Term Talk* (9 video reviews of key Supreme Court decisions on federal criminal statutes, takings, constitutional criminal law, standing, jurisdiction, free speech and free association, the Voting Rights Act, free exercise of religion, and the Fourth Amendment (search and seizure))
- *Court Web* (12 webcasts, episodes 84–95)
 - "Supreme Court October Term 2020"
 - "Courthouse and Remote Interactions: How to Navigate Acceptable vs. Unacceptable Conduct"
 - "New Developments in Federal Criminal Law and Procedure"
 - "Social Security Litigation in Federal Court"

- “Update on Section 1983 Litigation and Qualified Immunity”
- “Compassionate Release Motions: Through the COVID-19 Pandemic and Beyond”
- “The Neuroscience of Memory and Psychotic Disorders”
- “Ethics Training for Federal Judicial Law Clerks and Judiciary Employees”
- “Pro Se Litigation: What Works?”
- “Advanced Legal Writing: The Essential Qualities of Effective Editing”
- “Immigration Law in the Federal Court: Hot Topics”
- “Hot Topics in Federal Employment Law”

Court Attorneys

- *Byrne Judicial Clerkship Institute* (cosponsored with the Pepperdine University School of Law) (webcast)
- *Interactive Orientation Seminar for Federal Judicial Law Clerks* (e-learning)
- *Maintaining the Public Trust* (e-learning for law clerks)
- *National Conference for Appellate Staff Attorneys* (4-part webinar)
- *Orientation for New Clerks: Maintaining an Exemplary Workplace* (video)

Management and Professional Development Education

The Center offers education programs to strengthen supervisors’ and managers’ proficiency in relevant competencies and provides instruction in workplace skills common to all court-staff positions. The Center offered the following management and professional development education programs in 2021:

- *Avoiding Ethics Pitfalls* (e-learning for clerks’ office employees)
- *Everyday Ethics: A Matter of Choice* (e-learning for probation and pretrial services office employees)
- *Federal Court Leadership Development Program* (combination of virtual workshops and individual projects)
- In-District Programs (12 webinars)
 - *Performance Management* (delivered 6 times)
 - *Succession Planning* (delivered 2 times)
 - *Preventing Workplace Harassment* (delivered 4 times)

- *Inside the Federal Courts* (e-learning)
- *Introducing the Federal Courts* (e-learning)
- *Making the Transition to Supervisor* (e-learning)
- *Management and Professional Development Education (MPDE) Web* (webinar series)

Supervisors/Managers

- *Building an Inclusive Workplace* (delivered 2 times)
- *Engaging in Challenging Conversations with Confidence* (delivered 2 times)
- *Fostering a Respectful Workplace* (delivered 2 times)

Court Employees

- *Holding Challenging Conversations* (delivered 2 times)
- *Respect in the Workplace* (delivered 2 times)
- *New Supervisors’ Development Program Tier 2 Workshop* (4-part webinar, delivered 3 times)
- *Workshop for New Court Trainers* (5-part webinar)

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. The Center offered the following probation and pretrial services education programs in 2021:

- *Belief or Symptom? The Delusion Dilemma in Violent Extremism* (webinar)
- *Chiefs COVID-19 Reconstitution Planning* (webinar)
- *Conditions of Post-Conviction Supervision: The Officer’s Critical Role* (e-learning)
- *Countering Violent Extremism* (webinar for supervisors and officers)
- *Court-Assisted Pretrial Supervision (CAPS) Training: Core Concepts of Community Supervision* (webinar provided for the District of Oregon’s CAPS program)
- *Experienced Officer Competencies Tool Kit* (e-learning)
- *Extremism: Working with the Bureau of Prisons’ Counterterrorism Unit* (webinar)
- In-District Programs (6 webinars)
 - Trauma Series (4 webinars for all staff, delivered 2 times)

- *What Is Trauma? Overview and Implications for Federal Probation Practice*
- *Exploring Military Trauma, Sexual Trauma, and Trauma-Informed Care*
- *Racial Stress and Trauma*
- *Experiences from the Field: A Discussion*
- *Reentry Court Summit* (for officers, supervisors, and judges)
- *Resilience and Workload Management* (for officers and supervisors)
- *Managing Extremism Cases* (webinar for managers and executives)
- *Off Paper: The Criminal Justice Podcast* (episodes 18–19)
 - “Community of Caring: Wellness in U.S. Probation and Pretrial Services”
 - “Leadership in U.S. Probation and Pretrial Services and the Federal Courts”
- *Pathways to Extremist Violence* (webinar)
- *Presentence Practice in a Pandemic* (webinar)
- *Recovery-Oriented Justice Initiatives* (webinar)
- *Restorative Justice in the Federal Courts* (2-part webinar for officers and judges)
- *Science-Informed Decision Making: Continuing Education for Workshop Alumni* (2-part webinar for district judges and presentence officers)
- *Science-Informed Decision Making: Continuing Education Program* (webinar for the District of Minnesota)
- *Science-Informed Decision Making: Alumni Series Session 1: How Screening and Assessment Support Science-Informed Responses* (webinar)
- *Supervising Officers in an Evidence-Based Environment* (2 year-end webinars; a capstone program for one district; quarterly web meetings for 2021/2022 program faculty)
- *Treatment Services: Negotiating Pathways and Supporting Successful Transitions* (e-learning)
- *How Being Trauma-Informed Improves Criminal Justice System Responses* (e-learning)

Staff Teaching and Additional Services

In 2021, the Center provided education at conferences, retreats, and meetings sponsored by other organizations, including the Administrative Office (AO). The Center collaborated with the Administrative Office on programs about bystander intervention (delivered twice), countering violent extremism, and security committees (part of the Service Validation Initiative Series). The Center also provided organizational consulting services for eight court units.

	Number of Programs	Number of Participants
Programs for Judges*		
Orientation for newly appointed appellate judges	1	9
Orientations for newly appointed district judges	4	114
Orientations for newly appointed bankruptcy judges**	2	37
Orientations for newly appointed magistrate judges**	3	100
Continuing education programs	12	814
TOTAL	22	1,074
Programs for Court Attorneys*		
Continuing education programs	3	1,880
TOTAL	3	1,880
Programs for Judges and Court Attorneys (combined)*		
Continuing education programs	12	10,430
TOTAL	12	10,430
Programs for Executives, Managers, Supervisors, Probation and Pretrial Services Officers, and Staff*		
Leadership and management programs for chief judges, court unit executives, and deputy court unit executives	12	922
Programs for supervisors, managers, aspiring leaders, court staff, and trainers	15	4,383
Programs for experienced probation and pretrial services officers	17	2,712
In-district programs for supervisors, managers, aspiring leaders, court staff, and trainers	12	142
In-district programs for experienced probation and pretrial services supervisors, managers, and officers	6	513
TOTAL	62	8,672
Other Virtual Programs***	14	5,801
GRAND TOTAL (does not include programs developed with other organizations)	113	27,857

* **No in-person programs held in 2021.** Programs were delivered in web-based formats with supplementary independent study for some programs. The table does not include other online resources such as podcasts, videos, and webpages.

** The Center held two orientation programs for bankruptcy judges and three orientation programs for magistrate judges. Note, however, that one of the programs combined Phase I and Phase II (typically, Phase I and II orientations are held and counted separately).

*** This category includes asynchronous e-learning and audio conferences.

RESEARCH

In 2021, the Center conducted research in support of the Judicial Conference and its committees, the Administrative Office, the Judicial Panel on Multidistrict Litigation, and individual courts and judges. On its own initiative, the Center also undertook research to respond to the COVID-19 pandemic, explore the use of artificial intelligence tools in its studies, and inform its educational, international, and internal activities.

Bankruptcy Courts

At the request of the Advisory Committee on Bankruptcy Rules, the Center studied the feasibility of changing the requirement for physical signatures by people who do not have a CM/ECF account, an issue that reemerged during the COVID-19 pandemic.

For the Committee on the Administration of the Bankruptcy System, the Center studied the impact of the increased quarterly fee on the filing and successful reorganization of Chapter 11 cases, and is following up by interviewing attorneys, judges, and others.

The Center continued its study of two multiyear pilot programs authorized by the Judicial Conference to evaluate the horizontal consolidation of bankruptcy clerk's offices and the filling of judgeship vacancies by one circuit for use in another circuit.

The Center also continued to assist bankruptcy judges who elect to obtain feedback on their performance from attorneys who appear before them.

Civil and Multidistrict Litigation

The Center completed its evaluation of the congressionally mandated ten-year pilot study of patent case assignments in thirteen districts and submitted its final report to the Committee on Court Administration and Case Management (CACM).

The Center surveyed attorneys about their preferences for state versus federal forums and published a related report as part of a project for the Judicial Conference's Committee on Federal-State Jurisdiction.

For the Advisory Committee on Civil Rules, the Center continued its evaluation of a three-year pilot program, authorized by the Judicial Conference, of mandatory initial discovery procedures in two districts.

Criminal Litigation

The Center continued to evaluate the implementation of the interim recommendations in the Report of the Ad Hoc Committee to Review the Criminal Justice Act Program.

At the request of the Criminal Law Committee, the Center began preparations to evaluate a two-year pilot program in which select districts will incorporate comparative sentencing information from the Sentencing Commission's Judiciary Sentencing Information (JSIN) platform into presentence investigation reports.

Science and Technology

Collaborating with the National Academies of Science, Engineering, and Medicine, the Center began developing the fourth edition of the *Reference Manual on Scientific Evidence* in 2020. A two-day virtual workshop was held in February 2021 to identify topics for the new edition, and the Center conducted a survey of judges about their use of the third edition. An advisory group of judges and scientists was appointed to oversee the project.

The Center hosts a Science and Technology Policy fellow from the American Association for the Advancement of Science each year. The 2020–2021 fellow developed online resources to help judges and court staff better understand new genomic/DNA technologies. The 2021–2022 fellow is developing resources explaining the scientific issues involved in implementing a 2020 Supreme Court decision on the Clean Water Act.

The Center is also collaborating with the National Institute of Standards and Technology (NIST) to explore the usefulness of NIST's technical language processing (TLP) techniques for research involving court data.

The COVID-19 Pandemic

Throughout the pandemic, the Center has documented courts' responses by systematically gathering and archiving information from their websites. To assist courts in making operational decisions and to provide comprehensive information to court researchers, Center researchers created dashboards showing COVID-19 case data and trends and vaccination rates for each federal judicial district.

The Center published a report describing how federal courts are using their websites to provide COVID-19-related information and suggesting how courts might make that information more accessible to website visitors. The Center is also finalizing material about pandemic-related legal issues for health care providers and is examining how the pandemic affected filing and disposition trends for civil and criminal cases, how these trends are interrelated, and how they vary by specific case type and district.

Other Center Research

The Center published its final report to the Committee on Intercircuit Assignments about its evaluation of the district judge-sharing pilot program. This program paired district courts within the same circuit based on weighted case filings per authorized judgeship in an attempt to better allocate judicial resources.

For the Administrative Office, the Center completed a study of the reporting requirements for federal and state wiretap activities, options for amending the Administrative Office's wiretap reporting form, and the Administrative Office's reporting of wiretap data.

To assist courts in managing their civil and criminal caseloads, the Center updated its case-management dashboards for each district court and created a video on how to use them. The Center continued its study for the Committee on Rules of Practice and Procedure on electronic filing deadlines and its CACM Committee study of a juror-utilization pilot project, extended until March 2023 due to the pandemic.

The Center also continued to conduct confidential workplace-environment surveys at the request of court unit executives and to work with interested districts to establish feedback programs for magistrate and district judges.

FEDERAL JUDICIAL HISTORY

The Center's statute directs it to conduct, coordinate, and encourage programs relating to the history of the judicial branch.

The Center published *The Justices' Circuit Court Opinions*. This new exhibit focuses on past Supreme Court justices' work "riding circuit," summarizing select opinions and grand jury charges from 1793–1894. The Center also published *History of the Article III Appellate Courts, 1789–2021: The Evolution of Their Geographic Scope, Number of Judgeships, and Jurisdiction*. The article traces the evolution of the appellate courts from the old circuit courts to the modern courts of appeals, focusing on legislative developments.

The Center continued to conduct research and promote the study and understanding of judicial branch history through its website. The Center published eleven new, short essays about various topics in its Spotlight on Judicial History series. It also augmented its historical reference materials by completing an update of the Demography of Article III Judges graphs exhibit, now covering 1789 through 2020. A new project is underway that

provides a broad historical overview of the U.S. courts of appeals.

The Center also continued its outreach efforts to increase knowledge of the history of the federal courts. Its history Twitter account, @FedJudicialHist, tweets about the history of the judiciary and links to materials on the History of the Federal Judiciary section of the website. The account featured several threads recounting short historical narratives with links to history materials.

Although the annual Summer Institute for Teachers had to be canceled because of the COVID-19 pandemic, the Center still promoted teaching on federal trials. In partnership with the American Bar Association's Division for Public Education, the Center produced a four-part video series for middle and high school teachers about the history of judicial independence. It examines key cases from the Center's Cases That Shaped the Federal Courts series. Additionally, the Center published *United States v. Smith and United States v. Ogden*, a new volume in its Federal Trials and Great Debates in U.S. History series.

INTERNATIONAL JUDICIAL RELATIONS

The International Judicial Relations Office serves as a resource for judges from the United States and other nations, providing expertise in the fields of judicial education and administration. Before the pandemic, much of this work included hosting visiting judges at the Center's Washington, D.C., offices, and participating in workshops and conferences hosted in other countries. In 2021, the Center's international exchanges took place virtually.

The Center continued its partnership with India's National Judicial Academy and with the Central and Eastern European Law Initiative (CEELI) Institute to develop programs for judges and judicial educators. Center staff and U.S. judges delivered three workshops for Indian judges and judicial educators, including programs on cybercrime and human trafficking, funded by the U.S. State Department's Bureau of International Narcotics and Law Enforcement (INL). These will continue through 2022.

Other programs included a faculty development workshop with Colombia's Rodrigo Lara Bonilla Judicial School (also funded by INL), projects with judicial schools of Croatia (court leadership) and Georgia (impact assessment), and exchanges with Korea's Judicial Research and Training Institute and the Justice Academy of Turkey.

As part of an ongoing effort to make information accessible to international audiences, the Center has published its virtual briefing video with foreign-language subtitles. The Center also added a new publication to its collection of international litigation materials: *International Service of Process: A Guide for Judges*; and added new case analyses to the Special Topic webpage *The 1980 Hague Convention on the Civil Aspects of International Child Abduction*.

RESOURCES

Websites

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

Media Library

The Center's media library contains 6,461 audio and video programs, including Center-produced educational videos, video and audio recordings of seminars and workshops, and commercially produced educational videos. In 2021, the media library loaned 38 programs to federal judges and judicial branch personnel by request and sent 179 Center-produced media programs directly to the courts to use in local education and training programs. The Center also provided 291 training videos through a commercial streaming platform.

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.

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 2021, the Center produced a variety of publications for judges, attorneys, and court staff, including the following:

- *Antitrust Law: Section 1 of the Sherman Act*
- Annual Report 2020
- *International Service of Process: A Guide for Judges*
- *History of the Article III Appellate Courts, 1789–2021: The Evolution of Their Geographic Scope, Number of Judgeships, and Jurisdiction*
- Study of the Administrative Office of the U.S. Courts' Wiretap Report
- Federal and State Forum Preferences: A Survey of Attorneys in Recently Closed Diversity Jurisdiction Cases
- Patent Pilot Program Final Report
- How Federal Courts Used Their Public Websites During the COVID-19 Pandemic: An Overview and Some Lessons for the Future

FEDERAL JUDICIAL CENTER FOUNDATION

The Federal Judicial Center Foundation is a private, nonprofit 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 2021:

James M. Wagstaffe, San Francisco, C.A., *Chair*
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Judge Rebecca Love Kourlis (Ret.), Denver, C.O.
Peter A. Kraus, Dallas, T.X.
Blake D. Morant, Washington, D.C.
John B. White, Jr., Spartanburg, S.C.
Vacant

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. Although the Center did not use any foundation funds in 2021, the FJC Foundation board accepted the following gift offer in December 2021:

- Funds (unrestricted) from the University of California, Davis School of Law to support future travel expenses in conjunction with an educational endeavor or research project that supports the Center's mission

EDUCATION ADVISORY COMMITTEES

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Judge Paul J. Watford (9th Cir.)
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Federal Judicial Center

One Columbus Circle NE
Washington, DC 20002-8003
fjc.dcn • fjc.gov