

Press Release
from
The Active District Judges of the
United States District Court for the District of Nebraska

We make this unusual statement because we care deeply about the ability of our court to do the work that the Constitution and the Congress have given us. When Congress adjourns this week, Nebraska will have no replacement for its lost fourth judgeship.

For the past 5 years, we have been telling Congress of the need to make permanent the fourth district judgeship for Nebraska. We specifically cautioned Congress that when Judge Shanahan took senior status in May of 2004, Nebraska would revert to only three active district judges, and, given the extraordinary criminal caseload, such a reduction would be disastrous. In January of this year, we met with Chairman Sensenbrenner of the House Judiciary Committee to impress upon him the urgency of the situation.

On Tuesday, October 6, 2004, the House passed a judgeship bill that contained a number of "poison pills," which will cause it to be killed in the Senate. As a result, the District of Nebraska will not have a fourth active district judge in the foreseeable future.

Unfortunately, even if this bill were passed, Congressman Sensenbrenner insured that Nebraska would not receive immediate relief. During floor debate, he amended the bill to delay authorization of Nebraska's judgeship until Fiscal Year 2007.

This failure of Congressional leadership will cause Nebraskans to continue suffering inordinate delays in criminal and civil cases. The Constitution provides that every criminal defendant is entitled to a speedy trial. Our court is gravely concerned that some criminal cases will be dismissed due to the application of the federal Speedy Trial Act. Further, Nebraskans will continue to have a significant portion of their civil cases decided by judges from outside the state.

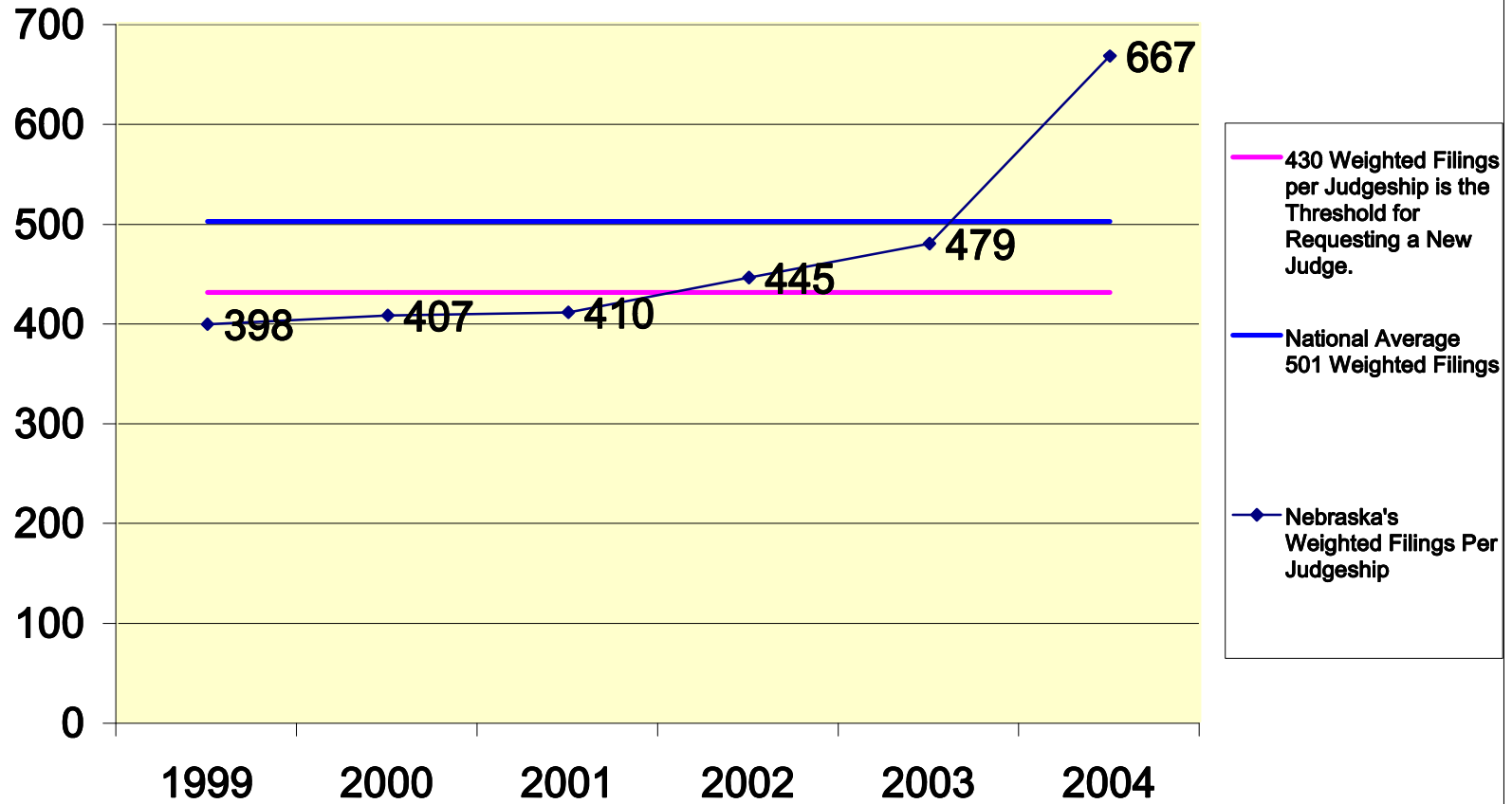
Our court firmly believes that Nebraskans deserve better treatment than this.

October 8, 2004

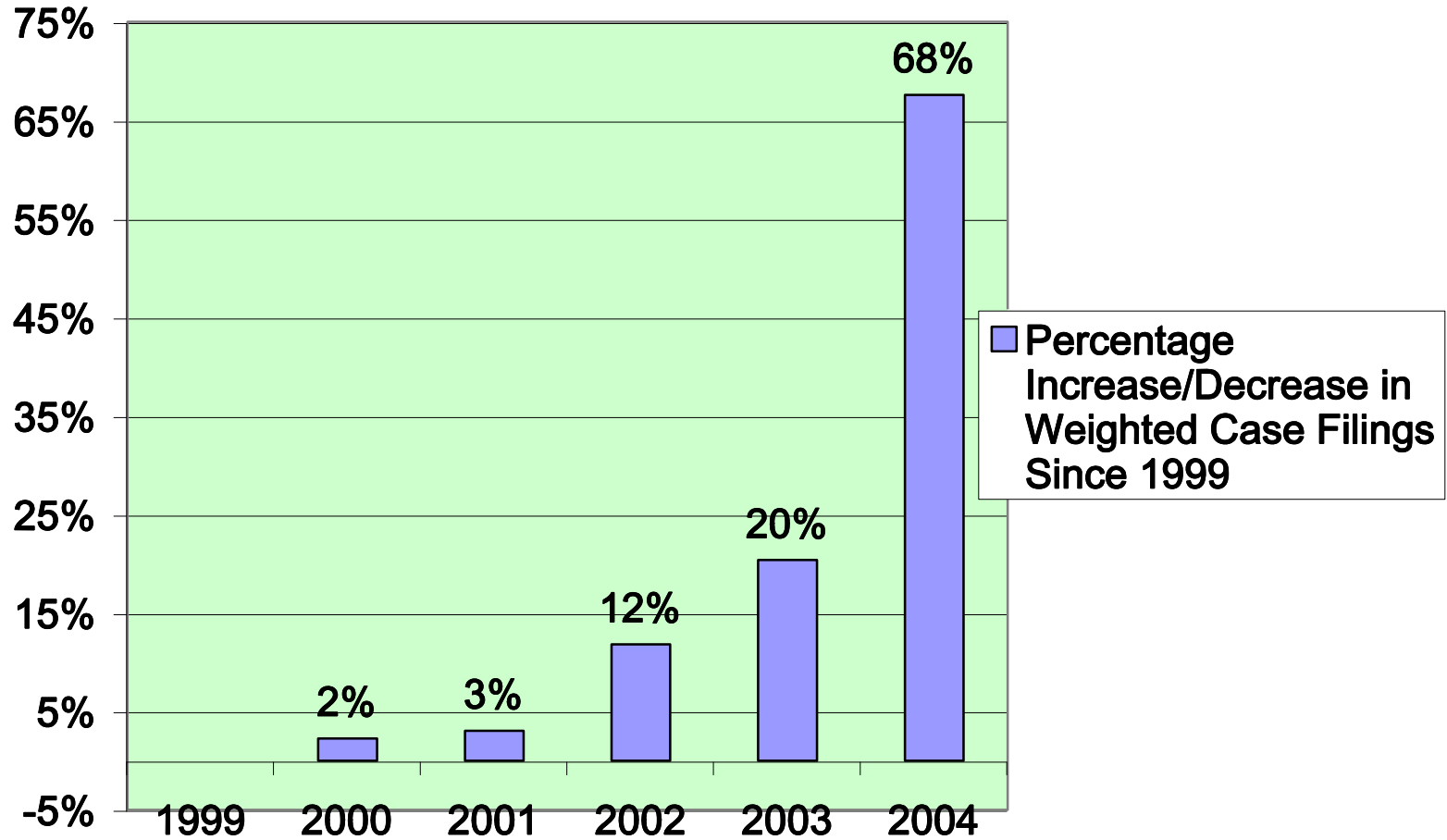
Richard G. Kopf, Chief Judge
Joseph F. Bataillon, District Judge
Laurie Smith Camp, District Judge

For further information, the press may contact Judges Kopf, Bataillon or Smith Camp at their chambers.

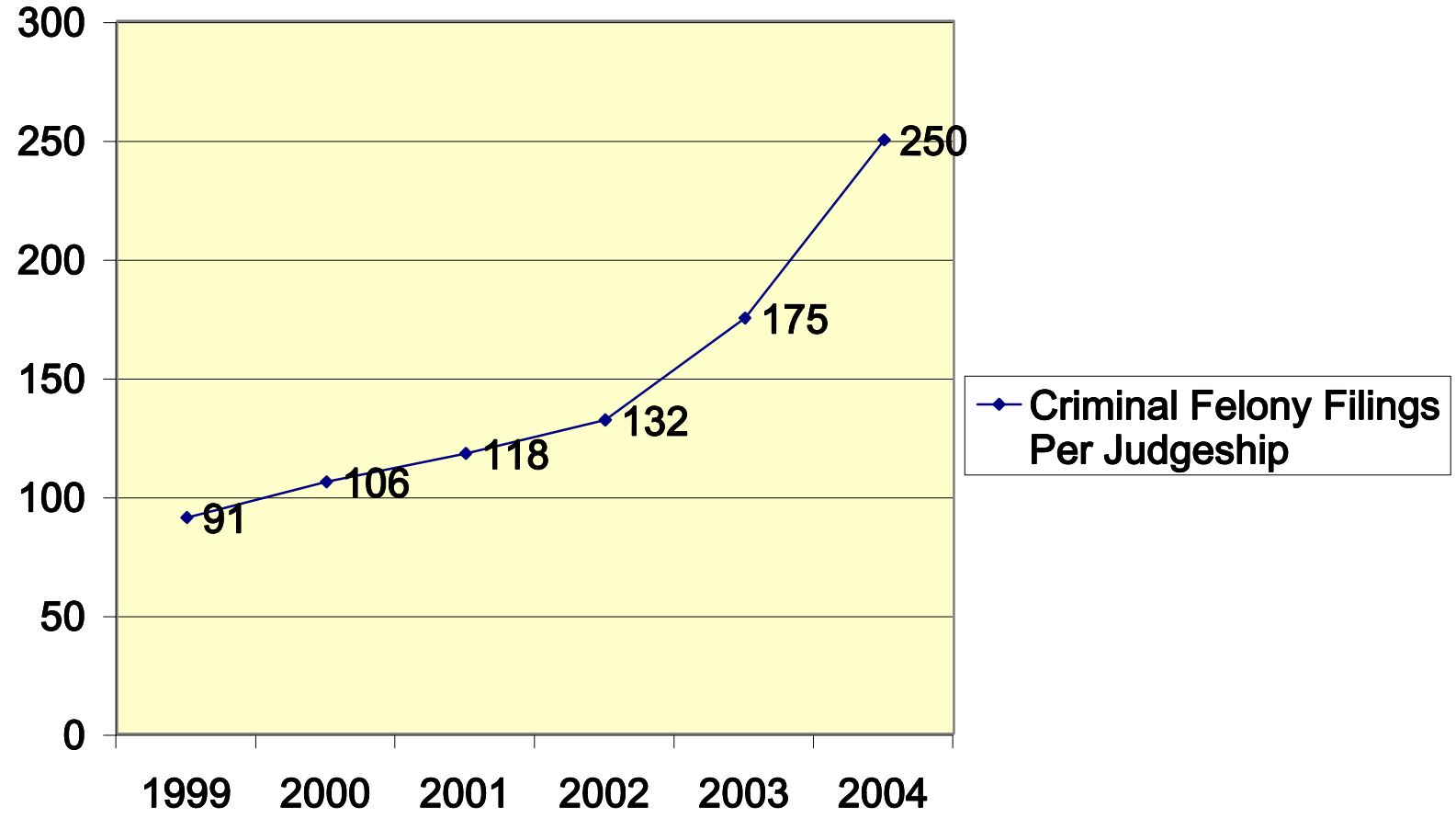
U.S. District Court for the District of Nebraska



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U.S. DISTRICT COURTS - 2005 BIENNIAL JUDGESHIP SURVEY

		12 MONTH PERIOD ENDING							
		June 30							
NEBRASKA		2004	2003	2002	2001	2000	1999	National Average	
OVERALL CASELOAD STATISTICS	Filings	1,949	1,915	1,659	1,471	1,448	1,361		
	Terminations	2,003	1,627	1,481	1,364	1,562	1,339		
	Pending	1,660	1,704	1,358	1,231	1,135	1,265		
	% Change in Total Filings/Current Year	Over June 2003		1.8					2.0
		Over Earlier Years		17.5	32.5	34.6	43.2	12.4	
Number of Judgeships		3	4	4	4	4	4		
Vacant Judgeship Months		.0	.0	4.1	11.6	.0	.0		
Senior Judges With Staff		2	2	2	2	2	2		
ACTIONS PER JUDGESHIP	FILINGS	Total	649	479	416	368	362	340	495
		Civil	350	264	254	250	256	249	380
		Criminal	250	175	132	118	106	91	89
		Supervised Release Hearings	49	40	30	-	-	-	26
	Pending Cases		553	426	340	308	284	316	476
	Weighted Filings*		667	479	445	410	407	398	501
	Terminations		668	407	370	341	391	335	469
Trials Completed		36	29	22	22	30	35	19	
MEDIAN TIMES (months)	From Filing to Disposition	Criminal	7.9	7.6	8.0	8.0	8.7	10.7	6.8
		Civil	8.6	10.6	10.9	9.5	11.8	11.9	8.1
	From Filing to Trial (Civil Only)		18.5	15.3	21.5	19.0	19.0	21.6	22.7
OTHER	Civil Cases Over 3 Years Old	Number	54	53	43	50	28	16	
		Percentage	5.6	4.8	4.6	5.6	3.4	1.7	14.7
	Felony Cases with 6 or More Defendants		3	5	7	5	5	5	
TRIALS	Total All Trials		109	117	87	86	118	138	
	10-19 Days		2	1	3	3	3	4	
	20 Days and Over		0	1	0	0	0	0	

* Weighted filings for all six years shown on the profile page were computed using weights established by the 2003-2004 District Court Case Weighting study.

For information or comments, please contact:
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