

THE JUDICIAL CONFERENCE OF THE UNITED STATES

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*2017 Bankruptcy Judgeship  
Recommendations*



COURT PROFILES

## BANKRUPTCY JUDGESHIP SURVEY

The Judicial Conference is required to recommend to Congress from time to time the number of bankruptcy judges needed in each district. 28 U.S.C. § 152(b)(2). The Committee on the Administration of the Bankruptcy System (Bankruptcy Committee) assists the Conference in meeting this statutory obligation by conducting national bankruptcy judgeship needs surveys and making recommendations to the Conference. A 1991 Conference policy specifies that these surveys be conducted every two years and sets out a number of workload factors that should be considered in assessing a circuit's request for additional bankruptcy judgeships. JCUS-MAR 91, pp. 12-13.

In September 2010, the Conference adopted new case weights for assessing a district's judicial workload and bankruptcy judgeship needs. JCUS-SEP 10, pp 8-9. The 2010 case weights were developed by the Federal Judicial Center at the Bankruptcy Committee's request, using data derived from a 2008-2009 diary time study. The Conference also consolidated its policies concerning assessment of additional judgeship needs, the continuing need for existing judgeships, and the conversion of existing temporary judgeships to permanent status in 2010. JCUS-SEP 10, pp. 8-9. Most recently, during its September 2014 session the Judicial Conference approved a modification of the case-weighting system used in assessing each district's judicial workload and the need for bankruptcy judgeship resources to include an adjustment for mega chapter 11 cases. JCUS-SEP 14, p. 6.

Under Judicial Conference policy, if a district's annual weighted caseload per authorized judgeship is 1,500 weighted filings or more, the district will receive consideration for an additional judgeship. Recognizing that other factors can also necessitate additional judgeships, consideration is given to: the nature and mix of the court's caseload; historical caseload data and filing trends; geographic, economic, and demographic factors in the district; the effectiveness of case management efforts by the court; and the availability of alternative solutions and resources for handling the court's judicial workload.

Requests to convert existing temporary judgeships to permanent status are evaluated from the same perspective as the assessment of requests for additional judgeships, using the same weighted caseload standard of 1,500 weighted filings per judgeship and the same additional factors. If a district with a temporary judgeship were to lose that judgeship, and the resulting per-judgeship weighted filings in that district would meet or exceed 1,500, it is considered to be evidence of the need to convert the temporary judgeship to permanent status and the Bankruptcy Committee then considers the additional factors in making the final recommendation.

## 2017 BANKRUPTCY RECOMMENDATIONS

On behalf of the Bankruptcy Committee, the Administrative Office of the U.S. Courts received requests for the creation of 5 additional bankruptcy judgeships in eight districts. Fourteen bankruptcy courts requested conversion of 16 temporary judgeships to permanent status, and one bankruptcy court requested an extension of its temporary judgeship.

Each bankruptcy judgeship request received by the Bankruptcy Committee was formally approved by the respective circuit council before the Committee met in December 2016. The requests and reports relating to each requesting bankruptcy court were analyzed by the Committee's Subcommittee on Judgeships (Subcommittee). The Subcommittee's analyses and final recommendations were developed using data for the 12-month period ending September 30, 2016, the most recent data available at the time of their review. In addition to considering each court's weighted filings per authorized bankruptcy judgeship, a variety of other factors (including the nature and mix of the caseload, geography, and the local economy) were reviewed before the Subcommittee submitted its recommendations to the full Bankruptcy Committee.

The Bankruptcy Committee voted unanimously to approve four requests for additional permanent judgeships and 14 requests for conversion of the temporary judgeships to permanent status. These requests were approved based upon a combination of the 1,500 weighted caseload threshold and on the other factors noted above. At its March 2017 meeting, the Judicial Conference approved the recommendation to create four additional bankruptcy judgeships and to convert of 14 temporary bankruptcy judgeships to permanent status.

## Eastern District of Michigan

Authorized Judgeships	
Permanent:	4
Temporary:	1
Total Authorized:	5

2017 Conference Recommendation	
Additional Judgeships:	1
Conversions:	1
Extensions:	-

**Summary:** One additional judgeship would reduce weighted filings to 1,399 per judgeship. Given the caseload and other factors, there is sufficient basis to support recommending one additional permanent judgeship.

In addition to the additional permanent judgeship, the conversion of the temporary judgeship is warranted as weighted filings would rise to 2,099 per judgeship, 40 percent above the 1,500 per judgeship standard, with the lapse of the temporary judgeship and with no additional permanent judgeships. If an additional judgeship is authorized, weighted filings would remain at 1,679 per judgeship if the temporary judgeship lapses. Therefore, the caseload and other factors support both an additional permanent judgeship and the conversion of the temporary judgeship to permanent status.

**Current Authorized Judgeships:** 4 Permanent and 1 Temporary

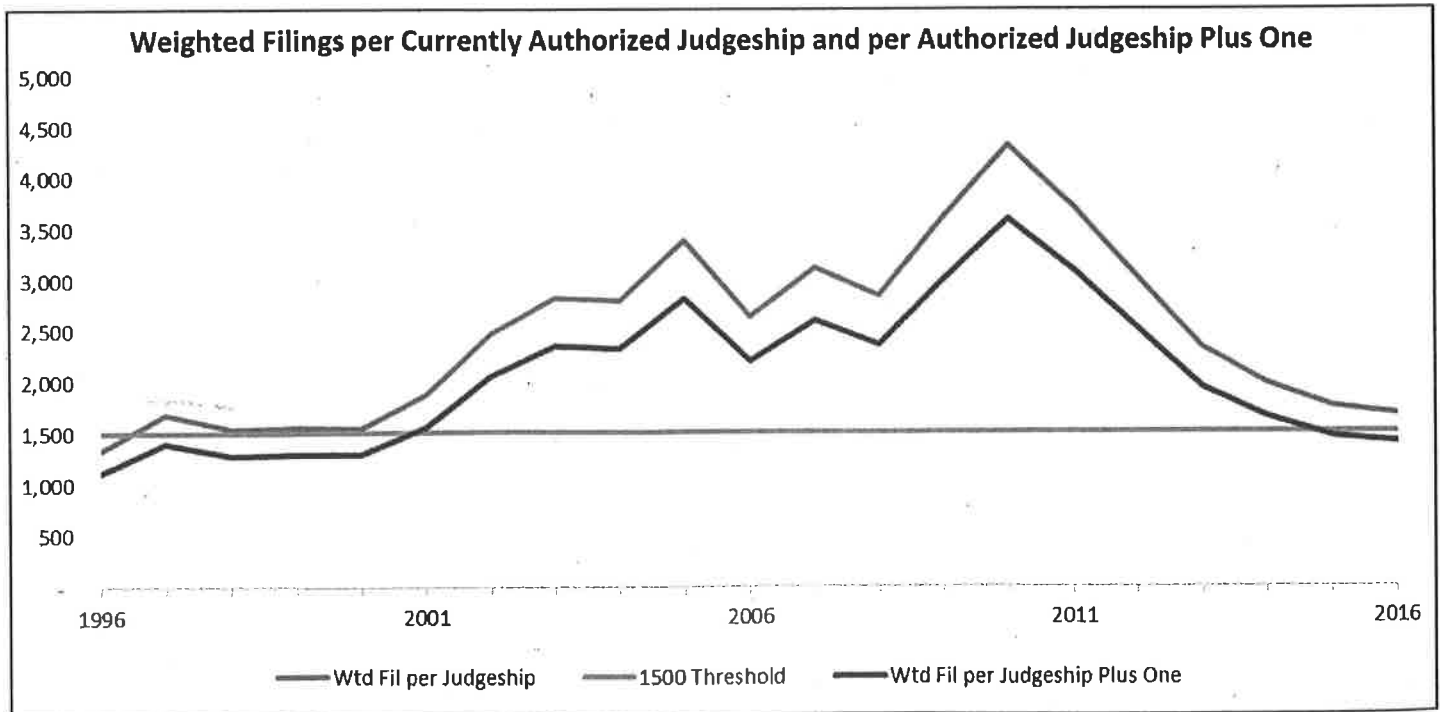
**History of Judgeship Authorizations:** 4 Permanent in 1984, Pub. L. No. 98-353  
1 Temporary in 2005, Pub. L. No. 109-8

**Lapse Date for Temporary Judgeships:** May 25, 2017

**Recalled Judges:** 1

**2013 Judicial Conference Recommendation:** 3 Additional Permanent Judgeships and Convert 1 Temporary Judgeship to Permanent

**2015 Judicial Conference Recommendation:** 2 Additional Permanent Judgeships and Convert 1 Temporary Judgeship to Permanent



## Eastern District of Michigan

12 Months Ended	Total	Business	Non-business	Ch 7	Ch 11	Ch 13	Adv Proc	Authorized Judgeships	Weighted Filings per Currently Authorized Judgeship	
									Current	Adding 1
9/30/1996	20,617	569	20,048	15,315	197	5,091	1,214	4	1,343	1,119
9/30/1997	26,163	650	25,513	19,273	253	6,624	1,305	4	1,683	1,402
9/30/1998	28,628	391	28,237	21,310	143	7,167	1,142	4	1,546	1,289
9/30/1999	25,962	377	25,585	18,776	149	7,030	1,204	4	1,558	1,299
9/30/2000	25,213	331	24,882	17,934	122	7,150	1,220	4	1,551	1,293
9/30/2001	30,731	386	30,345	21,993	165	8,573	1,300	4	1,870	1,559
9/30/2002	37,517	442	37,075	25,551	184	11,779	1,783	4	2,462	2,051
9/30/2003	45,230	427	44,803	30,537	178	14,508	1,855	4	2,814	2,345
9/30/2004	46,935	414	46,521	31,923	168	14,839	1,645	4	2,790	2,325
9/30/2005	55,845	519	55,326	42,017	227	13,596	2,469	5	3,380	2,817
9/30/2006	40,168	601	39,567	30,006	147	10,002	2,294	5	2,636	2,197
9/30/2007	33,799	739	33,060	22,301	140	11,346	3,028	5	3,122	2,602
9/30/2008	41,227	1,081	40,146	30,778	177	10,262	2,054	5	2,843	2,369
9/30/2009	51,286	1,362	49,924	41,887	192	9,193	3,470	5	3,620	3,016
9/30/2010	53,218	1,383	51,835	44,722	159	8,327	5,319	5	4,326	3,605
9/30/2011	46,118	1,179	44,939	38,189	183	7,736	4,519	5	3,739	3,115
9/30/2012	39,146	919	38,227	32,194	219	6,719	3,071	5	3,023	2,519
9/30/2013	33,146	704	32,442	26,967	167	5,998	2,260	5	2,333	1,945
9/30/2014	27,872	485	27,387	22,362	131	5,363	1,827	5	1,987	1,656
9/30/2015	25,725	484	25,241	20,029	117	5,568	1,666	5	1,752	1,460
9/30/2016	24,250	406	23,844	18,670	116	5,448	1,781	5	1,679	1,399

