

JUDICIAL CONFERENCE OF THE UNITED STATES

Jurisdiction of the Committees

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**JURISDICTION OF COMMITTEES OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
(As approved by the Executive Committee, effective September 14, 2009)**

The Executive Committee: The senior executive arm of the Judicial Conference.

Act on behalf of the Judicial Conference between regular sessions, after consultation with the relevant Judicial Conference committee, on any matter requiring emergency action, and report to the Judicial Conference at its next session or more promptly, as necessary.

Prepare the discussion and consent calendars for meetings of the Judicial Conference. In its review of the report submitted by each Judicial Conference committee in connection with calendar preparation, the Committee may, from time to time, call to the submitting committee's attention aspects of its report that may be problematic so that the submitting committee will have the opportunity to reconsider whether to submit its report to the Judicial Conference with no change (as is its right), or to modify its report before submission to the Judicial Conference, or to take other action.

Establish and publish procedures for assembling Judicial Conference and committee agendas.

Review, revise, and publish statements of committee jurisdiction, and resolve questions as to whether a given matter falls within the jurisdiction of a particular committee. Assign matters of first impression to the appropriate committee. Receive every five years a recommendation from each committee as to whether that committee should be maintained or abolished, together with a justification for that recommendation, and make appropriate recommendations to the Judicial Conference.

Make recommendations to the Judicial Conference and its committees with respect to the needs of the judiciary that, in its view, should be addressed or planned for.

Working with the Director of the Administrative Office, fashion spending plans for the federal judiciary's congressionally approved appropriations.

Coordinate legislative liaison on behalf of the Judicial Conference and maintain and improve relationships between the judiciary and the legislative and executive branches. However, each committee will continue to be responsible for developing for Judicial Conference consideration substantive positions on legislative matters within its area of assigned responsibility.

Perform such other duties as may be delegated by the Judicial Conference or the Chief Justice.

Confer from time to time with the Chief Justice.

Facilitate and coordinate the federal judiciary's planning activities.

Committee on Audits and Administrative Office Accountability: To oversee audit, review, and investigative assistance activities and address certain other matters involving the Administrative Office, recognizing that the Director is responsible for day-to-day managerial and administrative matters.

Oversee the Administrative Office's audit, review, and investigative assistance activities in and for the judiciary and recommend actions by the Administrative Office to address recurring issues.

Receive, consider, and respond to complaints and suggestions concerning operations of the Administrative Office and recommend appropriate action to the Director.

Conduct studies of the operations of the Administrative Office as requested by the Judicial Conference or the Executive Committee.

Committee on the Administration of the Bankruptcy System: To oversee the bankruptcy system.

Monitor, analyze, and propose legislation affecting bankruptcy operations, including their impact on the entire judiciary, for consideration by the Judicial Conference.

Make recommendations to the Judicial Conference on bankruptcy judicial resource matters, including, but not limited to, matters involving: the number and location of bankruptcy judges; the allocation and management of bankruptcy judicial resources (through intercircuit assignments and other techniques); the selection, appointment, and reappointment of bankruptcy judges by the court of appeals; and the recall of retired bankruptcy judges.

Review and make recommendations to the Judicial Conference (or to appropriate Conference committees) regarding issues affecting the office of bankruptcy judge, such as salaries, retirement benefits, and staff and support services.

Monitor, review, and make recommendations to the Judicial Conference (or to appropriate Conference committees) regarding issues affecting the operation of the bankruptcy system, including, but not limited to matters involving: bankruptcy appeals, case management, court governance, proposed federal rules of bankruptcy practice and procedure, statistical workload information and projections, the consolidation of court units, the staffing formula for bankruptcy clerks' offices, and the need for nonjudicial bankruptcy personnel not covered by the staffing formula.

Monitor and, as appropriate, make recommendations to the Judicial Conference and the Director of the Administrative Office regarding matters involving the operation and administration of the bankruptcy administrator program and the relationship with U.S. trustees concerning estate administration.

Propose adequate funding resources when the budget is being formulated to support the programs within the committee's jurisdiction, taking into account the

overall fiscal situation of the judiciary, and monitor the condition of the fund held in escrow to pay the chapter 7 trustees.

Committee on the Budget: To assemble and present to Congress the budget for the judicial branch.

Consult with Judicial Conference committees on proposals with budgetary implications and their justification, including revenue enhancement proposals such as new fees.

Consult with committee chairs to formulate and present for approval of the Judicial Conference a budget request to Congress for the courts of appeals, district courts, bankruptcy courts, other units of the judicial branch, and the Administrative Office. Propose appropriate funding levels, as necessary, working with the Judicial Conference and relevant committee chairs to arrive at those levels.

Assist the judiciary's efforts to improve fiscal responsibility, accountability, and efficiency in overall operations.

Make recommendations as appropriate on ways to develop and execute the budget of the judiciary in a logical and accountable manner, including specific line-item budgetary reductions.

Present and defend the budget approved by the Judicial Conference to Congress.

Monitor reports of expenditure of appropriated funds.

Committee on Codes of Conduct: To provide advice, training, and other information on the application of the Code of Conduct for United States Judges and other judicial branch codes of conduct and Titles III and VI of the Ethics Reform Act of 1989, as amended; to implement statutory provisions relating to deferral of capital gains tax on certain ethics-based divestitures of property by judicial officers; and to recommend policies concerning matters of judicial ethics.

Render confidential advisory opinions on the application of the codes in response to confidential inquiries from persons bound by a code adopted by the Judicial Conference.

Render confidential advisory opinions, in response to confidential inquiries, concerning the application of other codes of conduct binding on officers and employees of the Tax Court, the Court of Veterans Appeals, and other entities of the judicial branch so long as (1) the relevant code is substantially identical in all material respects to a code adopted by the Judicial Conference, and (2) the judicial branch entity served by the inquirer has requested that the Committee render confidential advisory opinions to its officers and employees concerning the relevant code.

Render confidential advisory opinions interpreting Titles III (relating to gifts to federal employees) and VI (relating to limitations on outside earned income, honoraria, and outside employment) of the Ethics Reform Act of 1989, as amended, in response to confidential inquiries from judicial officers and employees of the judicial branch, except those of the Supreme Court and the Federal Judicial Center.

Publish such advisory opinions, after appropriate redaction to preserve privacy interests, on issues frequently raised or of broad application.

Make policy recommendations to the Judicial Conference on matters of judicial ethics, including proposals to adopt or pursue code and statutory modifications.

Determine whether divestiture of specific property is reasonably necessary to comply with federal conflict of interest requirements and issue certificates of divestiture, under 26 U.S.C. (I.R.C.) § 1043, to judicial officers other than Supreme Court Justices.

Educate and inform judicial officers and employees about their ethical responsibilities under the foregoing provisions.

Committee on Court Administration and Case Management: To study and make recommendations on matters affecting case management; the operation of appellate, district and bankruptcy clerks' offices; jury administration; and other court operational matters.

Monitor all case management activity of the appellate and district courts, and make recommendations for changes and improvements.

Make recommendations on proposals (including proposed legislation and proposed federal rules) involving matters including, but not limited to: court administration and organization; alternative dispute resolution; attorney admission and discipline; case management of mass tort litigation; miscellaneous and filing fees; the lawbook and library program; records management; places of holding court; methods of court reporting and court interpreting; and the operation of grand and petit juries.

Review initiatives on the development of electronic technologies for the courts for their effect on case management and the administration of justice, and make policy recommendations when appropriate.

Review matters affecting the operation of appellate, district and bankruptcy clerks' offices and make recommendations for changes in related administrative practices, federal rules, and legislation.

Review the staffing formulae for the appellate, district, and bankruptcy clerks' offices and recommend any revisions to such formulae to the Committee on Judicial Resources.

Committee on Criminal Law: To oversee the federal probation and pretrial services system and review legislation and other issues relating to the administration of the criminal law.

Monitor and analyze for Judicial Conference consideration legislation affecting the administration of criminal justice.

Make recommendations to the Judicial Conference regarding exercise of the Judicial Conference's authority over sentencing institutes under 28 U.S.C. § 334.

Provide oversight of the implementation of sentencing guidelines and make recommendations to the Judicial Conference with regard to proposed amendments to the guidelines, including proposals that would increase their flexibility.

Make recommendations to the Judicial Conference in meeting its and the probation system's responsibilities to submit an annual report to the Sentencing Commission (28 U.S.C. § 994(o)).

Assure that working relationships are maintained and developed with the Department of Justice, Bureau of Prisons, United States Parole Commission, and United States Sentencing Commission, with respect to issues falling within the Committee's jurisdiction.

Propose to the Judicial Conference or Director of the Administrative Office, as appropriate, policies and standards on issues affecting the probation system, pretrial services, presentence investigation procedures, disclosure of presentence reports, sentencing and sentencing guidelines, supervision of offenders released on probation and parole and on supervised release, drug aftercare services, witness protection, and interdistrict transfer of offenders under supervision.

Recommend to the Committee on Judicial Resources standards of employment for employees in probation and pretrial services.

Monitor the workload and operations of probation and pretrial services offices and when the budget is being formulated, propose adequate funding and resources to support these operations, taking into account the overall fiscal situation of the judiciary. Review the staffing formulae for probation and pretrial services offices and recommend such formulae and any revisions to the Committee on Judicial Resources.

Committee on Defender Services: To oversee the provision of legal representation to defendants in criminal cases who cannot afford an adequate defense.

Provide general policy guidance in interpretation and application of the Criminal Justice Act and related statutes, including approving non-controversial revisions to the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, recommending approval to the Judicial Conference for other amendments to these guidelines, and reviewing and modifying forms used by the courts in administering the Act and related statutes.

Review budget and grant requests (including staffing) of Federal Public and Community Defender Organizations, and approve appropriate amounts.

Review the Administrative Office's fiscal reports concerning appointments and payments under the Criminal Justice Act.

Monitor, analyze, and propose for Judicial Conference consideration legislation affecting the appointment and compensation of counsel and, where appropriate, make recommendations to other Judicial Conference committees and to the Judicial Conference regarding issues which impact upon the defender services program.

Ensure, to the extent possible, adequate and appropriate training of all persons providing representational services under the Criminal Justice Act.

Monitor the expenditure of Criminal Justice Act funds, advise the Judicial Conference of developments in the defender services program which require additional resources, and, when the budget is being formulated, propose adequate funding and resources to support the defender services program taking into account the overall fiscal situation of the judiciary.

Committee on Federal-State Jurisdiction: To analyze proposed changes in federal jurisdiction and to serve as liaison with state courts.

Make recommendations on proposals regarding elimination, modification or creation of new federal jurisdiction (including diversity), creation of new courts, territorial issues, and revision of venue provisions.

Serve as the conduit for communication on matters of mutual concern between the federal judiciary and state courts and their support organizations such as the National Center for State Courts, the Conference of Chief Justices, and the State Justice Institute.

Committee on Financial Disclosure: To supervise the filing of financial disclosure reports by judicial officers and employees.

Review financial disclosure reports filed by judges and other judicial branch officers and employees, as required by the Ethics in Government Act, and respond to requests for redaction of such reports, consistent with the Regulations of the Judicial Conference of the United States on Access to Financial Disclosure Reports Filed by Judges and Judiciary Employees Under the Ethics in Government Act of 1978, as Amended.

Approve and modify reporting forms and instructions, as necessary.

Respond to inquiries regarding financial disclosure matters from judges, employees, and the public.

Committee on Information Technology: To provide general policy recommendations, planning, and oversight of the judiciary information technology program.

Recommend to the Judicial Conference broad information technology goals, objectives, and priorities.

Develop and propose national information resources management (IRM) policies which will promote the effective and efficient use of automation in the courts.

Coordinate the development of, and approve for submission to the Judicial Conference, the *Long Range Plan for Information Technology in the Federal Judiciary*.

Conduct ongoing evaluations of existing systems and make recommendations for changes, as necessary.

When the budget is being formulated, propose adequate funding and resources to support the information technology programs, including relevant education and training, electronic public access, and voice telecommunications programs, taking into account the overall fiscal situation of the judiciary. Make recommendations on information technology staffing issues to the Committee on Judicial Resources.

Committee on Intercircuit Assignments: To assist the Chief Justice in assigning and designating Article III judges for service outside their circuits.

Review requests from chief circuit judges for the assignment of judges from other circuits or national courts.

Receive or request offers from judges to serve outside their circuits or national courts.

Recommend to the Chief Justice disposition of requests for and offers of judicial assistance.

Recommend for the approval of the Chief Justice guidelines governing the intercircuit assignments of judges.

Identify courts with excessive caseloads and provide information to those courts regarding the use of supplemental judgepower through intercircuit assignments.

Committee on International Judicial Relations: To coordinate the federal judiciary's relationship with foreign judiciaries and with official and unofficial agencies and

organizations interested in international judicial relations, and the establishment and expansion of the rule of law and the administration of justice, and to make recommendations as appropriate to the Chief Justice, Judicial Conference of the United States, and other judicial entities.

Serve as a conduit for communication on matters of mutual concern between the Chief Justice, the Judicial Conference, the federal judiciary, and foreign courts and international judicial organizations.

Coordinate and respond to requests from foreign judges and court managers, and agencies representing their interests, and international organizations concerned with the rule of law and the administration of justice.

In cooperation with executive branch and private agencies, facilitate the development and administration of programs designed to assist foreign judges and court managers such as the translation and dissemination of materials about the United States and its judicial system.

Committee on the Judicial Branch: To address problems affecting the judiciary as an institution and affecting the status of federal judicial officers.

Advise and make recommendations to the Judicial Conference on matters relating to judges' salaries, benefits, and other perquisites.

Review and advise the Judicial Conference on appropriate changes to the Travel Regulations for United States Justices and Judges.

Disseminate information and promote interest throughout the judiciary regarding the financial status of judges and the viability of the judicial office as a lifetime calling.

Study and report to the Judicial Conference on past, present, and possible future relationships with Congress, the executive branch, media, bar, and the general public.

Committee on Judicial Conduct and Disability: To oversee the implementation of the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, consider petitions for review of final actions by circuit judicial councils on complaints of misconduct or disability of federal judges, and review legislative proposals on judicial discipline and removal.

Consider petitions addressed to the Judicial Conference for review of circuit council actions on judicial conduct or disability complaints under 28 U.S.C. §§ 354(b) and 357(a).

Monitor periodically the administration of Title 28, United States Code, §§ 351-364.

Provide advice and counsel to chief circuit judges and judicial councils regarding the implementation of 28 U.S.C. §§ 351-364, and serve as a liaison and clearinghouse for the circuits on their experiences regarding judicial conduct and disability complaints.

Maintain an orientation program for new chief circuit judges and a compendium of relevant materials to aid chief circuit judges, judicial councils, and circuit staff in implementing 28 U.S.C. §§ 351-364.

Recommend to the Judicial Conference procedural and substantive rules, regulations, and guidelines for the conduct of proceedings under 28 U.S.C. §§ 351-364, for promulgation pursuant to 28 U.S.C. §§ 331 and 358.

Study and periodically evaluate the experience of the circuits accumulated under 28 U.S.C. §§ 351-364, and related matters, coordinate the collection and analysis of relevant data incident to such studies, report to the Judicial Conference on circuit developments and experiences regarding judicial conduct and disability complaints, and develop for Conference consideration appropriate policy proposals, including recommendations for desirable legislative changes.

Monitor and report to the Judicial Conference on legislation in the area of judicial discipline, impeachment, and removal (excluding matters pertinent to the Code of Conduct for United States Judges).

Committee on Judicial Resources: To consider all issues of human resource administration, including the need for additional Article III judges and support staff, and oversee the operation of statistical systems and the development of methodologies for human resource needs assessment and allocation.

Make recommendations to the Judicial Conference regarding additional Article III judgeships and Court of Federal Claims judgeships.

Oversee the Judiciary Salary Plan and the Court Personnel System. Coordinate and make recommendations to the Judicial Conference regarding all staffing formulae and requests for personnel not covered by established staffing formulae and methodologies (other than bankruptcy judges, magistrate judges, and personnel of defender services).

Make policy recommendations to the Judicial Conference on non-information technology administrative and operational training needs of court personnel, on funding for such training in the judiciary budget requests to the Congress, on the discharge of specific responsibilities assigned to the Judicial Conference by the Congress for training of court personnel, and on other matters related to employee development policy as the Judicial Conference may direct.

Review and recommend Judicial Conference approval of all other matters of human resource policy and administration such as classification and qualification standards, salary scales, background investigations, leave administration, employment practices and procedures, and all judiciary-wide benefit programs.

Oversee the operation of the statistical systems of the courts (to the extent not done by other committees), focusing in particular on the weighted caseload system and on reports of cases pending or under submission for long periods of time.

When the budget is being formulated, propose adequate funding and resources to support the programs within the committee's jurisdiction, taking into account the overall fiscal situation of the judiciary.

Committee on Judicial Security: Review, monitor, and propose to the Judicial Conference policies regarding the security of the federal judiciary, including protection of court facilities and proceedings, and protection for judicial officers, other officers and employees of the judiciary, and any immediate family members of such persons, at federal court facilities and other locations, and protection of the personal information of judges and their immediate family members against public disclosure on the internet in ways that could pose a security threat to those individuals. Make recommendations for changes as appropriate.

Review the provision of security services by the United States Marshals Service and the Department of Homeland Security, and make recommendations for changes where deemed advisable.

Coordinate relations of the United States Marshals Service, the Department of Justice in general, and the Department of Homeland Security with the United States courts and court security committees on security matters.

Analyze or prepare for Judicial Conference consideration proposed legislation affecting the security program.

Initiate studies and surveys concerning security matters.

Monitor the coordination of emergency preparedness in the judiciary, which includes crisis response and continuity-of-operations planning.

Coordinate and maintain a liaison with the Committee on Space and Facilities with respect to security arrangements, including measures for emergency preparedness, that involve court facilities.

When the budget is being formulated, propose adequate funding and resources to support the security program, including education and training, taking into account the overall fiscal situation of the judiciary.

Committee on the Administration of the Magistrate Judges System: To provide oversight of the federal magistrate judges system.

Review on a regular basis the need for and utilization of existing magistrate judge positions and the need for new positions, and make recommendations to the Judicial Conference for changes in magistrate judge positions, as necessary.

Review qualification standards and selection and appointment procedures for magistrate judges.

Review and make recommendations to the Judicial Conference regarding the office of magistrate judge, including such areas as salaries, retirement benefits, and staff and support services.

Review issues concerning the jurisdiction of magistrate judges.

Review issues concerning magistrate judge participation in court administration and governance.

Review periodically the legal and administrative manuals for magistrate judges.

Maintain liaison with judicial officers regarding the federal magistrates system.

Approve, according to standards set by the Judicial Conference, magistrate judge law clerk positions.

Committee on Rules of Practice and Procedure: To carry on a continuous study of the operation and effect of the general rules of practice and procedure.

Review reports and recommendations submitted by the five Advisory Committees and approve, modify, disapprove or return those recommendations to the Advisory Committees, as appropriate.

Transmit to the Judicial Conference proposed rules changes, together with Committee Notes relating thereto, and a summary indicating which proposed changes were the subject of substantial controversy.

Review and make recommendations to the Judicial Conference with regard to legislation affecting rules of practice and procedure.

Coordinate the work of the Advisory Committees, and make suggestions of proposals to be studied by them.

Rules Advisory Committees: To study the rules of practice and procedure in each Advisory Committee's field.

Consider suggestions and recommendations from bench and bar for changes in the rules.

Draft and publish proposed rules changes and Committee Notes and, when necessary, conduct public hearings thereon.

Submit to the Rules Committee those rule changes and Committee Notes finally agreed upon, a summary indicating which proposed rules changes were the subject of substantial controversy, the reports of the comments received in writing or during public hearings, and an explanation of any changes made subsequent to the original publication.

Committee on Space and Facilities: Review, monitor, and propose to the Judicial Conference policies regarding the judiciary's space and facilities requirements. Make recommendations for changes as appropriate.

Oversee long range planning for court facilities, including facilities for additional judgeships recommended by the Judicial Conference.

Coordinate and maintain a liaison with the Committee on Judicial Security with respect to physical security arrangements, including measures for emergency preparedness, that involve court facilities.

Review the provision of design, construction, and maintenance services for court facilities by the General Services Administration, and make recommendations for changes where deemed advisable.

Coordinate relations of the General Services Administration, the United States Marshals Service, the Department of Justice in general, and the Department of Homeland Security with the United States courts on space and facilities matters.

Analyze or prepare for Judicial Conference consideration proposed legislation affecting the space and facilities program.

Initiate studies and surveys concerning space and facilities matters.

Monitor use of, and propose revisions (and exceptions) to, the *U. S. Courts Design Guide* and any other design publications such as alterations and courtroom technology manuals. Recommend standards governing furniture and furnishings.

When the budget is being formulated, propose adequate funding and resources to support the space and facilities program, including education and training, taking into account the overall fiscal situation of the judiciary. Recommend policies and guidelines that will contain rent and other costs related to space and facilities.