

ure was reported. In 1994, alcohol-dependent clients increased 6 percent. Offenders receiving contract treatment services (both drug- and alcohol-dependent) accounted for 53 percent of all 1994 clients, up from 48 percent in the previous year. Almost 55 percent of drug clients received contract treatment services.

COMPLAINTS AGAINST JUDICIAL OFFICERS

Title 28 U.S.C. Section 372(c) declares that any person alleging that a judge of the United States, a bankruptcy judge, or a magistrate judge has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts, or that such officer cannot discharge all the duties of the office because of physical or mental disability, may file a complaint with the clerk of the court of appeals for that circuit or applicable national court. The number of judicial complaints filed in 1994 totaled 400, a 7

Table 11
Judicial Complaints Filed, Concluded, and Pending

	1992*	1993*	1994	% Change(1) 1994/1993
Filed	410	430	400	-7.0
Concluded	366	399	323	-19.0
By Chief Judges	194	277	196	-29.2
Dismissed	187	272	192	-29.4
Corrective Action Taken	6	4	3	-
Withdrawn	1	1	1	-
By Judicial Councils	172	122	127	-4.1
After Review of Chief Judge's Dismissal(2)				
Dismissal	169	120	122	-1.7
Action Taken	-	1	4	-
Referred to Judicial Conference	-	-	-	-
After Referral by Investigative Committee				
Dismissed	2	-	1	-
Action Taken	1	-	-	-
Referred to Judicial Conference	-	1	-	-
Pending	126	157	234	49.0

*Revised

(1)Percent not calculated on fewer than 10 cases

(2)Petition for review of a chief judge's dismissal of a complaint

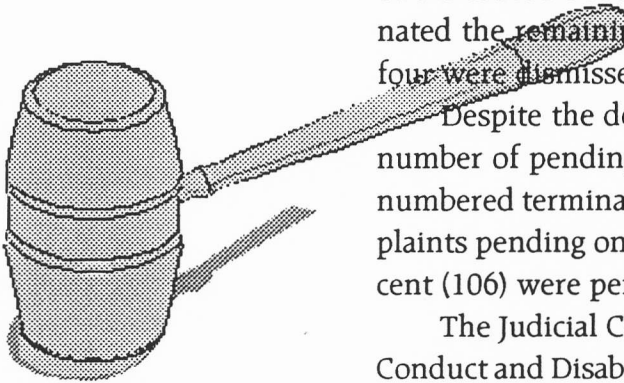
percent decline from the previous year. **Table 11** summarizes judicial complaints activity from 1991 through 1994.

Each circuit and national court reported the filing of judicial complaints in 1994 except the Federal Circuit and the U.S. Court of Federal Claims. The Ninth, Second, and Sixth Circuits accounted for 44 percent of the 400 complaints filed. Each individual complaint may involve multiple allegations against numerous judicial officers. The allegations most often identified were prejudice/bias and abuse of judicial power.

There were 323 complaints terminated in 1994, down 19 percent from 1993. Chief judges terminated 196 of the judicial complaints concluded in 1994. Seventy-six percent of the cases terminated by chief judges were outside the jurisdiction of Title 28 U.S.C. Section 372(c) and were found to be directly related to the merits of the court's decision in the original case. Judicial councils terminated the remaining 127 complaints. Of these complaints, all but four were dismissed without action being taken.

Despite the decrease in judicial complaints filed in 1994, the number of pending complaints jumped 49 percent, as filings outnumbered terminations for the third straight year. Of the 234 complaints pending on September 30, 1994, slightly more than 45 percent (106) were pending in the Ninth Circuit.

The Judicial Conference Committee to Review Circuit Council Conduct and Disability Orders pursuant to Section 372(2)(10) acted upon two petitions previously reviewed by the Circuit Judicial Councils under Section 372(c)(6). In November 1993, the Committee reversed the decision of the Tenth Circuit Council dismissing the complaint and ordered that the matter be investigated by the Tenth Circuit Council. In September 1994, the Committee remanded a complaint to the Judicial Council for the District of Columbia Circuit with instructions to (1) vacate the dismissal ordered by the circuit council; (2) conduct an appropriate investigation into the allegations of the complaint; and (3) take appropriate actions consistent with the principles stated in the opinion issued by the Committee and D.C. Circuit Rule 14.



STATUS OF ARTICLE III JUDGESHIPS

Long-Term Vacancies Remain Unfilled

On September 30, 1994, there were 18 vacancies among the 179 judgeships authorized for the U.S. courts of appeals. Three of

Table S-24. (Continued)

Summary of Activity	Circuits														Federal Courts	
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Action No Longer Necessary Because of Intervening Events	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
Complaint Withdrawn	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
Subtotal	196	-	8	2	48	13	19	30	24	21	11	11	4	4	0	1
Action by Judicial Councils																
Directed Chief District Judge to Take Action (Magistrate Judges only)	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Certified Disability	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
Requested Voluntary Retirement	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ordered Temporary Suspension of Case Assignments	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Privately Censured	3	-	-	-	-	-	-	-	-	-	1	2	-	-	-	-
Publicly Censured	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ordered Other Appropriate Action	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Dismissed the Complaint	122	-	6	11	15	18	1	18	18	8	20	-	-	7	-	-
Referred Complaint to Judicial Conference	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal	127	0	6	11	15	19	1	18	18	8	21	2	0	8	0	0
Complaints Pending on September 30, 1994	234	2	1	13	0	32	5	0	13	2	4	106	25	27	2	2

CC = U.S. CLAIMS COURT

CIT = COURT OF INTERNATIONAL TRADE

*REVISED.

**EACH COMPLAINT MAY INVOLVE MULTIPLE ALLEGATIONS AGAINST NUMEROUS JUDICIAL OFFICERS. NATURE OF ALLEGATIONS ARE COUNTED WHEN A COMPLAINT IS CONCLUDED.

Table S-24.

**Report of Complaints Filed and Action Taken Under Authority of Title 28 U.S.C. Section 372(c)
for the Twelve-Month Period Ended September 30, 1994**

Summary of Activity	Circuits														Federal Courts	
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Complaints Pending on September 30, 1993*	157	2	1	14	6	21	4	2	4	5	6	52	13	25	2	-
Complaints Filed	400	-	14	12	57	43	21	46	51	26	30	67	16	14	-	3
Complaint Type																
Written by Complainant	400	-	14	12	57	43	21	46	51	26	30	67	16	14	-	3
On Order of Chief Judges	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Officials Complained About**																
Judges																
Circuit	145	-	-	6	36	14	3	21	17	21	1	19	1	6	-	-
District	290	-	14	9	19	19	16	32	59	20	27	64	8	3	-	-
National Courts	7	-	-	-	-	-	-	-	-	-	1	3	-	-	-	3
Bankruptcy Judges	19	-	-	1	1	3	-	-	2	4	2	4	1	1	-	-
Magistrate Judges	71	-	-	-	1	7	3	4	18	3	11	11	9	4	-	-
Nature of Allegations**																
Mental Disability	12	-	-	-	-	2	2	2	1	-	2	2	-	1	-	-
Physical Disability	5	-	-	1	-	1	-	-	-	-	1	2	-	-	-	-
Demeanor	18	-	-	1	1	1	-	2	-	3	-	7	3	-	-	-
Abuse of Judicial Power	120	-	-	2	44	2	6	21	1	22	10	-	3	8	-	1
Prejudice/Bias	119	-	1	9	37	4	12	27	6	8	10	-	-	4	-	-
Conflict of Interest	19	-	-	-	2	3	2	8	1	2	1	-	-	-	-	-
Bribery/Corruption	13	-	-	1	4	1	-	3	-	-	2	-	1	1	-	-
Undue Decisional Delay	43	-	1	-	8	6	3	11	7	1	5	-	-	1	-	-
Incompetence/Neglect	27	-	-	1	7	-	-	11	-	-	3	5	-	-	-	-
Other	115	-	12	1	40	14	-	12	30	3	2	-	1	-	-	-
Complaints Concluded	323	0	14	13	63	32	20	48	42	29	32	13	4	12	0	1
Action by Chief Judges																
Complaint Dismissed																
Not in Conformity with Statute	23	-	5	2	4	2	-	1	-	-	4	1	2	2	-	-
Directly Related to Decision or Procedural Ruling	148	-	2	-	41	9	14	27	21	17	5	8	1	2	-	1
Frivolous	20	-	1	-	-	1	5	1	3	4	2	2	1	-	-	-
Action Taken	3	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-