



A great amount of time and scholarly research has gone into analyzing the cases taken on  
s of the cases heard before the Supreme  
Court, but also how many cases the Justices chose to hear in the first place. Less attention is paid  
disparity in attentions in part due to the differences between the appeals and case selection  
processes in each courthe Supreme Court has discretionary review of cases that come before  
it, meaning they can choose which out of the thousands of appeals to hear. The Circuit  
have mandatory review, meaning that they must hear every appeal brought to them, creating  
quite the caseload for the Circuit Court. However, perhaps the most intense caseloads can be  
As the trial court for the Federal  
Courts, every federal case begins in a District Court, meaning that the District Courts carry the  
largest caseload out of the entire federal system.

Despite this, not much academic work has been done analyzing the caseload the  
district courts, and how the caseloads may vary across different states. Additionally, there is little  
to no media coverage regarding this topic, despite the importance of the district courts in our  
national judicial system. However, lookingthe caseloads faced by the districts encompassing  
individual states, it becomes apparent that the federal caseload can be and is in certain cases a  
problem that can negatively impact the citizensand the administration of justicein the  
affected state.

## Introduction: Origins of this Report

This issue was first brought to the attention of the William J. Hughes Center for Public Policy at an event hosted in late January of this year. Former White House Counsel Don McGahn, in the course of an event title





## The District of New Jersey Caseload: The Numbers

According to the Federal Court Management Statistics, the last time that the New Jersey District Court was without a vacancy of some kind was 2013. For this reason, we chose 2013 as the first year of our analysis and comparison. In this section, we will analyze several different statistics recorded by the Federal Courts, including Pending Cases per Judgeship, Vacant Judgeship Months (how many months per year vacancies were left unfilled in the District), Pending Cases (across the entire district), and Total Case Filings. While Pending Cases per Judgeship, Pending Cases, and Total Case Filings all deal with the cases, Judgeship Months deal directly with the vacancies. The Federal Court Management Statistics define

year, then that adds 12 months to the total, allowing an approximate measure of how many seats are vacant and how long they have been vacant in the data.

In 2013, there were only an average total of 536 pending civil and criminal felony cases per judgeship at the end of the year in the New Jersey District. The number of pending cases increased slightly over the next few years, reaching 690 pending cases per judgeship at the end of 2016. This number was despite the fact that there were 4 vacancies in the entire

In 2017, the number of Pending Cases per Judgeship began to dramatically increase (see Figure 1). By the end of 2017, the Pending Cases per Judgeship reached 1,040 cases, a 50.7% increase from the end of 2016, and a 76.6% increase from two years prior. Despite the total Vacant Judgeship Months being lower at the end of 2017 as compared to both 2015 and 2016, the Pending Cases per Judgeship jumped by over 300 cases per judgeship in a single year. This

was likely due to a sudden increase in total civil and criminal felony filings (including supervised release hearings) in 2017, which saw a jump from 11,341 filings in 2016 to 16,694 total filings in 2017 a 47.2% increase.

The Pending Cases per Judgeship numbers continued to get worse, reaching 1,469 cases per Judgeship in 2018, and 2,280 cases by the end of 2019 (the most recent data), a 41.2% and 55.2% increase respectively. In just three years, the total pendi

have either retired completely from the district or passed away in office.<sup>9</sup> While judges who

continue to serve and receive a reduced caseload. Seniority status is designated based on age and years of service, with the total age and years of service having to total 80 years combined.<sup>10</sup>

to serve and hear cases.

Figure 2: Vacant Judge Months in the New Jersey District

	2013	2014	2015	2016	2017	2018	2019
Vacant Judge Months	0	9.6	37.4	48	31	27.4	67.5

Because there are still several Senior Judges serving in the New Jersey District, who hear a slightly reduced caseload, there was only a slight increase in the Pending Cases per Judgeship in 2015 and 2016 (the first years where vacancies went unfilled) ~~ever~~, 2017 is when we



2017, the District began to see a drastic increase in filings, with 2019 seeing almost 7,000 more filings than 2018, which had already eclipsed 20,000 total. This rise in filings is notable when compared to the numbers present in the years of analysis, and if they continue to rise as they have, could create further problems for the District down the road.

Figure 3: Total Civil and Criminal Filings in the New Jersey District

	2013	2014	2015	2016	2017	2018	2019
Filings	9,525	9,861	10,574	11,341	16,694	20,184	27,017
% Change in Filings from Prev. Year	N/A	3.5%	7.2%	7.3%	47.2%		

% Change from Prev. Year	N/A	6.6%	3.1%	17.1%	50.9%	41.2%	55.4%
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In the last seven years, the caseload in New Jersey has clearly increased at an unprecedented rate. However, the increase becomes more noteworthy when compared to neighboring districts and states (Figure 5). While some nearby states have far lower numbers than New Jersey ever had (i.e. Delaware, Connecticut; not included for this reason), some districts did have comparable numbers in the early years of our analysis. For example, the Eastern District of Pennsylvania had Total Pending Cases that were similar to those -12,000 cases range until 2017, during that same period, the Eastern District of Pennsylvania was around the 8,000-12,000 cases range. However

saw New Jersey suddenly overtake the Pending Case total for three of the Districts in Pennsylvania

District of New York, the Court that encompasses New York City and is largely seen as one of the busiest Districts in the nation.

While most states have seen a rather steady number in their Pending Cases statistic, New York State encompasses four separate Federal Districts, and between those districts are a total of 52 seats on the bench. New Jersey only has 17 seats total, 6 of which remain vacant. Yet 2020 began with New Jersey having over 600 more pending

than all of New York, while having less than half the number of judges New York has at New

Figure 5: Total Pending Cases in NJ and Other Districts and States

	2013	2014	2015	2016	2017	2018	2019
Total Pending (NJ)	9,107	9,708	10,013	11,722	17,686	24,972	38,764
Total Pending (NY)	37,717	37,935	37,200	36,383	36,418	38,357	38,153
Total Pending (PA)	18,352	16,357	14,124	14,724	14,505	14,649	15,568
Total Pending (South NY)	18,844	18,706	17,972	17,191	17,225	19,293	18,685
Total Pending (East PA)	12,017	10,335	7,870	8,156	7,747	7,689	8,704

The Federal District Court for the District of New Jersey ~~do~~ have a caseload problem,

Camden native, Judge Rodriguez was first appointed to the District Court by President Ronald Reagan in 1984, and has served the Court since then, reaching Senior Status in May of 1998.<sup>11</sup>

On March 2, 2020, Judge Rodriguez invited us to his chambers to talk about our research. At that time, the data for the full calendar year of 2019 had not been released yet, so we only knew about the caseload data through the end of 2018. The 2018 numbers were opening, but we did not yet know just how significant the data were entering 2020.

The first question we asked Judge Rodriguez in our interview was whether or not he feels the

Judge Rodriguez explained that there were only four judges in total in the Camden Federal Courthouse: Judge Re Bumb, Judge Noel Hillman, Judge Robert Kugler, and himself. On top of that, both he and Judge Kugler are Senior Judges, meaning that their caseload can be reduced, which would leave Judges Bumb and Hillman to shoulder a large share of the cases coming through the Courthouse.

Courts. Quite the opposite, actually. Judge Rodriguez explained that Senior Judges can reduce their caseload to as little as 25% of the regular caseload while retaining their chambers and their law clerks and support staff anything lower would result in them losing their chambers, office, and staff. However, Senior Judges like Judge Rodriguez and Judge Kugler have opted to not reduce their cas

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<sup>11</sup> Rodriguez, Joseph H., Federal Judicial Center, <https://www.fjc.gov/history/judges/rodriguez-joseph-h>.





Judge Rodriguez also aired his concern regarding the public's lack of awareness of the  
re not aware of the caseload

Despite the increased caseload, Judge Rodriguez is still staying positive and keeping his  
sense of humor about

and  
his colleagues in the Court receive some help in regards to the caseload issue, whether it be help

ore the interview concluded,  
stressing the weight of the work that rests on the Camden Federal Courthouse.

#### Conclusion

Our conversation with Judge Rodriguez confirmed what we had feared: the New Jersey  
Federal District Court is facing an unprecedented rise

filed has skyrocketed so suddenly. As mentioned by Don McGahn, the appointments of new judges to the New Jersey District have stalled in the Senate. And as mentioned by Judge Rodriguez, these new cases come from a variety of sources, be it pharmaceutical cases, multidistrict cases being assigned to New Jersey, or many of the other types of cases that fall under Federal Court Jurisdiction.

What can be done now is to raise awareness of this issue and work to help not only the Judges, but also the support staff that helps judges keep the Courthouse running. The judges are attempting to keep the wheels of justice moving, but without assistance and public knowledge of the caseload problem, the cases may only continue to increase in the future, causing further delays in the

t can

only do so much, balancing the need for an efficient justice system with the need to carefully weigh the consequences of their decisions. Until there is help and public understanding, the caseload will unfortunately continue to grow in the coming years.



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