

Federal Judiciary Funding

The Judiciary

FY 2017

Congressional Budget Summary

PREPARED BY
THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS
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Foreword

Overview

The Judiciary's FY 2017 discretionary budget request of \$7.0 billion is a 3.2 percent increase over the Judiciary's FY 2016 enacted discretionary appropriations level of \$6.8 billion.

FY 2016 Priorities

The Judicial Conference is grateful for the continued support of Congress in this difficult and constrained fiscal environment. The FY 2016 funding levels will enable the Judiciary to maintain current services across the Judiciary, and will enable investment in important new or upgraded program initiatives needed to support judicial operations.

During FY 2016, the court units will be able to maintain on-board staffing levels and continue to fill critical vacancies needed to meet workload demands. In addition, funding will support much needed information technology (IT) initiatives that will enhance the judicial process and/or produce cost savings and avoidance. The Judiciary plans to use \$19.0 million on a multi-year effort to implement enterprise hosting and cloud computing for the courts that will improve IT security and continuity of operations capabilities, and \$7.0 million of FY 2016 funding and available FY 2015 balances will be used to replace the Judiciary's outdated email system.

The Judiciary continues to strengthen its cyber security initiatives in the wake of the Office of Personnel Management's cyber incident. This series of events brought to the forefront both the importance of cyber security and how a

lapse in IT security can expose sensitive information. The Judiciary plans to strengthen its cybersecurity efforts further in FY 2016.

The Judiciary will continue to improve its federal defendant and offender supervision practices throughout the country by spending approximately \$15.0 million on the probation and pretrial services program to expand its evidence-based efforts and Staff Training Aimed at Reducing Re-arrest (STARR). These resources will assist with reducing recidivism rates for offenders under supervision in the community.

In FY 2016, federal defender organizations (FDOs) will be able to continue backfilling staff vacancies and to hire additional staff to meet workload demands, as called for in the recently-developed staffing formula for FDOs. FY 2016 funding also allows panel attorneys to receive cost-of-living adjustments (COLA) to their hourly rate for work in capital and non-capital representations, and an above-COLA increase to the non-capital rate from \$128 to \$129 per hour effective January 1, 2016. This is the first increase above inflation to this rate since FY 2010.

Additionally, the FY 2016 enacted appropriations will allow for improved security at our courthouses. This includes funding for additional court security officers in the courts as part of the first year of a phased, multi-year implementation of new staffing standards recommended by the U.S Marshals Service. Finally, FY 2016 enacted funding will support the projected need for petit and grand jurors.

FY 2017 Budget Request

The FY 2017 budget request will maintain current services across the Judiciary and sustain progress on several major initiatives initiated in FY 2016.

For the courts' Salaries and Expenses account, the Judiciary requests \$5.1 billion, an increase of \$127 million in discretionary appropriations over the FY 2016 enacted level. This request includes funding to support the court staffing levels needed to meet workload requirements, including additional staff for post-conviction supervision of 6,000 drug offenders released from prison as a result of the July 2014 decision of the U.S. Sentencing Commission to apply retroactively a sentencing guideline reduction for federal drug crimes.

For the Defender Services account, the Judiciary requests \$1.1 billion, an increase of \$51 million over the FY 2016 enacted level which includes sufficient funding to support the projected number of representations for FY 2017 and to continue hiring staff as called for in the new FDO staffing formula to meet workload requirements. The request also includes funding for panel attorneys to receive COLAs and for a \$6 per hour above-COLA increase to the non-capital panel attorney hourly rate (from \$131 per hour to \$137 per hour) to close the gap between the current rate and the statutorily authorized maximum.

The Judiciary's request also includes \$565.4 million for Court Security, an increase of \$27.2 million over the enacted FY 2016 level to protect judges, court staff, and the public at court facilities. This funding level will support security-related IT maintenance and enhancements and provides \$3.6 million for additional CSO positions as part of the second year of a

phased, multi-year implementation of the revised CSO staffing standards.

For the Fees of Jurors account, the Judiciary seeks \$43.7 million, a decrease of \$0.5 million from the FY 2016 enacted levels due to declining jury trials; however, this is sufficient to fund all projected juror requirements. The request also includes \$3.8 million for a \$10 increase to the daily juror attendance fee (from \$40 to \$50), effective January 2017, to compensate jurors more adequately for their services. The juror fee has not been increased since December 1990, even though the cost of living has increased significantly since that time.

Cost Containment

The Judiciary's aggressive cost-containment efforts have achieved cost savings and cost avoidance for over a decade and will continue to do so. These efforts focus on the areas that may have the greatest impact on long-term savings, including GSA space rent, personnel expenses, information technology, and operating expenses.

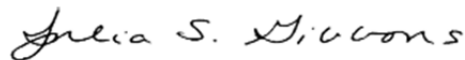
- The Judiciary continues to make strides toward its goal of reducing its space footprint by three percent by the end of FY 2018. Approximately 445,000 square feet of space has already been removed from the GSA rent bill. This represents about 50 percent of the Judiciary's space reduction target.
- The Judiciary continues to update its work measurement formulas on a regular basis to incorporate best practices, shared administrative services, improvements in information technology, and other

efficiencies. In September 2015, the Judicial Conference approved new staffing formulas for probation and pretrial services offices, and the first ever staffing formula for FDOs.

During FY 2015, the Government Accountability Office (GAO) conducted a study, at the request of Senator Charles Grassley, on sequestration and cost containment in the Judiciary. This comprehensive study examined the Judiciary's current methodology for calculating savings and cost avoidance and provided recommendations for the Judiciary to further strengthen its cost savings estimates and reporting. In November 2015, the GAO issued a final report and the Judiciary is determining how it will respond to the report's recommendations.

Courthouse Construction and Capital Security Improvements

Because the Judiciary lacks independent real property authority, the Judiciary's courthouse construction and capital security projects are funded from the General Services Administration's (GSA) budget.



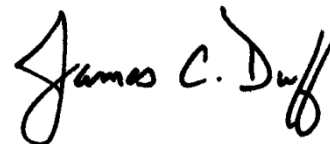
Julia S. Gibbons
United States Circuit Judge
for the Sixth Circuit Court of Appeals
Chair, Budget Committee of the
Judicial Conference of the United States

The Judiciary is extremely grateful to Congress for providing \$948 million in FY 2016 to GSA for the construction of courthouses on the Judiciary's Courthouse Project Priorities (CPP) plan. These resources will fully fund the top eight courthouse projects on the CPP.

For FY 2017, the Judiciary requests that Congress provide GSA \$26 million for additional capital security projects to ameliorate security deficiencies in existing courthouse buildings where physical renovations are viable in lieu of construction of a new courthouse. The stable and consistent funding of these projects is crucial to addressing serious security risks that threaten the safety of the Judiciary and the public.

Summary

The Judiciary's FY 2017 discretionary budget request of \$7.0 billion is summarized in the following pages. A more detailed description of the Judiciary's FY 2017 request, as well as the requests for courthouse construction and capital security requirements can be found in The Judiciary, Budget Estimates for FY 2017, Congressional



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