

retirement is concerned, comes about at appointment to the bench.

In one case, as I say, I don't know who these judges are, but in one case, for example, if the particular judge had remained for an additional 10 years in the civil service, he would have been entitled to an annuity of \$14,511, where under the judicial annuity, he is only entitled to \$6,889, which if I may use your term, is a dramatic penalty for service on the bench.

Now, if we are talking about backlog, and I am getting back to the backlog—

Mr. STEIGER. I would like to comment on your point about the penalty for civil service. You are not, however, suggesting that in order to equalize or eliminate any such discrepancy that we bring the judicial retirement in complete conformity with the civil service retirement. I think that is not your desire either.

Judge GREENE. Well, I am not suggesting that. What I am suggesting is the formula which would permit judicial retirement to be taken into—judicial years of service to be taken into account and to be computed at the rate for judicial service; and that civil service be taken into account and computed at the rates allowed for civil service at the lower rates—the two simply being combined at the time of retirement from the bench.

BACKLOG OF CASES

Mr. STEIGER. Let's touch on the backlog.

Judge GREENE. Mr. Chairman, in spite of the fact that we have had a tremendous increase in numbers of cases and numbers of trials and particularly in the criminal field and including the civil field, our courts have been successful and perhaps the only court in the District of Columbia that has been successful in reducing the backlog. Now, our courts—the criminal cases tried in our courts increased about 100 percent in the last 16 years. Those are just serious criminal cases—so-called United States cases. At the same time, I understand from the Crime Commission Report, the cases tried in the United States District Court did not increase at all. So we have absorbed all of the increase in crime in the District of Columbia. We have also had the phenomena in the last few years of a substantial increase in the number of trials as compared to the numbers of dismissals, guilty pleas, and summary judgments and so on. Of course trials take substantially more time, as the committee knows, than simply a plea or a dismissal. At a matter of fact, if my memory serves correctly, between 1965 and 1967 the number of trials in serious criminal cases increased from about a thousand to over 1,800, which is almost 80 percent increase in number of trials alone.

In spite of that we were successful in reducing the backlog between January 1, 1967, when some new procedures were instituted, and April 1, 1968, from something like 2,100 to about 1,700 or 1,600 cases.

Mr. STEIGER. Criminal cases?

Judge GREENE. Criminal cases, yes, sir. I should say in all candor that the April 1, 1968 figure is deceptive because in the last three weeks our backlog has risen more than we have been able to reduce it in the past 15 months. It is now up to over 2,300. That is due to something which we had no control over—that is the civil disorder that fell upon us.