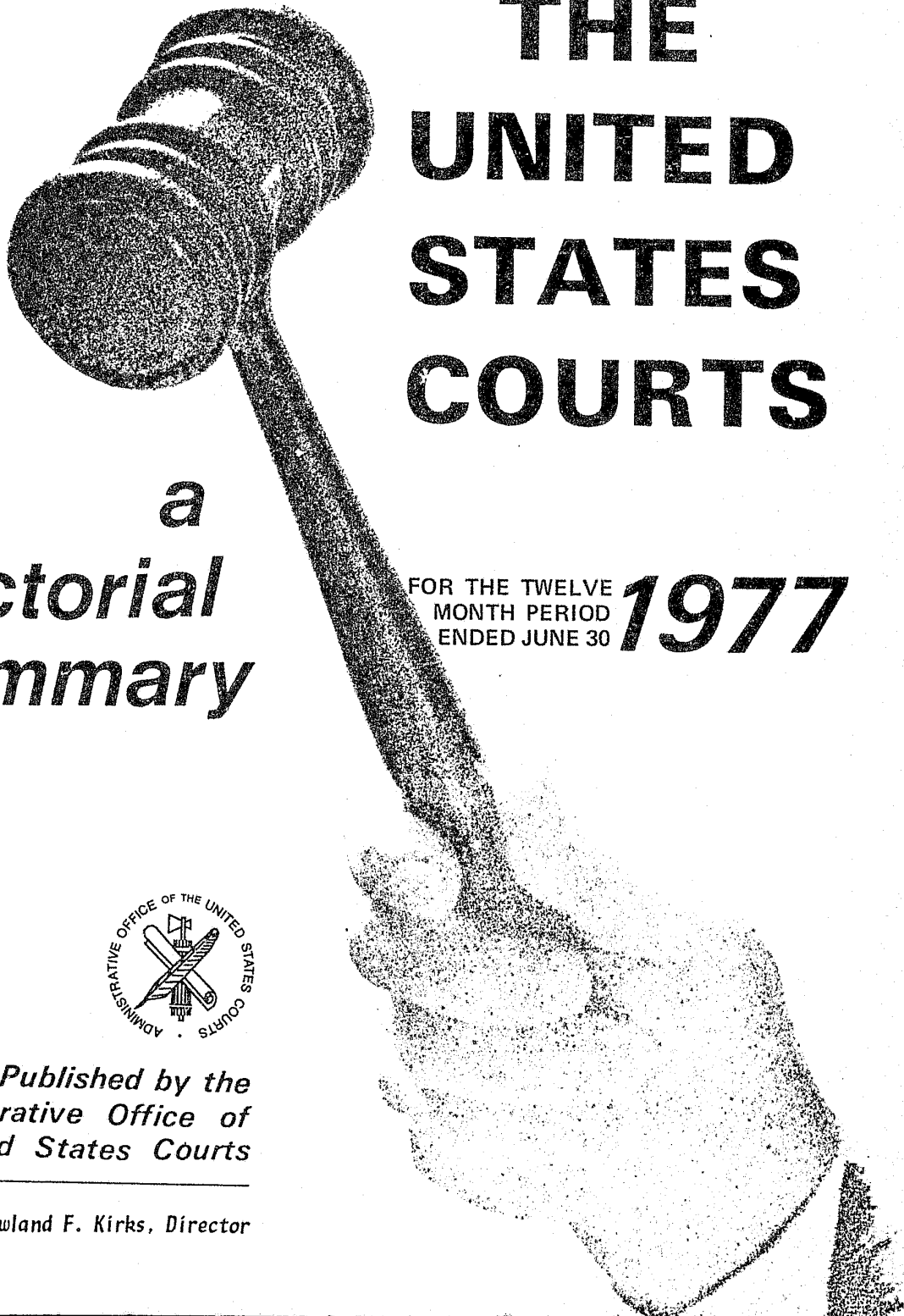


THE UNITED STATES COURTS

*a
pictorial
summary*

FOR THE TWELVE
MONTH PERIOD
ENDED JUNE 30

1977



*Published by the
Administrative Office of
United States Courts*

Rowland F. Kirks, Director

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ACQUISITIONS

THE UNITED STATES COURTS

*a
pictorial
summary*

FOR THE TWELVE MONTH
PERIOD ENDED JUNE 30

1977

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Administrative Office of
the United States Courts*

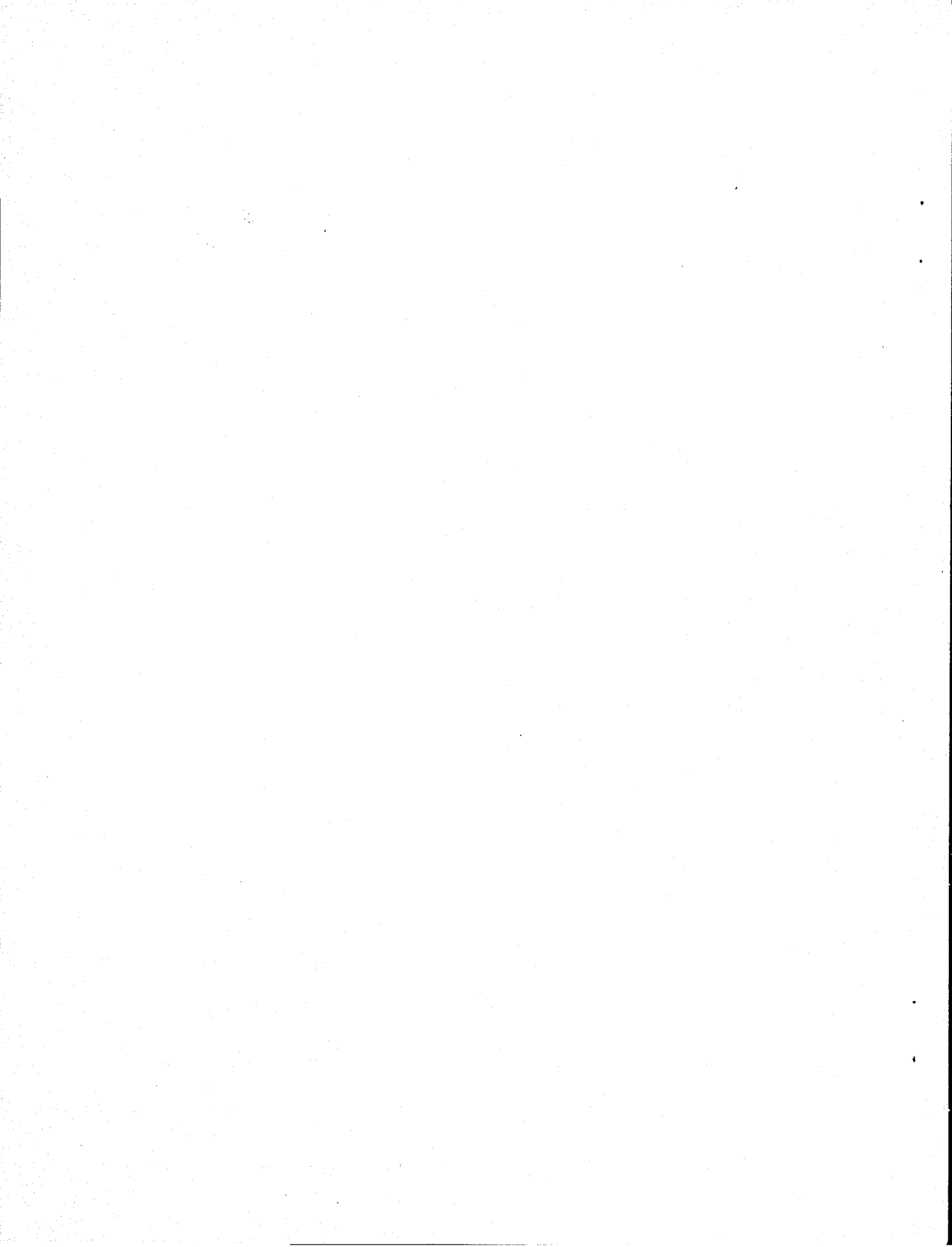
Rowland F. Kirks, Director



THE UNITED STATES COURTS: A PICTORIAL SUMMARY
THROUGH THE TWELVE-MONTH PERIOD ENDED JUNE 30, 1977

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UNITED STATES COURTS
WORKLOAD FOR YEAR ENDED JUNE 30, 1977

INTRODUCTION

Pursuant to 28 U.S.C. §604(a)(3) the Director of the Administrative Office of the United States Courts is required to furnish an annual report to the Judicial Conference of the United States two weeks before its fall meeting. In order to meet this statutory requirement, this report generally covers the 12 months ended June 30, 1977 and is comparable to other reports published for the use of the Judicial Conference and the judiciary.

Beginning October 1, 1977, statistical reports and analyses of the business of the courts will be produced at the close of each quarter for the preceding twelve months. Therefore, there will be four 12-months reports each year. This will provide one of the most comprehensive reporting programs available to meet the needs of the Congress and the Executive Branch as well as the public.

What follows is a summary of the highlights for the year ended June 30, 1977.

UNITED STATES COURTS OF APPEALS

The eleven courts of appeals experienced another record year of new appeals which numbered 19,118. This is 3.9% above last year and 63.9% greater than 1970. An increase in cases closed (8.3%) was not sufficient to reduce the pending workload so that each three-judge panel had 478 cases pending on June 30.

Prior to the last omnibus judgeship bill of 1968, each three-judge panel had 196 pending cases. In 10 years, the pending workload for each panel has increased by 144%.

By utilizing the services of senior circuit judges and judges assigned to panels from district benches, the courts of appeals have managed an ever-increasing burden. On June 30, 87 of the 97 authorized circuit judgeships were filled and there were 48 senior circuit judges.

COURTS OF APPEALS	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Cases Filed	11,662	18,408	19,118	63.9	3.9
Cases Terminated	10,699	16,426	17,784	66.2	8.3
Cases Pending	8,812	14,110	15,444	75.3	9.5

UNITED STATES DISTRICT COURTS

The United States district courts had 398 authorized judgeships on June 30, 1977. On that day, 373 judgeships were filled and 25 were vacant, with 120 judges in senior status. On a per judgeship basis, there were 432 civil and criminal filings per authorized judgeship, one case above a year ago; however, there were 115 more filings than in 1970 when the incoming caseload was 317 per judgeship.

Even when the 1977 criminal prosecutions filed are limited to felonies and misdemeanors (32,925), civil and criminal filings still averaged 411 cases per judgeship --- 30% greater than in 1970.

CIVIL LITIGATION

Filings for most of 1977 ran slightly below the volume of filings recorded in 1976, 130,597 in 1976 compared to 130,567 in 1977. However, it was during the last quarter that civil filings climbed to a level almost equal to the 1976 figure. This leveling-off can be accounted for by a modest downturn in prisoner suits and a substantial decrease in petitions for "black lung" benefits. The flow of I.C.C. regulation cases dropped to 2,549 down 42% over the 4,396 recorded in 1976. Land condemnation cases filed in 1977 dropped to 2,801 compared to 3,037 in 1976 when the U. S. Government acquired large tracts of land in the Southern District of Florida and the Southern District of California.

Civil rights filings increased slightly to 13,113 or 6% more than the 12,329 filed last year. Protected property rights litigation which includes copyright, patent and trademark suits rose to 3,071 in 1977, an increase of 17% over 2,632 in 1976. Foreclosures of Federally mortgaged property rose modestly to 3,979, 8% more than 3,683 in 1976.

A high termination record of 117,150 civil cases closed was greater by over 6% than a year ago and 46% greater than in 1970. During 1977, the district courts recorded substantial progress in their termination rate. In 1977, for each 100 filings the district judges closed 90 cases. This compares to the 1976 ratio of 100 filings to 84 dispositions and to the 1970 termination rate of 92 terminations for each 100 filings.

Nevertheless, the previous escalation of filings has resulted in a record number of pending civil cases. The 154,606 pending cases on June 30 was 10% more than 12 months ago and 63%

greater than in 1970. On a per judgeship basis, there were 386 civil cases pending on June 30, 1977. In 1970, the average was 232 civil cases.

CIVIL LITIGATION	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Cases Filed	87,321	130,597	130,567	49.5	-
Cases Terminated	80,435	110,175	117,150	45.6	6.3
Cases Pending	93,207	140,189	153,606	63.3	9.6

CRIMINAL PROSECUTIONS

The reporting requirements under provisions of the Speedy Trial Act of 1974 have necessitated major changes to the method of counting criminal cases in the district courts. The two major changes, beginning in 1976, are the inclusion of minor offenses on the district court criminal docket and the counting of superseding indictments or informations as part of the same case, except in those situations where the original case was dismissed on the motion of the defense.

The changes in reporting have had two primary effects on the courts' statistics. Minor offenses, many of which were disposed of by U. S. magistrates, have increased the court workload, while the new method for counting superseding indictments has diminished the number of filings. By limiting comparisons to the felony-misdemeanor workload for the two years, we have the following comparison of cases which are handled by judges. These figures for the last two years ended on June 30 show:

YEAR	*TOTAL CRIMINAL FILINGS	**Classified as FELONY-MISDEMEANOR	
		NUMBER	PERCENT OF TOTAL
CRIMINAL CASES:			
1976	41,020	36,039	87.9
1977	41,464	32,925	79.4
Percent Change	1.1	-8.6	-
DEFENDANTS: In Above Cases			
1976	55,409	49,912	90.1
1977	54,761	45,940	83.9
Percent Change	-1.2	-8.0	-

*All criminal cases filed on district court dockets, including transfers.

**All criminal cases for which the penalty exceeds one year in prison or where the fine is greater than \$1,000 or both.

For all cases filed, major offenses prosecuted in the district courts (exclusive of transfers) showed marked changes over 1976. Robbery, which had been experiencing an upswing, dropped 15%; assaults, most of which occurred on government reservations, declined 17%; and auto theft cases continued to plummet, reaching 1,167 filings which is 18% lower than last year and the lowest number of such cases for many years. The decline in auto theft prosecutions reflects the Department of Justice's policy of generally restricting the prosecution of such cases to organized car theft rings.

Drug law prosecutions, which accounted for 12% of the criminal case filings, declined by 22%, with most of the decline resulting from fewer marihuana cases. In 1977, there were 1,457 marihuana cases filed compared to 2,046 in 1976 and 3,448 in 1973, which was the record year for drug violations prosecuted in the district courts.

The number of cases terminated in 1977 was 1% above a year ago. This increase, together with only a slight increase in filings, resulted in a decline of 13.4% in the number of criminal cases pending on June 30, 1977, from 19,756 reported on the same day last year to 17,109. This is the lowest number of criminal cases pending in the district courts since June 30, 1968 when there were 14,763 pending cases as of June 30.

Under interim provisions of the Speedy Trial Act, which establish time limits between arrest to indictment, indictment to arraignment and arraignment to trial, the district courts have made a good accounting since 77.3% of the defendants prosecuted are within the 1979 time limits. The overall success in reducing the pending caseload resulted in only 2,754 criminal cases without fugitive defendants pending six months or more compared to 3,580 in 1976 and 5,107 such cases at the close of 1975. More discussion of the success of the district courts in reducing the pending criminal caseload and in implementing the Speedy Trial Act appears in a separate report.

*CRIMINAL PROSECUTIONS	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Cases Filed	39,959	41,020	41,464	3.8	1.1
Cases Terminated	36,819	43,675	44,111	19.8	1.0
Cases Pending	20,910	19,756	17,109	-18.2	-13.4
Defendants Filed	50,013	55,409	54,761	9.5	-1.2
Defendants Terminated	N/A	59,511	57,876	N/A	-2.7
Defendants Pending	N/A	27,770	24,655	N/A	-11.2

*Includes transfers.

TRIALS COMPLETED

Judges in the district courts completed 18,827 trials during 1977, down 3.8% over last year but 17.4% more than 1970. Compared to a year ago, civil trials showed less than a percentage point increase and criminal trials declined by almost 9%.

In addition to reporting trial activity, on July 1, 1977, the judges on the district bench will be providing information on pretrial matters, assignment and sentencing of defendants and other matters which expedite cases before the courts.

TRIALS COMPLETED	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Total	16,032	19,580	18,827	17.4	-3.8
Civil	9,449	11,656	11,605	22.8	0.4
Criminal	6,583	7,924	7,222	9.7	-8.9

JUROR UTILIZATION

Unlike any other agency in government, the courts have a window through which citizens can see their system at work. For the petit or grand juror, we believe those experiences are rewarding because judges and clerks of court are making every effort to ensure that jurors called to the court do serve on a trial or on the grand jury.

PETIT JURY

Monthly reports on jury service have been collected since July 1, 1970. An examination of the seven years of data reveals the areas of improvement in juror utilization management. In 1977, slightly more than 19 prospective jurors were called for each trial. This is far fewer than in 1971. More importantly, the courts have increased the percentage of jurors serving on a petit jury to 60% compared to 54% in 1971. The figures below show that an average of 24% of prospective jurors called to the courthouse did not serve on a trial even though during a period of service an attempt is made to ensure that all jurors serve on at least one trial.

This year 584,094 jurors were called and were available for jury service. Last year 592,594 were called. The number of jury trial days decreased from 30,032 in 1976 to 29,873 in 1977.

The Juror Utilization Index, which is obtained by dividing total available juror days by the total number of jury trial days, is a judicial barometer reflecting how well the operation is working. The figures below show this improvement:

PETIT JURY	1971	1976	1977	Percent Change	
				1971 Over 1977	1977 Over 1976
JUROR USAGE INDEX	23.31	19.73	19.55	-16.1	-0.9
Percent Selected or Serving	54.2	60.2	60.4	-	-
Percent Challenged	12.9	15.6	15.5	-	-
Percent not Selected Serving or Challenged	32.9	24.1	24.1	-	-

GRAND JURY

The number of grand juries in existence for the 12 month period ended June 30, 1977 increased by 6.3% over 1976 and 12.5% over 1975 which was the first full year of this reporting program. Part of this increase could be attributed to the requirement that a defendant be indicted in a limited time period under provisions of the Speedy Trial Act of 1974. In all but five of the 19 courts which have adopted the maximum time limit of 30 days or less, the number of sessions convened increased. Overall, the number of sessions convened by these districts increased by 16.8% from 806 in 1975 to 941 in 1977.

In 1977, the number of sessions convened nationally increased by 5.3%; grand jurors in attendance rose by 5.1% and the number of hours in session was up by 5.2% over 1976.

On the average, grand jury sessions last 5.3 hours.

GRAND JURY	1975	1976	1977	Percent Change	
				1977 Over 1975	1977 Over 1976
Total Number in existence in the 12 month Period	570	603	641	12.5	6.3
Sessions Convened	7,846	8,404	8,849	12.8	5.3
Jurors in Session	156,167	167,185	175,687	12.5	5.1
Hours in Session	41,421	44,765	47,094	13.7	5.2

U. S. MAGISTRATES

During the year ended June 30, 1977, the number of total matters handled by U. S. magistrates increased 13.7%, from 252,144 in 1976 to 286,736 in 1977. In the area of trial jurisdiction, the magistrates' caseload increased 14.3% over the previous twelve-month period, from 90,166 in 1976 to 103,061 in 1977. Minor offense cases have continued to comprise a greater percentage of the total matters assigned to magistrates since 1972 which was the first full year of reporting. In 1972, these cases represented 30% of the total workload whereas in 1977 the percentage of trial jurisdiction cases rose to almost 36% of the total.

Preliminary proceedings conducted by magistrates in felony criminal cases decreased only slightly (3%) from the previous year, 86,084 in 1976 compared to 83,357 in 1977; however, there was a 31% decline in preliminary proceedings in 1977 compared to the 120,723 reported in 1972.

Under provisions of 28 U.S.C. §636(b), magistrates are authorized to perform certain "additional duties" such as, pretrial conferences, motions, prisoner petitions and post-indictment arraignments. During 1977, magistrates performed 100,318 "additional duties", which represented a 32% increase over the 75,894 in 1976.

Post-indictment arraignments numbered 21,799 in 1977, 17% more than the 18,694 in 1976. Other "additional duties" in the criminal area in 1977 included 3,518 return of indictments.

The number of civil and criminal pretrial conferences accounted for 27% of the 100,318 "additional duties" of magistrates and represented a 20% increase over the previous twelve-month period, from 22,956 in 1976 to 27,574 in 1977. The 17,687 motions handled by magistrates in civil cases during 1977 reflected a dramatic 85% increase over the 9,583 in 1976 and 123% more than the 7,938 in 1975. The volume of prisoner petitions remained fairly stable at 8,515 compared to 8,231 in 1976 and 8,464 in 1975.

U.S. MAGISTRATES	1972	1976	1977	Percent Change	
				1977 Over 1972	1977 Over 1976
Total Matters Handled	237,522	252,144	286,736	20.7	13.7
Trial Jurisdiction Cases	72,082	90,166	103,061	43.0	14.3
Preliminary Proceedings in Criminal Cases	120,723	86,084	83,357	-31.0	-3.2
Additional Duties					
Criminal	22,336	35,596	43,303	93.9	21.6
Civil	22,381	40,298	57,015	154.7	41.5

FEDERAL PROBATION SYSTEM

The number of persons received for supervision by the Federal Probation System showed virtually no change from the previous year, 35,102 in 1976 to 35,098 in 1977. During the year ended June 30, 1977, one-half of the persons received for supervision were court probationers and 5,678 or 16% were persons placed on probation by U. S. magistrates. Persons received on parole declined 17% from a year ago, for a total of 5,222 in 1977. Mandatory release supervision cases increased 30%, from 1,935 in 1976 to 2,521 in 1977.

A slight decrease (0.6%) in persons removed from supervision during 1977 resulted in a modest increase (0.3%) in the pending supervision caseload as of June 30, 1977. Of the 64,427 persons under supervision on that day, 38,846 (60%) were court probationers, 6,732 (10%) had been placed on probation by U. S. magistrates and 2,120 (3%) were pretrial diversion cases. Persons on special parole supervision increased 62%, from 1,430 in 1976 compared to 2,314 in 1977. The 17% drop in the number of parole supervision cases received was reflected in the pending caseload of 12,492 parole cases, which was 11% lower than the previous June 30 figure of 14,090.

In addition to their supervision caseloads, federal probation officers are responsible for completing a variety of investigative reports. During 1977, probation officers completed 101,725 such reports. This figure is slightly less than the 102,334 reports prepared during the previous twelve months. Of these reports, 29,678 were presentence investigations for the district courts.

FEDERAL PROBATION SYSTEM	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Persons Received	28,658	44,620	44,529	55.4	-0.2
Persons Removed	27,236	44,635	38,846	112.6	-13.0
Persons Under Supervision on June 30	38,409	64,246	64,427	67.7	0.3
Investigative Reports	59,033	102,334	101,725	72.3	-0.6

BANKRUPTCY CASES

During the twelve-month period ended June 30, 1977, the number of bankruptcy cases filed decreased 13% over the previous year, from 246,549 in 1976 to 214,399 in 1977. Bankruptcy terminations also declined to 231,509, a 3% decrease over 1976. With fewer cases filed, the pending caseload was reduced by 6%, for a total of 253,929 bankruptcy cases as of June 30, 1977.

BANKRUPTCY CASES	1970	1976	1977	Percent Change	
				1977 Over 1970	1977 Over 1976
Cases Filed	194,399	246,549	214,399	10.3	-13.0
Cases Terminated	182,430	237,793	231,509	26.9	-2.6
Cases Pending	190,627	271,039	253,929	33.2	-6.3

ADMINISTRATION OF THE CRIMINAL JUSTICE ACT

The Criminal Justice Act of 1964 provides for court-appointed counsel for indigent persons who require legal representation within the federal judicial system. The administration of the Criminal Justice Act is primarily a fiscal responsibility since payment is required for the services of the appointed attorneys. The attorneys may be private attorneys who are selected from the Criminal Justice Act panel in their districts or they may be members of either a federal public defender organization or a community defender organization established under provisions of the Act.

Because the fiscal year does not end until September 30, it is necessary to use partially estimated figures which indicate that approximately 48,000 persons will be represented by appointed counsel during fiscal year 1977, 3,000 in the courts of appeals and 45,000 in the district courts. For fiscal year 1978, the estimated figure is 50,000 with about 46,855 at the district level. Actual data for the first half of fiscal year 1977, which ended March 31, 1977, show that there were 20,614 representations in the federal courts compared to 19,613 in the first half of fiscal year 1976 and 18,545 in 1975.

In the first half of fiscal year 1977, Federal Public Defenders represented 6,744 persons or 33% of the total 20,614 representations. Community Defenders accounted for 3,203 persons, or 16% of the total.

The estimated average payment for court-appointed counsel for both fiscal years 1977 and 1978 is \$360 for district court cases and \$760 for courts of appeals representations.

THE JUDICIAL DOLLAR

During 1977, salaries of judges and supporting personnel in the courts accounted for 34 cents of every judicial dollar. Space and facilities, including furniture and furnishings, represented 20% of fiscal year 1977 obligations.

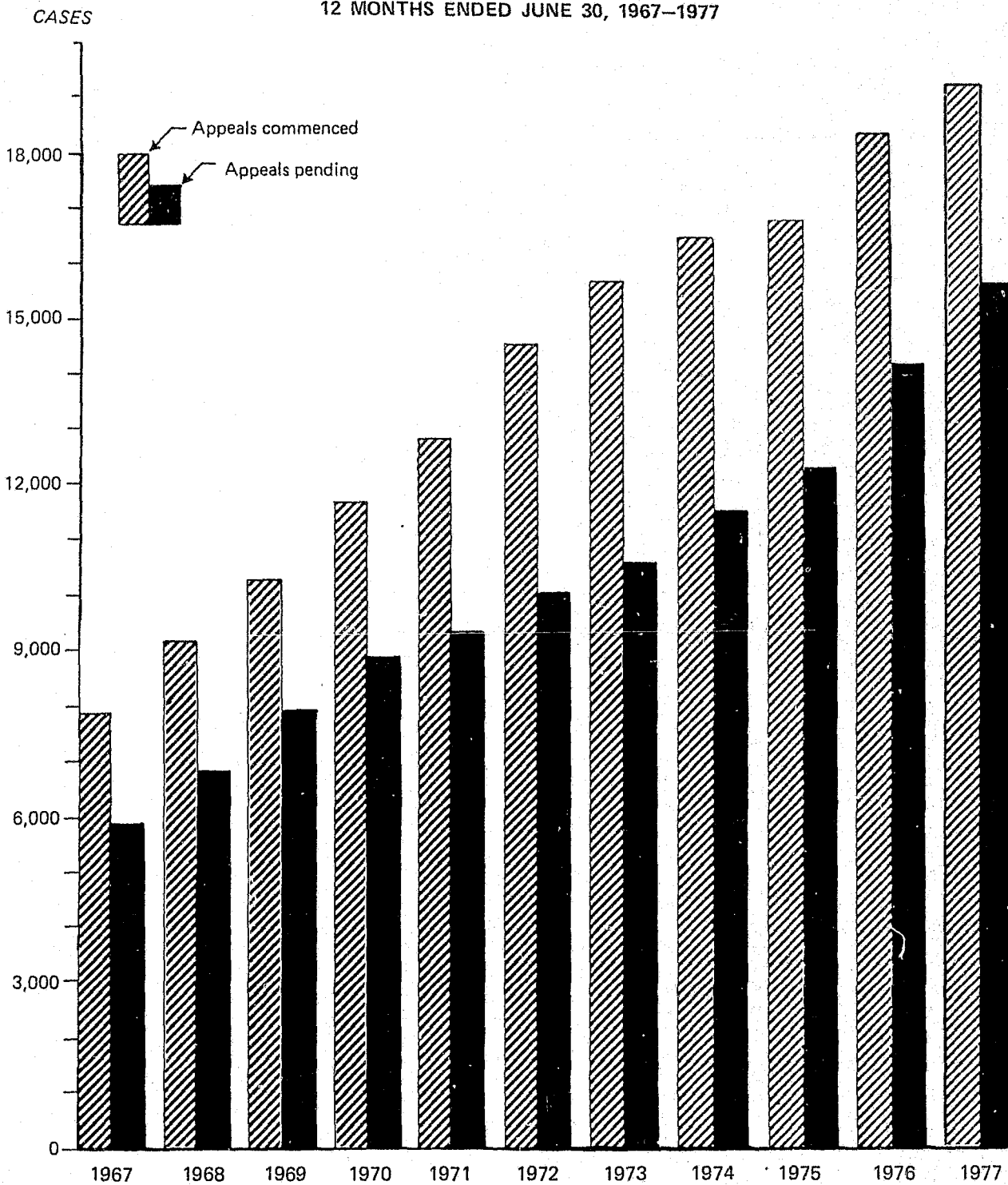
PERSONNEL IN THE FEDERAL JUDICIARY

As of June 30, 1977, total personnel in the Federal Judiciary increased almost 5% over the previous year, from 11,290 in 1976 to 11,825 in 1977. Judges and their staff comprised 22% of the total personnel. The offices of the clerks and probation officers each accounted for approximately 24% of federal judicial personnel.

Bankruptcy judges and their staff comprised 11% of total personnel. U. S. magistrates and supporting personnel accounted for 6% and the proportion of federal public defenders and staff was 2%. The Administrative Office and the Federal Judicial Center together accounted for 4% of the entire judicial personnel.

APPEALS COMMENCED AND PENDING

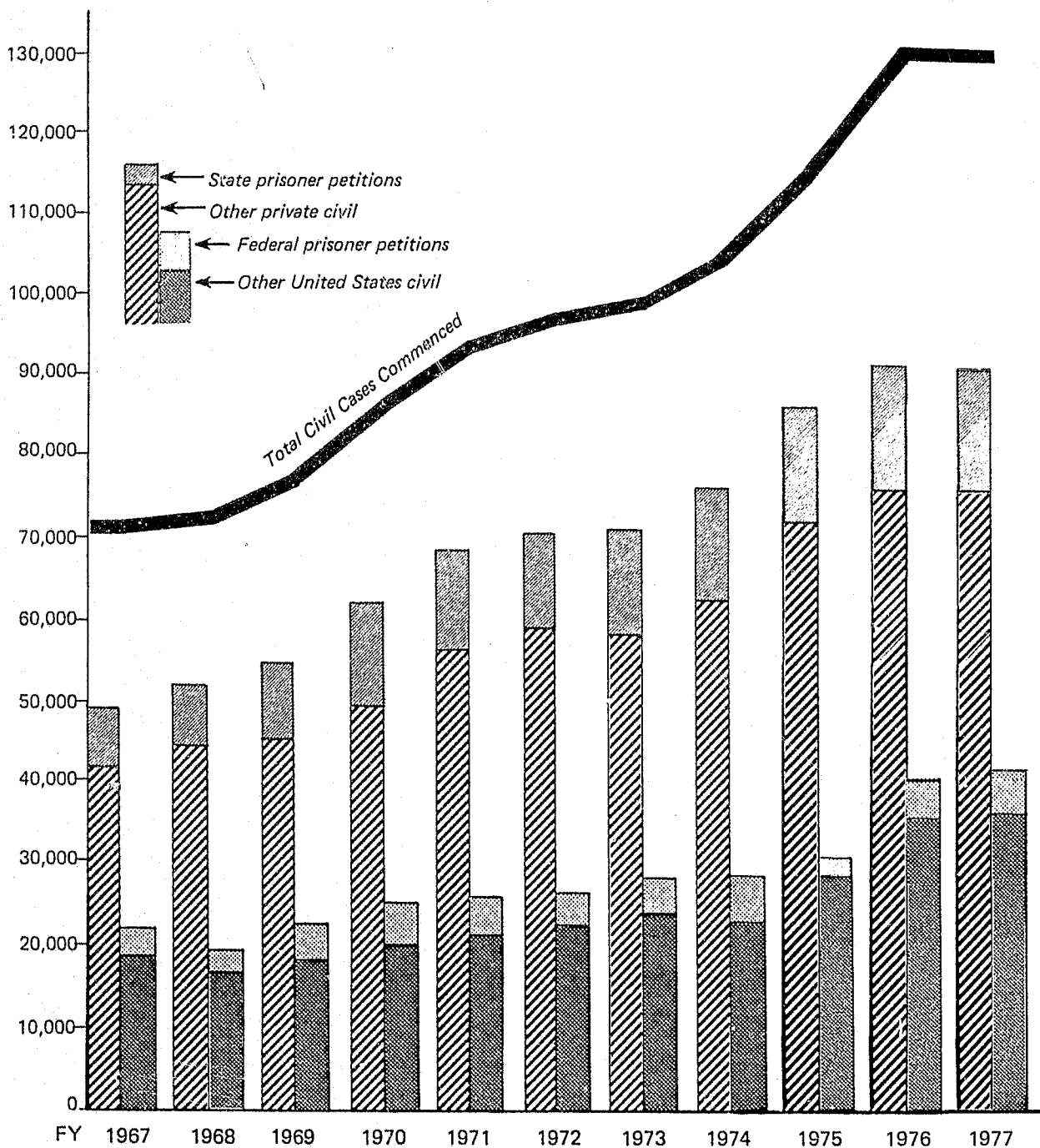
12 MONTHS ENDED JUNE 30, 1967-1977



CIVIL CASES COMMENCED

12 MONTHS ENDED JUNE 30, 1967-1977

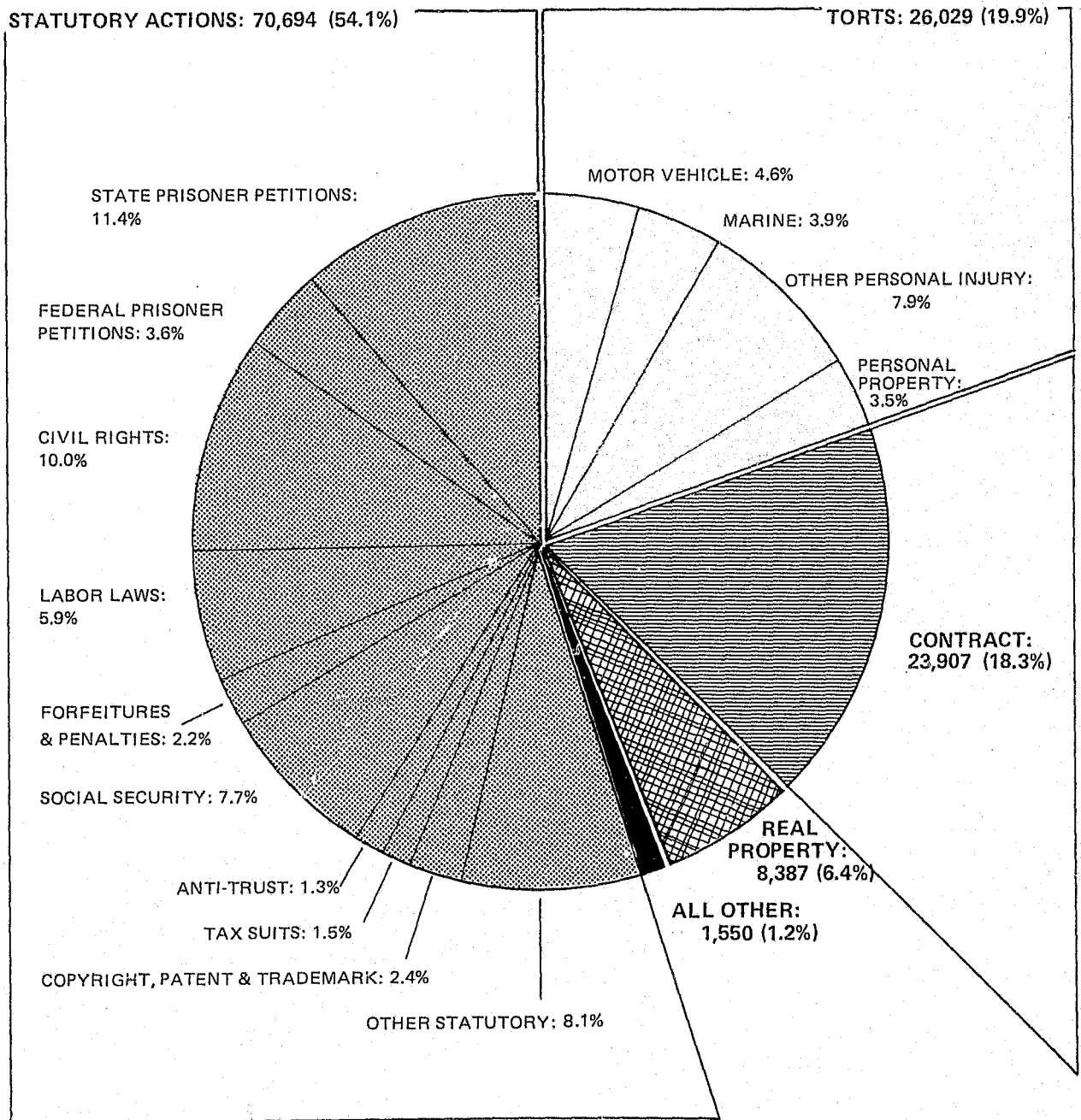
CASES



TYPE OF CIVIL CASES COMMENCED

12 MONTHS ENDED JUNE 30, 1977

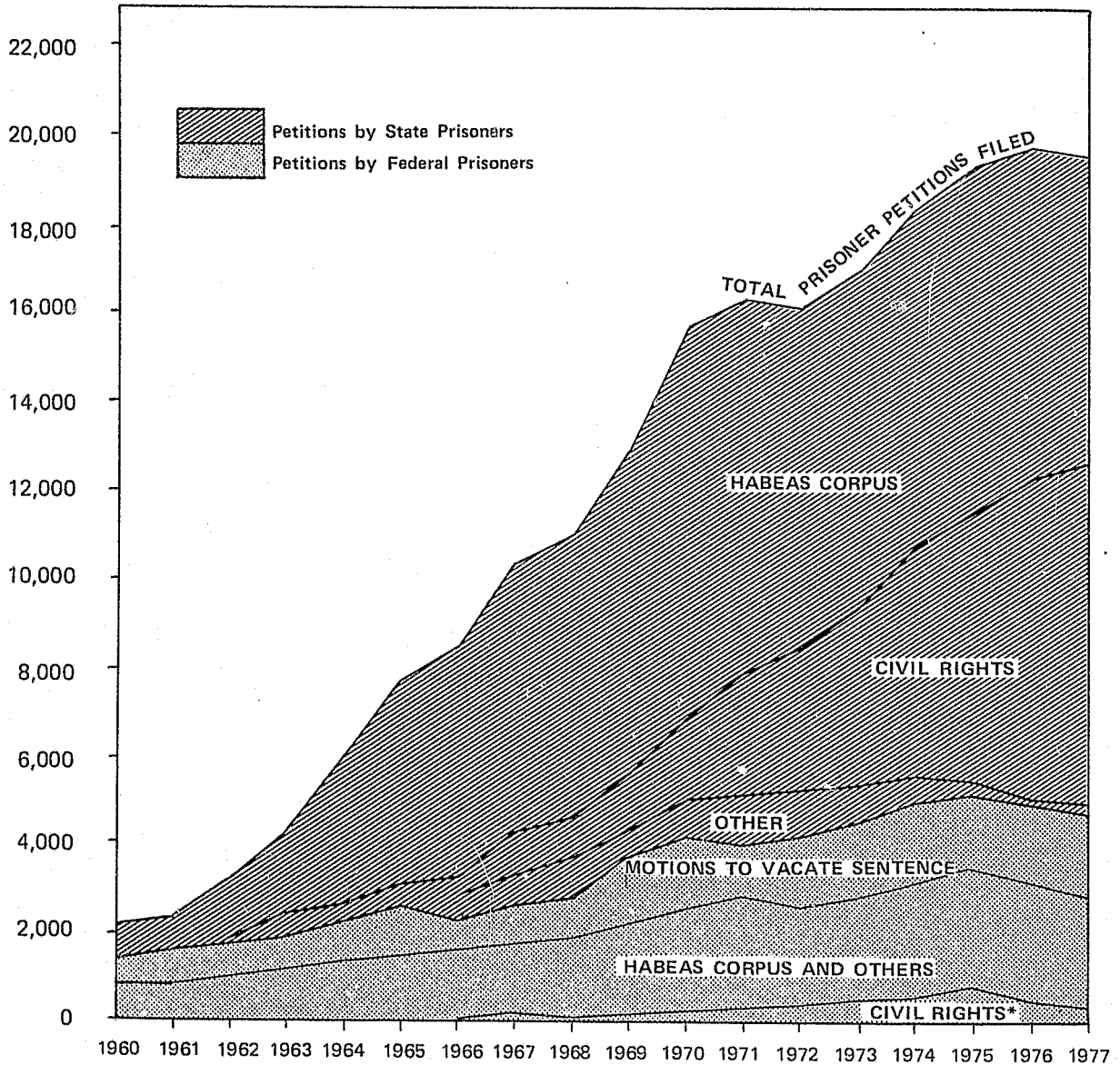
TOTAL CIVIL CASES: 130,567



PETITIONS FILED BY STATE AND FEDERAL PRISONERS

12 MONTHS ENDED JUNE 30, 1960-1977

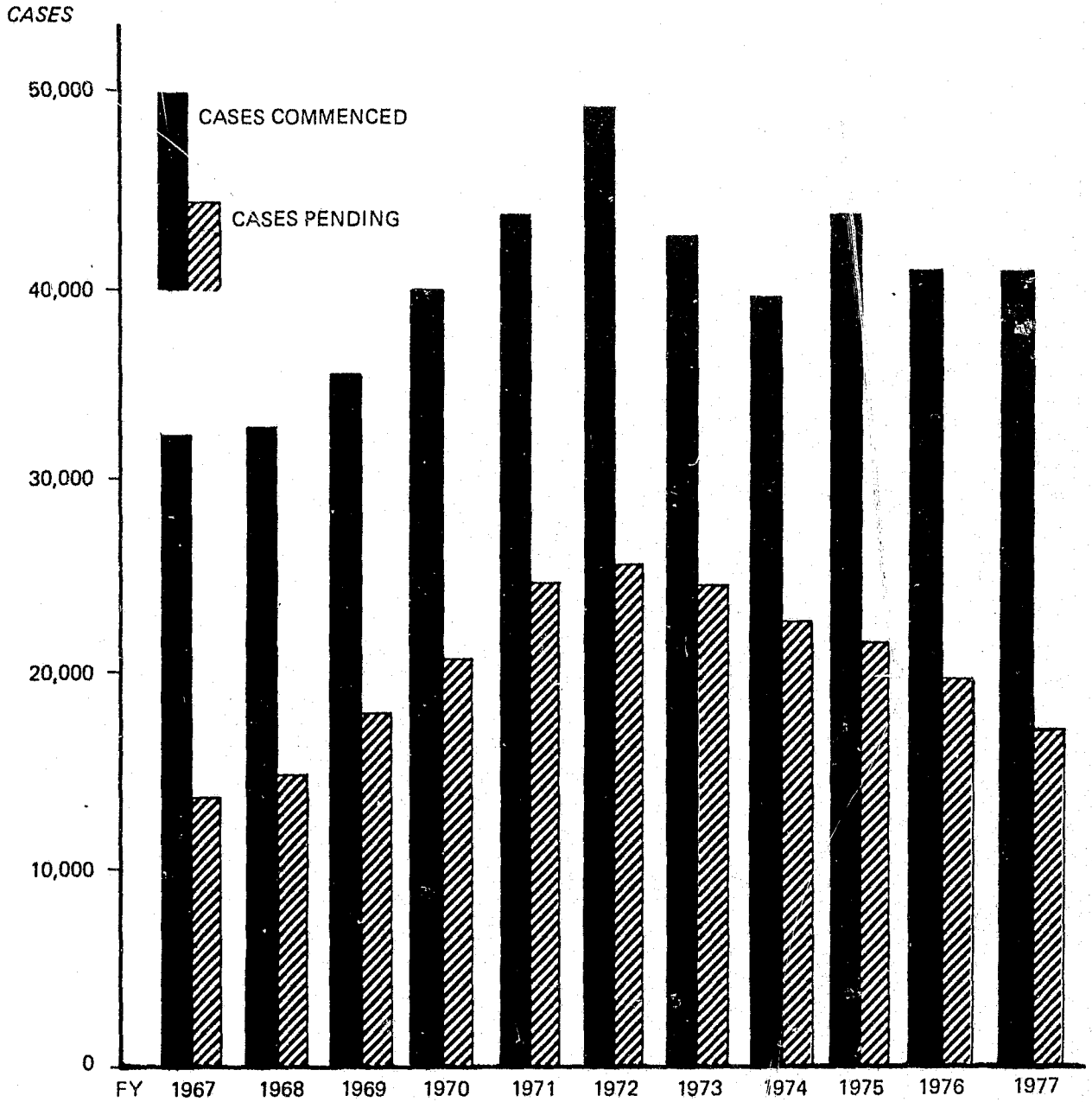
NUMBER OF PETITIONS



*"Civil Rights" prior to 1966 are included in "Other Prisoner Petitions".

ALL CRIMINAL CASES COMMENCED* AND PENDING

12 MONTHS ENDED JUNE 30, 1967-1977

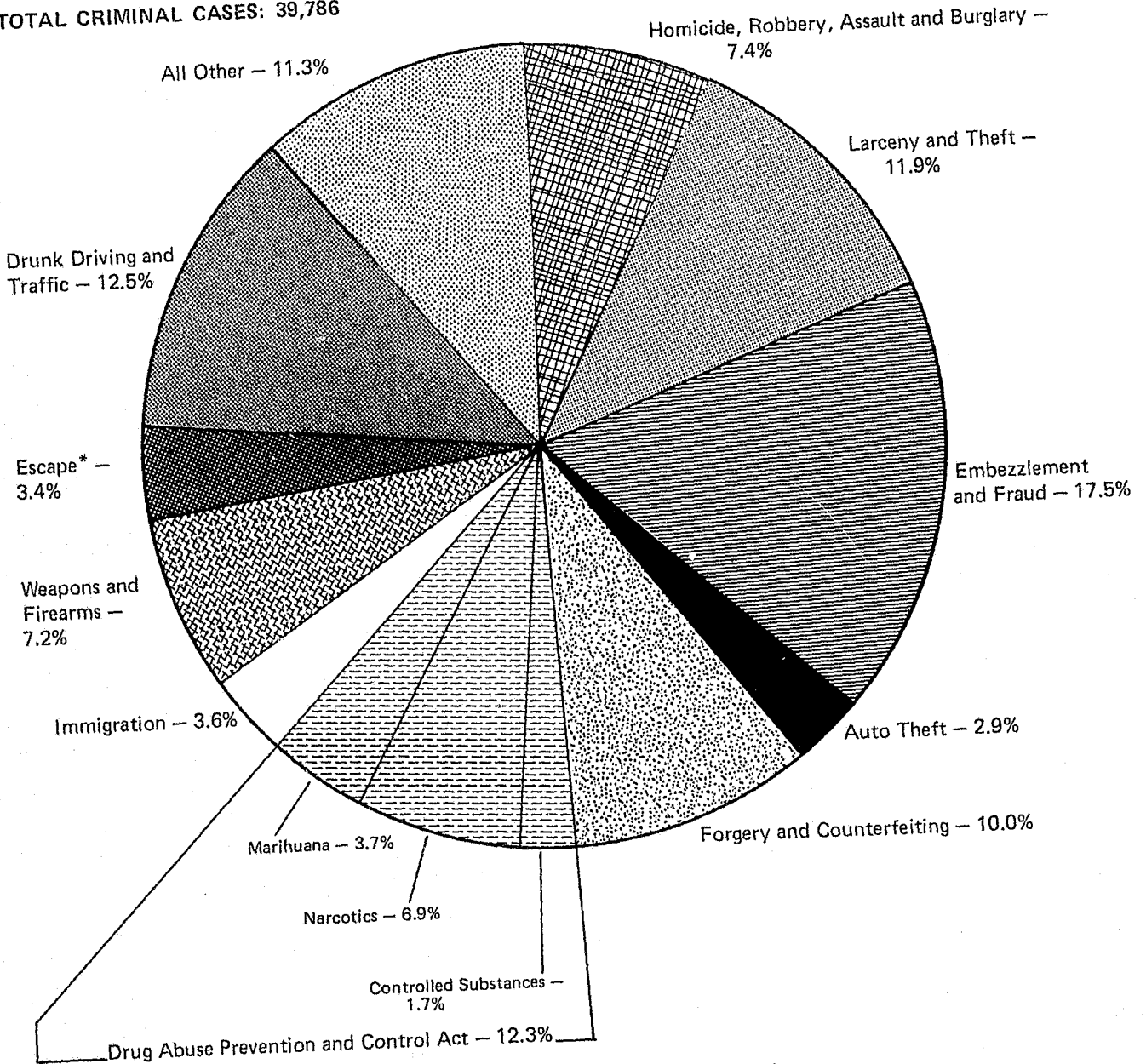


*Includes transfers.

ALL CRIMINAL CASES COMMENCED BY OFFENSE¹

12 MONTHS ENDED JUNE 30, 1977

TOTAL CRIMINAL CASES: 39,786



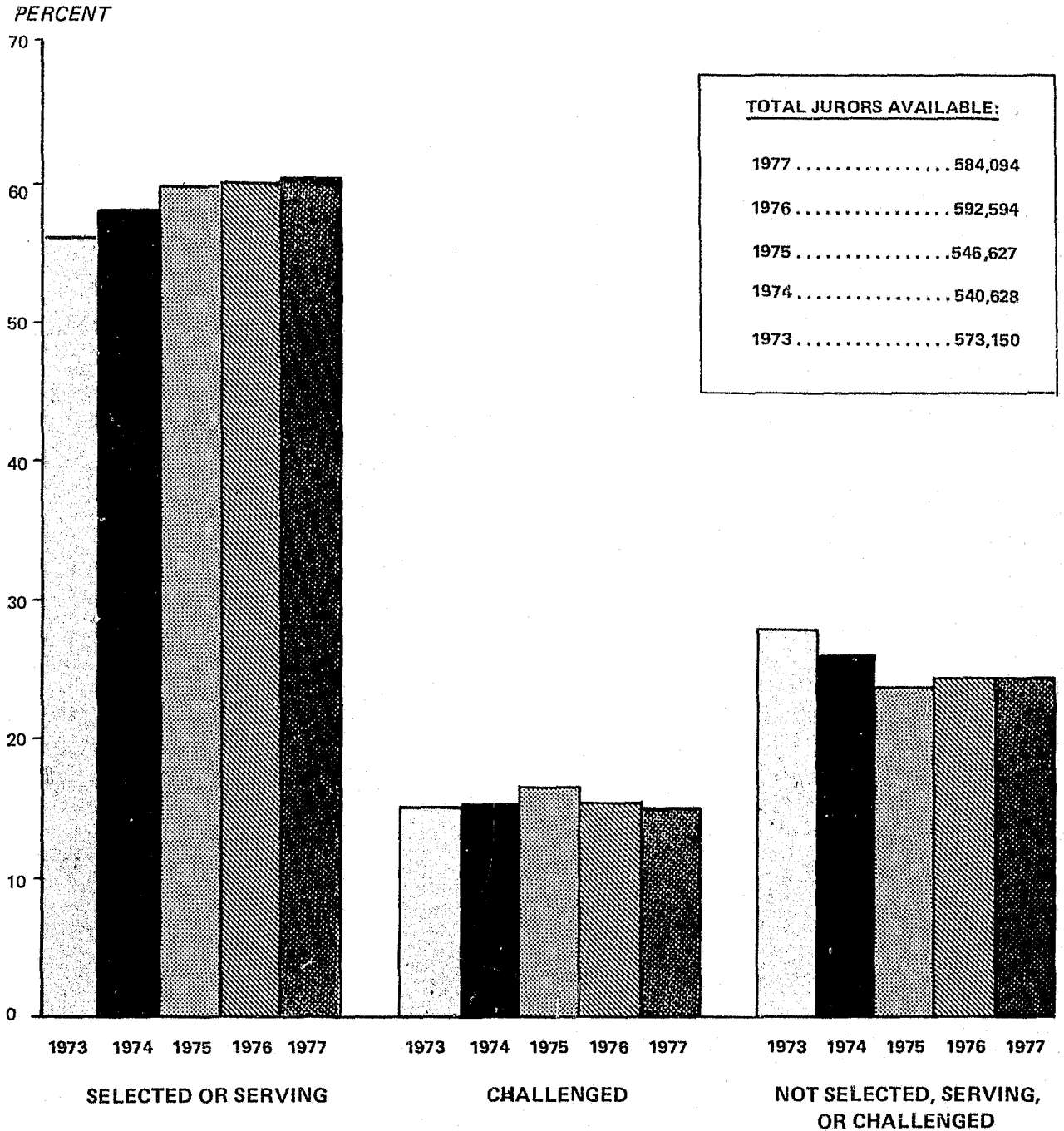
*Escape from custody, aiding or abetting an escape, failure to appear in court and bail jumping.

¹Includes all offenses reported filed in the federal district courts in accordance with reporting changes necessitated by the implementation of provisions of the Speedy Trial Act of 1974 (P.L.93-619, approved January 3, 1975).

All figures exclude transfers.

PETIT JUROR USAGE

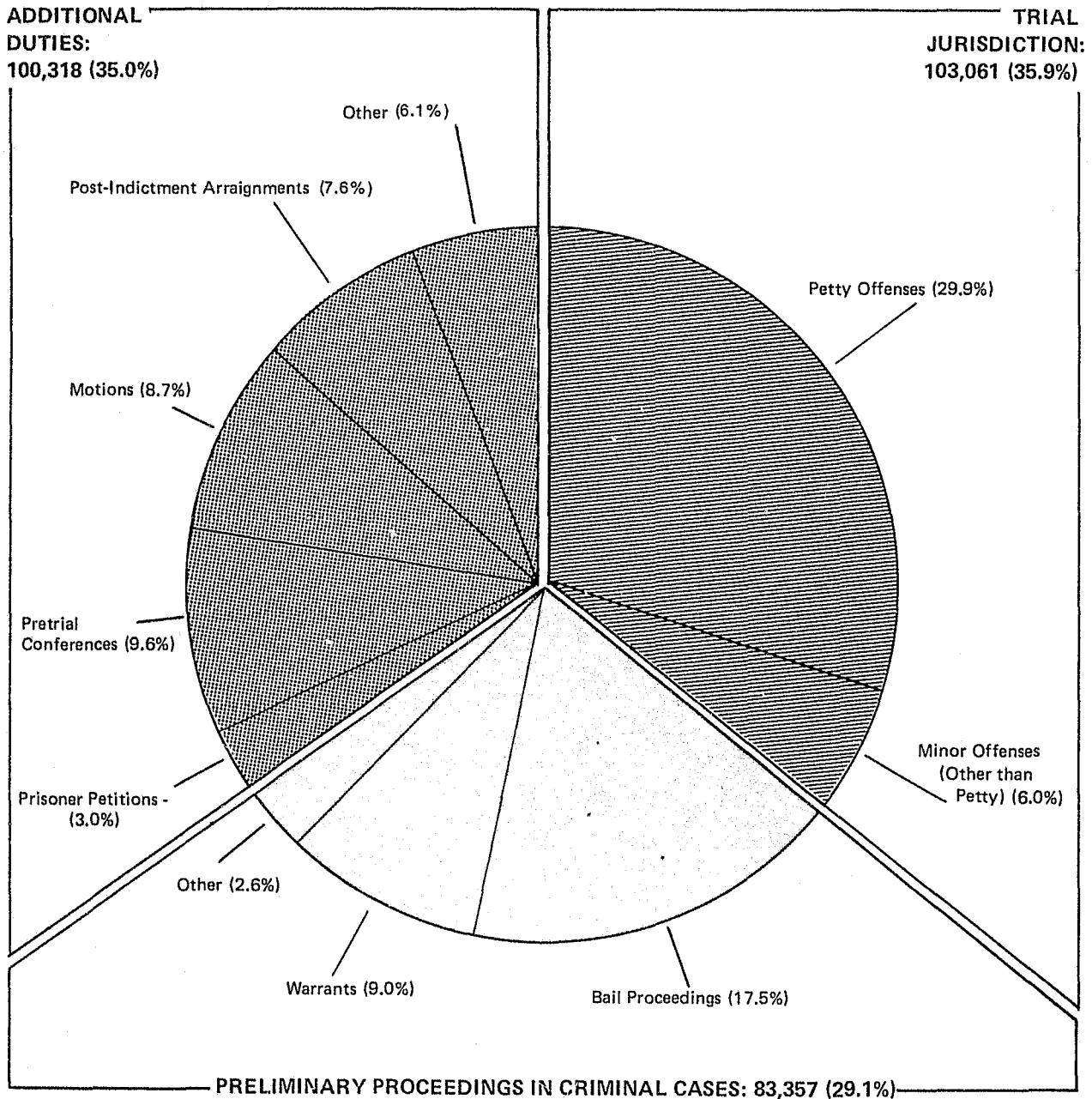
12 MONTHS ENDED JUNE 30, 1973-1977



DUTIES PERFORMED BY UNITED STATES MAGISTRATES

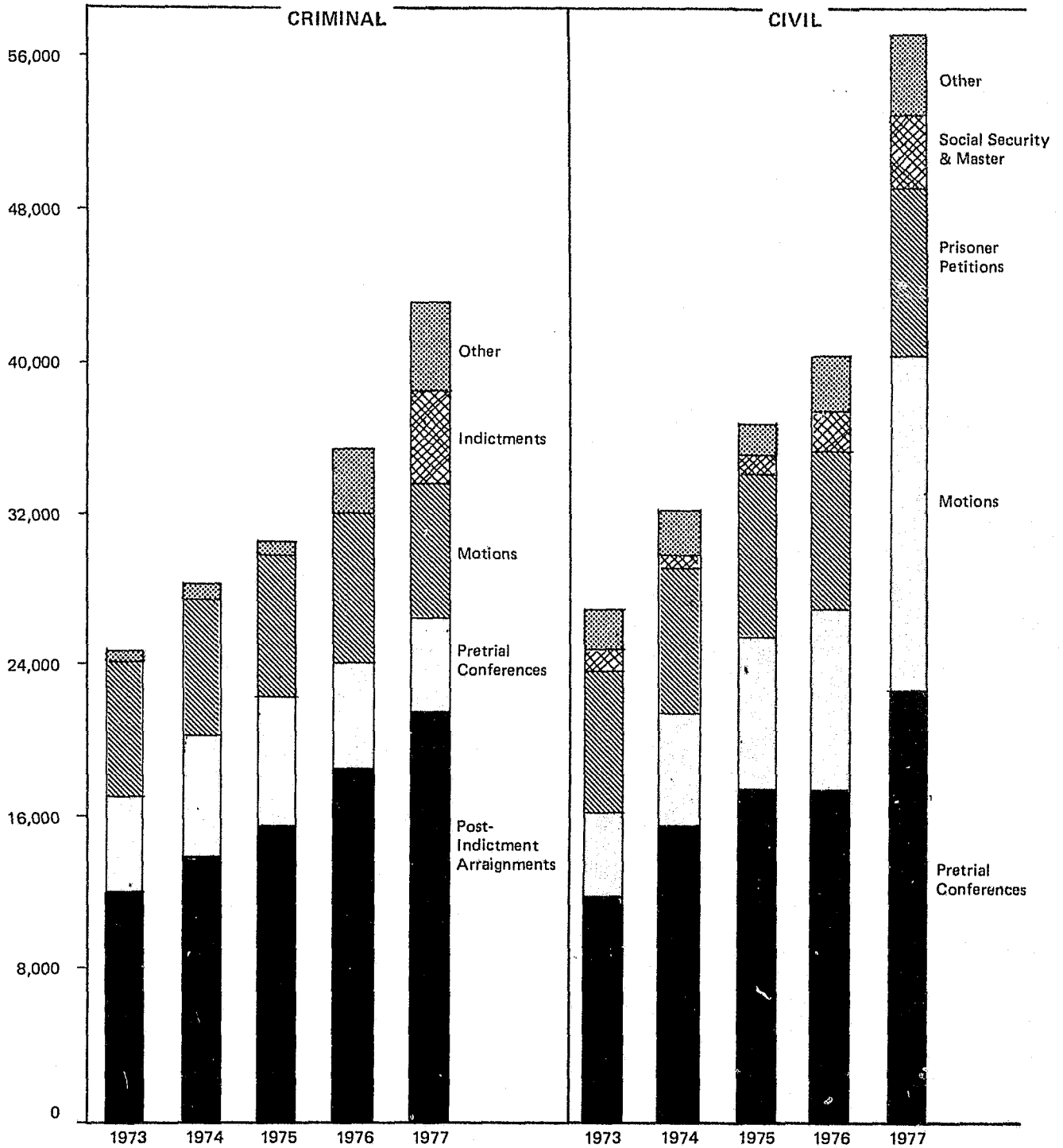
12 MONTHS ENDED JUNE 30, 1977

Total (all matters) = 286,736 (100%)



"ADDITIONAL DUTIES" PERFORMED BY U.S. MAGISTRATES UNDER 28 U.S.C. 636(b)

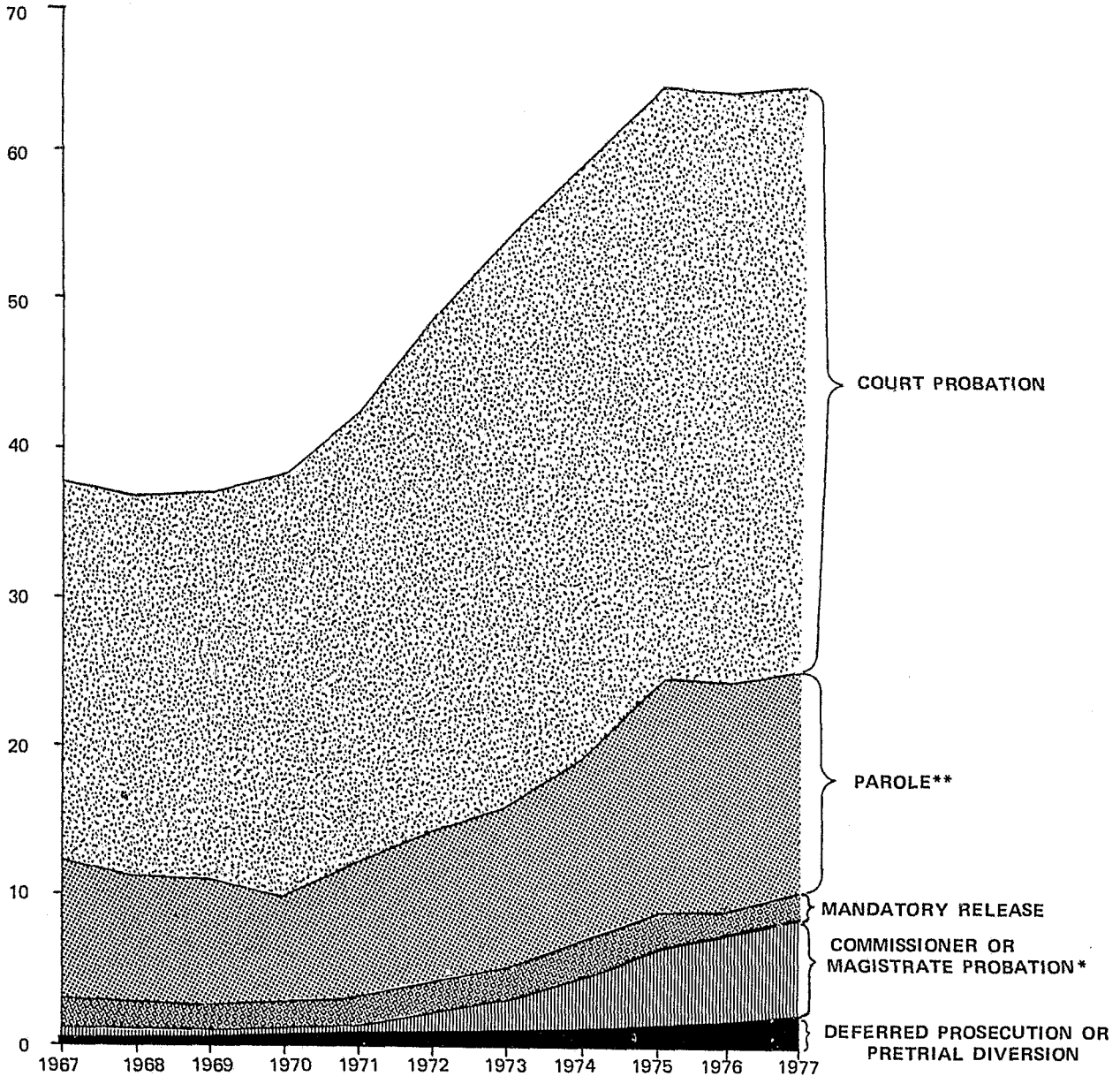
12 MONTHS ENDED JUNE 30, 1973-1977



PERSONS UNDER SUPERVISION OF THE FEDERAL PROBATION SERVICE ON JUNE 30 BY TYPE OF SUPERVISION

1967-1977

Thousands

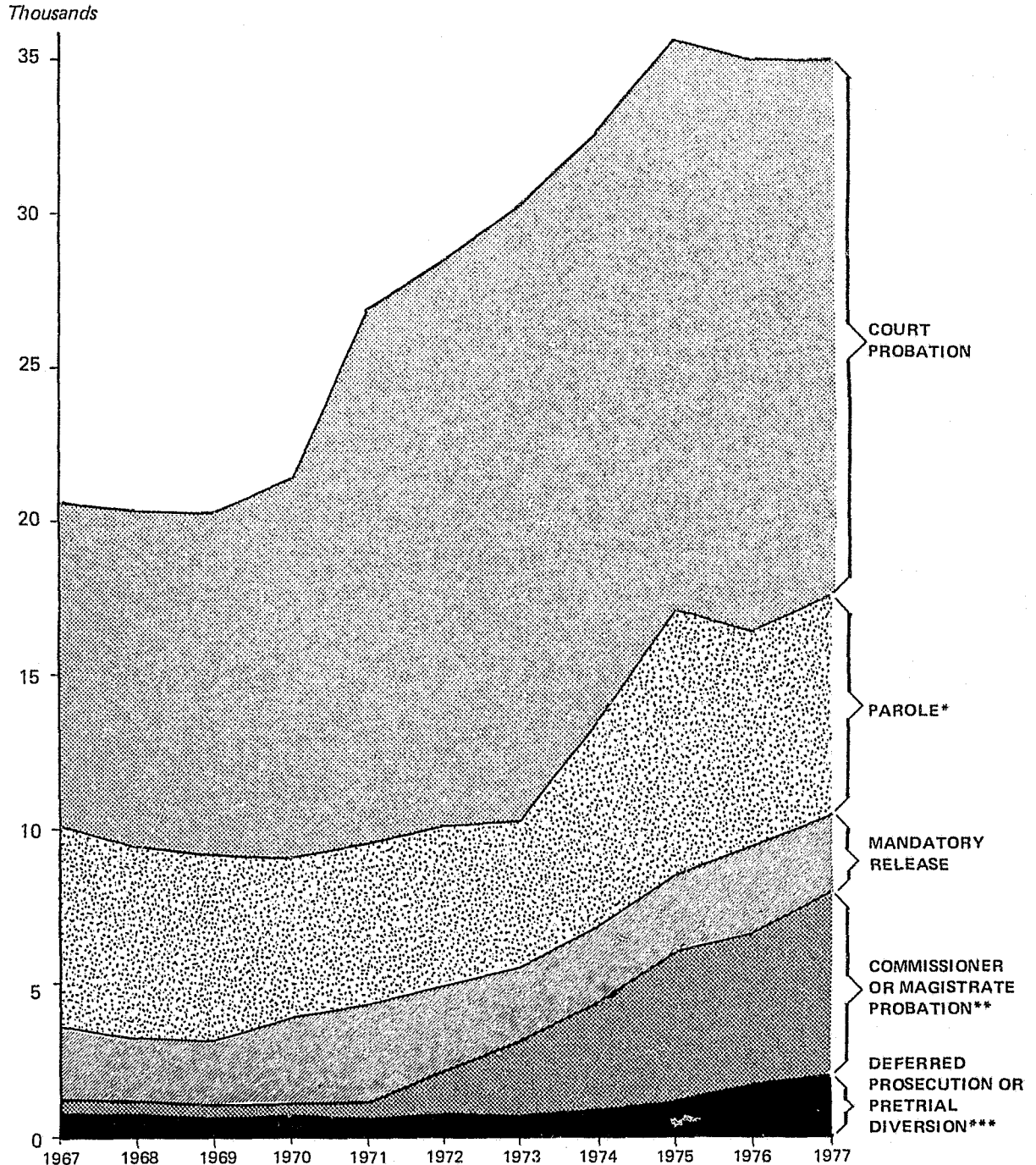


*The Federal Magistrates Act came into full effect as of July 1 1971.

**Includes Military Parole and Special Parole.

TYPE OF SUPERVISION FOR PERSONS RECEIVED BY THE FEDERAL PROBATION SERVICE (EXCLUSIVE OF TRANSFERS)

12 MONTHS ENDED JUNE 30, 1967-1977



*Includes Military Parole and Special Parole.

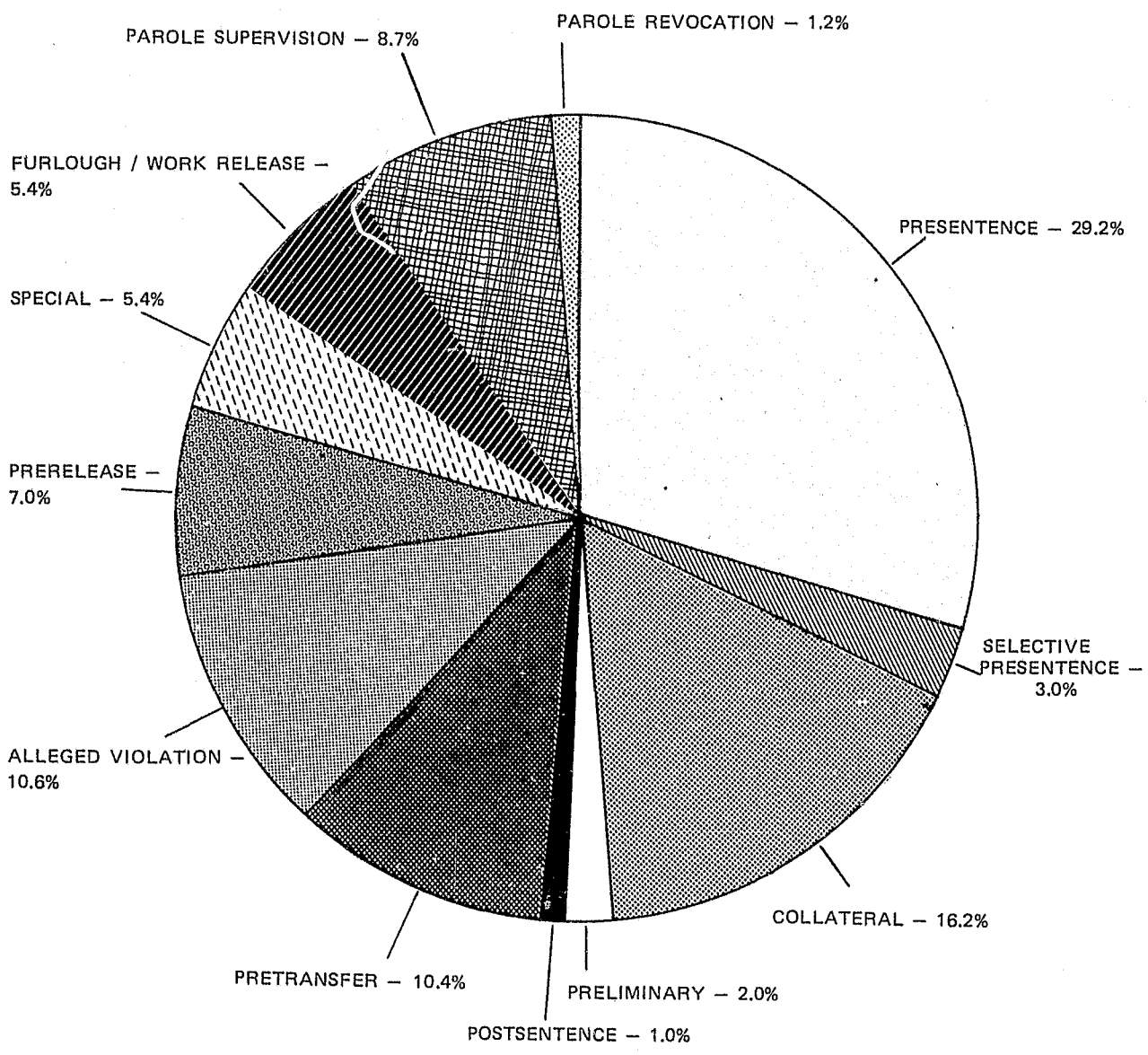
**The Federal Magistrates Act came into full effect on July 1, 1971.

***Beginning July 1, 1976 term pretrial diversion replaced deferred prosecution.

INVESTIGATIVE REPORTS BY PROBATION OFFICERS

12 MONTHS ENDED JUNE 30, 1977

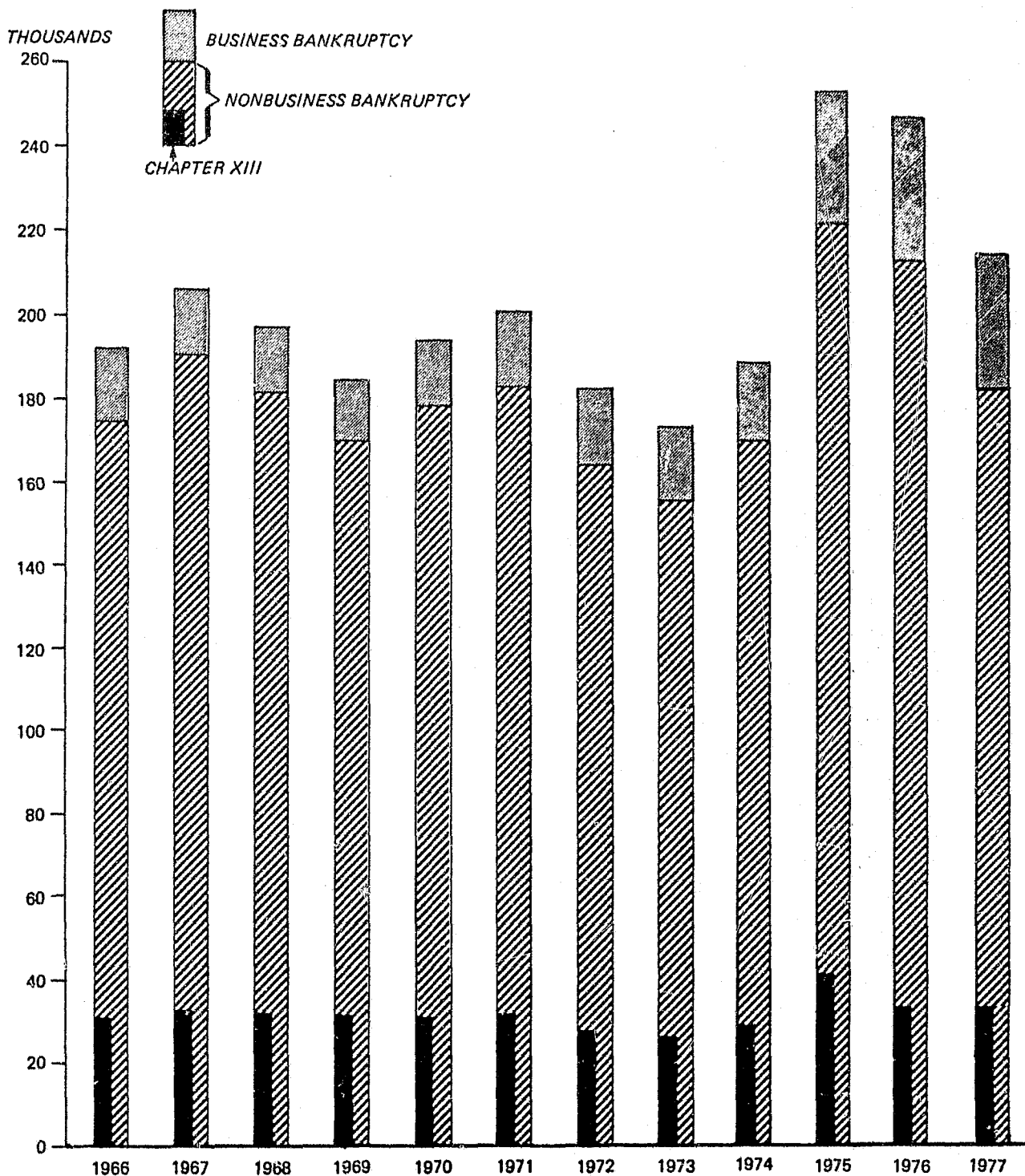
TOTAL INVESTIGATIVE REPORTS: 101,725



BANKRUPTCY CASES COMMENCED

BUSINESS AND NONBUSINESS (INCL. CHAPTER XIII)

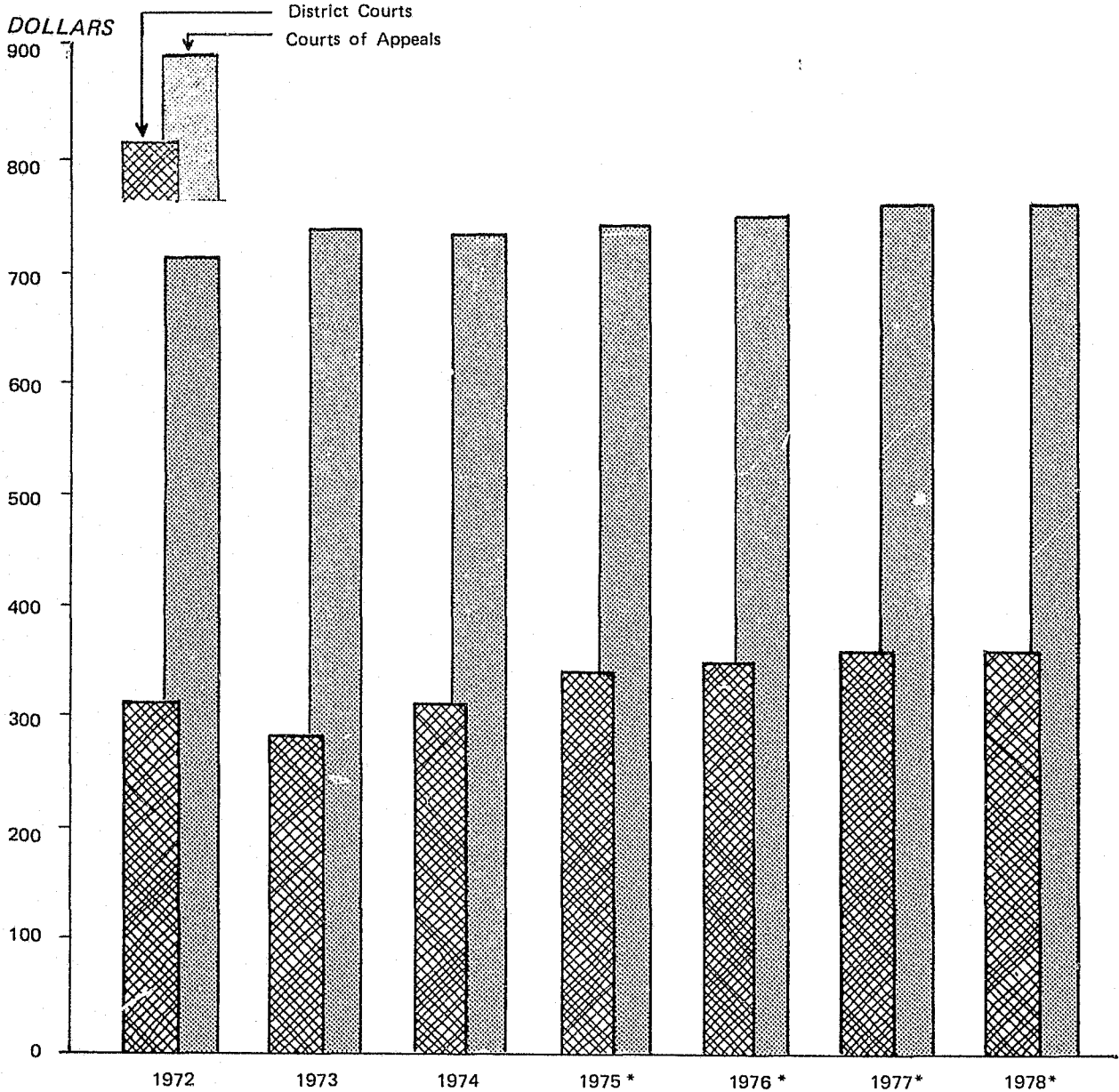
YEARS 1966 - 1977



CRIMINAL JUSTICE ACT

12 MONTHS ENDED JUNE 30, 1972-1978

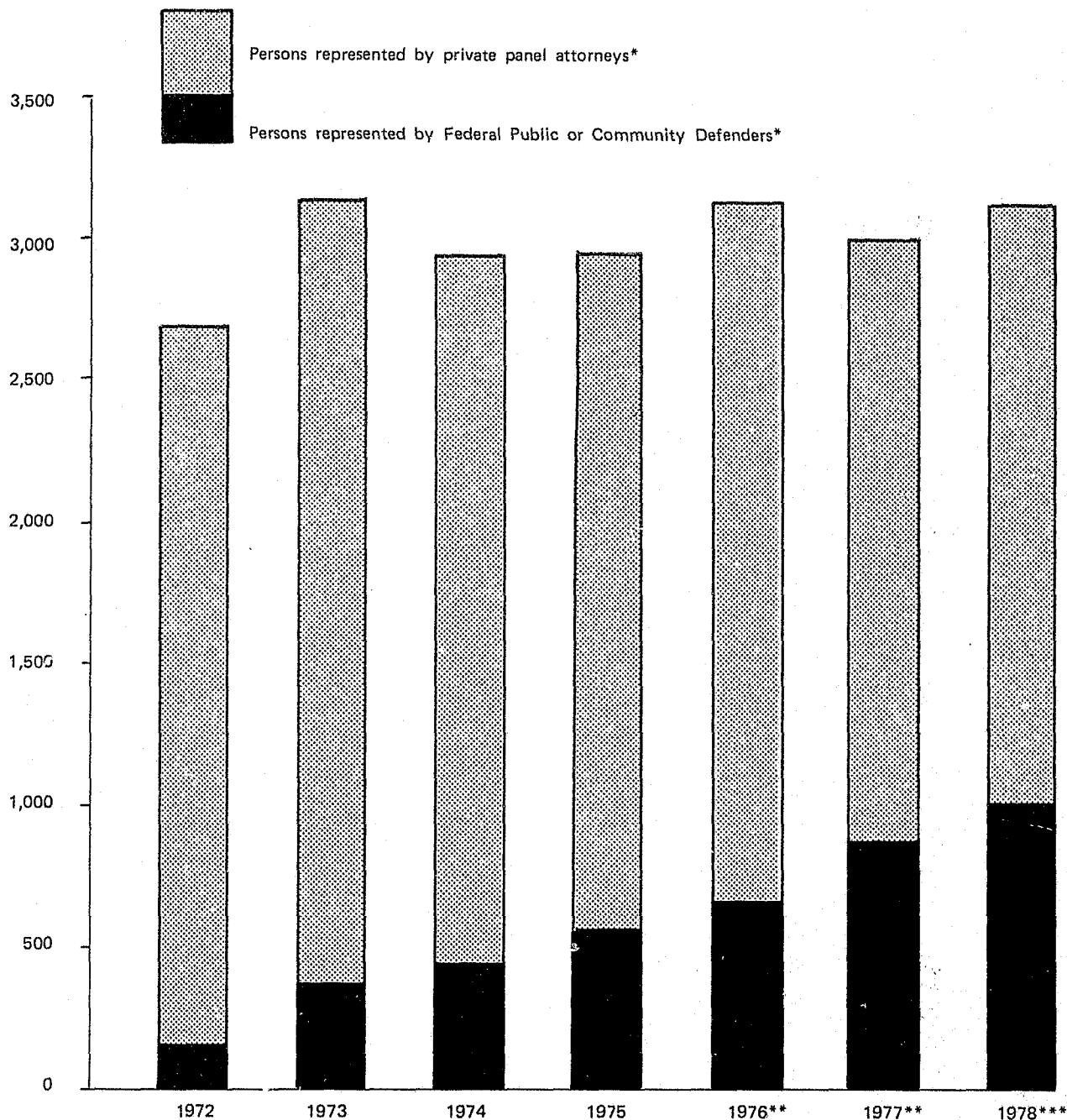
AVERAGE PAYMENT TO PRIVATE PANEL COUNSEL. (Excluding D.C. Court of Appeals and the Superior Court for the District of Columbia)



*Estimated

CRIMINAL JUSTICE ACT

Number of persons represented during twelve month period ended June 30, 1972 through 1978



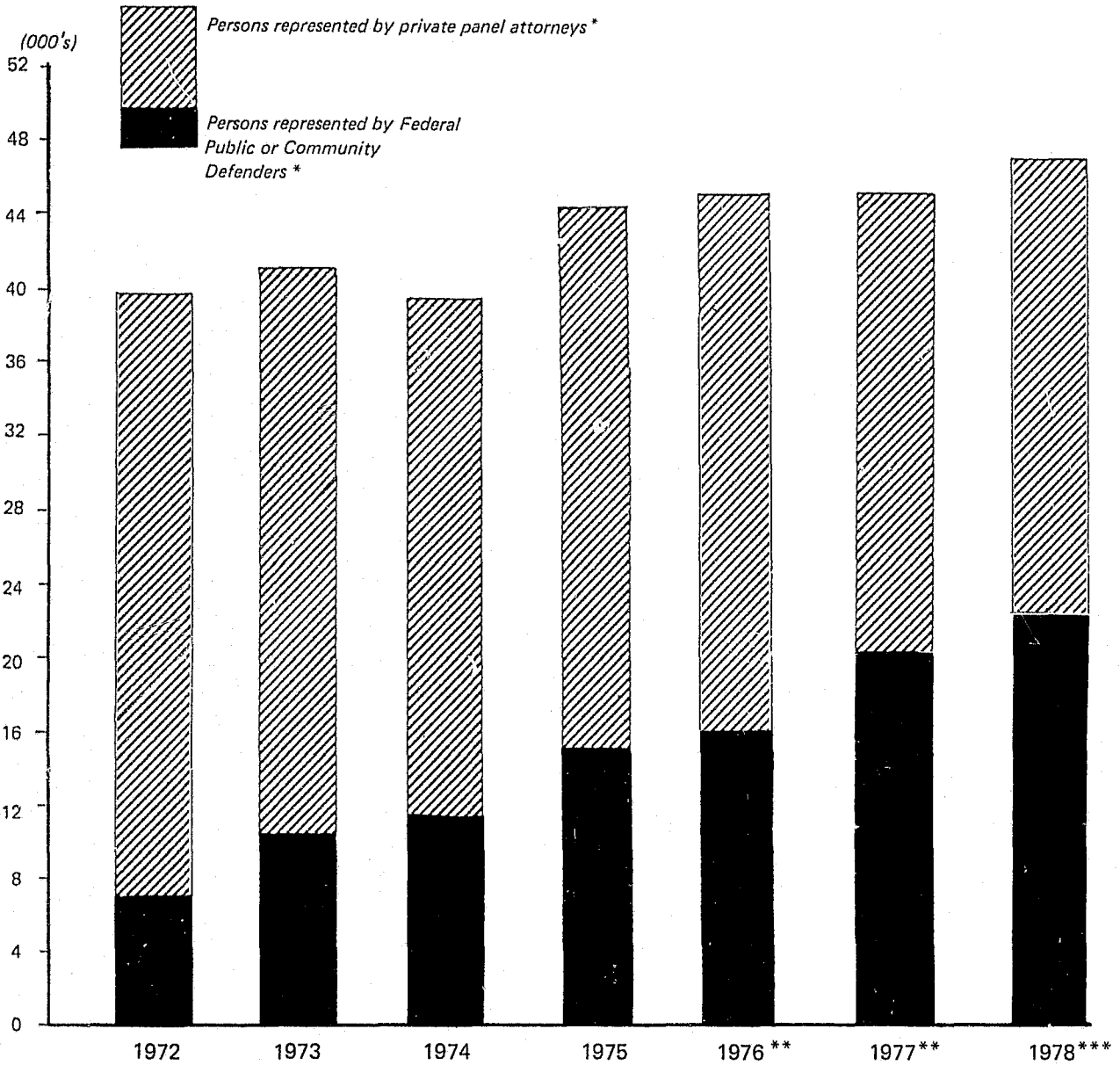
*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through FY 1976. Beginning with 1977, the Southern District of California will be included with community defenders.

**Persons represented by private panel attorneys estimated based upon actual data through 3/31/77.

***Estimated.

CRIMINAL JUSTICE ACT

NUMBER OF PERSONS REPRESENTED DURING
TWELVE MONTH PERIOD ENDED JUNE 30, 1972 THROUGH 1978



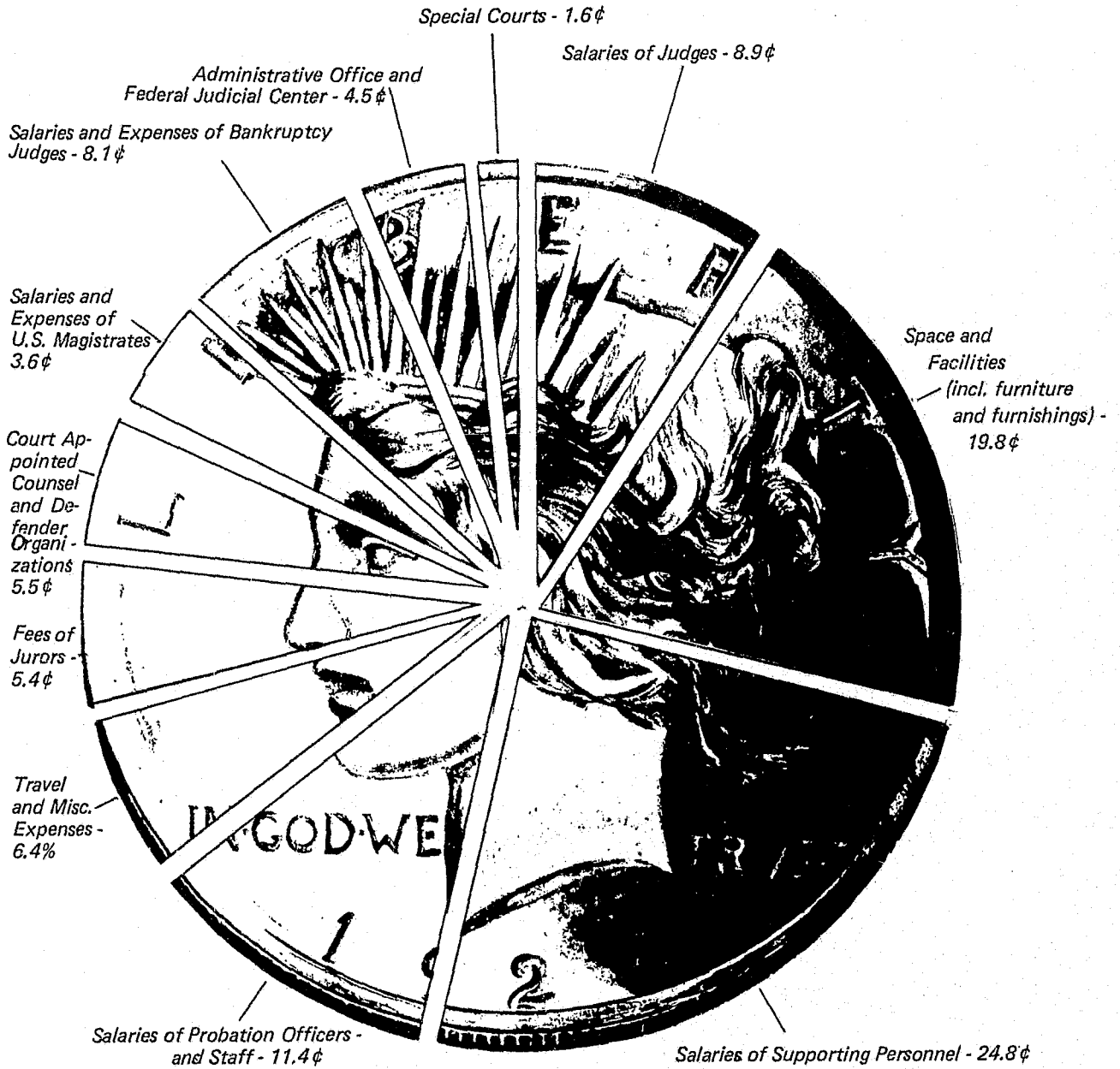
*Community Defender organization at San Diego, California, which had operated on a fee basis is included with private panel attorneys through FY 1976 and community defenders in FY 1977 and 1978.

**Persons represented by private panel attorneys estimated based upon actual data through 3/31/77.

***Estimated.

THE JUDICIAL DOLLAR

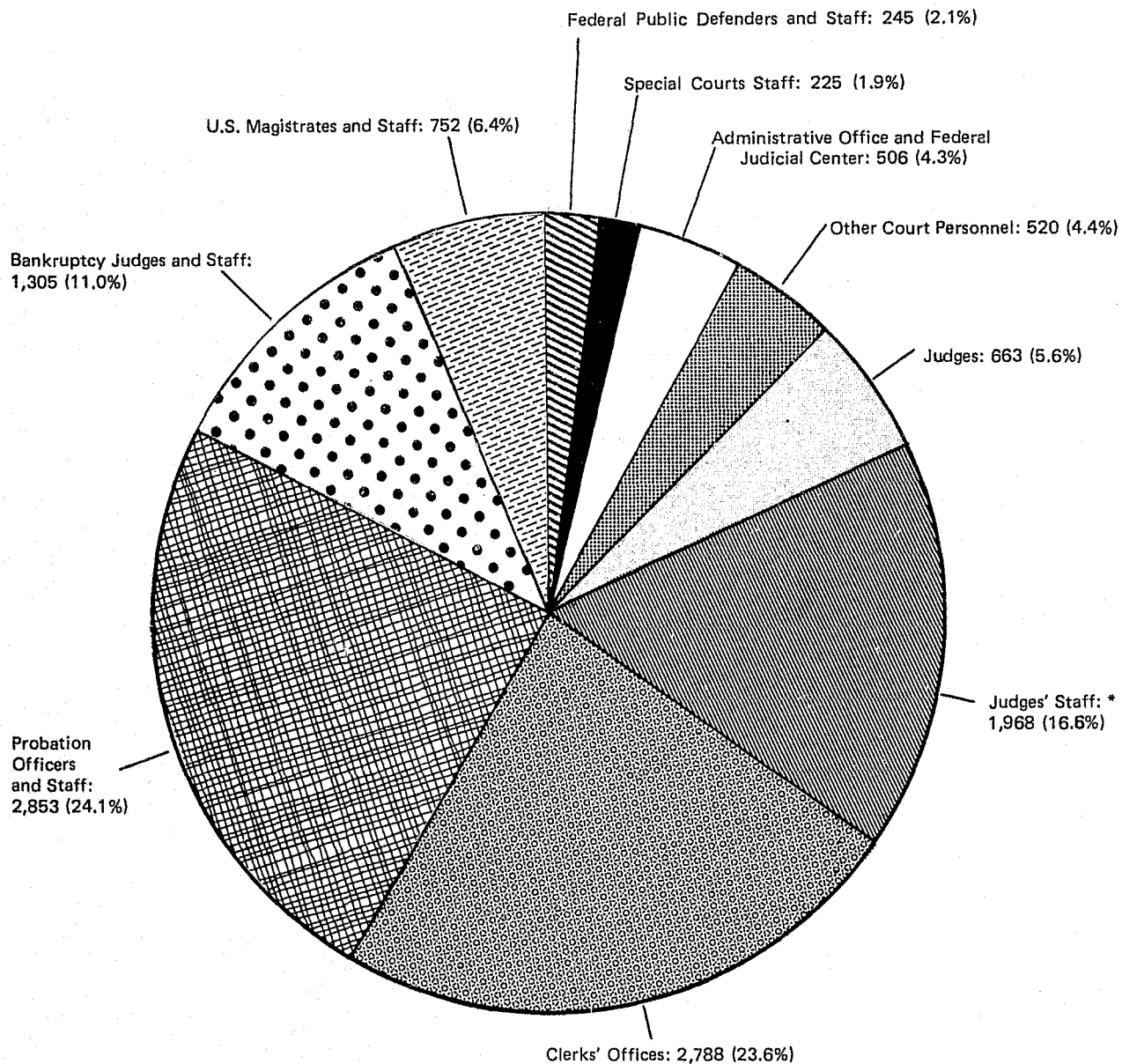
PROJECTED OBLIGATIONS* - FISCAL YEAR 1977 ENDING SEPT. 30, 1977



PERSONNEL IN THE U.S. JUDICIARY

12 MONTHS ENDED JUNE 30, 1977

TOTAL PERSONNEL: 11,825



*Secretaries, Law Clerks, and Criers



END