

# 47% OF FEDERAL CIVIL CASELOAD IS IN MDLs WHERE THE FRCP ARE FAILING TO MEET THE NEED



At the end of fiscal year 2017, **46.8% of civil cases** in the federal court system were in MDLs.<sup>[1]</sup>

266,108 cases were pending in the federal court system. **124,543 of these cases** were pending in **227 MDLs**.<sup>[2]</sup>



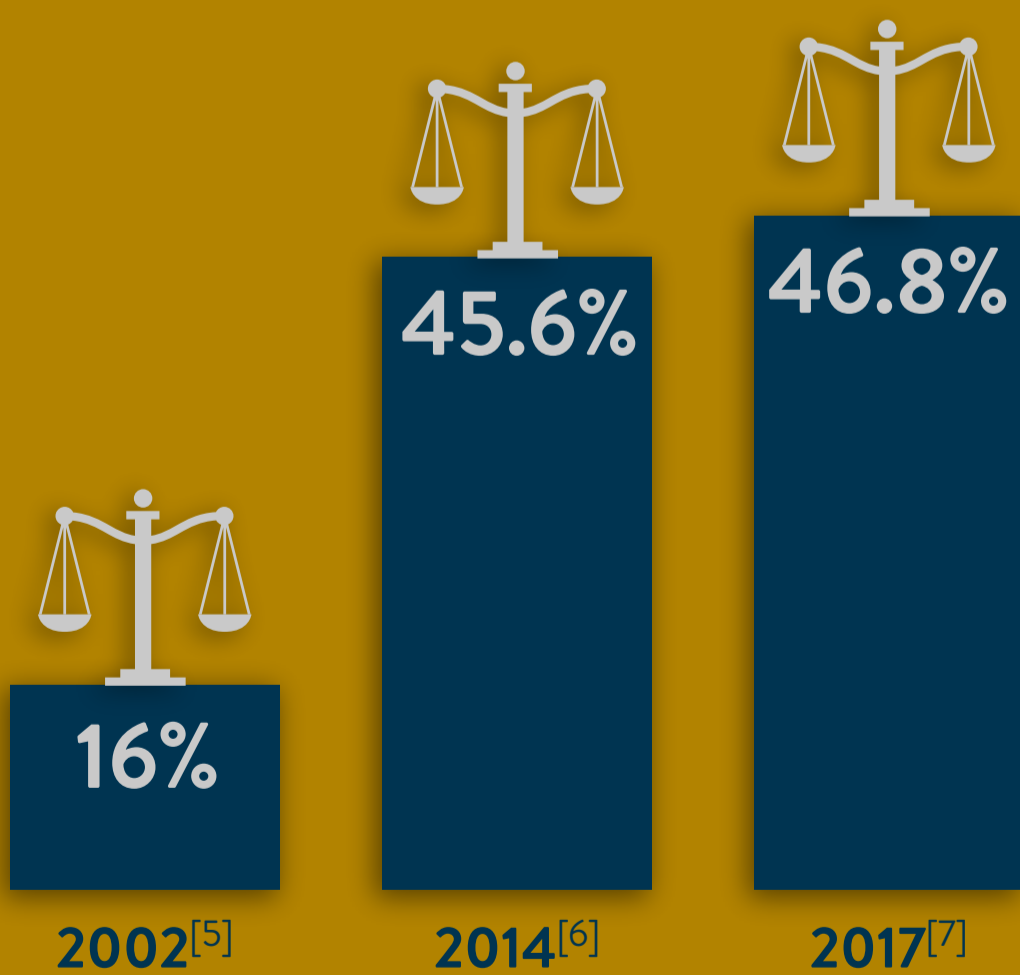
are overseen by



**2.2%**

107,248 cases in 18 largest MDLs<sup>[3]</sup>

15 judgeships of 667 total<sup>[4]</sup>



The percentage of federal civil cases concentrated in MDLs has **nearly tripled** in 15 years.

## SOURCES

[1] Based on Duke Law Center methodology. Civil cases include all cases minus social security and prisoner cases, except death penalty cases. [http://www.uscourts.gov/sites/default/files/data\\_tables/fcms\\_na\\_distprofile0930.2017.pdf](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0930.2017.pdf); [http://www.jpml.uscourts.gov/sites/jpml/files/Pending\\_MDL\\_Dockets\\_By\\_District-September-15-2017.pdf](http://www.jpml.uscourts.gov/sites/jpml/files/Pending_MDL_Dockets_By_District-September-15-2017.pdf)

[2] [http://www.jpml.uscourts.gov/sites/jpml/files/Pending\\_MDL\\_Dockets\\_By\\_District-September-15-2017.pdf](http://www.jpml.uscourts.gov/sites/jpml/files/Pending_MDL_Dockets_By_District-September-15-2017.pdf)

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[4] <https://fas.org/sgp/crs/misc/R43426.pdf>

[5] [https://judicialstudies.duke.edu/sites/default/files/centers/judicialstudies/MDL\\_Standards\\_and\\_Best\\_Practices\\_2014-REVISED.pdf](https://judicialstudies.duke.edu/sites/default/files/centers/judicialstudies/MDL_Standards_and_Best_Practices_2014-REVISED.pdf)

[6] Ibid.

[7] Based on Duke Law Center methodology. Civil cases include all cases minus social security and prisoner cases, except death penalty cases. [http://www.uscourts.gov/sites/default/files/data\\_tables/fcms\\_na\\_distprofile0930.2017.pdf](http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0930.2017.pdf); [http://www.jpml.uscourts.gov/sites/jpml/files/Pending\\_MDL\\_Dockets\\_By\\_District-September-15-2017.pdf](http://www.jpml.uscourts.gov/sites/jpml/files/Pending_MDL_Dockets_By_District-September-15-2017.pdf)