



Assembly Room at Independence Hall, Philadelphia, Pennsylvania

2025 Year End Report on the Federal Judiciary

Two hundred fifty years ago this week, a recent immigrant to Britain's North American colonies put the finishing touches on a manuscript in which he hoped to express "plain truths" about his newly adopted home. A native of Thetford, about 90 miles northeast of London, Thomas Paine had struggled as a laborer, sailor, craftsman, and excise tax collector in England before embarking for Philadelphia in late 1774 with almost nothing to his name. The one thing going for him was an acquaintance named Benjamin Franklin, who

had provided a letter of recommendation that led to an offer of employment with a new publication called *The Pennsylvania Magazine*.

From tight quarters at the corner of Front and Market Streets, across from the London Coffee House and next to the *Magazine's* offices, Paine earned his first byline on January 24, 1775. Acting as both an editor and contributor, Paine brought a burst of energy to the fledgling periodical, vaulting it to unanticipated success with one of the highest readerships in the colonies.

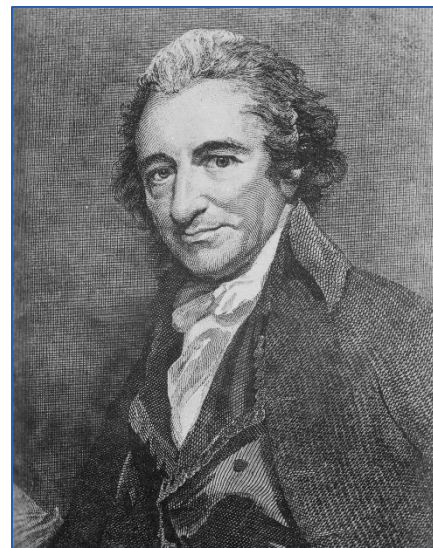
Alongside the articles Paine wrote and edited in his day job, he began work in late 1775 on the larger “plain truths” project. With the encouragement of Dr. Franklin and a prominent physician named Benjamin Rush, Paine crafted and refined his work through the end of the year. Too long for a broadsheet and too short for a book, the final product would be published anonymously on January 10, 1776, in the form of a pamphlet titled *Common Sense*. He dispatched the first printed copy to Franklin and awaited the judgment of his readers.

Shunning legalese and embracing language that ordinary citizens could understand, Paine advanced several key points. A government’s purpose is to serve the people. The colonists should view themselves as a distinctive people—Americans, not British subjects. The colonies had reached “that peculiar time which never happens to a nation but once, viz., the time of forming itself into a government.”¹ And, in view of the foregoing propositions, as an independent nation, the colonists would “have it in our power to begin the world over again.”²

Common Sense became an instant sensation. In a country of fewer than three million people, it sold a remarkable 400,000 copies. In today’s parlance, the little book “went viral.” The pamphlet’s 47 pages electrified the country and played a crucial role in stimulating

a vote for independence in the Second Continental Congress six months later. Prior to its publication, a clear consensus to separate from England had not yet formed, despite eight months of open (though isolated) armed conflict. However, by April 1, no less an authority than George Washington proclaimed that Paine’s small treatise “is working a powerful change there in the Minds of many Men.”³ Later that same month, a writer from Boston observed that “*Common Sense*, like a ray of revelation, has come in seasonably to clear our doubts, and to fix our choice.”⁴

During the spring of 1776, the Second Continental Congress concurred in Paine’s judgment that the time for independence had arrived. To that end, it appointed the Commit-



Thomas Paine

¹ T. Paine, *Common Sense* 34 (1776).

² *Id.*, at 42.

³ G. Washington to J. Reed, April 1, 1776, Founders Online, National Archives, founders.archives.gov/documents/Washington/03-04-02-0009.

⁴ Quoted in J.H. Hazleton, *The Declaration of Independence: Its History* 50 (1906).

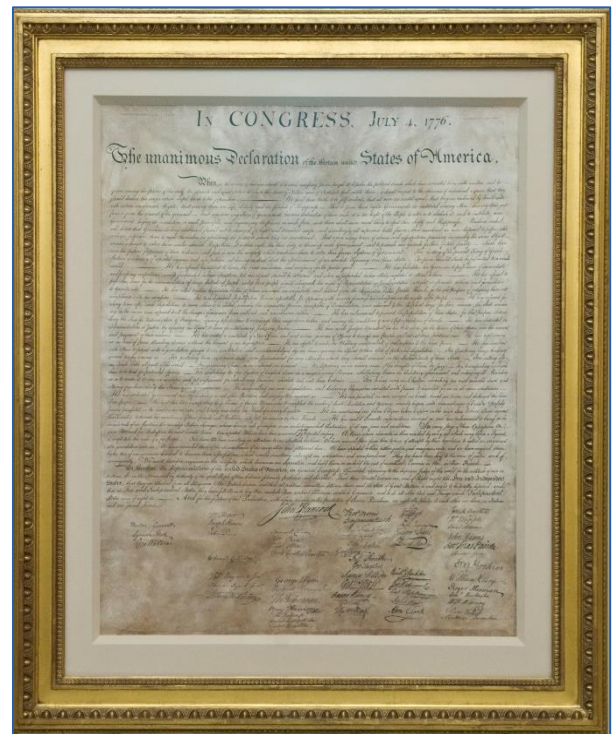
tee of Five—John Adams, Franklin, Thomas Jefferson, Robert Livingston, and Roger Sherman—to produce a draft proclamation. The youngest member, Jefferson (only 33 years old), took the lead. He set out to produce “an expression of the [A]merican mind,”⁵ and circulated an initial version in just a few days. To Jefferson’s consternation, his draft underwent considerable revision—86 edits in all—before the final version of 1,337 words was ready for adoption on July 4, 1776, in the Assembly Room at Independence Hall.

The brave patriots who crafted and approved the definitive statement of American independence pledged to support each other and their new nation with “our Lives, our Fortunes and our sacred Honor.”⁶ They understood that the British would view their words and actions as treason. As Franklin reportedly warned, “[W]e must, indeed, all hang together, or most assuredly we shall all hang separately.”

A quarter of a millennium later, the Declaration of Independence stands as one of the most widely read and emulated political documents in history. Its preamble articulates the theory of American government in a single passage that has been hailed as “the greatest sentence ever crafted by human hand.”⁷ That sentence—likely the principal work of Jefferson, with light edits from Franklin and Adams—proclaims: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with

certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”⁸ It enunciated the American creed, a national mission statement, even though it quite obviously captured an ideal rather than a reality, given that the vast majority of the 56 signers of the Declaration (even Franklin) enslaved other humans at some point in their lives.

Beyond the preamble, the Declaration lists 27 grievances against the King and British rule and sets out a statement of political values based on Enlightenment principles. Not surprisingly, given that the Committee of Five in-



Framed copy of the Declaration of Independence in the Chief Justice's Chambers

⁵ T. Jefferson to H. Lee, May 8, 1825.

⁶ Declaration of Independence (final eight words before signatures).

⁷ W. Isaacson, *The Greatest Sentence Ever Written* 2 (2025).

⁸ Declaration of Independence.

cluded four lawyers (all but Franklin), it reads like a legal document.

The signers, too, included a disproportionate number of lawyers, many of whom went on to distinguished judicial careers after the Revolution. In all, 16 served as judicial officers, including the future Chief Justices of Delaware, Pennsylvania, and New Hampshire.

Five signers received appointments to the federal bench, including three district judges—William Paca (D. Md.), William Hooper (D. N.C.), and Francis Hopkinson (D. Pa.)—and two Supreme Court Justices, James Wilson and Samuel Chase. Judge Paca authored the first published opinion of a United States District Judge. Judge Hopkinson was a renowned professional musician and composer before taking up the law.

Justice Wilson was one of only six men who signed both the Declaration and the Constitution, and he was one of the six original Justices, confirmed on September 26, 1789. Blessed with a formidable intellect, Wilson shaped key debates at the Constitutional Convention, helping to broker compromises that paved the road to ratification. Less gifted in financial matters, he spent his final years largely absent from the Court, enduring brief stints in debtors' prisons and riding circuit to evade creditors until he died of a stroke in 1798 at the age of 55.

Chase, too, had ups and downs on the bench, first as a Maryland state court judge from 1788 to 1796, and then as a Justice until

his death in 1811. Controversial and irascible, Chase's temperament and rulings landed him at the center of a power struggle between the Federalists and the Democratic-Republicans that culminated in his impeachment by the House and acquittal in the Senate in 1805. Chase prevailed at trial, despite a supermajority of Democratic-Republicans in the Senate, because many Senators concluded that disapproval of a judge's decisions provided an invalid basis for removal from office. As Chief Justice Rehnquist explained in *Grand Inquests*, that outcome "assured the independence of federal judges from congressional oversight of the decisions they made in the cases that came before them."⁹

If you open the United States Code today, you will find the full text of the Declaration of Independence on the first pages of "The Organic Laws of the United States of America," followed by the Articles of Confederation, the Northwest Ordinance of 1787, and the Constitution. Despite that placement, the Declaration is not typically regarded as being among the "general and permanent laws of the United States" as codified in 1925.¹⁰ Rather, Congress included the Declaration (and the other seminal documents referenced above) in a list of materials "ancillary" to the general and permanent laws.¹¹

This may come as a surprise to some readers. But, as Justice Scalia observed, the Declaration consists of "aspirations" and "philosophizing" that do not lend themselves well to

⁹ W.H. Rehnquist, *Grand Inquests* 114 (1992).

¹⁰ 44 Stat. 1 (1926).

¹¹ 44 Stat. 778 (1926).

prescription or enforcement.¹² For a “practical and pragmatic charter of government,” Americans must turn to the Constitution.¹³ To be sure, the former did inform the latter. In the words of future Justice Wilson during the ratification debates, the key passage of the Declaration’s preamble quoted above “is the broad basis on which our independence was placed,” and “on the same certain and solid foundation this system [the Constitution] is erected.”¹⁴

The connection between these two foundational documents could not be clearer when it comes to the judicial branch. The Declaration charged that George III “has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.”¹⁵ The Constitution corrected this flaw, granting life tenure and salary protection to safeguard the independence of federal judges and ensure their ability to serve as a counter-majoritarian check on the political branches. This arrangement, now in place for 236 years, has served the country well.

In other respects, however, the concrete provisions of the 1787 Constitution fell short of honoring the abstract principles set forth in the 1776 Declaration—most notably, in regard to the Declaration’s promise of liberty and

equality. In perhaps the most obvious disconnect between the documents, the Constitution avoided any direct mention of slavery, yet its text reflected several compromises that accommodated its perpetuation until the Civil War.¹⁶ Slavery, as Frederick Douglass observed, revealed “a palpable contradiction of the spirit and practices of the American people.”¹⁷

The Declaration of Independence was then, and remains today, a statement of national aspirations, not a codification of enforceable legal obligations. Yet throughout our history it has played a signal role in the development of the Nation’s constitutional, statutory, and common law.

Perhaps the finest explanation for the Declaration’s continuing influence comes from one of our greatest Presidents, Abraham Lincoln. Speaking shortly after the Supreme Court handed down its infamous decision in the *Dred Scott* case, Lincoln noted that “[t]he assertion that ‘all men are created equal’ was . . . placed in the Declaration . . . for future use.”¹⁸ The Framers, Lincoln added, “did not intend to declare all men equal *in all respects*.”¹⁹ Rather, “[t]hey defined with tolerable distinctness, in what respects they did con-

¹² A. Scalia, *A Matter of Interpretation: Federal Courts and the Law* 134 (1997).

¹³ *Id.*

¹⁴ J. Wilson, Speech to the Pennsylvania Convention (Dec. 4, 1787).

¹⁵ Declaration of Independence, ninth grievance against the King.

¹⁶ See, e.g., U.S. Const. art. I, § 2, cl. 3; art. I, § 9, cl. 1; art. IV, § 2, cl. 3.

¹⁷ F. Douglass to H. Greeley, April 15, 1846, in *Selected Speeches and Writings* 27, 30 (Philip S. Foner, ed., 1999).

¹⁸ A. Lincoln, Speech on the *Dred Scott* Decision (June 26, 1857).

¹⁹ *Id.*

sider all men created equal”—namely, in regard to those unalienable rights.²⁰ In short, “[t]hey meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit.”²¹

About six years and hundreds of thousands of war casualties later, the time for equivocation and caveats was over. Lincoln—like Paine before him—believed the circumstances ripe to once more “begin the world over again.” At Gettysburg, Lincoln dated the country’s dedication to the proposition that “all men are created equal” not to 1787, but to 1776. And he urged his countrymen to seize the opportunity for a “new birth of freedom” to advance the “unfinished work” of the Founders and bring the imperfect Constitution and laws of the United States into closer conformity with the national (indeed, universal) aspirations to life, liberty, and the pursuit of happiness.²²

That work began with the Thirteenth Amendment abolishing slavery. Lincoln lived to see that amendment pass both the Senate and the House, though it was not ratified until after his assassination. As the British philosopher John Stuart Mill observed, with the adoption of the Thirteenth Amendment, “the opening words of the Declaration of Independence” would no longer be “a reproach to the nation founded by its authors.”²³ The Fourteenth and

Fifteenth Amendments soon followed, guaranteeing due process and equal protection of the law and granting the right to vote to Black men.

Still more work was to be done. The suffragists and leaders of the Civil Rights Movement turned to the Declaration for moral authority in support of their claims to liberty and equality. As Susan B. Anthony observed on the centennial of the Declaration, the job of honoring its promises remained unfinished: “[W]e cannot forget, even in this glad hour, that while all men of every race, and clime, and condition, have been invested with the full rights of citizenship under our hospitable flag, all women still suffer the degradation of disfranchisement.”²⁴ In the next century, Dr. Martin Luther King, Jr. similarly invoked the Declaration, noting that “[v]ery seldom, if



Dr. Martin Luther King, Jr. in front of the Lincoln Memorial, 1963

²⁰ Id.

²¹ Id.

²² A. Lincoln, Gettysburg Address (Nov. 19, 1863).

²³ J.S. Mill, Boston Daily Advertiser, at 2 (Jun. 8, 1865).

²⁴ S. B. Anthony, Declaration of Rights of the Women of the United States (July 4, 1876).

ever, in the history of the world, has a socio-political document expressed in such profound, eloquent, and unequivocal language the dignity and the worth of human personality,” and reminding all Americans that, under the principles it articulated, every person “is an heir of a legacy of worthfulness.”²⁵

Judges, too, invoked the Declaration and its principles. For example, the lone dissenter in *Plessy v. Ferguson*, the first Justice John Marshall Harlan stressed that “[t]he law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved.”²⁶

In time, those appeals succeeded. The Nineteenth Amendment, the overruling of *Plessy* in *Brown v. Board of Education*, and the Civil Rights Act of 1964, among other landmark developments, carried forward the Nation’s ongoing project to make the ideals set out in the Declaration real for all Americans, in the never-ending quest to fulfill the Constitution’s promise of a “more perfect Union.” These national accomplishments illustrate that the responsibilities for living up to the promises of the Declaration rest on all three branches of our government as well as on each successive generation of Americans. Those of us in the Third Branch must continue to decide the cases before us according to our oath, doing equal right to the poor and to the rich, and

performing all of our duties faithfully and impartially under the Constitution and laws of the United States.

As we approach the semiquincentennial of our Nation’s birth, it is worth recalling the words of President Calvin Coolidge spoken a century ago on the occasion of America’s sesquicentennial: “Amid all the clash of conflicting interests, amid all the welter of partisan politics, every American can turn for solace and consolation to the Declaration of Independence and the Constitution of the United States with the assurance and confidence that those two great charters of freedom and justice remain firm and unshaken.”²⁷ True then; true now.

As always, I am privileged and honored to thank all the judges, court staff, and other judicial branch personnel throughout the Nation for their commitment to public service and their dedication to upholding the rule of law.

Best wishes to all in the New Year.

John G. Roberts, Jr.
Chief Justice of the United States
December 31, 2025

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²⁵ M. L. King, Jr., The American Dream, Sermon at Ebenezer Baptist Church (July 4, 1965).

²⁶ *Plessy v. Ferguson*, 163 U.S. 537, 559 (1896) (Harlan, J., dissenting).

²⁷ C. Coolidge, Address at the Celebration of the 150th Anniversary of the Declaration of Independence in Philadelphia, Pennsylvania (July 5, 1926).

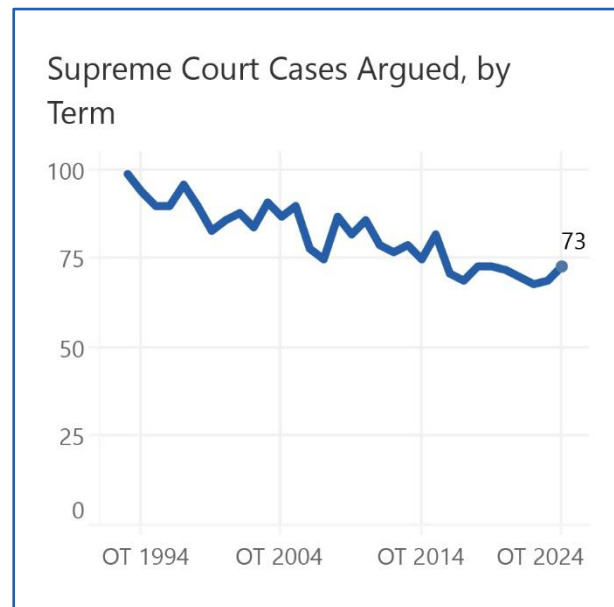
Appendix

Workload of the Courts

In the October Term 2024, the number of cases filed in the Supreme Court decreased nine percent compared with the prior year.¹ For the 12-month period ending September 30, 2025, the number of cases filed in the U.S. courts of appeals increased five percent. Civil cases filed in the U.S. district courts increased four percent, criminal defendant filings increased 13 percent, and cases filed in the U.S. bankruptcy courts increased 11 percent. Pretrial supervision cases increased 12 percent, and post-conviction supervision cases decreased two percent.

The Supreme Court of the United States

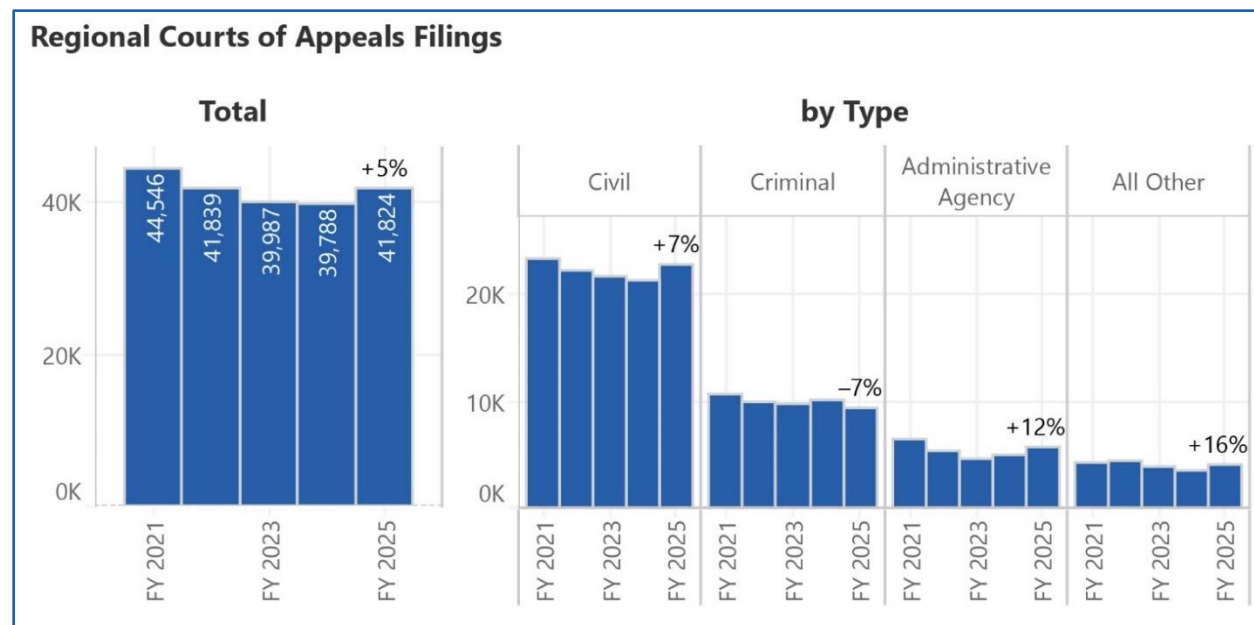
The total number of cases filed in the Supreme Court decreased nine percent from 4,223 filings in the 2023 Term to 3,856 in the 2024 Term. The number of cases filed in the Court's *in forma pauperis* docket decreased 11 percent from 2,847 filings in the 2023 Term to 2,527 filings in the 2024 Term. The number of cases filed in the Court's paid docket decreased three percent from 1,376 filings in the 2023 Term to 1,329 filings in the 2024 Term. During the 2024 Term, 73 cases were argued and 64 were disposed of in 56 signed opinions, compared with 69 cases argued and 64 disposed of in 55 signed opinions in the 2023 Term. The Court also issued four *per curiam* opinions in argued cases during the 2024 Term.



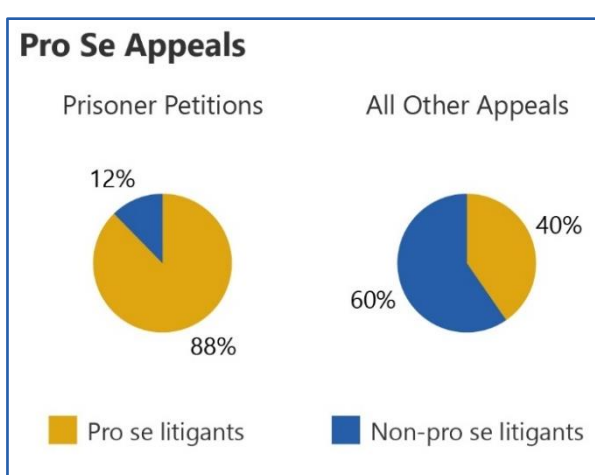
¹ The October Term 2024 workload statistics cover activity between the docketing of the first case with the 24-prefix on July 3, 2024, and the release of opinions on June 30, 2025.

The Federal Courts of Appeals

In the regional courts of appeals, filings increased five percent, rising from 39,788 in fiscal year (FY) 2024 to 41,824 in FY 2025. This is a 14 percent drop from FY 2019, the last full fiscal year prior to the COVID-19 pandemic. Total civil appeals increased seven percent from the prior year to 22,812. Criminal appeals decreased seven percent to 9,392. Appeals of administrative agency decisions went up 12 percent to 5,611. Combined filings of all other types (bankruptcy appeals, original proceedings, and miscellaneous applications) increased 16 percent to 4,009.



Appeals by pro se litigants, which amounted to half of filings, increased nine percent to 20,878. Prisoner petitions accounted for 20 percent of all appeals court filings (a total of 8,430), and 88 percent of prisoner petitions were filed pro se, compared with 40 percent of other appeals court filings.



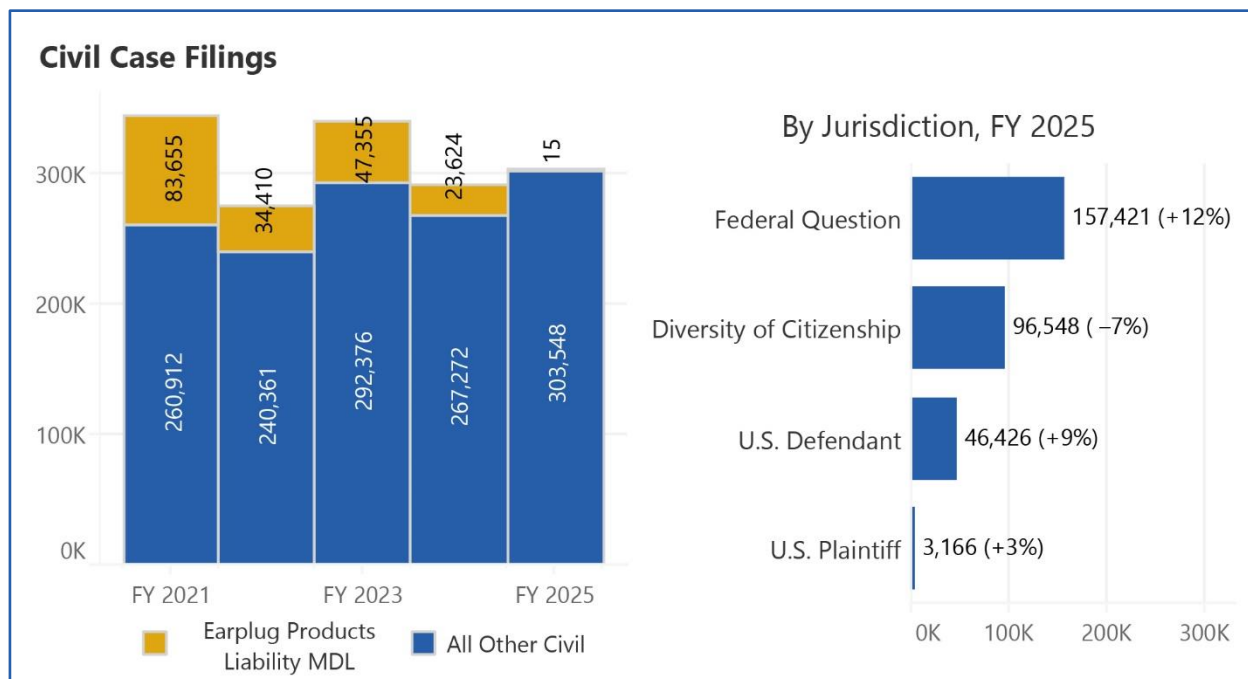
The Federal District Courts

The federal district courts docketed 303,563 civil cases in FY 2025, an increase of four percent from the prior year. In the ongoing earplug products liability multidistrict litigation (MDL), just 15 cases were filed in the Northern District of Florida in FY 2025, down from 23,624 the previous year. This MDL docket was the largest in history and has dominated civil filings since FY 2020. All other civil case filings increased 14 percent to 303,548.

Cases involving diversity of citizenship (*i.e.*, disputes between citizens of different states), fell for the second consecutive year, dropping seven percent to 96,548 from FY 2024 to FY 2025.

Federal question cases (*i.e.*, actions under the Constitution, laws, or treaties of the United States in which the United States is not a party) increased 12 percent to 157,421 filings in FY 2025. Filings involving civil rights or prisoner petitions accounted for 57 percent of all federal question filings.² These civil rights filings grew 15 percent from the prior year to 46,854, and these prisoner petition filings increased five percent to 42,972.

Cases with the United States as a plaintiff increased three percent to 3,166 in FY 2025, and cases with the United States as a defendant rose nine percent to 46,426. Filings involving Social Security, civil immigration, and prisoner petitions accounted for 79 percent of all cases in which the United States was a defendant. Civil immigration filings fell 17 percent from the prior year to 10,095, prisoner petition filings increased 30 percent to 10,809, and Social Security filings increased 13 percent to 15,585.

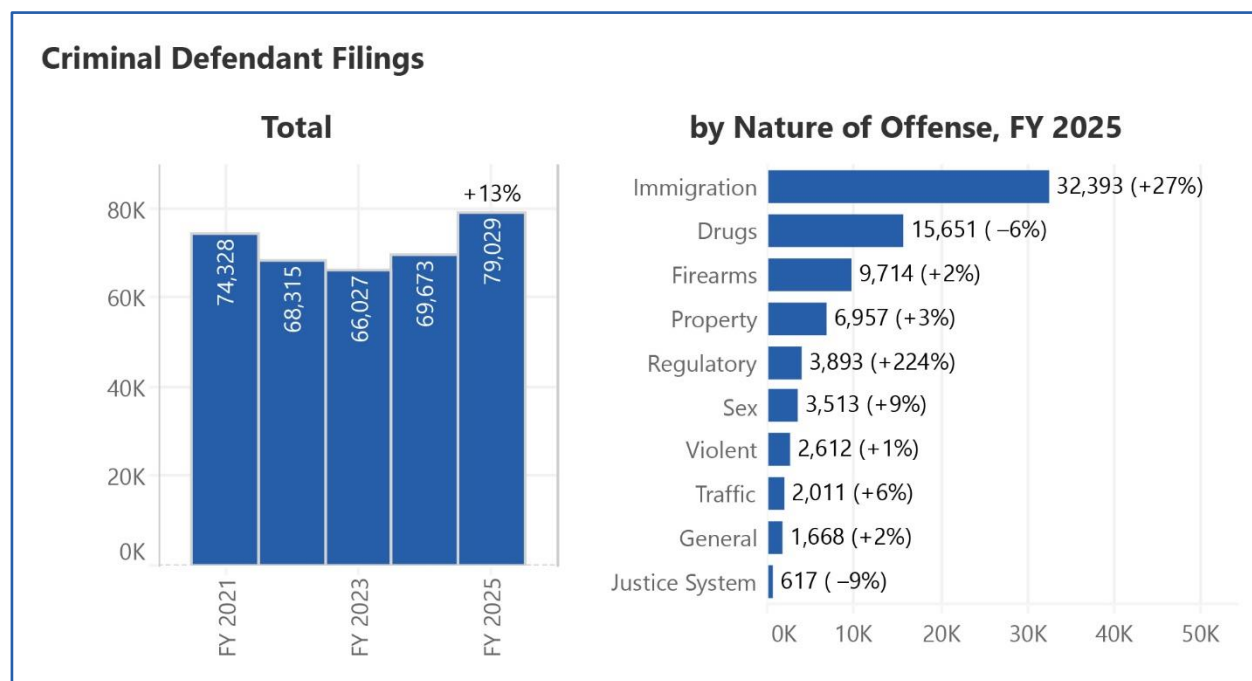


² Civil rights filings are those filed with Nature of Suit (NOS) codes: 440, 441, 442, 443, 444, 445, 446, or 448; prisoner petitions are those filed with NOS codes: 463, 510, 530, 535, 540, 550, 555, or 560.

Civil immigration cases address topics such as petitions for naturalization and adjudication of immigration status. Criminal immigration cases, discussed below, deal with matters such as unlawful entry and reentry into the United States, alien smuggling, and fraud and misuse of visas or other permits.

The federal district courts docketed 79,029 criminal defendant filings (excluding transfers) in FY 2025, an increase of 13 percent from the prior year and the largest number of filings in a year since FY 2019, when the courts received 92,485 criminal defendant filings. The largest categories were filings for defendants accused of immigration offenses, which increased 27 percent to 32,393, and filings for defendants charged with drug offenses, which fell six percent to 15,651.

In FY 2025, 82 percent of total filings for defendants charged with immigration-related offenses were received by the five districts on the southwestern border: the District of Arizona, the Southern District of California, the District of New Mexico, the Southern District of Texas, and the Western District of Texas. Although the total number of filings in these districts increased 17 percent this year to 26,712, during that same period the number of immigration filings in other states more than doubled, rising 118 percent to 5,681.

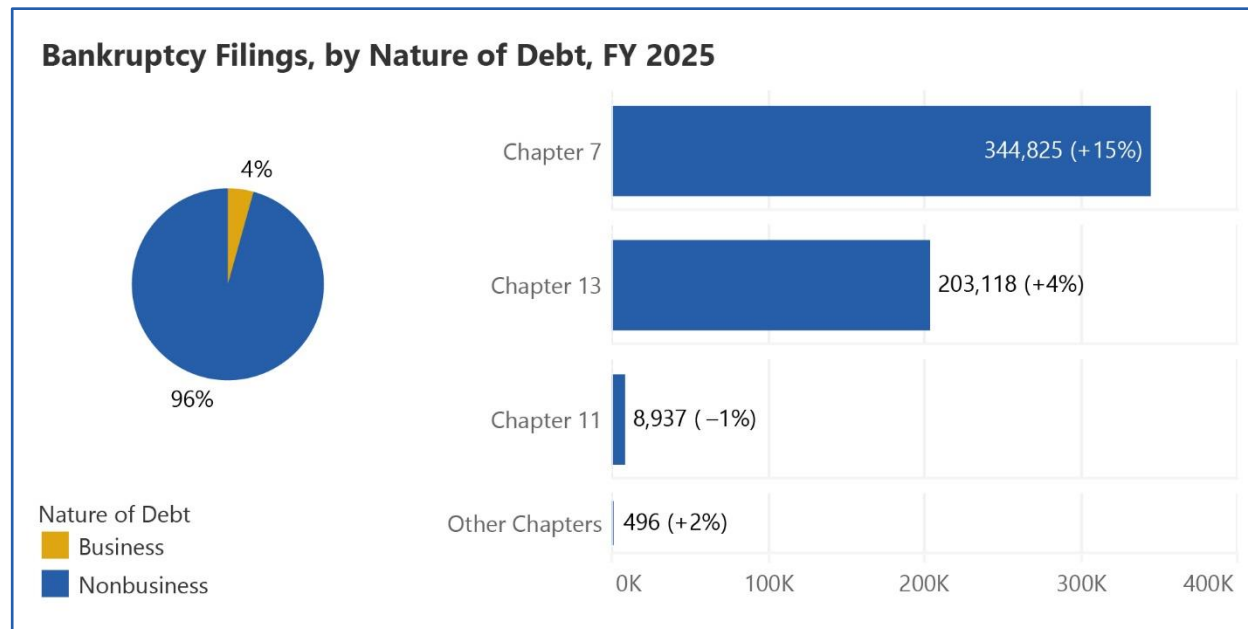
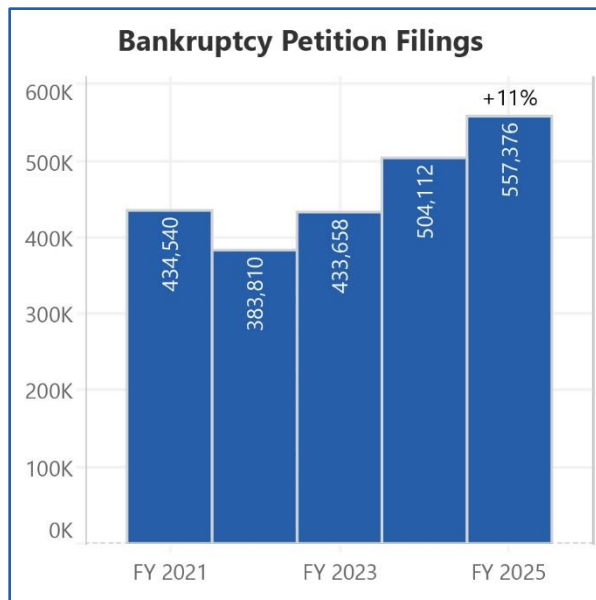


The Bankruptcy Courts

The bankruptcy courts docketed 557,376 new filings in FY 2025, which was 11 percent more than the prior year, but 28 percent below the total for FY 2019.

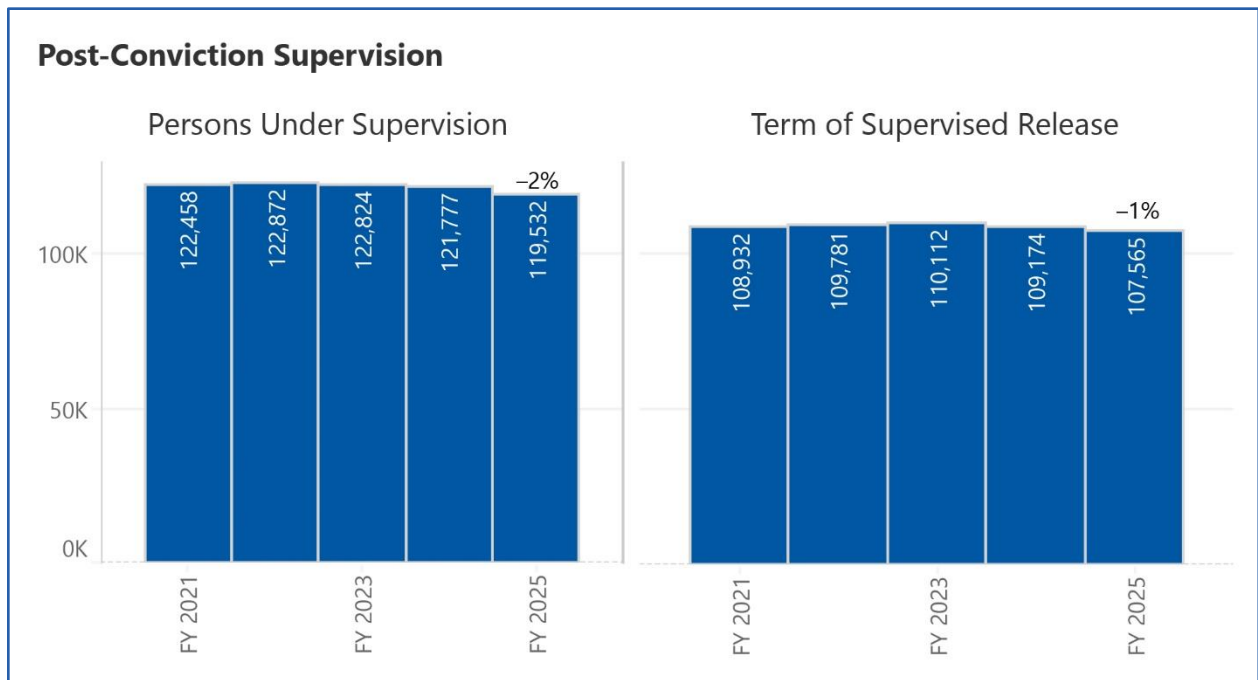
Of the 90 bankruptcy courts, 83 courts received more petitions in FY 2025 than in the prior year, although just three courts—the Northern District of Texas, the Eastern District of Texas, and the District of Minnesota—received more filings this year than they had received prior to the COVID-19 pandemic.

Nonbusiness (*i.e.*, largely consumer) petitions, which amounted to 96 percent of bankruptcy petitions in FY 2025, increased 11 percent to 533,337. Business petitions rose six percent to 24,039. Petitions filed under Chapter 7, which accounted for 62 percent of all bankruptcy filings, rose 15 percent from the previous year. Petitions filed under Chapter 13 increased four percent, and those filed under Chapter 11 fell one percent.



Pretrial Services, Federal Probation, and Supervised Release System

A total of 119,532 persons were under post-conviction supervision on September 30, 2025, a decrease of two percent from the same date one year earlier. Of that number, 107,565 were serving terms of supervised release after leaving correctional institutions, a decrease of one percent from FY 2024.



Cases activated in the pretrial services system, including pretrial diversions, rose 12 percent to 81,466.

