

Table 4.4

U.S. District Courts—Civil Cases Filed, by Nature of Suit

Nature of Suit	Fiscal Year							
	1990 ¹	1995	2000	2004	2005	2006	2007	2008
TOTAL	214,809	247,755	258,626	280,868	253,273	259,541	257,507	267,257
CONTRACT ACTIONS, TOTAL	44,481	31,182	53,625	29,404	28,020	30,044	33,939	34,172
Insurance	7,104	7,540	7,517	8,460	7,804	9,792	13,287	12,697
Marine	3,286	2,622	2,446	1,676	1,435	1,700	1,969	2,349
Miller Act	1,458	775	769	386	387	359	302	225
Negotiable Instruments	2,993	1,536	495	440	447	336	377	504
Recovery of Overpayments and Enforcement of Judgments, Total	9,449	1,822	24,838	2,830	3,309	2,872	3,204	3,447
Medicare Benefits	104	66	114	101	126	152		
Student Loans ²	4,471	1,142	24,404	2,438	2,883	2,395	2,673	2,910
Veterans' Benefits ³	4,381	253	43	18	8	13	20	9
Other	493	361	277	273	292	312	511	528
Other Contract Actions	20,191	16,887	17,560	15,612	14,638	14,985	14,416	14,559
REAL PROPERTY ACTIONS, TOTAL	9,603	6,869	6,711	5,845	4,561	4,414	5,180	5,072
Condemnation of Land	474	334	1,243	197	251	316	321	944
Foreclosure	7,188	4,972	4,209	4,306	3,012	2,644	2,960	2,144
Rent, Lease, and Ejectments	348	310	175	169	154	142	135	172
Torts to Land	488	401	377	385	380	467	842	510
Other Real Property Actions	1,105	852	707	788	764	845	922	1,302
TORT ACTIONS, TOTAL	44,041	53,986	36,586	55,023	51,335	68,804	61,359	72,011
Personal Injury, Total ⁴	40,815	50,565	32,621	50,594	47,364	64,743	57,244	68,121
Personal Injuriy/Product Liability	18,839	27,547	14,428	34,100	29,537	48,739	36,469	52,110
Other Personal Injury, Total	21,976	23,018	18,193	16,494	17,827	16,004	20,775	16,011
Airplane	873	683	747	483	351	294	478	386
Marine	2,937	2,277	2,006	1,841	1,667	1,584	1,597	1,393
Motor Vehicle	6,105	5,374	4,690	4,229	4,091	3,938	3,764	3,636
Assault, Libel, and Slander	670	826	801	668	647	587	533	557
Fed. Employers Liability Act	2,703	1,903	1,108	782	748	700	585	511
Medical Malpractice	1,346	1,328	1,526	1,313	1,221	1,221	1,164	1,255
Other	7,342	10,627	7,315	7,178	9,102	7,680	12,654	8,273
Personal Property Damage, Total	3,226	3,421	3,965	4,429	3,971	4,061	4,115	3,890
Fraud, Including Truth in Lending	1,561	1,881	2,265	2,909	2,465	2,313	2,129	2,245
Other Personal Property Damage	1,665	1,540	1,700	1,520	1,506	1,748	1,986	1,645
ACTIONS UNDER STATUTES, TOTAL	116,558	155,629	161,692	190,547	169,265	156,177	156,916	155,939
Antitrust	527	781	858	752	818	986	1,038	1,318
Bankruptcy, Total	5,179	5,046	3,361	4,145	3,000	3,389	3,164	2,383
Appeal (28 U.S.C. 158)	4,330	4,312	2,785	2,822	2,435	2,475	2,290	1,954
Withdrawal (28 U.S.C. 157)	849	734	576	1,323	565	914	874	429
Banks and Banking	701	432	205	366	258	201	234	258

Table 4.4 (Continued)
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Nature of Suit	Fiscal Year							
	1990	1995	2000	2004	2005	2006	2007	2008
Civil Rights, Total ⁵	18,922	36,600	40,908	40,239	36,096	32,865	31,756	32,132
Voting	140	208	167	173	166	150	118	145
Employment	8,273	19,059	21,032	19,746	16,930	14,353	13,375	13,219
Accommodations	364	735	1,284	1,222	885	643	665	644
Welfare	137	116	80	61	54	56	27	48
Other Civil Rights	10,008	16,482	18,345	19,037	18,061	17,663	17,571	18,076
Environmental Matters	1,004	1,081	886	978	714	871	767	920
Deportation	66	106	213	316	201	130	115	130
Prisoner Petitions	43,199	63,550	58,257	55,330	61,238	54,955	53,945	54,786
Forfeiture and Penalty, Total	6,021	2,517	2,320	2,146	2,298	2,224	2,272	2,331
Agricultural Acts	87	155	57	43	27	18	29	26
Food and Drug Act	2,663	197	110	42	49	42	55	47
Drug-Related Seizure of Property	-	1,042	1,117	1,292	1,359	1,328	1,355	1,399
Air Traffic Regulations	49	11	7	6	6	2	5	4
Occupational Safety and Health Act	58	33	4	7	5	8	7	8
Other Forfeiture and Penalty Suits	3,164	1,079	1,025	756	852	826	821	847
Labor Laws, Total	14,068	14,954	14,142	18,330	18,322	16,659	18,674	16,788
Fair Labor Standards Act	1,257	1,580	1,935	3,617	4,039	4,207	7,310	5,393
Labor Management Relations Act	2,272	1,984	1,542	1,641	1,674	1,239	1,079	1,051
Labor Management Reporting & Disclosure Act	165	161	101	81	88	63	82	66
Railway Labor Act	197	172	137	111	104	108	92	83
ERISA ⁶	*	9,517	9,124	11,421	11,171	9,748	8,986	8,983
Other Labor Litigation	10,177	1,540	1,303	1,459	1,246	1,294	1,125	1,212
Protected Property Rights	5,738	6,866	8,738	9,590	12,184	11,514	10,783	9,592
Securities, Commodities, and Exchanges	2,645	1,906	2,678	3,094	2,038	1,621	1,394	1,637
Social Security Laws, Total	6,895	9,354	15,829	15,873	15,487	13,847	12,974	13,138
Health Insurance	119	81	70	61	58	53	56	-
Black Lung Cases	28	11	20	4	20	7	2	-
Disability Insurance	4,743	5,501	8,122	7,061	7,024	6,480	6,187	6,080
Supplemental Security Income	1,774	3,347	6,762	7,916	7,675	6,649	6,135	6,373
Retirement and Survivors Benefits	231	414	855	831	710	658	594	603
RICO ⁷	**	900	829	777	781	687	653	684
State Reapportionment Suits	3	7	2	5	8	6	6	4
Tax Suits	2,672	2,202	907	1,314	1,385	1,490	1,522	1,451
Customer Challenge	39	33	12	16	21	17	12	8
Freedom of Information Act	411	467	341	315	404	312	335	639
Constitutionality of State Statutes	304	309	288	317	310	304	277	280
Other Statutory Actions ⁸	8,164	8,518	10,918	36,644	13,702	14,099	17,108	16,267

Table 4.4 (Continued)
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FOOTNOTES

¹ Twelve-month period ending June 30.

² Filings for recovery of defaulted student loans decreased from 1990 to 1995 due to a change in Department of Education (DOE) policy on the collection of delinquent loans. Renewed growth peaked in 2000 as a result of a streamlining of the loan-processing system. In 2001, DOE implemented new administrative measures that caused fewer student loan cases to be filed in federal courts.

³ Filings for recovery of overpayments of veterans' benefits have decreased significantly as the Department of Veterans' Affairs has used administrative actions and the Internal Revenue Service to recover overpayments rather than file suit in district courts. For additional information, see the 1991 Annual Report of the Director: Judicial Business of the United States Courts, page 86.

⁴ The increase in personal injury filings between 1990 and 1995 was attributed mostly to breast implant cases and cases related to an oil refinery explosion in Louisiana. In 2002, personal injury/product liability filings more than tripled due to large numbers of plaintiffs seeking relief in the expectation that new laws might soon increase the difficulty of filing cases related to asbestos, as well as plaintiffs alleging injurious side effects of the anti-cholesterol drug Baycol. The 58 percent increase in personal injury/product liability filings in 2004 resulted from the transfer of several thousand cases to the Northern District of Ohio as part of multidistrict litigation (MDL) involving welding products that contained manganese. In addition, a number of district courts experienced influxes of MDL cases related to Baycol or Phentermine/Fenfluramine/Dexfenfluramine (Fen-phen). In 2006, personal injury/product liability filings rose 64 percent primarily as a result of 15,000 additional asbestos cases, over 14,000 of which were MDL filings in the Eastern District of Pennsylvania. Civil rights increased significantly after 1990 largely because of the Civil Rights Act of 1991 and the Americans with Disabilities Act of 1990. With the exception of welfare filings that increased by two cases, filings in all categories of civil rights continued to decline since 2004.

⁵ Civil rights filings increased significantly after 1990 largely because of the Civil Rights Act of 1991 and the Americans with Disabilities Act of 1990. With the exception of welfare filings that increased by two cases, filings in all categories of civil rights continued to decline since 2004.

⁶ ERISA = Employee Retirement Income Security Act. ERISA filings in 1990 were included in "other labor litigation."

⁷ RICO = Racketeer Influenced Corrupt Organization Act. RICO data not reported in 1990.

⁸ In 2004, approximately 20,000 filings were related to one case in the U.S. Bankruptcy Court for the District of South Carolina.

Sources: Table C-2, Tables S-8 for 1995, 2000, and 2002 through 2004; Table S-5 for 2005 and 2006; Table C-2 for 1990, 1995, 2000, and 2003; Table S-9 for 2004; and Table S-6 for 2005 through 2008, Annual Report of the Director: Judicial Business of the United States Courts.