



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

219 SOUTH DEARBORN STREET  
CHICAGO, IL 60604

## **Chief Judge Delivers State of the Court Address**

On Wednesday, May 16, 2007, Chief Judge James F. Holderman delivered the 2007 State of the Court Address at a luncheon hosted by the Chicago Chapter of the Federal Bar Association. In a word, Chief Judge Holderman reported that the state of the court was “Good!”

In his first State of the Court Address since becoming Chief Judge in June, 2006, Chief Judge Holderman covered three main areas of interest:

1. Changes on the Court, including judicial personnel, caseload, and procedures involving e-filing and technology;
2. Judicial and Courthouse Security, including changes regarding jury service; and
3. Court Initiatives, including better access to court information and outreach programs that aim to aid the public and other branches of government in better understanding the work of the federal courts.

Chief Judge Holderman also recognized the leadership of the Clerk’s Office and the individual officers and managers of the Court, crediting the Court’s successes of the last year to their hard work and support, as well as that of the Judges of the Court.

### **A. Judicial Changes**

Changes on the bench include the retirement of Senior Judge Paul E. Plunkett, after 24 years of service; Judge Phillip G. Reinhard’s switch to senior status after 15 years of active service; and the retirement of Magistrate Judge Ian H. Levin after 9 years of service.

Filling the position left open by Judge Reinhard’s move to senior status is former Illinois Appellate Court Justice Frederick J. Kapala. Judge Kapala’s nomination was confirmed by the U.S. Senate on Tuesday of last week, and he has hit the ground running with a full case load in the Western Division. Chief Judge Holderman also acknowledged the services of District Judge James B. Zagel, who served as the active District Judge in Rockford during the nomination and confirmation of Judge Kapala.

In April, the District Judges of the Northern District of Illinois selected Magistrate Judge Designate Susan E. Cox to fill Magistrate Judge Levin's vacancy. Chief Judge Holderman reported that the Bankruptcy Court bench remains at full strength, although the District Court bench is short one active judge, due to the vacancy created when former Chief Judge Kocoras took senior status. There are currently 12 Senior District Judges, including Judge Kocoras, who continue in their service with the Court.

## **B. Caseload**

Chief Judge Holderman reported that the trend of fewer annual civil and criminal filings continued in 2006, though less dramatically than in past years. However, he also reported that, on the civil docket, if student loan and mortgage foreclosure cases are separated from the rest of the civil litigation, the statistics demonstrate that civil filings actually increased in 2006 by 17% over 2005. Chief Judge Holderman noted that the Northern District of Illinois continues to rank in the top 10 nationwide for efficiency in median times from filing to disposition of civil cases.

On the criminal side, as measured by the number of felony defendants, filings went down 16% in 2006 from the 2005 figure.

## **C. E-Filing and Technology**

Chief Judge Holderman reported a smooth transition to the mandatory e-filing system, thanking the Clerk's Office for its assistance in the training and implementation required to ensure the system's success. The Northern District currently has nearly 14,700 e-filers registered and is averaging between 450 and 500 e-filings per business day – approximately one filing per second. Chief Judge Holderman announced that, by the end of the year, he hoped that the Northern District would be able to accept initial civil complaints and filing fees electronically.

Other technological improvements include upgrades of the electronic systems in the Courtrooms, increasing use of real-time transcripts, and a planned upgrade to the District Court's website for the purpose of making it more user friendly and informative.

## **D. Judicial Security**

Chief Judge Holderman recognized the efforts of Senator Dick Durbin, in heading the effort in Congress, and of the United States Marshal's Service, in implementing security programs, to ensure that judges are secure in their homes and that the Courthouse is more secure, as well. While these efforts have certainly added to the safety and security of the Courthouse, the public, and Court personnel, Chief Judge Holderman also reaffirmed that the Court continues to look for new ways to improve its security measures.

## **E. Jury Service**

Since the last State of the Court Address, the Northern District has implemented a system of prospective juror criminal background checks conducted by the Pretrial Services and Probation Departments of the Court, at the request of a presiding trial judge. Chief Judge Holderman noted

that this system seems to be working well, with judges and lawyers reporting satisfaction with the new process.

In March of this year, the District Court was confronted with claims that two unrelated grand jurors were fired from their jobs based on their grand juror status. Pursuant to Title 18, United States Code § 1875, Chief Judge Holderman found probable merit to these claims and appointed counsel to assist each grand juror in further pursuing his or her grievances. Title 18, United States Code § 1875 forbids an employer from retaliating or discriminating against an employee based on his or her juror status. Chief Judge Holderman noted the subtle (or not so subtle) pressure applied to potential jurors by their employers to get out of jury service, and he vowed to take such concerns seriously.

#### **F. Court Initiatives**

In 2006, the Northern District created, with the help of numerous volunteers and Ms. Laurie Wardell at the Chicago Lawyer's Committee for Civil Rights Under Law, a new service for pro se plaintiffs called the Settlement Assistance Program. The Settlement Assistance Program builds on the successes of a pilot program developed by the Magistrate Judges of the Northern District of Illinois. Under this program, pro se litigants are appointed attorneys for the limited purposes of settlement. The program, which supplements the District Court's pro se help desk program, ensures that pro se litigants can participate in settlement conferences and have their interests represented, while providing the additional benefit of resolving more cases effectively and efficiently.

#### **G. Media**

On the public information/media front, earlier this year the Court obtained the services of well-known lawyer and former Channel 7 news anchor Joel Daly as the Court's Information Officer. Mr. Daly has acted as both a spokesperson for the Court and a point person for media personnel and journalists with questions regarding newsworthy trials.

Also this year, the court initiated new guidelines for the lobby area of the Courthouse to ensure the appropriate balance of First Amendment rights and public safety. Chief Judge Holderman reported that the new guidelines were implemented smoothly and have been successful thus far in managing media activity in the lobby.

#### **H. Outreach Programs**

Finally, Chief Judge Holderman expressed a need for the general public to have an accurate understanding of what takes place within our country's courts and the role the courts have in the separation of powers. Noting the recent lack of emphasis on civics and social studies in our country's educational system, Chief Judge Holderman recognized a potential gap in the knowledge of future generations of Americans. To help address this gap, the Northern District provides access to organizations like the Constitutional Rights Foundation and to various schools in hopes of educating students about the role of the Courts in our society and the proper function of judges.

Chief Judge Holderman also expressed his desire to enhance the Court's lines of communication with Congressional leaders and members of the Executive branch as a means of reaching a better understanding of each branch's function and proper role in the balance of powers. In furtherance of this goal, the Northern District has and will continue to make its facilities available to Congressional leaders for purposes of hosting Congressional hearings. Chief Judge Holderman believes there must be mutual respect, understanding, and dialogue among the branches for the government to properly function for the benefit of the citizens.

In closing, Chief Judge Holderman pledged to continue the Northern District's commitment to justice by providing that each and every case that comes before the Judges of the Court is dealt with fairly, impartially, and efficiently.

**Date:** May 17, 2007