

THE FEDERAL CIVIL CASELOAD IS NOW MAJORITY MDL WHERE THE FRCP ARE NOT DESIGNED TO APPLY



At the end of fiscal year 2018, **51.9% of civil cases** in the federal court system were in MDLs.^[1]

301,766 cases were pending in the federal court system. **156,511 of these cases** were pending in **248 MDLs**.^[2]



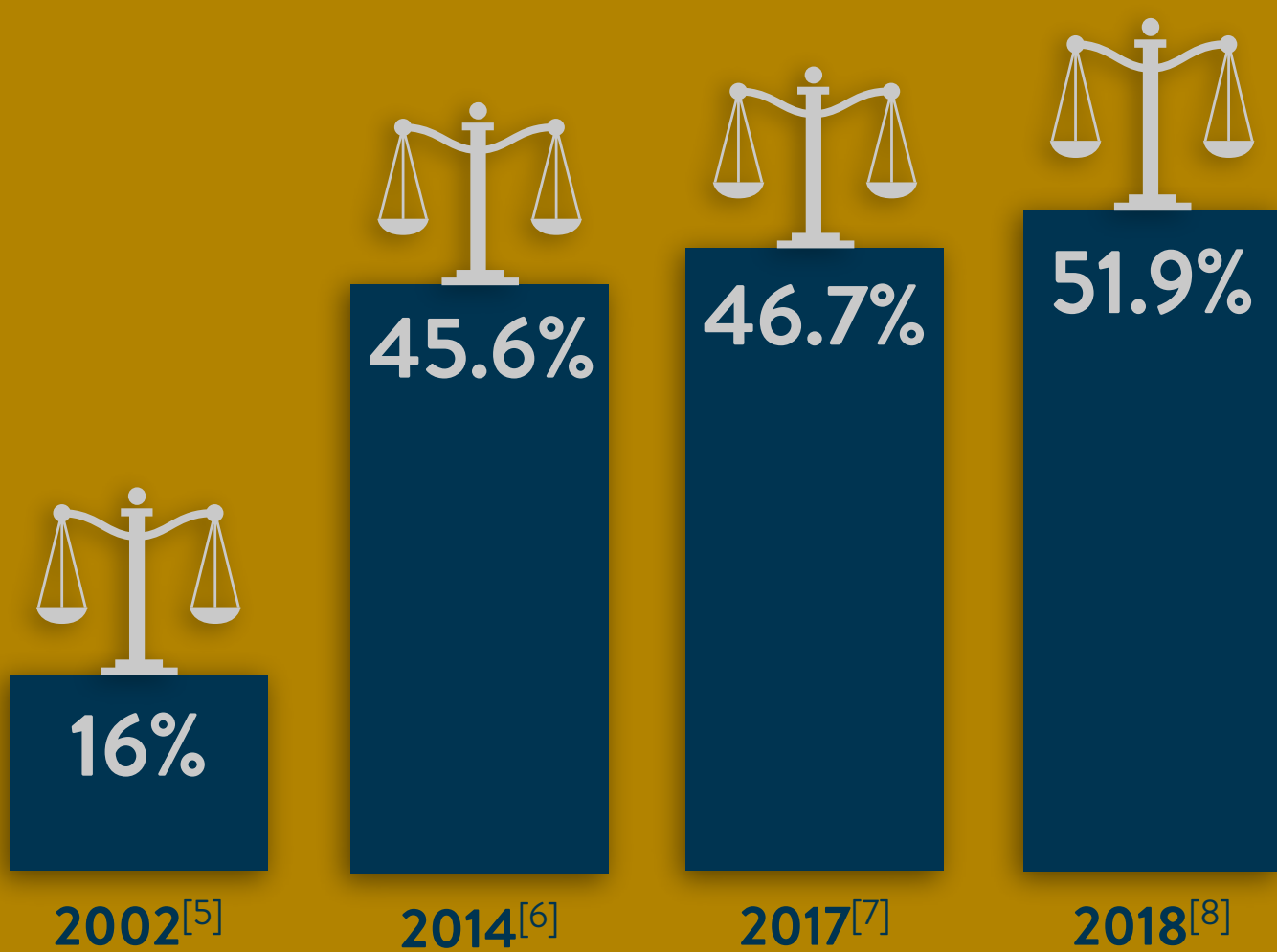
are overseen by



3.1%

140,052 cases in 24 largest MDLs^[3]

21 judgeships of 667 total^[4]



The percentage of federal civil cases concentrated in MDLs has **more than tripled** in 16 years.

SOURCES

[1] Based on Duke Law Center methodology. Civil cases include all cases minus social security and prisoner cases, except death penalty cases. https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf; https://www.uscourts.gov/sites/default/files/data_tables/jb_c3a_0930.2018.pdf

[2] Ibid.

[3] Ibid.

[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

[6] Ibid.

[7] Based on Duke Law Center methodology. Civil cases include all cases minus social security and prisoner cases, except death penalty cases. https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2017.pdf; http://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0930.2017.pdf

[8] Based on Duke Law Center methodology. Civil cases include all cases minus social security and prisoner cases, except death penalty cases. https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf; https://www.uscourts.gov/sites/default/files/data_tables/jb_c3a_0930.2018.pdf