



2012

United States
District Court
Western District
of Michigan

**Clerk's
Office
Year in
Review**

Paul L. Maloney
Chief Judge

Tracey Cordes
Clerk of Court



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A Message from the Chief Judge

Dear Friends and Colleagues:

I have completed my fourth year of service as Chief Judge and it continues to be a privilege. Again, I would like to acknowledge the superlative performance of the members of our Court family. Our Judges continue to carry the highest per judge caseload in the Sixth Circuit, while maintaining our “best in the Circuit” record for time to disposition. Our staff bring total dedication to the work of the Court each and every day.

Tracey Cordes also completed her fourth year in service as our Clerk of Court. She has continued to emphasize excellence in service and sets the highest standards for work quality—while promoting health and wellness in the workplace. The dividends of these values are outlined in the pages that follow.

The citizens of our District have considerable cause for pride in the perseverance, competence and character of each member of our Court family. I am proud to lead such a magnificent group of public servants.

Paul L. Maloney

Chief Judge

A Message from the Clerk of Court

Greetings:

I take pride once again in presenting this report of the service and productivity of our judicial officers and staff in calendar year 2012. The following pages detail our numerous challenges and successes.

Although budget constraints have threatened to tie our hands, we have continued to emphasize excellence in service to litigants, attorneys, judicial officers and our business partners. We have accomplished this by hiring the right people, continuing our investments in training and professional development, and through an ongoing examination of ways in which technology can aid us in our work.

We continue to be challenged in 2013 to do more with less. No doubt we will have to do some things differently. However, we meet these challenges with a hardworking bench, new technology tools, and a staff who understand themselves to be, first and foremost, in the customer service business.

I wish you peace and good health throughout the year.

Tracey Cordes
Clerk of Court



Court History¹

Congress created the District Court of Michigan with the Act of July 1, 1836.² At the time, Michigan was one Judicial District and the court was to hold two sessions at the seat of the government which was then in Detroit. The Act of February 24, 1863,³ divided Michigan into two districts, with Grand Rapids designated as the judicial center of the Western District and Detroit as the center for the Eastern District. In 1878, the Western District of Michigan was divided into two divisions, Southern and Northern. The Act of June 19, 1878,⁴ designated Grand Rapids as the court seat of the Southern Division and Marquette as the court seat of the Northern Division. Grand Rapids held the term of court for the Southern Division of the Western District until 1954, when court was authorized to be held in Kalamazoo and Mason.⁵ The Act of May 19, 1961,⁶ authorized a session of court to be held in the state capital, Lansing, and eliminated the term in Mason.

Who Appointed the Western District of Michigan Article III Judges? (listed chronologically)

<u>Judge</u>	<u>Appointing President</u>
Solomon L. Withey	Abraham Lincoln
Henry F. Severens	Grover Cleveland
George P. Wanty	William McKinley
Loyal E. Knappen	Theodore Roosevelt
Arthur C. Denison	William Howard Taft
Clarence W. Sessions	William Howard Taft
Fred M. Raymond	Calvin Coolidge
Raymond W. Starr	Harry S. Truman
W. Wallace Kent	Dwight D. Eisenhower
Noel P. Fox	John F. Kennedy
Albert J. Engel, Jr.	Richard M. Nixon
Wendell A. Miles	Richard M. Nixon

¹ Adapted from the Sixth Circuit Court of Appeals website.

² 5 Stat. 62.

³ Act of February 24, 1863, 12 Stat. 660.

⁴ Act of June 19, 1878, 20 Stat. 177.

⁵ Act of February 10, 1954, 68 Stat. 11.

⁶ Act of May 19, 1961, 75 Stat. 81.



Judge

Douglas W. Hillman
Benjamin F. Gibson
Richard Alan Enslen
Robert Holmes Bell
David W. McKeague
Gordon J. Quist
Paul L. Maloney
Robert J. Jonker
Janet T. Neff

Appointing President

Jimmy Carter
Jimmy Carter
Jimmy Carter
Ronald Reagan
George H.W. Bush
George H.W. Bush
George W. Bush
George W. Bush
George W. Bush

**Western District of Michigan
Succession of Article III Judges**

First Seat

Solomon L. Withey
Henry Franklin Severens
George Proctor Wanty
Loyal Edwin Knappen
Arthur Carter Denison
Clarence William Sessions ¹

Second Seat

Fred Morton Raymond
Raymond Wesley Starr
Noel P. Fox
Richard Alan Enslen
Paul L. Maloney

Third Seat

W. Wallace Kent
Albert J. Engel, Jr.
Wendell A. Miles
Robert Holmes Bell

Fourth Seat

Benjamin F. Gibson ²

Fifth Seat

Douglas W. Hillman
David W. McKeague
Janet T. Neff

Sixth Seat

Gordon J. Quist
Robert J. Jonker

¹ Clarence W. Sessions' death on April 1, 1931, created the first vacancy following the expiration of the temporary judgeship authorized by the act of February 17, 1925, 43 Stat. 949, and accordingly no successor was appointed.

² Benjamin F. Gibson's retirement on January 31, 1999, created the first vacancy following the expiration of the temporary judgeship authorized by the act of December 1, 1990, 104 Stat. 5089, and accordingly no successor was appointed.



Western District of Michigan Magistrate Judges

<u>Magistrate Judge</u>	<u>Dates of Service</u>	<u>Location</u>
Stephen W. Karr	July 20, 1971 - October 1, 1973 (part-time) October 2, 1973 - December 31, 1987	Grand Rapids
Lloyd R. Fayling	July 26, 1971 - November 8, 1982 (part-time)	Kalamazoo
John R. Weber	March 13, 1972 - January 10, 1988 (part-time)	Marquette
Stuart D. Hubbell	June 13, 1972 - October 23, 1973 (part-time) January 30, 1974 - July 31, 1979 (part-time)	Grand Rapids
Hugh W. Brenneman, Jr.	April 1, 1980 - present	Grand Rapids
Doyle A. Rowland	July 23, 1984 - January 15, 1985 (part-time) January 16, 1985 - February 29, 2000	Kalamazoo
Timothy P. Greeley	January 11, 1988 - December 20, 1989 (part-time) December 21, 1989 - present	Marquette
Joseph G. Scoville	January 28, 1988 - present	Grand Rapids
Ellen S. Carmody	October 10, 2000 - present	Grand Rapids

Grand Rapids Federal Courthouses



1879 - 1909



1909 - 1973

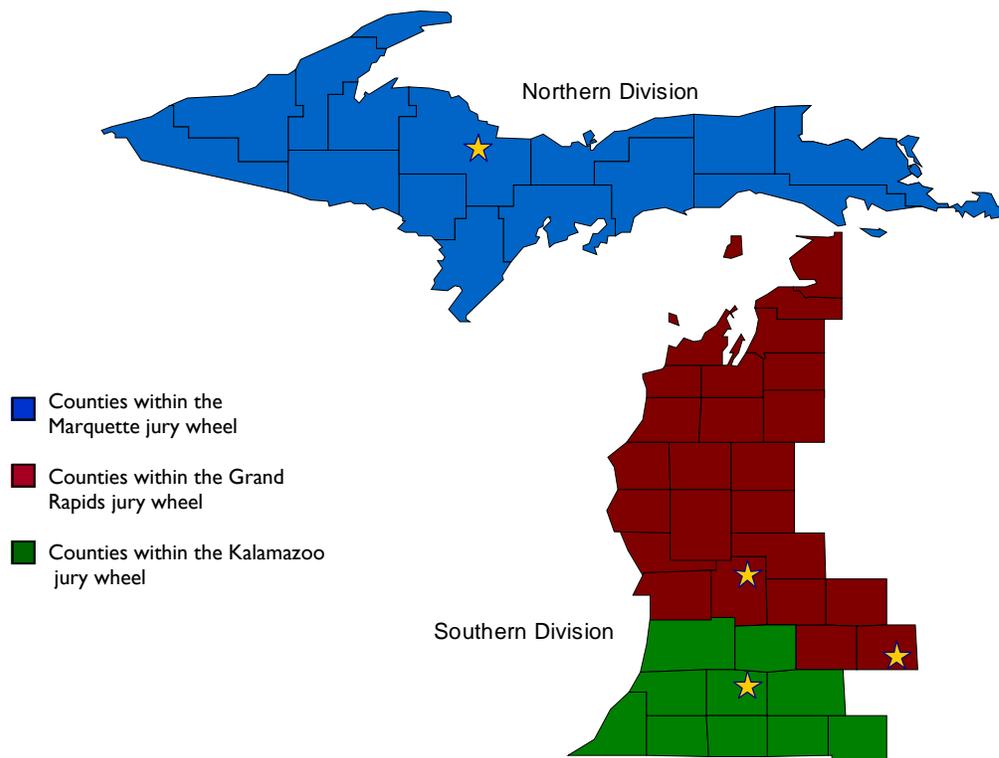


1973 - present



The United States District Court for the Western District of Michigan

The U.S. District Court for the Western District of Michigan is one of two federal district courts in the state of Michigan. The district includes the entire Upper Peninsula and the western half of the Lower Peninsula, covering over 35,000 square miles. The district is divided into two divisions, the Northern Division and the Southern Division. There are 49 counties in the Western District — 15 counties in the Northern Division and 34 counties in the Southern Division. The Court's main office is in Grand Rapids and there are divisional offices in Marquette, Kalamazoo and Lansing.





Judicial Officers & Staff



Chief Judge Paul L. Maloney

Chief Judge: July 18, 2008 - present

Judicial Assistant: Alice Baker / Successor: Kathy Wright

Case Manager: Amy Redmond

Law Clerks: Rod Phares; Joshua Feasel

Court Reporter: Kathleen Thomas



Judge Robert Holmes Bell

Chief Judge: June 1, 2001 - July 17, 2008

Judicial Assistant: Kim Briggs

Case Manager: Sue Bourque

Law Clerks: Julie Clough; Adam Benitez / Successor: Bill Briggs

Court Reporter: Kevin Gaugier



Judge Robert J. Jonker

Judicial Assistant: Yvonne Carpenter

Case Manager: Melva Ludge

Law Clerks: Margaret Khayat Bratt; Mike Azzi / Successor: Mark Thomson

Court Reporter: Glenda Trexler



Judge Janet T. Neff

Judicial Assistant: Chris Bockheim

Case Manager: Rick Wolters

Law Clerks: Kathleen Geiger; Rita Buitendorp

Court Reporter: Kathy Anderson



Judge Gordon J. Quist

Senior Status: January 1, 2006 - present

Judicial Assistant: Jane Tepper

Law Clerks: Phil Henderson; Kyle Konwinski / Successor: Heather Abraham



Judicial Officers & Staff (continued)



Judge R. Allan Edgar

Senior Status and Designated to WDMI: October 7, 2005 - present

Judicial Assistant: Cathy Moore

Law Clerks: Mike Hooper; Molly Phillips



Magistrate Judge Hugh W. Brenneman, Jr.

Judicial Assistant: Faith Webb

Law Clerk: James Dion

Courtroom Deputy: Lindsey Alley



Magistrate Judge Timothy P. Greeley

Judicial Assistant: Cathy LeBoeuf

Law Clerk: Rodney Kurzawa

Courtroom Deputy: Pam Chant



Magistrate Judge Joseph G. Scoville

Judicial Assistant: Marge Hetherington

Law Clerk: Christopher Williams

Courtroom Deputy: Diane Hand

Staff Attorneys:

Anne Bartish

Todd Broberg

Lisa DeFerrari

Catherine Halverson

Kristin Vandenberg



Magistrate Judge Ellen S. Carmody

Judicial Assistant: Cynthia Hosner

Law Clerk: Russ Ambrose

Courtroom Deputy: Julie Lenon



Clerk's Office Staff in 2012

Grand Rapids



The Gerald R. Ford Federal Building
Grand Rapids, MI

Administration:

Clerk of Court - *Tracey Cordes*
Chief Deputy Clerk - *Kim Foster*
Administrative Analyst - *Michelle Rush*
Administrative Secretary - *Kathy Devlin*
CM/ECF Administrator - *Kelly Van Dyke*
Jury Administrator - *Diane Hopkins*
Personnel Specialist - *Melanie Vugteveen*

Finance & Procurement:

Financial Administrator - *Mike Polkowski*
Procurement & Financial Specialist -
Katie Campbell
Procurement Clerk - *Nicki Gleeson*
Financial Technician - *Melissa Spriggs*

Information Technology:

IT Manager - *Deloy Johnson*
Assistant IT Manager - *Kim Greer*
Assistant IT Manager - *Mitch Van Dyke*
IT Help Desk Specialist - *Amy Jensen*
IT Specialist - *Tom La*
IT Specialist - *Bill Simaz*
IT Specialist - *Sue Tanner*
IT Specialist - *Ed Van Portfliet*

Operations:

Operations Manager - *Michelle Benham*
Resident Deputy - *Kristi Taylor*
Case Administrator - *Mary Clapp*
Case Administrator - *Angie Doezema*
Case Administrator - *Gloria Frayer*
Case Administrator - *Jennifer Manders*
Court Programs /Training Coordinator -
Lauren Packard
Data Quality Analyst - *Matt Allen*
Data Quality Analyst - *Cindy Idema*
Data Quality Analyst - *Kathy Wright / Vacant*
Intake Clerk - *Jinsoo Jeon / Successor: Ashley Mankin*
Intake Clerk - *Jodi Simpson / Successor: Nermana*
Stimec
Pro Se Support Clerk - *Cindy Idema / Successor:*
Angie Doezema



Marquette



Federal Building
Marquette, MI

Resident Deputy-in-Charge - *Carole Poggi*
Case Administrator - *Sandy Kivela*
Case Administrator - *Michele Carlson*

Kalamazoo



Federal Building
Kalamazoo, MI

Resident Deputy-in-Charge - *Vacant*
Case Administrator - *Barb Dowdle*
Case Administrator - *Martha Strong*

Lansing



Charles E. Chamberlain Federal Building
Lansing, MI

Resident Deputy-in-Charge - *Jodi Gerona*
Case Administrator - *DeWinda Webb*
Case Administrator - *Paula Woods*



Service to the Judiciary

Chief Judge Paul L. Maloney is a member of the Sixth Circuit Judicial Council. He sat by designation as a visiting judge at the Sixth Circuit Court of Appeals in May 2012. Throughout the year, Chief Judge Maloney attended the Chief United States District Judges Conference, the Sixth Circuit Judicial Conference, the U.S. Sentencing Commission's Federal Sentencing Guidelines Training, and the U.S. Sentencing Commission's Annual National Seminar, in addition to various other conferences, meetings and training sessions.

Judge Robert Holmes Bell continued his Chair responsibilities of the Criminal Law Committee of the U.S. Courts. He also sat by designation as a visiting judge at the Sixth Circuit Court of Appeals in November 2012.

Judge Robert J. Jonker, pictured below, is a member of the U.S. Judicial Conference Advisory Committee on Bankruptcy Rules. The Advisory Committee provides analysis and advice on rules and forms used in bankruptcy courts. The Committee is currently working on a package of significant changes for consumer bankruptcies, with a primary objective of making the bankruptcy process more accessible to qualified debtors at lower cost.



Judge Jonker was also the featured speaker at the University of Michigan Law School's "Commitment to Integrity" ceremony. The ceremony is for new law students and is designed to "instill[] in students the paramount importance [of] professional and ethical behavior as they get ready to begin the study of law." *Commitment to Integrity Program*, UNIVERSITY OF MICHIGAN LAW SCHOOL, <http://www.law.umich.edu/currentstudents/studentsservices/Pages/CommitmenttoIntegrity.aspx> (last visited Apr. 16, 2013).

Judge Gordon J. Quist sat by designation as a visiting judge in the following locations: the Sixth Circuit Court of Appeals, the Ninth Circuit Court of Appeals and the District of Arizona. In addition, Judge Quist taught at the Russian Academy of Justice in Moscow for two weeks in April and May 2012 (class picture below). Additionally, the Court helped celebrate Judge Quist's twenty years on the bench with a portrait hanging ceremony and reception.



Judge R. Allan Edgar was assigned six cases in the Eastern District of Michigan due to the recusal of all Eastern District judges. He also attended a Federal Judicial Center Workshop in Boston during April 2012.



Work Measurement Study

The Western District of Michigan participated in a work measurement study during September and October 2012. Work measurement studies have been going on in the judiciary for over 30 years, although the frequency and methods have changed over time. During 2012, all 94 district courts were studied and all data was gathered electronically.

Staff members made entries at the end of each day indicating how, within certain predetermined categories, their time was spent and in what general amounts. The data that was gathered will be directed toward answering three overarching questions: what tasks do staff perform; how often do the tasks occur; and how long does it take to perform a task once? Each of these questions relates to workload, which is the basic component for determining the number of staff necessary to support our workload and, of course, the budgetary allotment necessary to support that number of staff. The work tasks of all Clerk's Office staff was studied, as well as those involved in shared administrative services (some IT and finance staff), volunteers/unpaid interns, and functions of certain chambers staff. This information will be used by the Committee on Judicial Resources (JRC) to select a new staffing formula for District Court Clerks' Office staff nationally for implementation in FY 2014.

Operations

Continued Restructuring of the Operations Department

In response to the management review conducted in 2010, the Grand Rapids Operations

Department transitioned to a team-based work model in 2011. As a continuation of this process, the unit functions were restructured in 2012 and the Operations Manager now oversees all four divisional offices. This restructuring resulted in noticeable benefits, including greater support for staff in each divisional office and greater consistency across the district in work practices. Through cross-training of staff and utilization of technological resources, the Operations Department is able to maintain flexibility in staffing divisional offices to better function as one court. Workload between offices is fluid and can now easily be absorbed and/or shared whenever necessary, regardless of where it is generated, to accommodate varying circumstances.

Focus on Cost Savings

The Operations Department continued its focus on cost containment. Changes included retaining and processing all mail where it is received rather than shipping among divisional offices for docketing, thus saving postage and shipping costs; electronically routing proposed documents to and from chambers; eliminating expensive, preprinted case file folders in exchange for more economical, plain versions; reviewing reports electronically rather than printing; printing double-sided whenever possible; and recycling scrap paper for printing of memos or other internal documents. Taken individually, the savings are small, but when combined, the resources impact has registered on the Richter scale.



Elector Records

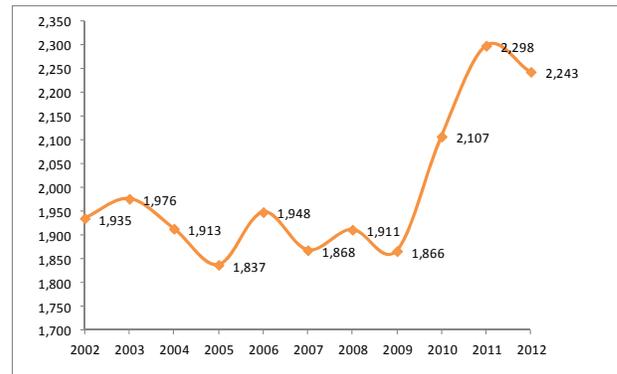
Every four years, members of the Electoral College gather across the country to cast the votes that will choose the next President of the United States. The documents certifying those votes are sent to Congress for a final count, with additional copies going to the National Archives. Another less-known recipient of the Electoral College documents are the federal District Courts. Complying with laws dating back to 1792, one U.S. District Court in each state, as well as the District of Columbia, receives a set of Electoral College documents into its safekeeping, in case the originals get lost or are invalidated.

On December 18, 2012, the U.S. District Court for the Western District of Michigan received the Electoral College Records for the State of Michigan. These records include the Certificate of Ascertainment bearing the Seal of the State of Michigan and the signatures of the Governor and Secretary of State, along with the Certificate of Votes for President and Vice President of the United States signed by the Electors of the State of Michigan.

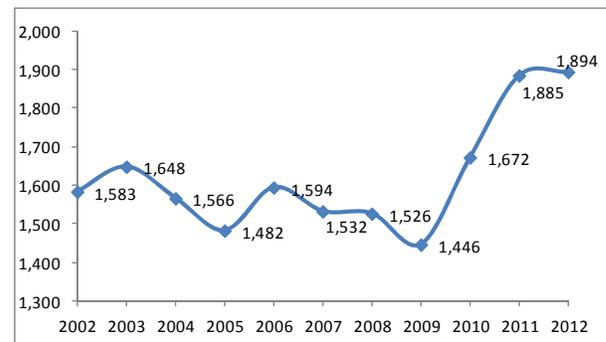
Case Filing Statistics

In 2012, parties filed 2,243 civil and criminal cases in the Western District of Michigan, a two percent decrease overall from 2011. Civil cases increased slightly (1%), while criminal cases decreased more significantly (16%).

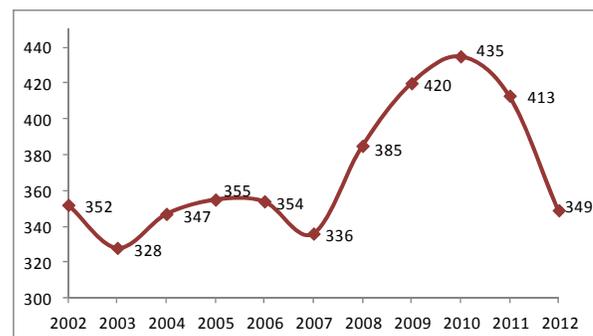
Total Case Filings



Civil Case Filings



Criminal Case Filings



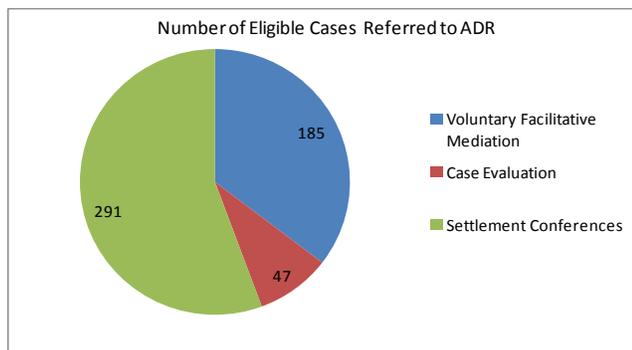


Special Programs

Alternative Dispute Resolution (ADR)

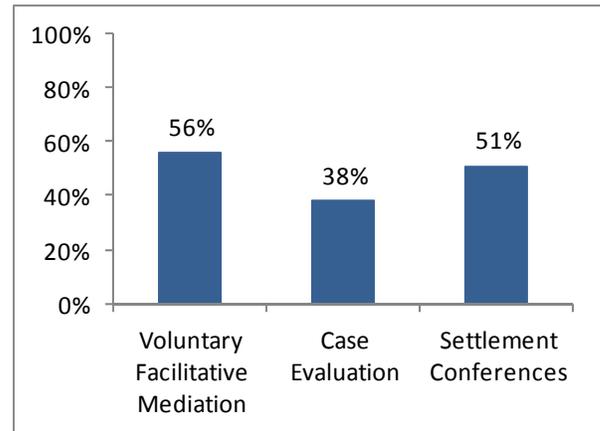
The Judges of the Western District of Michigan offer five alternative methods for resolving disputes, including Voluntary Facilitative Mediation (VFM), Case Evaluation, Early Neutral Evaluation (ENE), Summary Jury and Bench Trials, and Settlement Conferences. In 2012, the Judges repealed Local Civil Rule 16.6, governing Court-Annexed Arbitration, as this method of alternative dispute resolution was rarely utilized by litigants.

Of the 1,894 civil case filings in 2012, 922 cases were eligible for referral to some form of ADR.¹ Of the 922 eligible cases, 523 (57%) were referred:² 185 cases (35%) to VFM, 47 cases (9%) to Case Evaluation, and 291 cases (56%) to a Settlement Conference. No cases were referred for ENE or Summary Jury or Bench Trials.

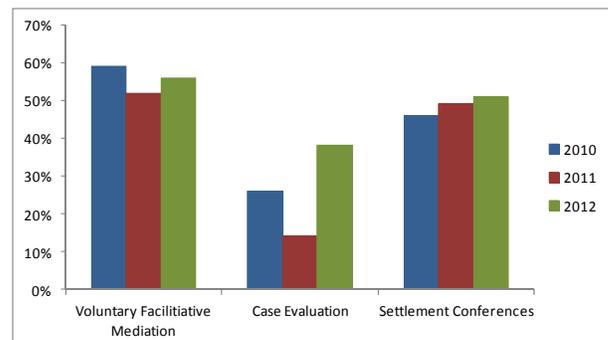


1. Cases that are exempt from a scheduling/planning order are ineligible for referral to ADR (e.g., § 2255 motions, habeas corpus petitions, prisoner civil rights cases, prisoner petitions, social security appeals, student loan actions and bankruptcy appeals). Refer to Local Civil Rule 16.1(g).
2. Parties must consent to referral to ADR, therefore not all eligible cases are referred to some form of ADR.

In 2012, 56 percent of cases completing Voluntary Facilitative Mediation settled; 38 percent of cases completing Case Evaluation settled; and 51 percent of cases completing a Settlement Conference settled.



What follows is a three-year comparison of the settlement percentages for cases completing the three most common forms of ADR.



Naturalization

In 2012, our judges presided over 32 naturalization ceremonies in which 2,041 new citizens from 120 countries were represented. The countries of origin shown on the next page are listed as identified by the naturalized citizens.

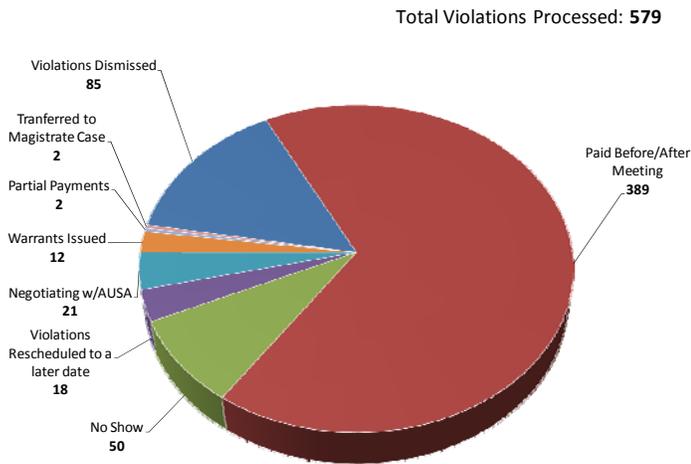


Afghanistan	Germany	Panama
Albania	Ghana	Peru
Algeria	Greece	Philippines
Argentina	Guatemala	Poland
Australia	Guinea	Portugal
Austria	Haiti	Romania
Azerbaijan	Honduras	Russia
Bahamas	Hong Kong	Rwanda
Bangladesh	India	Senegal
Belarus	Indonesia	Serbia
Belgium	Iran	Sierra Leone
Bermuda	Iraq	Slovakia
Bolivia	Israel	Somalia
Bosnia-Herzegovina	Italy	South Africa
Brazil	Jamaica	South Korea
Bulgaria	Japan	Spain
Burma	Jordan	Sri Lanka
Burundi	Kampuchea	St. Kitts-Nevis
Cambodia	Kenya	St. Lucia
Cameroon	Kosovo	St. Vincent-Grenadines
Canada	Laos	Sudan
China	Lebanon	Sweden
Colombia	Liberia	Switzerland
Congo	Libya	Syria
Congo-Kinshasa	Lithuania	Taiwan
Costa Rica	Malawi	Tanzania
Cote d'Ivoire	Malaysia	Thailand
Croatia	Mauritius	Togo
Cuba	Mexico	Trinidad & Tobago
Cyprus	Moldova	Turkey
Czech Republic	Montenegro	Ukraine
Dominica	Morocco	United Kingdom
Dominican Republic	Nepal	Uruguay
Ecuador	Netherlands	Uzbekistan
Egypt	New Zealand	Venezuela
El Salvador	Nigeria	Vietnam
Eritrea	Oman	Yemen
Ethiopia	Pakistan	Yugoslavia
Finland	Palestine	Zambia
France	Paraguay	Zimbabwe



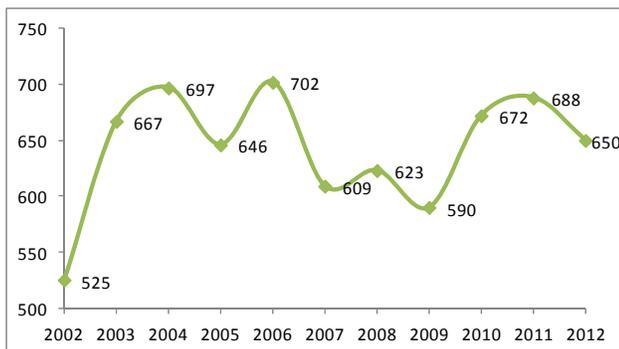
Central Violations Bureau (CVB)

The Central Violations Bureau is tasked with processing violation notices (citations) issued and payments received for petty offenses committed on federal property. In 2012, the Court processed 579 violations, a four percent increase from the 558 violations processed in 2011.



Attorney Admissions

During 2012, 650 attorneys were admitted to practice in the Western District of Michigan. A total of 21,920 attorneys have been admitted since the Court was created in 1863. Numbers of admissions can vary significantly from year to year, as shown below.



CM/ECF

Numerous initiatives and significant efficiency measures related to CM/ECF were implemented in 2012, including:

Magistrate Judge Case Numbers

Historically, each magistrate judge was given a block of case numbers which were then assigned as new criminal complaints and search warrants were presented. This approach accommodated a paper case file, but always left gaps of unused magistrate judge case numbers. Now that the case records are maintained electronically, the block numbering system is no longer necessary. The numbers are now sequentially assigned in CM/ECF via an automatic case numbering feature. This new feature saves chambers staff time that was previously spent on maintaining records of this information and allows for district-wide sequential numbering of magistrate judge cases.

Electronic Warrants

A new process for issuing warrants offers three options for creating and signing a warrant. The first allows for the judge to manually sign the document as has been done historically; the second option allows certain court staff to electronically stamp the judge's signature on a warrant; and the third option allows for the electronic creation and signature of a warrant. Regardless of how the warrant is created or signed, when entered in CM/ECF, the system electronically notifies and serves the U.S. Marshal, saving photocopying and hand delivery.



Presentence Reports

Our U.S. Probation Officers began electronically filing presentence reports in 2012. In connection with this, court staff trained attorneys and their staff regarding the associated local criminal rule amendments, and included instruction on how to electronically file their responses/objections to the presentence report under restricted access.

Criminal Affidavits and Summonses

Financial affidavits previously maintained in paper form in the Probation/Pretrial Services file, are now scanned and e-filed by chambers staff under restricted access, thus offering the Court and defense counsel access to the document through CM/ECF. Additionally, our CM/ECF Administrator created automated means for Probation/Pretrial Services Officers to simultaneously create and e-file criminal summonses, significantly increasing the efficiency of this process for the officers.

Grand Jury Return Documents

In April, the Clerk's Office began receiving documents and proposed warrants electronically from the U.S. Attorney's Grand Jury Coordinator. This allows the court staff, in turn, to issue the indictment warrants electronically under their own signature. Exchanging the PDF files instead of paper saves time, eliminates the need for scanning, and results in a better looking document which retains text-searchable features.

Initiating Civil Cases Electronically

As of April 1, 2012, parties are required - rather than invited - to file new civil cases electronically.

Appeal Briefs and PageID

The Court has modified its approach to filling requests for appeal transcripts in response to a requirement by the Sixth Circuit Court of Appeals that the PageID be referenced. The PageID is a component of the header that CM/ECF applies to a document after it has been filed which sequentially identifies each page of the District Court record. With regard to appeal transcripts, this can pose a financial burden on the attorney/parties, because in order to obtain the PageID, attorneys are forced to either review the document at the public terminal or incur PACER fees. To address this, the Court now provides a PDF copy of the filed transcript that includes the header and PageID.

CM/ECF Upgrade

The Court implemented the most recent upgrade of CM/ECF in July 2012, with minimal system downtime. Significant features of the upgrade include enhanced security, new password requirements, and an automatic disabling of an account after five invalid login attempts. The upgrade also provided a means for authorized Clerk's Office staff to access criminal debt information through Offender Payment Enhanced Report Access (OPERA), a tool that was originally designed for the Probation Office to monitor payments without requiring access to the court financial record system.

CM/ECF Forum

In early August, staff attended the CM/ECF Operational Practices Forum in Washington, DC. There were approximately 700 judiciary personnel in attendance from across the coun-



try. The forum included demonstrations on upcoming releases of CM/ECF and future functionality, as well as discussion topics suggested by the attendees. Year after year, the forum provides an opportunity for courts to share information, best practices, innovations and to discuss issues and ideas to better serve the court community.

Civil Summonses

In early October, the civil summons and third-party summons forms were modified to accommodate an electronic seal and signature. Instead of printing proposed summonses, hand issuing them and mailing them back to the filing attorney via U.S. mail, Clerk's Office staff now issue summonses electronically and return the issued summonses via the Notice of Electronic Filing (NEF) generated at the end of the e-filing transaction. This new process saves time for both Clerk's Office staff and the plaintiff's attorney, while also reducing paper and postage costs.

Automagic Form Options

Two more opportunities for efficiency with CM/ECF were realized using "automagic" forms in CM/ECF. These form options are automatically generated through entry of an event in CM/ECF, instead of having to create a document with word processing software and efile it.

FINANCE

The Finance & Procurement Unit supports the administrative functions of the Court in the following areas:

- Accounts Receivable
- Accounts Payable
- Fund Management & Control
- Internal Controls & Accounting Procedures
- Procurement & Inventory Management

Fund Management & Control

Under the oversight of the Clerk, Chief Probation Officer and Chief Judge, the Finance Unit is charged with administering the district's budget on a day-to-day basis. To accomplish this, the court units' budgetary requirements are determined and spending plans are defined. Spending is monitored to ensure obligations and expenditures conform to our spending plan, do not exceed our authorized amount, and follow applicable guidelines, rules and regulations.

Accounts Payable

Although the largest volume of disbursements are done for the District Court, the Finance Unit also processes disbursements for the Bankruptcy Court, Probation & Pretrial Services Office, Office of the Federal Public Defender and the Sixth Circuit Court of Appeals (travel-related only). Overall, payable disbursements in calendar year 2012 decreased to 10,620 from 10,845 in 2011, a decrease of 2.1 percent. With the exception of the Federal Public Defender, payable totals specific to other court entities decreased when compared to calendar year 2011. The following table is an analysis of payments specific to each entity.



Payments by Court Entity

Entity	Pro rata %	2012	2011
District Court	78.4%	8,320	8,503
Bankruptcy Court	6.7%	714	770
Probation/ Pretrial Services	9.8%	1,040	1,069
Federal Public Defender	5.1%	546	503
Total		10,620	10,845

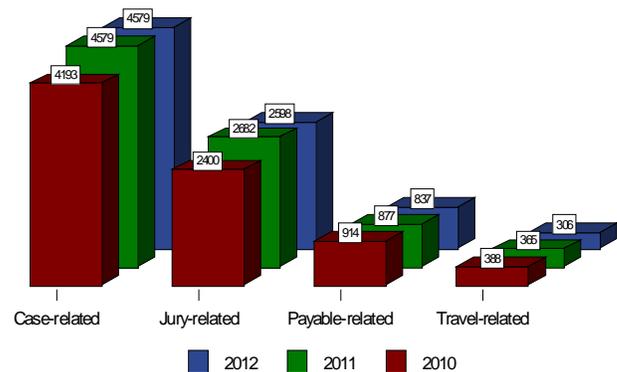
Within the District Court, payments are divided into four categories:

- Case-related: consists of disbursements to restitution victims in criminal cases, refunds to correctional facilities as a result of the overpayment of Prison Litigation Reform Act (PLRA)-related civil or appeal case filing fees by inmates in state or federal custody, and other financial activities. This category comprised approximately 55 percent of all payments in 2012.
- Jury-related: comprises payments to all grand and petit jurors. Approximately 31 percent of all payments in 2012 were jury-related.
- Payable-related: incorporates all payments revolving around routine court business (i.e., equipment maintenance, telephone/cellular services, office supplies, etc.). Payable-related payments

were approximately 10 percent of all payments in 2012.

- Travel-related: encompasses all payments to chambers and Clerk’s Office staff involving travel. During 2012, approximately 4 percent of all payments were travel-related.

Payment Categories - District Court



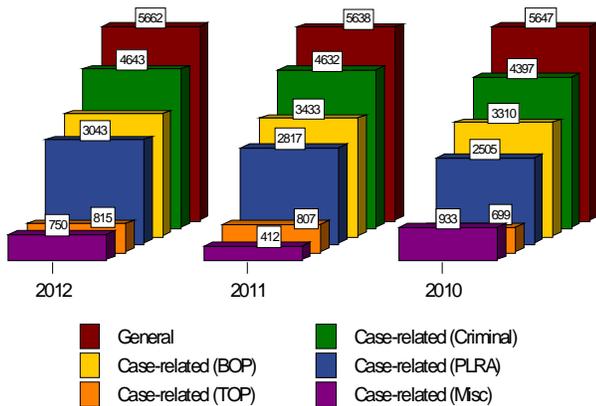
Accounts Receivable (Collections)

Within the district, collections are divided into the following categories:

- General - Statutory collections, i.e., filing fees
- Case Related (Criminal) - Criminal debt collections received via mail/over counter
- Case Related (BOP) - Criminal debt collections received via the Bureau of Prisons
- Case Related (PLRA) - Prisoner Litigation Reform Act collections
- Case Related (TOP) - Criminal debt collections received via Treasury Offset Program
- Case Related (Misc) - Misc collections, i.e. attorney admission



Collections by Category



The Finance Unit processes collections for all court units, with the exception of the Bankruptcy Court. Overall, calendar year transactions increased 4.2 percent from the prior year.

Collections are processed in various ways, depending on the transaction type and payment method. General collections include civil and appeal filing fees, copy fees or miscellaneous fees, and are received over the counter or through the mail. Other case-related transactions are processed using a number of Treasury-directed initiatives. The majority of collections in 2012--69.4 percent--were case-related, while other general collections make up the balance (30.6%).

Pay.gov is a secure government-wide collection portal that was developed for federal agencies to allow electronic payment processing via the Internet. In April 2012, it became mandatory for attorneys to initiate new civil cases electronically. As a direct result, Pay.gov-related transactions continue to increase each year.

Pay.gov Transactions

Transaction Type	2012	2011	2010
Civil	765	529	—
Appeal	66	67	39

Internal Controls & Accounting Procedures

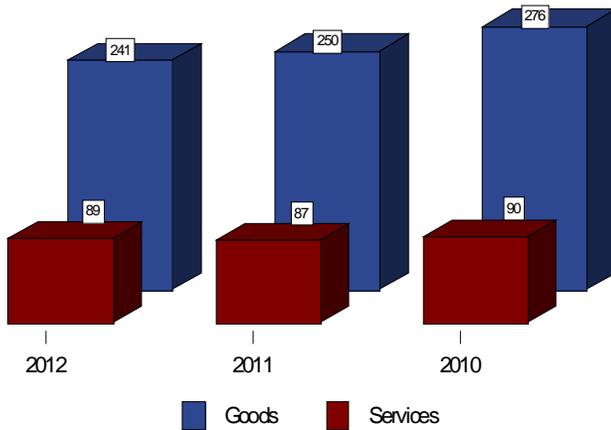
The Administrative Office carries out cyclical audits in order to ensure the integrity of the District Courts' financial information and internal controls. District Courts are required to conduct additional periodic internal evaluations in the years that a cyclical audit is not scheduled. As a cyclical audit was not scheduled for our District in 2012, we again contracted the services of a local, independent auditing firm to assess the financial processes utilized by the Court. Our Court functions well, but we welcome the suggestions we receive for further strengthening of our controls.

Procurement and Inventory Management

Procurement staff are responsible for day-to-day purchases for all divisional offices of the District Court and Probation and Pretrial Services. Generally, purchases fluctuate from year-to-year based on funding availability and need. During calendar year 2012, procurement staff processed 330 purchase orders, a two percent decrease from the prior year total of 337.



Purchase Orders by Type



Assistance Outside our District

In December 2012, Financial Administrator Mike Polkowksi, worked in partnership with another district court in our circuit by providing a review of the financial activities of that district. At the conclusion of the week-long review, he was able to identify several areas where additional training was needed. It is anticipated that additional assistance will be provided in the coming months.

Information Technology

Over the course of 2012, the Information Technology (IT) department continued its support of the District Court and the Probation/Pretrial Services Office in all areas of technology.

Courtroom Technology

The IT staff maintained and enhanced the existing technology in all courtrooms during the year. Chief Judge Maloney's Kalamazoo courtroom was upgraded to full evidence presenta-

tion capabilities including annotation monitors and integrated video teleconferencing. The Grand Rapids courtrooms of Magistrate Judges Brenneman and Scoville received audio system replacements including integrated teleconferencing, hearing assistance and language interpreting systems.

Technology Upgrades

Local and wide area networks are the center of the technology infrastructure in the District and security of these systems is critical. Network and security activities included file server upgrades, network switch upgrades and ongoing security awareness training to ensure the networks are protected and meet the demands of the present and the future.

During 2012, the telephone systems in all locations were maintained and IT staff replaced aging hardware supporting the Grand Rapids system. Future enhancements will include interconnection of the individual systems allowing for seamless communication across divisional locations and more economies of scale in recurring costs and support.

Computers, printers, scanners and other devices are also crucial to our infrastructure. Replacements and upgrades occurred throughout the year and were an important ongoing activity to ensure all District Court and Probation/Pretrial Services staff have the tools they need.

All court staff continue to be more mobile and work remotely. Judges and Probation Officers were equipped with iPads in 2012, providing them with additional flexibility and options whether inside or away from the courthouse.



IT Service Delivery

The IT Department implemented a Helpdesk request system in 2011. During 2012, there were 2952 requests submitted by court staff and responded to by the IT staff. The system continues to enhance IT service delivery by allowing court staff a consistent way to submit their requests and allowing the IT staff to acknowledge, assign and respond to those requests.

Jury

Again in 2012, jurors expressed high satisfaction (nearly 100 percent) with staff service and courtesy and with their service as a whole. A handful of new initiatives in 2012 have contributed to these positive reviews.

eJuror

The eJuror program enables prospective jurors to complete and submit their initial juror qualification questionnaire and juror information via the Internet. Once registered, jurors can update their information, check their status, request an excuse or deferment, and obtain reporting instructions on-line. When prospective jurors are able to enter their own information directly into the system, the information entered is more complete and accurate. The program also reduces the amount of paper our jury department has to handle and process, resulting in cost and time savings.

Almost 27 percent of prospective jurors who received qualification questionnaires utilized the eJuror system in 2012. This was a significant increase from the approximately seven-

teen percent in 2011. Just under nineteen percent of the qualified prospective jurors responded to their summons using eJuror. We expect more growth over time in use of this system.

eJuror/Jury Management System (JMS) working group

Jury Administrator Diane Hopkins was reappointed to the national eJuror/Jury Management System (JMS) Working Group. Members of this group provide advice, guidance and assistance to the Administrative Office relating to eJuror and JMS issues. Diane's appointment was extended to continue the work of testing the new optical mark reading (OMR) scanners prior to their release to federal court jury departments nationally. The new scanners will have the capability and accuracy of not only optical mark reading, but also document imaging and select optical character recognition.

At their meeting in September 2012, the group tested newly developed software for the scanners. They identified several necessary modifications during testing and further software development is currently in progress.

Advanced Judicial Information System (AJIS)

Our Court began using the Advanced Judicial Information System (AJIS) in March 2011. AJIS is an interactive voice response telephone system that allows us to provide service information that is customized to each individual juror, such as generating automated reminder calls about their reporting dates and disseminating information regarding the status of excuse or



deferral requests. Use of this system has resulted in increased juror attendance and increased efficiencies for our Jury Department, and has reduced the number of incoming calls to our jury clerks regarding reporting questions.

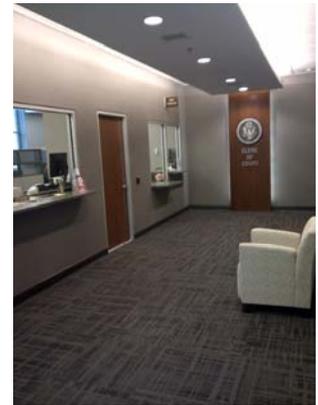
AJIS logged a total of 18,551 incoming calls during the 2012 calendar year from prospective jurors calling for reporting instructions or to learn the status of their excuse/deferral requests. AJIS is also able to place outbound reminder calls to prospective jurors. Reminder calls are placed to prospective petit jurors as a reminder to call in for reporting instructions and occasionally to grand jurors if there has been a change in schedule. AJIS logged a total of 2,044 reminder calls during 2012.

Jury Statistics

In 2012, the Court had 1,265 petit jurors present and available for selection in 38 trials. This marked a slight increase from the 1,246 petit jurors summoned in 2011. Of those present for selection, 429 were selected and sat as jurors and 438 were challenged and excused. The rate of jurors who are called to our Court for service, but who are not ultimately impaneled, decreased slightly to 34.63 percent in 2012. A total of 2,135 grand jurors convened in 2012 for 636 hours of service over 103 days.

Space and Facilities

The major project for our Court during 2012 was the construction and relocation of the Kalamazoo Clerk's Office and jury assembly space from its previous remote location in the basement to vacant space on the main floor.



The project, funded through a combination of local and Sixth Circuit funding, slightly expanded the Clerk's Office square footage and allows for easier access by the public. It also places all offices of the District Court on a single floor of the facility. Staff began operating from the new location in November 2012.

Significant work was also done negotiating security issues for our Marquette facility in 2012. We are optimistic arrangements will move forward so that details may be included in our 2013 report.



Personnel

The United States District Court for the Western District of Michigan ended 2012 with a total of 74 staff members - 69 full-time and 5 part-time employees. These employees supported four District Judges, two Senior Judges, four Magistrate Judges and the Clerk of Court.

Funding Challenges

To partially off-set projected funding reductions, Clerk's Office employees took furlough days during the last quarter of 2011 and the first quarter of 2012. Furlough days were suspended in February 2012 once reduction needs had been met. We also held open some critical vacancies. During these times of budget uncertainty, Clerk's Office staff rose to the challenge of ensuring that the necessary work of the court continued while dealing with reduced staff hours due to furloughs and unfilled vacancies.

HRMIS Leave Tracking

The Western District of Michigan converted from ELMR to the HRMIS Leave Tracking system in February 2012. One of the major benefits of the new leave system is that employees can now find their pay, benefit and leave information all in one system rather than having this information stored in two separate systems. In addition, leave balances are now printed on employee pay statements.

Shared Administrative Services

In October 2012, human resource representatives from our District Court, Probation & Pretrial Services Office and Bankruptcy Court met to identify duplication of efforts among the

three Human Resources departments and to formulate plans for greater collaboration. The representatives continue to discuss opportunities to decrease duplication of efforts and thus to increase efficiencies.

Volunteers/Interns

The court is open to qualified individuals seeking internships as part of their educational program and/or to work with the Clerk's Office or chambers on a volunteer basis. During the year, our court enjoyed the service of eight qualified individuals.

New Employees

The Court welcomed three new employees to the Operations Department in early 2012 to fill Intake Clerk vacancies. The new staff members completed an initial month-long training curriculum.

Training

The Clerk's Office continued to emphasize employee training throughout 2012. As a next step, the Training Advisory Committee recommended the Court implement "Learning Center," the Judiciary's learning management system that enables the Court to track training activities and to store training records in a single accessible location. Our Court implemented Learning Center on November 1, 2012.

The Clerk's Office also worked in conjunction with Judge Neff to develop a series of user group courses for iPad training. Topics such as iPad basics, legal research and PDF readers were covered during 2012. The user groups



provided an opportunity for staff to share how they have found the iPad useful in viewing and annotating court documents, as well as during courtroom proceedings.

Our Finance Unit staff participated in training related to the following subject matters: Court Registry Investment System (CRIS), Pay.gov, Vendor Administration, Judiciary Inventory Control System (JICS), Procurement BOC's, space & security, CRIS Commercial Registry, FAS4T/CCAM New Year Initialization, and the Victim Notification System (VNS).

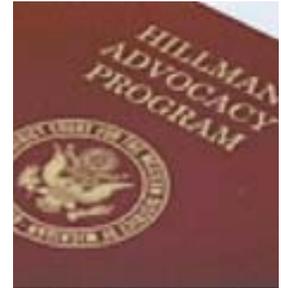
Calendar year 2012 also provided our IT staff many continuing education opportunities to ensure a continued focus on identifying new technology and to ensure full support of existing systems. Training topics included: CM/ECF programming, computer security, virtual servers, IT training, decision support systems, and Microsoft Word training.

The Operations Department participated in many skill-building courses throughout the year, including: Sealed Document Access/Information, Customer Service for CM/ECF Help Desk, Electronic Warrant Process, Pro Se Functions, Offender Payment Enhanced Report Access (OPERA), Archives and Records Requests, as well as Civil and Writ Clerk courses. All programs were delivered in-house, peer-to-peer. Internal training programs were also developed to help transition staff members to new positions and/or duties.

Court Highlights

31st Annual Hillman Advocacy Program

January 18-20, 2012



This year marked the 31st anniversary of the Hillman Advocacy Program. Scheduled to occur every year during the third week of January, this intensive learn-by-doing workshop utilizes trial skills training techniques patterned after those used at the National Institute of Trial Advocacy (NITA) in Boulder, Colorado, with the appreciably added benefit of being conducted in the federal district courthouse. Many believe the Hillman Advocacy Program is one of the best trial advocacy programs in the country due in large part to the fact that instruction occurs in the courtroom with the assistance and support of the federal judges and magistrates.

Sponsored jointly by the United States District Court for the Western District of Michigan and the Western District of Michigan Chapter of the Federal Bar Association (FBA), the Hillman Advocacy Program gave 62 lawyers an opportunity to practice and improve their trial skills in 2012. They benefitted from the wisdom and experience of the faculty, comprised of a roster of West Michigan's top courtroom lawyers, all of whom volunteered their time. Given a case scenario, students honed themes, conducted direct and cross-examinations of live witnesses (also comprised of talented volunteers including lawyers, paralegals, and court staff), delivered a closing argument, and prac-



ticed impeaching witnesses and introducing exhibits. Advanced students participated in an all-day mock trial in front of a live jury, and were able to watch deliberations by way of a video feed into the jury room.

Communications expert Brian Johnson spoke at the opening of the program. His practical tips and strategies on how to effectively communicate with a jury were universally well received by everyone and immediately enhanced the student demonstrations.

In addition to the workshop, students participated in a “Lunch with the Judges.” Federal district and magistrate judges assigned to each class of students provided an opportunity to converse with the judges on an informal basis. Year after year, students and judges alike mark this lunch as one of the highlights of the program.

This year marked the second year of the Hillman Award, an award given to a person who has contributed in unusually valuable ways to the success of the Hillman Advocacy Program. This year’s recipient was the Honorable Robert Holmes Bell, who served as the federal judge liaison to the program for many years.

Reappointment of Magistrate Judges

The Judges of our Court overwhelmingly approved the reappointment of Magistrate Judges Hugh W. Brenneman, Jr. and Joseph G. Scoville to commence new eight year terms in 2012. The two were honored in a joint ceremony on January 6, 2012, and a reception hosted by the Federal Bar Association followed. Magistrate Judge Brenneman has served the Court since April 1, 1980, and Judge Scoville was initially appointed on January 28, 1988.

Portrait Dedication Ceremony

On August 28, 2012, the Court community hosted a Portrait Dedication Ceremony in honor of District Judge Gordon J. Quist, marking the twentieth year that Judge Quist has served as a federal judge. The Honorable Robert Holmes Bell presided and Chief District Judge Paul L. Maloney made opening remarks and introductions. Judge Quist’s son, Kent County Circuit Judge George Jay Quist, Sixth Circuit Court of Appeals Judge David W. McKeague, and attorneys Robert Hooker and Jon R. Muth shared memories.



Judge Quist attended Calvin College for two years, and is a graduate of Michigan State University. He graduated from George Washington University Law School, with honors, in 1962. He was Order of the Coif and was awarded the distinguished alumnus recognition by his law school.

After graduating from law school, Judge Quist practiced with law firms in Washington, D.C. and Chicago, Illinois. He returned to his home town of Grand Rapids, Michigan in 1967 and practiced with the law firm of Miller, Johnson, Snell & Cumiskey. He was Managing Partner of that firm from 1986 until his appointment to the federal bench by President George H.W. Bush in 1992. Judge Quist was on the federal



judiciary's Committee on Codes of Conduct from 2000 through 2008, and he served as Chair of that committee from 2004 through 2008.

Judge Quist has hosted three delegations of Russian judges as part of the Open World Program. He has been to Russia four times and during his last visit, in 2012, Judge Quist lectured for two weeks at the Russian Academy of Justice.

Visit by United States Supreme Court Clerk General William K. Suter; U.S. Supreme Court Admissions

General William Kent Suter, the 19th Clerk of the United States Supreme Court, visited the Western District of Michigan on October 16-17, 2012, in conjunction with the Western District of Michigan Federal Bar Association's Annual Meeting.¹ His responsibilities include managing the Supreme Court's docket and calendar and overseeing the Supreme Court Bar. He also attends all oral arguments before the Court.

Chief Justice of the United States William Rehnquist hand-selected General Suter for the Clerk position when Supreme Court Clerk Joseph F. Spaniol, Jr. announced his plans to retire at the end of 1990. Before taking that position, General Suter was an Army Judge Advocate, retiring with the rank of Major General. While in the Army, he served in numerous positions around the world, including, Appellate Judge, Deputy Staff Judge Advocate of the U.S. Army in Vietnam, Staff Judge Advocate of the 101st Airborne Division, Commandant of

the JAG school, and the Assistant Judge Advocate General of the Army. His military awards include the Distinguished Service Medal, the Bronze Star Medal, and the Parachutist Badge.

General Suter is a graduate of Trinity University in San Antonio, Texas, and the Tulane University Law School. He attended Trinity on a basketball scholarship and Tulane on an academic scholarship. He was on the Tulane Law Review and was elected to the Order of the Coif. He is a graduate of the Judge Advocate General's School Graduate Course, the Command and General Staff College, and the Industrial College of the Armed Forces.

The FBA hosted a dinner in General Suter's honor during his visit. In addition, a question and answer session titled, "A Conversation with General Suter: Tales from the Supreme Court" was held in the Federal courthouse. U.S. Magistrate Judge Joseph G. Scoville and Michigan Solicitor General John Bursch, both of whom have argued cases before the Supreme Court, moderated the discussion. During this session, General Suter told many stories of his time at the Supreme Court, how the Court works, the standards expected of attorneys, and interesting facts about the Supreme Court Justices. Additionally, 44 attorneys were sworn in by General Suter during his visit and are

now fully admitted to practice before the U.S. Supreme Court.



¹ The General announced his retirement in January 2013, to be effective August 31, 2013, shortly after his visit to Grand Rapids.



Historical Society

Under the leadership of President Jim Mitchell, the Historical Society pursued its dual goals of gathering and disseminating history related to the federal bench and bar in western Michigan. The Society continues to collect the oral history of federal judges, attorneys and court personnel, and has undertaken a preservation program to enhance its collection of portraits of past judges and to collect historic documents. The Society also videotapes speakers at various court-related functions. The Society's journal, *The Stereoscope*, continues under the editorship of Patrick Mears.

During 2012, the Society also had the opportunity to present Justice John Paul Stevens with a framed collage of items commemorating Babe Ruth's "Called Shot" in the 1932 World Series game between the Yankees and the Cubs. Justice Stevens was at the game where the Babe allegedly pointed to center field stands while at bat, as if to say, "that is where I will hit the next pitch." And he did just that. A number of organizations sought to make presentations to the Justice during his visit to Grand Rapids, but he agreed to accept just one gift, the collage.

The Society has also continued to try to identify and preserve historically significant federal cases previously archived for the period 1970-95. These are otherwise scheduled to be discarded by the Administrative Office as a cost-saving measure.

The Society's annual meeting in October 2012 was hosted in conjunction with the Western District of Michigan Chapter of the Federal Bar Association at the FBA's annual meeting in the Ambassador Ballroom of the Amway Grand Plaza Hotel. Officers for 2013 include David

Gass, President; Michael Puerner, Vice President; James Brady, Treasurer; and Mary Andrews, Sixth Circuit Court of Appeals Librarian, serves as Secretary and Archivist. Other Trustees include Tracey Cordes, Clerk of the Court, Hon. Paul Denefeld, Gleaves Whitney, Elliot Gruszka, Mark Hurwitz, Ray Kent, Raymond Loeschner, Hon. John Logie, Michael MacDonald, Patrick Mears, James Mitchell, Janel Nolan and Gene Smary. Ex Officio Trustees include the Honorable Paul L. Maloney, Chief Judge; the Honorable Wendell A. Miles, Court Historian; the Honorable Robert Holmes Bell, U.S. District Judge; and the Honorable Hugh W. Brenneman, Jr., U.S. Magistrate Judge.

Good Works

Combined Federal Campaign (CFC)

The Combined Federal Campaign (CFC) is the world's largest and most successful annual workplace charity campaign. In the fall, the Marquette and Grand Rapids Clerk's Offices participated and collectively raised over \$21,000 to aid various local, national and international agencies.

Leave Share Program

The Leave Share Program allows employees to donate annual leave to other court staff across the country who risk financial hardship because of absences due to illness or injury. In 2012, the generosity of Clerk's Office and chambers' staff was demonstrated by the donation of over four weeks of annual leave to several recipients from other courts across the country.



Holiday Giving

In December, court employees came together to provide holiday gifts to families in need identified through local service organizations. The Grand Rapids courthouse donated to a large family through D.A. Blodgett-St. John's Christmas Match program and the Marquette courthouse donated to a family through the Salvation Army Adopt-a-Family Christmas program. Donations included winter gear, clothing, grocery gift cards, laundry and cleaning supplies, toys and other needed household items. Staff members look forward to this time of year and enjoyed helping to create memorable holidays for others.





Special Recognition

Each year we make a point to offer special recognition to those who join our Court family and those who have achieved landmarks in their length of service to the Court. In addition, we offer special good-byes to those who begin down other paths in their journeys.

Appointments

Jennifer Manders - Grand Rapids Case Administrator

Ashley Mankin - Grand Rapids Intake Clerk

Nermana Stimec - Grand Rapids Intake Clerk

Retirements

Alice Baker - 5 years

Service Awards



Matt Allen
Kathy Anderson
Alice Baker
Chris Bockheim
Margaret Bratt
Rita Buitendorp
Katie Campbell
Kathie Geiger
Lauren Packard
Rod Phares
Kristi Taylor
Glenda Trexler
DeWinda Webb



Mary Clapp
Sandy Kivela
Julie Lenon
Kathy Wright



Kathy Devlin



Rod Kurzawa
Jane Tepper
Mitch Van Dyke
Chris Williams



Kevin Gaugier



The Chief Judge and the Clerk of Court express their appreciation to the many individuals who contributed to the 2012 Year in Review.

