



Annual Report of the Director

Administrative Office of the United States Courts

James C. Duff, Director

2010

CHIEF U.S. DISTRICT JUDGE JOHN M. ROLL, 1947-2011

“The violence in Arizona today has senselessly taken five lives and inflicted tragic loss on dedicated public servants and their families. We in the judiciary have suffered the terrible loss of one of our own. Chief Judge John Roll was a wise jurist who selflessly served Arizona and the nation with great distinction, as attorney and judge, for more than 35 years. I express my deepest condolences to his wife Maureen and his children, as well as the other victims and their families. Chief Judge Roll’s death is a somber reminder of the importance of the rule of law and the sacrifices of those who work to secure it.”

—Chief Justice John G. Roberts Jr., January 8, 2011



Supreme Court, Washington, D.C.



Ninth Circuit, San Francisco, CA



White House, Washington, D. C.



Sacramento, CA



Tucson, AZ



Phoenix, AZ



Flag



Brooklyn, NY



Bismark, ND



Fresno, CA



Denver, CO



Riverside, CA



Anchorage, AK



Concord, NH



Kansas City, MO

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As we enter an austere budgetary period, our internal control mechanisms, cost-containment efforts, and administrative diligence, while always important, will only grow in significance.



Director's Message

The Judiciary enters 2011 reeling from the violent death of one of its devoted public servants. Chief Judge John M. Roll, an exemplary and beloved judge, was killed along with five others on January 8, 2011, in Tucson, Arizona. We may not be able to comprehend why such senseless acts occur, but in our efforts to try to understand them, we should never lose recognition of and appreciation for the enormous sacrifice and dedication of our colleagues in service to their country. Last year at this time, we mourned the loss of Court Security Officer Stanley Cooper, who was killed on post in the federal courthouse in Las Vegas, Nevada, while protecting the courts and the public. This year, we witnessed an act of indescribable heroism as Judge Roll shielded another victim with his body during the shooting rampage in Tucson and lost his life doing so.

As we reflect on our accomplishments and challenges in 2010, it is remarkable how Chief Judge Roll was involved in so many important administrative issues facing the Judiciary—from workload and vacancies to courthouse construction needs and cost-containment efforts to Congressional outreach. It is all the more remarkable because of the caseload he and his colleagues carried in one of the busiest district courts in the United States. For Chief Judge John Roll, as for many of you in the Judiciary, there were no “days off.” Among his many accomplishments this past year, he secured the construction of a much-needed new courthouse in Yuma, Arizona, by convincing the General Services Administration (GSA), Congressional offices, and the Office of Management and Budget to reprogram economic stimulus funds. It is fitting that Arizona Senators John McCain and Jon Kyl have introduced a bill to name the new courthouse in Yuma in Chief Judge Roll’s honor. We will miss John greatly as a dear friend and colleague, and we were privileged to work with him.

The administrative challenges confronting the Judiciary in 2010 involved many of our most crucial resources—judges and courthouses. The challenges included: increased workloads in many districts with unfilled vacancies and growing departures of judges; and increased needs in some districts for new courthouses or renovations, the funding for which was slowed by unfounded pressures to require all judges to share courtrooms in new courthouses. These particular problems are not entirely in our control to remedy, but rather are primarily controlled by Congress. We will continue to work with the new Congress in 2011 to resolve these resource needs.

In contrast, many of our administrative successes in 2010 involved matters that were largely in our own control. They included: continued cost containment, such as reducing our rent; improving relations with GSA; enhancing our internal auditing functions; adopting a Strategic Plan to shape the course for the Federal Judiciary; improving and enhancing our electronic public access service, PACER; and implementing a very successful exchange program between employees at the Administrative Office of the U.S. Courts (AO) and the courts. We remain hopeful that our good-faith efforts to manage costs and to become more efficient in those administrative matters we control will help us obtain needed relief from Congress in those funding matters that it controls.

As to our judgeship needs, it has been more than two decades since Congress passed a comprehensive judgeship bill. During that time, workloads have increased dramatically in some districts, particularly in our border courts. The problems in many of those courts are exacerbated by the number of judicial vacancies. In his 2010 Year-End Report, Chief Justice John G. Roberts, Jr., encouraged Congress to fill the vacancies, particularly in courts that are most severely burdened.

The number of judicial vacancies continues to grow at a more rapid pace than normal. Nine judges left the bench in 2010 for more lucrative positions. This is among the highest levels of departures in our history. The explanation is simple: inadequate salary. The Judiciary certainly recognizes the austere economic conditions the country faces and has postponed its effort to obtain salary restoration accordingly. But this is an issue that must be addressed as soon as the economy rebounds. In the meantime, we will seek a modest adjustment from Congress to provide judges with the same General Schedule COLA that almost all other federal employees receive.

Our courthouse construction needs have been delayed by some in Congress who are pushing for courtroom sharing by all judges in new courthouses. In response to those efforts, we are very grateful for the strong and informative testimony of Judge Michael A. Ponsor, Chair of the Judicial Conference Committee on Space and Facilities, and Judge Julie A. Robinson, Chair of the Committee on Court Administration and Case Management. They explained in precise and detailed testimony before the House Judiciary Subcommittee on Courts and Competition Policy our current sharing practices and why trial judges must have readily available courtrooms. Judge Robert Conrad, Jr., of Charlotte, North Carolina, also provided specific and compelling examples of the problems his court experiences when judges are required to share courtrooms. The Judiciary also is particularly grateful to GSA Public Buildings Commissioner Robert A. Peck, who testified in support of the Judiciary's position on courtroom sharing and in support of the past courthouse construction practices of GSA. Congressman Henry C. (Hank) Johnson, Jr., has also been an effective advocate for the Judiciary's position on this issue, and we look forward to working with him in the new Congress. The Judiciary has demonstrated its commitment to efficiency in courtroom use by adopting certain sharing standards for senior district judges and magistrate judges and is reviewing courtroom use by bankruptcy judges. But as experienced trial judges know, across-the-board sharing of courtrooms by all active judges in new courthouses will not work.

This past year also included significant legislative accomplishments for the Judiciary, which are outlined in the report. Most notably, Congress reduced the disparity between penalties for crack and powder cocaine, and passed courts improvement legislation. Both bills were long sought by the Judiciary.

On other fronts, we are particularly pleased with the staff exchange program between the AO and the courts as it proves to be beneficial to both the courts and the AO. Our working relationship with the courts has improved greatly in recent years thanks to the efforts of many of you. Another example of the strengthened relationship is evidenced in our improved financial management and auditing functions. The courts have been instrumental in helping us improve these services. As we enter an austere budgetary period, our internal control mechanisms, cost-containment efforts, and administrative diligence, while always important, will only grow in significance.

Our careful stewardship and administration of the Judiciary are essential to maintaining our independence. We at the AO are grateful for your service both on the bench and in the administration of the Judiciary, and we are honored to support your work.

The remainder of this Annual Report, prepared by the staff of the AO, provides details of our many administrative accomplishments this past year.

Jim Duff

A Strategic Plan for the Federal Judiciary

Preserving Core Values and Meeting Challenges

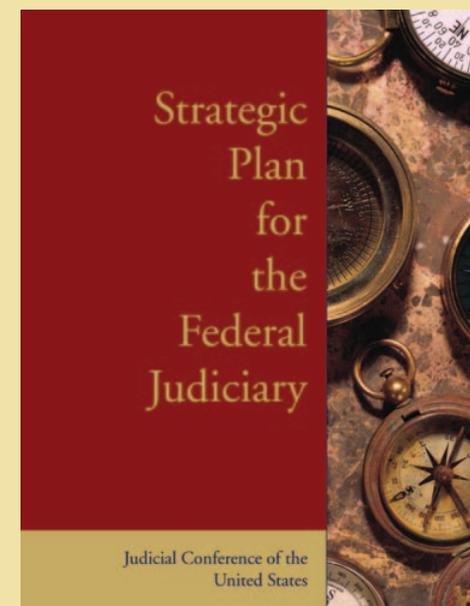
The Judicial Conference approved the *2010 Strategic Plan for the Federal Judiciary* on September 14, 2010 as a guide for judicial branch leadership in shaping the future course for the federal Judiciary.

The plan identifies goals for preserving Judiciary core values—the rule of law, equal justice, judicial independence, accountability, excellence, and service—while addressing challenges and meeting new demands on resources.

The plan was developed by an Ad Hoc Advisory Committee on Judiciary Planning, formed by the Executive Committee in 2008 with the permission of the Chief Justice. Judge Charles R. Breyer, Northern District of California, then a member of the Executive Committee, chaired the group, which included Executive Committee members, current and former Conference committee chairs, and Judiciary executives. In developing the *Strategic Plan*, the Ad Hoc Advisory Committee worked closely with Judicial Conference committees, and considered ideas and suggestions from circuit judicial councils, chief judges, and others.

The Judicial Conference also approved enhancements to the Judiciary's planning approach. Conference committees will play a key role in the plan's implementation in coming years, working with courts, circuit judicial councils, and other Judiciary organizations to accomplish the goals. In October 2010, the Executive Committee designated Judge Breyer to serve a two-year renewable term as Judiciary Planning Coordinator. With support from the Administrative Office (AO), Judge Breyer will assist the Executive Committee as it guides planning efforts for the Judicial Conference and its committees.

The *2010 Strategic Plan* is available on the Judiciary's public website, uscourts.gov, under Federal Courts, Publications. ▼



Strategies and goals in the plan are organized around seven issues: providing justice; effective and efficient management of public resources; the Judiciary workforce of the future; harnessing technology's potential; enhancing access to the judicial process; the Judiciary's relationship with other branches of government; and enhancing public understanding, trust, and confidence.

The Strategic Plan restates the Judiciary's mission and core values, and describes the Judiciary's objectives to be accessible, timely, and efficient in service to the public. Thirteen strategies and more than 30 goals are identified in the strategic vision.



Efforts to Contain Costs and Limit Budget Requirements

The Judiciary Budget

The Judiciary takes seriously its role as steward of the taxpayers' money and regularly reviews programs and business practices to identify areas where economies and efficiencies can be achieved. The Judicial Conference continues to build on the cost-containment strategy it adopted in September 2004, establishing the Judiciary as a model for cost-containment efforts over the past six years. Commitment to slowing the growth in long-term budget requirements has led to cost-containment initiatives in several major business areas. While the next round of cost-containment initiatives is likely to be more difficult, the Judiciary recognizes the need to control growth in the federal budget.

Space and Facilities Costs

The Judiciary's biggest cost-containment success has been in the area of space and facilities. In 2005, payments to the General Services Administration accounted for more than 20 percent of the Judiciary's budget within the Salaries and Expenses account. Rent was projected to continue to grow by 6-8 percent per year, and by fiscal year 2012, space rental requirements were expected to total nearly \$1.4 billion and account for over 30 percent of the Judiciary's budget.

Since FY 2005, the Judicial Conference, the courts, and the Administrative Office have taken various cost-containment steps, including setting a two-year moratorium on new construction, establishing rent budget caps, revising the *U.S. Courts Design Guide*, validating rental charges from GSA, and implementing an asset management planning process for circuit-based rent budgets, as described elsewhere in this report. As a result, the fiscal year 2012 budget request for GSA space rents totals \$993 million, nearly \$400 million in cost avoidances. Rent has grown by approximately 2 percent per year during this time, and today comprises a lower portion of the overall budget than five years ago.

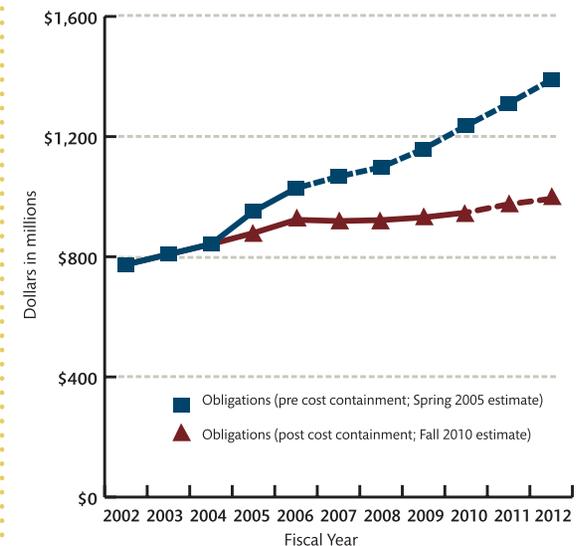
Many additional efforts have been completed or are underway to contain space and facilities costs.

Federal Tenant Savings. The Judiciary continues to evaluate the need for its leased space, and is emphasizing the possible benefits of teleworking, repurposing space, and using new technology. To date, over 250 projects have been approved to reuse or repurpose existing space rather than acquire new space, helping slow the growth in rental costs.

A pilot project was recently undertaken that provides delegated authority to the Judiciary to enter directly into tenant property alteration

contracts with private sector companies for projects up to \$100,000 in value, to control space costs. One such initiative calls for courts to procure minor tenant alterations through firm, fixed and pre-negotiated contracts held regionally by GSA. Courts could therefore complete smaller projects more quickly and at a lower cost.

Judiciary Rent Costs



Courtroom Usage Studies. Based on a courtroom usage study performed from 2005 to 2008, the Judicial Conference adopted for new courthouse and courtroom construction a courtroom sharing policy now included in the *U.S. Courts Design Guide*. The policy provides for courtroom sharing by senior judges and by magistrate judges.

In addition, the Judicial Conference authorized a study of courtroom use in bankruptcy courts that is expected to be completed by the Federal Judicial Center in early 2011. The Conference Committee on Court Administration and Case Management (CACM) will analyze the study, in consultation with the Committee on Space and Facilities and the Committee on Administration of the Bankruptcy System. The CACM will report its recommendations to the Conference in September 2011.

Asset Management Planning. Over the past several years, the Judiciary has developed a revised planning methodology termed asset management planning (AMP), which builds cost containment into the facility planning process. The Judicial Conference approved the concept of AMP in March 2006. Details of that initiative appear on page 22 of this report.

Training Programs. A National Space and Facilities Training program was launched during FY 2010 to help courts manage their space cost-effectively. Developed in cooperation with 10 court managers and Federal Judicial Center training experts, the

training addresses circuit rent budgets, courtroom technology and communications, asset management planning, rent validation, and space and facilities planning. More details about this training appear on page 21.

Library and Law Books

The Judiciary has been limiting the growth in its library and law book program for several years. In spite of industry inflationary increases approaching 8 percent annually, current spending on law books is only 3 percent higher than it was in 1999. Over the past five years, librarians have cancelled over 20,000 print subscriptions that total more than \$7.3 million in annual subscription costs.

In September 2010, the Judicial Conference approved nine cost saving recommendations that arose from a comprehensive library study, described on page 39 of this report.

Information Technology Service-Delivery Alternatives

The Judiciary leverages the use of information technology (IT) to automate business processes and maximize efficiencies. For example, the Judiciary's Case Management/Electronic Case Files (CM/ECF) system automated the paper intensive case filing process and now is operational in appellate, bankruptcy, and district courts, the Court of International Trade, and the Court of Federal Claims. CM/ECF benefits not only the Judiciary, but also the bar, public, and other government agencies

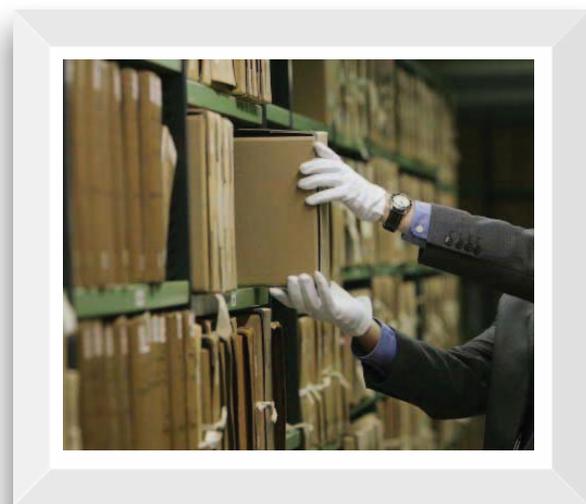
that have gained greater access to court information. The Judiciary anticipates long-term efficiencies will be achieved as a result of CM/ECF implementation.

The Judiciary continues to identify and implement more cost-effective service-delivery models for national IT program applications. Local court staff formerly were responsible for all technical and administrative support of court systems, including backing up systems and troubleshooting. Improvements in the national data communications network have allowed certain servers to be consolidated without hindering the performance levels of existing applications or local court business practices.

Efforts to reduce the number of computer servers nationwide will result in savings and cost avoidances totaling \$64.8 million through fiscal year 2012, with enhanced performance levels in some instances.

The next phase of the Judiciary's multi-year IT strategy focuses on converged services, combining voice, video, and data traffic over a single secure network, that is expected to result in improved services and additional cost avoidances. The Judiciary is currently exploring central purchases of software licenses or renewals that could further reduce costs and streamline operations.

A new Wireless Telecommunications Expense Management Service offers the potential to significantly reduce the amount of time and money courts spend on the administration and support of mobile



Eliminating tens of thousands of boxes of case records in storage but no longer needed at the National Archives and Records Administration (NARA) may result in significant cost savings for storage space the Judiciary will no longer need. The Judiciary worked with NARA to establish the new records retention policies.

devices. Courts can request support to audit wireless plan invoices, resolve billing disputes, and identify and negotiate more affordable wireless services.

Further details about IT initiatives are described on page 33 of this report.

Records Management

The Judiciary is working with the National Archives and Records Administration (NARA) to establish new policies to reduce retention times from 25 years to 10–15 years. Once implemented, the new retention policies will save the Judiciary an estimated \$7.7 million in reduced storage fees over the next 10 years.

The courts, Administrative Office, and NARA together have identified several potential cost savings in Judiciary records management, including:

- ▶ Approximately 79,000 boxes of civil case filing records in storage at the NARA Federal Records Centers are past their transfer or destruction date. The AO is working with the courts and NARA to have these boxes transferred or destroyed.
- ▶ Of approximately 64,000 boxes of closed criminal case files stored at the Federal Records Centers, NARA estimates that 23,000 boxes will be immediately eligible for disposal, under the proposed reduction in storage time from 25 years to 15 years after closure. Implementing this schedule should help the Judiciary avoid \$1.6 million in storage fees over the next 15 years.

- ▶ Nearly half of the 1.1 million boxes of bankruptcy case file records in storage at Federal Records Centers will be immediately eligible for disposal, if the storage time is reduced from 25 years to 15 years after closure. Overall, implementing this schedule should save the Judiciary \$26 million in avoided storage fees over the next 15 years.

Updated Work Measurement Formulas

The Judiciary has used work measurement studies to develop staffing requirements for nearly 20 years; to justify budget requests based on empirical data; and to fairly and equitably allocate staff positions to the courts.

Beginning with the fiscal year 2012 budget request, the number of additional staff requested will be based on staffing formulas that apply measures of faster work for certain job categories. Using this approach reduces the number of new court support staff positions in the request by over 900, and reduces the Judiciary's budget request by approximately \$67 million annually. ▼

Administrative Office staff support the federal Judiciary's goals and objectives through regular communications and interactions with Congress. Staff convey and explain Judicial Conference policies and monitor legislation that could affect federal court operations and resources. They also respond to inquiries from congressional offices and supporting agencies regarding legislative proposals and constituent concerns, and coordinate with the Government Accountability Office (GAO) on congressional studies affecting the Judiciary.



Legislative Activity

Administrative Office Staff Support

During its second session, the 111th Congress considered a wide range of issues important to the federal courts.

Judicial Salary Restoration Initiative

The continuing weak economy severely constrained efforts to secure adequate and reasonable compensation for judges during the entire 111th Congress. Every legislative initiative involving spending of any nature has become strictly limited by current-year budget levels and concerns about any potential long-term impact on the federal deficit. The Judiciary continued to remind key congressional members and staff about the growing problem of inadequate federal judicial compensation. Judiciary representatives and AO staff explained how the pay situation has adversely affected the retention of judicial officers and has created salary compression and inversion throughout the Judiciary.

Article III Judgeships

Additional Article III judgeships are critical to the Judiciary's efforts to provide efficient and prompt service to the public. It has been more than two decades since the Judiciary's judgeship needs were comprehensively addressed. Since then, the

Regarding the problem of judicial vacancies in critically overworked districts: "I am heartened that the Senate recently filled a number of district and circuit court vacancies... There remains, however, an urgent need for the political branches to find a long-term solution to this recurring problem."

*– Chief Justice John G. Roberts, Jr.
2010 Year-End Report on
the Federal Judiciary*

Judiciary's civil caseload has grown by 29 percent and its criminal caseload has grown by 60 percent, while the number of Article III judgeships has grown by only 4 percent. Greater judicial resources are needed to address these increasing caseloads, and the Judiciary continued efforts with Congress and the Executive Branch during 2010 to establish additional Article III judgeships. This effort followed progress during the prior year: introduction of legislation reflecting the Judicial Conference judgeship recommendations, as well as a hearing on judgeship needs in the Senate Judiciary Subcommittee on Administrative Oversight and the Courts.



AO staff develop educational materials for new congressional staff who may not be familiar with the work of the federal Judiciary.

Temporary Judgeships

Three existing temporary judgeships were extended once during 2010; subsequently, in the fall of 2010, two lapsed and one expired. Short-term extensions of three existing temporary district judgeships that were in imminent danger of expiring—in Hawaii, Kansas, and the Northern District of Ohio—were enacted through the Consolidated Appropriations Act for FY 2010 (Pub. L. No. 111-117), which the President signed into law in December 2009. Then, in June 2010, the Senate Judiciary Committee reported legislation that would have further extended these and certain other temporary Article III judgeships, and would have replaced lost temporary judgeships in the Eastern District of California and the District of Nebraska. This legislation also would have raised bankruptcy filing fees to provide the Pay-As-You-Go, or PAYGO offset for the replacement of the Eastern District of California and District of Nebraska temporary judgeships. This legislation did not advance in the Senate. After the Hawaii, Kansas, and Northern District of Ohio judgeships lapsed in the fall of 2010, a further extension of these temporary judgeships was not included in the continuing resolution that Congress passed at the end of the 111th Congress. When a vacancy opened in the Northern District of Ohio, that district's temporary judgeship expired.

Bankruptcy Judgeships

Bankruptcy judgeships also are critical to address near-record caseloads while ensuring

timely resolution of bankruptcy cases for both debtors and creditors. During fiscal year 2010, bankruptcy caseloads increased by 14 percent over fiscal year 2009. Since 2006, the first year after the Bankruptcy Abuse Prevention and Consumer Protection Act took effect, bankruptcy filings have doubled. To meet the debtors' and creditors' needs for additional bankruptcy judges to process these cases, Representative Steve Cohen (TN), along with Representatives John Conyers (MI) and Lamar Smith (TX), introduced the bipartisan "Bankruptcy Judgeship Act of 2010" on January 26, 2010. The bill reflected Judicial Conference bankruptcy judgeship recommendations. Introduction of the bill followed a 2009 hearing on bankruptcy judgeship needs in the House Judiciary Subcommittee on Courts and Competition Policy. The House Judiciary Committee reported the bill on January 27, 2010, and the full House of Representatives passed it on March 12. In the Senate, the Judiciary Committee reported the bill by a vote of 4-4 on May 27, 2010. The bill did not advance further in the Senate.

Securing Adequate Funding

► Supplemental Funding for Fiscal Year 2010

The President signed into law a southwest border supplemental funding bill (P.L. 111-230) on August 13, 2010 with funding for the Judiciary to address workload requirements in the courts resulting from immigration and other law enforce-

ment initiatives. The \$10 million supplemental will be available through September 30, 2011.

► Fiscal Year 2011 Judiciary Funding

The Senate Appropriations Committee reported out its version of the FY 2011 Financial Services and General Government (FSGG) Appropriations Bill on July 29, 2010, with a 5.5 percent overall increase for the Judiciary—essentially the full re-estimate of the Judiciary's FY 2011 budget request submitted to Congress in May 2010. The Senate level was very generous and would have allowed courts to fully



Chief Judge Robert J. Conrad described security and courtroom space deficiencies in his Charlotte, North Carolina courthouse. He testified at an October 2010 hearing of the House Judiciary Subcommittee on Courts and Competition Policy.

fund current on-board staff in FY 2011 and, along with anticipated fee and carryover levels available in FY 2011, would have allowed for staffing increases for courts experiencing a growing caseload. This bill was never considered by the full Senate.

The House Appropriations Subcommittee on FSGG considered the bill on July 29 and issued a press release that mentioned an overall increase of 3.9 percent for the Judiciary, or approximately the current services funding level for the Third Branch. The Appropriations Committee did not report out this bill, however, and the full House did not consider it.

In fall 2010, concerns about the deficit and spending grew in Congress, and the election changed several Senate seats and party leadership in the House. These changes influenced the approach to federal government funding for FY 2011 and thinking about it for future years. Congress ultimately deferred its decision on final fiscal year 2011 funding levels for the federal government, including the Judiciary, for later action by the 112th Congress. Congress therefore extended the fiscal year 2011 continuing resolution, funding federal government operations at FY 2010 levels through March 4, 2011.

► Financial Plans for FY 2011

Judiciary spending plans are adapting to the changing federal fiscal climate. The AO is working with its court advisory groups, including the Budget and Finance Advisory Council, to consider



When presenting the Judiciary's FY 2011 budget request to Congress, Judge Julia Smith Gibbons, Conference Budget Committee chair, noted that the Judiciary has a comprehensive strategy to cut costs through rent caps, courtroom sharing, an altered salary progression policy for court staff and law clerks, and IT server consolidation.

several fiscal year 2011 court allotment scenarios based on expected fiscal year 2011 funding. Assuming Congress completes its work on fiscal year 2011 appropriations before or around the March 4, 2011 expiration date of the current CR, it is likely that final financial plans will be presented to the Executive Committee for approval very soon afterwards.

The AO has offered guidance to court units to exercise restraint in their spending decisions until Congress enacts a full-year appropriation. In particular, courts have been advised to limit hiring to positions absolutely essential to the court's mission-critical work.

Based on the current appropriations outlook, the Judiciary is developing contingency plans in the likely event that the interim financial plans will not be fully funded. If Congress ultimately enacts a full-year CR, additional budget balancing reductions in the Salaries and Expenses account would be required beyond what was included in the interim financial plan. The interim plan contains a 6.6 percent cut from full-formula requirements, while a full-year CR would require reductions of approximately 9 percent below full-formula requirements. For the Defender Services account, a full year CR results in the likelihood of over two months in possible deferred panel attorney payments. For the Court Security account, it would require significantly reduced funding for cyclical replacement of security systems and equipment.

► Fiscal Year 2012 Budget Request

The Judicial Conference Executive Committee approved policy and technical changes in January 2011 that make it possible to reduce the original Conference FY 2012 budget request approved in September 2010. As a result, the revised fiscal year 2012 budget request will total \$6.9 billion in appropriations, an increase of 4.2 percent over the current fiscal year 2011 appropriations assumptions, which compares to the 4.7 percent increase contained in the original request approved by the Judicial Conference. The Administrative Office plans to transmit the Judiciary's fiscal year 2012 request to Congress in mid February 2011 in conjunction with the release of the President's fiscal year 2012 budget request.

Crack/Powder Cocaine Sentencing Disparity Reduction Enacted

After many years of tireless advocacy by the Judiciary and others, Congress and the President on August 3, 2010, enacted the "Fair Sentencing Act of 2010" (Pub. L. No. 111-220). This law reduced the disparity in the mandatory minimum sentences for crack and powder cocaine from 100:1 to less than 20:1. The same law also eliminated a mandatory minimum sentence for crack cocaine possession. The Judicial Conference—which opposes mandatory minimum sentences in general—specifically supported a reduction in the crack-powder disparity because of its particularly adverse impact on the administration of justice. District Judge Reggie Walton, on behalf of the Judicial Conference,

testified several times before the House and Senate in support of reducing the crack-powder disparity, most recently on April 29, 2009.

Court Improvements Provisions Enacted

In May 2010, the President signed into law the "Federal Judiciary Administrative Improvements Act of 2010" (Pub. L. No. 111-174), enacting a number of Judicial Conference legislative initiatives, including provisions that would:

- Allow judges to file separately the Statement of Reasons, issued upon sentencing, so that confidential information can be better controlled and protected;
- Clarify the scope of authority of federal pretrial services officers to supervise and assist juveniles as an alternative to incarceration;
- Adjust the deadline for state and federal judges to file their wiretap data, as well as the deadline for the Department of Justice; and
- Apply an inflationary index to the threshold amount at which chief judge approval is required for reimbursement of the costs of hiring expert witnesses and conducting investigations for indigent defendants.

Jurisdiction and Venue Clarification Act

In September 2010, the House passed the “Federal Courts Jurisdiction and Venue Clarification Act of 2010.” The Senate did not act on the legislation prior to adjournment. The Conference-supported legislation reflected substantial work over several years by the Committee on Federal-State Jurisdiction. The bill would have lessened uncertainty in certain jurisdictional and venue provisions, thereby reducing wasteful litigation and assisting litigants in pursuing their claims.

The bill would have, for instance, codified present case law requiring all defendants to consent to removal. It would also have ensured that when a federal question claim is removed to federal court along with unrelated state law claims, the federal question claim will proceed in the federal court and the state law claims will be remanded to state court. In addition, the legislation would have clarified that each defendant has 30 days after service to remove, while allowing earlier served defendants to consent to that removal.

Regarding venue, the bill would have, for example, created a general statute and established a unitary approach to venue rules for both diversity and federal question cases. It also would have repealed the outdated “local action” rule, clarified “residence” for venue purposes, and provided that unincorporated associations are treated the same as corporations for venue purposes. In addition, the legislation would have clarified the application of venue for persons residing outside of the United States.

Cameras in the Courtroom

Both the House and Senate introduced bills that would have provided presiding judges with the discretion to permit electronic media coverage of proceedings in the district courts, courts of appeals, and the Supreme Court of the United States. They would have given any non-party witness the right to request that faces and voices be disguised or obscured to the broadcast audience. The bills also would have barred interlocutory appeals of decisions to permit, deny, or terminate electronic media coverage, and precluded electronic media coverage of jurors and the jury selection process. The legislation would have authorized the Judicial Conference to promulgate guidelines for managing and administering cameras in the courtroom. The House did not act on its cameras bill. The Senate Judiciary Committee reported favorably its bill allowing for discretionary use of cameras in all federal courts.

Separate measures were introduced in both the House and Senate requiring television coverage of Supreme Court proceedings, unless the Court decided, by majority vote, that allowing such coverage would constitute a violation of the due process rights of one or more parties before the Court. A resolution expressing the sense of the Senate that such coverage should be permitted was also introduced. While the House did not consider its cameras bill pertaining only to the Supreme Court, the Senate Judiciary Committee reported favorably both its Supreme Court cameras bill and resolution.



AO staff experts carefully analyze budget requirements each year as they help prepare the Judiciary's appropriation request for submission to Congress.

The Judicial Conference continues to strongly oppose bills that would allow the use of cameras in federal trial court proceedings. In September 2010, the Judicial Conference authorized a limited three-year national pilot project to evaluate the effect of cameras in federal district court civil proceedings and the public release of recordings of the proceedings. The Conference Committee on Court Administration and Case Management and the Federal Judicial Center are developing the pilot and the study. The Administrative Office will fund equipment and training as needed by participating courts. Participation in the pilot will be at the trial judge's discretion. Recording of jury members will

not be permitted, and parties in a trial must consent to participate in the pilot.

Courthouse Construction

The Judicial Conference five-year courthouse construction plan for fiscal years 2011-2015 proposed four courthouse construction projects for funding in fiscal year 2011: Mobile, Alabama; Nashville, Tennessee; Savannah, Georgia; and San Jose, California. The plan also stated that while the Los Angeles, California courthouse project remained the number one priority, no further funding would be requested until a decision was made on how to move forward with this project. The President's FY 2011 budget request for the General Services Administration (GSA) did not include any courthouse construction projects.

One courthouse project funded in FY 2010, Salt Lake City, Utah, was authorized this year, at a significant cost saving. With regard to FY 2011, the Senate Appropriations Committee reported a bill that included \$92 million to construct the new Los Angeles courthouse, following an agreement by the Judiciary and GSA to proceed with a scaled-down Los Angeles project. An equivalent bill, cleared only at subcommittee level in the House, included \$10 million for the Mobile, Alabama courthouse, which requires a total of \$190 million for construction.

Unfortunately, the 111th Congress adjourned without completing action on the FY 2011 Appropriations bills. Instead, Congress passed a resolution to continue

appropriations at FY 2010 levels through March 4, 2011. The continuing resolution did not fund any new projects or programs, including courthouses and the proposed Judicial Capital Security Program to address security deficiencies in existing court facilities. The new 112th Congress will address the unfinished FY 2011 appropriations process.

Capital Security Program. The appropriations bill reported by the Senate Committee included funding to GSA for the proposed new Capital Security Program. It would improve security features in existing court facilities that do not meet current baseline standards, avoiding the need for entirely new structures whenever physical, interior alterations are viable. Under the Judiciary's new space planning process—Asset Management Planning—security remains a priority but security concerns alone will not result in a request for a new courthouse.

GAO Study on Courthouse Planning. The House and Senate committees that authorize courthouses continue to seek cost reductions in courthouse projects. Authorizing resolutions approved this year imposed limits on individual projects, disallowing space for projected new judgeships, and ensuring strict compliance with current courtroom sharing policies. The House authorizing committee also asked the Government Accountability Office (GAO) to conduct a study of courthouse planning, which was completed this year. GAO concluded from its

In highlighting changes in courtroom planning considered by the Judicial Conference: "Fundamentally, we believe the policy changes we have adopted and are considering strike the correct balance between costs and ensuring a high quality of justice."

- Judge Julie A. Robinson, testifying before the House Subcommittee on Economic Development, Public Buildings and Emergency Management, on May 25, 2010.

study that the 33 federal courthouses built between 2000 and 2010 had excess space and wasted taxpayer dollars. GAO questioned the planning of space for new judgeships that did not materialize, and suggested increased courtroom sharing at a ratio of two courtrooms for every three active district judges and one courtroom for every three senior judges. On May 25, 2010, the House authorizing subcommittee held a hearing on GAO's draft report. Judge Michael Ponsor, Chair of the Judicial Conference Committee on Space and Facilities, and Judge Julie Robinson, Chair of the Judicial Conference Committee on Court Administration and Case Management, testified on behalf of the Judiciary that the report and methodology were significantly flawed and demonstrated a lack of understanding of the complex and dynamic judicial process, which cannot be reduced to formulaic assumptions. The Judiciary sent its official comments on the draft report to GAO on June 1, 2010. GAO issued its final report on June 21, 2010.

Following receipt of the GAO report, leaders of the House authorizing subcommittee wrote to the President, requesting that his annual budget not include any funds to construct courthouses until the Judiciary agrees to establish what subcommittee leaders consider realistic judgeship projections and more robust courtroom sharing, based on empirical data. AO Director James Duff, acting in his capacity as the Secretary of the Judicial Conference, responded with a letter to the President that opposed the proposed moratorium on the courthouse program and described the flaws in the GAO conclusions on which the subcommittee had based its request. In addition, Representative Hank Johnson (GA), Chair of the House Judiciary Subcommittee on Courts and Competition Policy, wrote to the President opposing a moratorium on courthouse funding.

Chairman Johnson also held a hearing on September 29, 2010, in the Courts Subcommittee on "Courtroom Use: Access to Justice, Effective Judicial Administration, and Courtroom Security." Judge Michael Ponsor and Judge Robert Conrad, Chief Judge of the Western District of North Carolina, testified on behalf of the Judiciary about the impact of courtroom sharing on the judicial process. The late Judge John Roll, Chief Judge of the District of Arizona, submitted a statement for the hearing record about the difficult conditions in Arizona courts. GSA Public Buildings Commissioner Robert Peck also testified. ▼



In addressing problems with Government Accountability Office calculations of courtroom space needs, Judge Michael Ponsor explained, "... there was no consideration of continuances, no consideration of emergencies, no consideration of issues such as border states" needs. GAO issued a report on the study it conducted of courtroom planning at the request of Congress. Judge Julie Robinson, pictured with Judge Ponsor, also expressed the Judiciary response to the GAO study before the House of Representatives.

The Administrative Office supports the work of the Judicial Conference and its committees by developing programs and business processes that support Conference policy. Serving the needs of federal judges as they deliver justice and representing the Judiciary's needs to Congress are primary objectives of the AO.



Judges Programs

Article III Vacancies, Nominations, and Confirmations

As of September 30, 2010, there were a total of 105 Article III judgeship vacancies: 20 in the courts of appeals and 85 in the district courts. Forty-seven nominations were pending: 13 for the courts of appeals and 34 for the district courts. After the 111th Congress convened in January 2009, 41 Article III circuit or district judges were confirmed. Action on Article III judgeships is discussed in the Legislative section of this report.

Visiting Article III Judges

Judges who volunteer to serve in other circuits and districts help the Judiciary address constantly changing workload demands. The Judiciary uses intercircuit and intracircuit assignments of Article III judges to provide short-term assistance to courts with overwhelming caseloads. Since October 2008, when the Conference Committee on Intercircuit Assignments expanded its efforts to recruit visiting judges, the number of intercircuit assignments has increased by 18 percent. For the 12-month period ending June 2010, visiting judges participated in 4,042 appeals closed after oral hearing or submission of briefs. In the district courts, visiting judges closed 1,725 civil cases and

cases involving 561 criminal defendants. During the same time period, the Chief Justice approved all 206 intercircuit assignments recommended by the Committee on Intercircuit Assignments.

International Judicial Relations

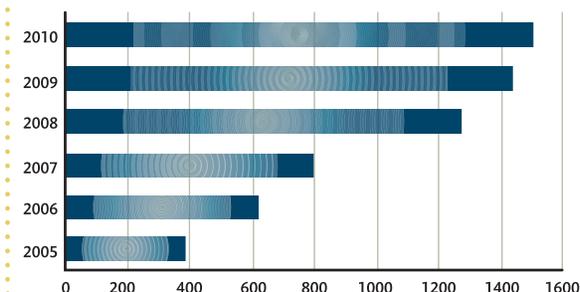
In support of the Conference Committee on International Judicial Relations, the AO coordinated briefings for 64 international delegations, including 681 judges, court administrators, and other officials from 86 countries during FY 2010. AO staff also supported federal judges who hosted visiting foreign judges and court administrators in their courthouses, and judges who traveled abroad to support international rule-of-law programs sponsored and funded by other federal government agencies and international organizations.

Online System for Clerkship Application and Review

The Online System for Clerkship Application and Review (OSCAR) allows federal judges to post clerkship opportunities and accept electronic applications. In fiscal year 2010, with 1,501 judges participating, the program expanded to include a staff attorney hiring module. This addition allows appellate staff attorney of-

fices to post their attorney position notices online and accept electronic applications from third-year law school students and alumni.

Judges Participating in OSCAR



Rules Developments

In April 2010, the Supreme Court approved a series of amendments to the Federal Rules that were proposed by the Conference Committee on Rules of Practice and Procedure, and recommended to the Court by the Judicial Conference in September 2009. Among the amendments are significant changes to Rules 26 and 56 of the

Federal Rules of Civil Procedure. The amendments to Rule 26 apply work-product protection to the discovery of draft reports by testifying expert witnesses and, with three important exceptions, communications between those witnesses and retaining counsel. After extensive study, the Advisory Committee on Civil Rules concluded that the best means of evaluating the merits of an expert opinion is by cross-examining the expert on the substantive strength and weaknesses of the opinions and by presenting evidence bearing on those issues. The advisory committee also concluded that discovery into draft reports and all expert-attorney communications was not an effective way to learn or expose the weaknesses of the expert's opinions; was time-consuming and expensive; and led to wasteful litigation practices to avoid creating such communications and drafts in the first place.

The amendments to Rule 56 are designed to improve the procedures for presenting and deciding summary-judgment motions, to make the procedures more consistent across the districts, and to close the gap that has developed between the rule text and actual practice. The proposed amendments draw from summary-judgment provisions that many local rules have in common, and are not intended to alter the summary-judgment standard or burdens under a rule that has not been significantly changed for more than 40 years.

The Federal Rules amendments approved by the Supreme Court took effect on December 1, 2010.

Civil Litigation Conference

Approximately 200 judges and lawyers attended a Litigation Review Conference organized by the Conference Advisory Committee on Civil Rules held in May 2010 at the Duke University School of Law. Judge John Koeltl of the U.S. District Court for the Southern District of New York chaired the conference planning committee.

The advisory committee invited more than 70 moderators, panelists, and speakers to address pleading, electronic and other discovery, summary judgment, and trial issues. In preparation for the conference, the advisory committee commissioned more than two dozen empirical studies and surveys from the Federal Judicial Center, major bar organizations, and research institutions. The panel members, including plaintiffs' lawyers, defense counsel, corporate counsel, bar association officials, academics, state judges, and federal judges, also presented dozens of white papers describing litigation problems and suggesting alternative solutions.

Reaching consensus on some issues, participants discussed possible rule changes, as well as possible changes in statutes and in judicial and legal education. In October 2010, the advisory committee and the Committee on Rules of Practice and Procedure submitted a report to the Chief Justice outlining the steps they plan to take over the next several years to address the many issues raised at the conference. A web page with resources related to the conference can be located by visiting uscourts.gov and entering "Civil Litigation Conference" in the search box.

Civil Litigation Management Manual Revised

As required by the Civil Justice Reform Act of 1990, the Judicial Conference, with assistance from the AO and Federal Judicial Center, prepares, periodically revises, and transmits to U.S. district courts a manual for litigation management and cost delay reduction. *The Civil Litigation Management Manual* was first developed by the Conference Committee on Court Administration and Case Management for publication in 2001. Approved by the Judicial Conference in March 2010, the second edition of the manual was prepared under the direction of the same Conference committee during the chairmanships of Judges Julie A. Robinson and John R. Tunheim, with substantial contributions by the AO and the FJC. The manual helps federal judges secure "the just, speedy and inexpensive determination of every action."

The manual was mailed to all judges, and is available on the Federal Judicial Center website. It also can be reached on uscourts.gov, under Federal Courts, Publications.

Appellate Court Statistics Manual Updated

An ad hoc focus group established in 2008 with representatives from nearly every U.S. court of appeals, the bankruptcy appellate panels, and the AO staff, worked to develop a new appellate court statistics manual. The resulting *Appellate Statistics Information Reporting Manual* is a comprehensive

Over time, the Judiciary is revising forms that are essential to filing and taking action in bankruptcy cases. Testing by lay people and members of the legal profession will be done before the forms are finalized.

road map for greater uniformity in statistical data reporting for the U.S. appeals courts. Released in September 2010, the manual addresses the introduction of electronic filing, advances in technology, and legislative amendments that created new categories of litigation and the need to track their impacts.

Civil Justice Reform Act Reports Now Online

The Civil Justice Reform Act of 1990 (CJRA) requires the AO to prepare semiannual reports showing, by U.S. district judge and magistrate judge, all motions pending more than six months, all bench trials that have remained undecided more than six months, and all civil cases pending more than three years. In accordance with Judicial Conference mandates of 1998, the CJRA reports also present data on bankruptcy appeals pending more than six months and Social Security appeal

cases pending more than six months. In 2010, the Judicial Conference asked the AO to begin making both the summary and detailed CJRA reports available on the federal Judiciary's public website.

Bankruptcy Forms Modernization

Well-designed forms are important to customers in the bankruptcy process. The Forms Subcommittee of the Advisory Committee on Bankruptcy Rules continues its multiyear Forms Modernization Project (FMP), initiated in 2008. Their recommendations will make the bankruptcy forms more user-friendly and less error prone, and more technology driven. With expert help in forms redesign, the FMP has completed initial drafts of most forms. Representatives of professional organizations, software providers, career law clerks, attorneys including "occasional" filers, and lay people will test the forms before they are finalized. The FMP timeline projects the Advisory Committee on Bankruptcy Rules to recommend publishing the package for comment in fall 2012.

Magistrate Judge Statistical Reporting

Magistrate Judge Statistics Through Automated Records (MJSTAR) is an automated reporting function in the CM/ECF system. MJSTAR improves the consistency and reliability of magistrate judge statistical information nationwide by minimizing manual entry of data and standardizing data collection methods throughout the courts. As of September 30, 2010, 90 district courts were "live" on MJSTAR.

International Prisoner Transfer Program

As provided by statute, magistrate judges conduct proceedings to verify a convicted offender's voluntary consent to transfer to his or her country of citizenship to serve the remainder of a sentence in keeping with a prisoner transfer treaty. In FY 2010, magistrate judges conducted consent verification proceedings in Canada, Venezuela, Spain, Panama, Japan, Hungary, Thailand, and Germany. Attorneys from federal defender organizations served as counsel to the prisoners seeking transfer.

Delayed Notice Search Warrant Reporting

The USA PATRIOT Improvement and Reauthorization Act of 2005 requires the AO to submit annual reports to Congress on delayed-notice search warrants. The Act requires judges to inform the AO of their action on any application for a delayed-notice search warrant and on extensions of delayed-notice authorizations. On July 2, 2010, the AO submitted its third annual report to Congress summarizing the information it receives from judges. The report indicated that in FY 2009, judges in 69 districts reported 1,899 requests for delayed notice, including 150 initial requests for delay and 749 for extensions. Six applications were denied, 27 were granted as modified, and the rest were granted as requested. ▼

Space and facilities management, including the security of all who work in and visit the federal courts, is a major Administrative Office focus.



Security, Facilities, And Emergency Planning

U.S. Marshals Service Review of Courthouse Security

On January 4, 2010, a former pro se litigant entered the lobby at the Lloyd D. George U.S. Courthouse in Las Vegas, Nevada with a gun and began shooting. During the ensuing gun battle, Court Security Officer Stanley Cooper and the gunman were killed; a deputy U.S. marshal also was wounded.

In response, U.S. Marshals Service (USMS) Director John Clark formed a National Security Review Committee (NSRC) with AO representation, to review the incident report and research USMS policies, procedures, and facility infrastructure to determine critical needs and best practices in securing federal court facilities. The NSRC is identifying and recommending potential improvements in security measures and training.

Courthouse Perimeter Security Pilot Program

Physical security at federal courthouse facilities is provided by contract security guards, and systems and equipment is funded by the Judiciary and administered by two law enforcement entities—the United States Marshals Service (USMS), and the Federal Protective Service (FPS). While FPS has had

primary responsibility for the perimeter security of federal courthouse facilities over the years, the USMS has been assuming more responsibility for perimeter security at primary courthouse facilities, or those where primary tenants are the court, the USMS, and/or the U.S. Attorney's Office. FPS continues to have sole responsibility for perimeter security at multi-tenant facilities housing court and related operations.

Congress, the Judiciary, and the USMS agreed to establish a pilot to test the feasibility of the district U.S. Marshal assuming full responsibility for perimeter security guarding and security systems and equipment at seven courthouses. The fiscal year 2008 Consolidated Appropriations Act (Pub. L. No. 110-161) approved this pilot program.

The Committee on Judicial Security has played an active role in the pilot program, from the initial development with the USMS to its implementation. The Committee chair and AO staff visited each pilot location and consulted with the chief judges, district U.S. Marshals, and other court and USMS staff. There was consensus among those interviewed that consolidating command and control over all aspects of physical security has improved protection for both people and buildings. A report was submitted to Congress on the pilot program in October 2010.

Judiciary Facility Access Card Program

The Judiciary Facility Access Card (FAC) Program is the Judiciary's version of Homeland Security Presidential Directive-12, which established a mandatory government-wide standard for a secure and reliable identification card for federal employees and contractors in the Executive Branch. FACs will be used by Judiciary employees and contractors to gain access to multi-tenant federal facilities that house court operations and to courthouses during after-hours and on weekends. The AO plans to procure services for issuing and managing the FACs. Plans call for the ID cards to be provided to court personnel beginning in 2012.

Circuit-Based Space and Security Training

The National Space and Security Circuit-Based Workshops programs were developed to provide court unit executives and their staffs with detailed information on a variety of programs related to space and security in the courts. A team of court managers, AO staff, and Federal Judicial Center staff developed a curriculum to be presented circuit by circuit. Topics include occupancy-related agreements, the long-range facilities planning process, the Circuit Rent Budget program, space assign-

ment and rent validation, courtroom technologies, personal property management, and judicial facility security. A rotating group of court and AO staff serves as faculty at the two-day event, which includes structured lectures and breakout sessions.

Workshops have been held in the Second, Third, Fifth, Eighth, Ninth, Tenth, and District of Columbia Circuits for court unit executives and facility officials. All other circuits will be offered training in 2011.

Tenant Alterations Pilot Program

A provision in the 2009 Omnibus Appropriations Act (Pub. L. No. 111-8) empowered the Administrator of the General Services Administration (GSA) to delegate authority to the Judiciary to enter directly into real property alteration contracts with private-sector companies, for projects up to \$100,000 in value. Previously, GSA could delegate this authority only to Executive Branch agencies. The new delegation of authority should assist the courts in making minor alterations more efficiently, allowing GSA to focus on the larger, more complex Judiciary space projects. In October 2010, the Judiciary provided Congress with a report on progress with the delegation. GSA later interpreted that the delegation authority must be individually approved, as is done with Executive Branch agencies.

In December 2009, the Committee on Space and Facilities recommended developing a tenant alterations pilot program to assess the value of the delegations program to the Judiciary, and develop best practices for future projects. The AO invited

circuit executives and district clerks to submit candidate projects for the pilot program.

Long-Range Facilities Planning

In March 2008, the Judicial Conference approved the Asset Management Planning (AMP) process, a new long-range facilities planning approach designed as a cost-containment initiative. AMP includes comprehensive physical and functional assessments of each courthouse, standardized planning assumptions, development of strategies to address current and future space needs, business rules that consider a range of real estate solutions, and a method for determining the order of precedence for locations to receive major projects. The methodology is intended to help control future rent costs and assist the circuit councils in managing their rent budgets.

The Conference Committee on Space and Facilities ensures that the primary AMP output, an Urgency Results List, prioritizes locations with the most urgent space shortages. AO staff continue to work with those courts that have not yet gone through the long-range facilities planning process to evaluate facility needs.

Through fiscal year 2010, the AMP methodology was applied to 42 district and appellate courts. Of those, 33 courthouses were subject to the 2004 Judicial Conference-imposed moratorium because they had received neither congressional authorization nor appropriations. New facility plans for all but two of those courthouses are now complete and are either final or awaiting chief judge approval. The

AMP methodology has shown that approximately half of the 33 courthouses will not need to be replaced by new courthouse buildings, but can instead undergo renovation or alteration if and when congressional funding becomes available.

Judiciary Inventory Control System

In September 2010, a nationally supported, web-based property inventory system developed by the Northern District of New York became available to all court units and federal defender offices as a business efficiency tool. In October 2009, the AO began an effort to identify a locally developed Judiciary Inventory Control System for property management that could be implemented and supported nationally. The Conference Committee on Information Technology endorsed the effort in December 2010. The inventory control system selected is compatible with the Judiciary's financial accounting system, FAS₄T, and already is used by 115 court units. The inventory control system can automatically import information from FAS₄T, create custom reports, and track service calls and requests for information on specific inventory items. In partnership with the AO, the Northern District of New York has agreed to provide support for the system.

Continuity of Operations and Emergency Preparedness

The AO assists courts with emergency preparedness and responses to catastrophic events that

affect Judiciary employees and court operations and may also damage court facilities and equipment. Several such events occurred during FY 2010.

El Centro Earthquake. On April 4, 2010, areas near El Centro in the Southern District of California experienced an earthquake with a magnitude of 7.2, resulting in major structural damage and power outages throughout the area. The El Centro courthouse sustained significant interior and exterior damage, including broken water pipes that flooded the probation office, and structural and ceiling damage. With the cooperation and assistance of the AO and the GSA, the court was able to resume operations two days after the earthquake occurred.

Hurricane Alex. Between June 26-30, 2010, the first major storm of the 2010 hurricane season formed in the Gulf of Mexico, reached Category 1 hurricane status, and was on course for Brownsville, Texas, and surrounding areas. The Brownsville and McAllen courthouses were therefore closed on June 30 for two days, shutting down their Data Communications Network (DCN) connections. Fortunately, Hurricane Alex took a more westerly path, causing only minor damage to southern Texas, allowing prompt re-opening of the court facilities.

Eagle Horizon 2010 Exercise. In May 2010, the AO participated with the Executive and Legislative Branches in Eagle Horizon 2010, a national continuity operations test. Approximately 200 AO COOP

team members took part in the event, ensuring the agency's mission-essential functions to support the courts would be uninterrupted in an emergency. The AO also coordinated a tabletop training exercise for the Alexandria Division of the District Court for the Eastern District of Virginia to test continuity of operations (COOP) plans. Similar local training exercises were carried out for the District of Maine and the District of Massachusetts Bankruptcy Court.

COOP Training. In July 2010, with the support of the FJC and a training program planning team, AO staff coordinated an instruction program on emergency preparedness and information technology (IT) systems, which was presented for the first time with the regularly scheduled Third Circuit IT Conference. Judges, court unit executives, IT managers, and specialists from each district in the circuit and the court of appeals attended. During the training, court employees described their responses to various disasters and a hands-on table-top exercise tested COOP plans and identified areas for improvement.

AO Business Continuity Tests Telework Days. Throughout 2010, the AO successfully conducted telework tests to validate its continuity of operations plans and to practice conducting operations from remote locations. Telework was widely used during the historic Washington, D.C. blizzards of 2010. The exercises will ensure that AO staff can continue to provide services to the courts

even when conditions prevent AO employees from reaching their normal work stations. ▼



Planning and testing continuity of operations scenarios has become a regular business practice in the federal courts and at the Administrative Office. National continuity tests by the federal government are one opportunity for the Judiciary to test telework and other remote work arrangements.

Director's Awards Recognize Outstanding Service in the Courts

Exceptional creativity, ingenuity, resourcefulness, and dedication of court employees in their service to the Judiciary were recognized with 2010 Director's Awards for Extraordinary Actions, Outstanding Leadership, and Excellence in Court Operations (Court Technology and Court Support).

A screening panel of court and AO staff reviewed nominations and forwarded them to a review panel that included court and AO representation. AO Director Jim Duff made the final selection.



Extraordinary Actions

Denise Saavedra, Electronic Court Recorder Operator, District of Nevada, was honored for her selfless assistance to a court security officer who was fatally wounded by an assailant at the Las Vegas federal courthouse, and for her demonstrated leadership and strength in the weeks after the event.



Outstanding Leadership

Anita Lopez Chavez, Chief Probation Officer, U.S. Probation, New Mexico District Court and Judiciary employee since 1982, was recognized for her efforts to enhance awareness of the issues affecting probation officers along the border and increase the safety of officers in her district. She was commended for reaching out to colleagues in other states to discuss best practices, for streamlining hiring practices in her office, and for authorizing adoption of an Interfaith Chaplain Support Program to support officers in need of spiritual and emotional support. She has encouraged enhancements to community safety, and has promoted participation in the annual Law Day presentations at middle schools and high schools where officers raise awareness of behavior consequences through discussions with students.



Robert W. Rack, Jr. (retired), Chief Circuit Mediator, Sixth Circuit, was commended for 28 years of service as head of the mediation office at the U.S. Court of Appeals for the Sixth Circuit. He was honored for the pivotal role he has played in creating, developing, and shaping mediation programs in the federal appellate courts. Rack helped secure funding, administrative support, and regular training programs for circuit mediators nationwide.

Outstanding Leadership

Dana C. McWay, Clerk of Court, U.S. Bankruptcy Court, Missouri-Eastern, was commended for her service to the Judiciary since 1988, first as a law clerk in the Eighth Circuit Court of Appeals, then as Chief Deputy Clerk in the Eighth Circuit, followed by her appointment as Bankruptcy Clerk of Court in 1998. McWay was recognized for her committed service to the Judicial Code of Conduct Training Program, which she has worked on for more than a decade, for her participation in the FJC's bankruptcy court education programs, and for her efforts in implementing CM/ECF in the courts, including as chairperson of the Next Generation of the Bankruptcy CM/ECF Clerk's Office Functional Requirement Group. She also contributed to successful implementation of the 2005 bankruptcy law that dramatically changed bankruptcy court operations.



Excellence in Court Operations – Court Support

Pamela E. Robinson, Clerk of Court; **Martha Bailey**, Case Manager; **Jeffrey A. Gustafson**, Information Services Director; **Kerin Burns**, Courtroom Deputy; and **Cynthia D. Fears**, Pro Se Law Clerk, Illinois-Central, received their awards for developing the e-filing project that automates and streamlines the prisoner litigation process.

Excellence in Court Operations – Court Technology

Kent Creasy, Director, Technology Services, and **John Bain**, Project Director, North Carolina-Western, were recognized for their work in creating and promoting the Jury Evidence Recording System (JERS) that captures electronic versions of court case exhibits for jurors to view during deliberations.

William J. Isbell IV, Programmer, Alabama-Southern; **Eric Michael Swanson**, Programmer Analyst, District of New Hampshire; **Donald L. Martenz, Jr.**, Probation Officer Specialist, Probation Office, New Jersey; and **Kevin L. Beaulieu**, former Network Administrator, District of Maine, formed a team that earned the award for creating the Offender Payment Enhanced Report Access (OPERA) system. The tool makes available to probation officers offender fine, restitution, and special assessment data recorded by district clerks' offices within the Judiciary's financial management program Civil-Criminal Accounting Module. OPERA became available through the Probation and Pretrial Services Automated Case Tracking System (PACTS) in October 2009.

Jeffrey Elmore, Director of Information Technology; **Tony Cirigliano**, Assistant Director of Information Technology; and **Bobby Boone**, Programming Manager—all from the Bankruptcy Court, North Carolina-Eastern—and **Luta K. Pleiss**, Help Desk and Software Trainer, Nebraska District Court were honored as a team. Together, they developed, converted, and piloted a program to test digital audio recordings of court hearings, now used in the Judiciary. Pleiss developed a user's manual of best practices to accompany national implementation.



Kent Creasy



John Bain



William J. Isbell



Eric Swanson



Donald Martenz, Jr.



Jeffrey Elmore



Bobby Boone



Luta Pleiss

2010 Awards for Exemplary Service to the Courts

Timothy Dole, Attorney Advisor, AO Office of the Deputy Director, and **Ross Eisenman**, AO Assistant Director for Facilities and Security received the awards for exemplary service to the courts from the Conference Committee on Audits and AO Accountability. The committee selected Dole for managing to completion two major national projects of substantial importance to the courts: production of a redesigned Guide to Judiciary Policy, and revision and modernization of court forms. Eisenman was recognized for his leadership in providing 2,000 judges with home alarm systems in the wake of the murder of members of Judge Joan Lefkow's family, and in instituting budget controls in the facilities program that have resulted in significant savings. Administered by the Conference Committee on Audits and AO Accountability, the award recognizes significant achievements on projects or initiatives that improve internal controls, program effectiveness, communication, or efficiency in the courts or the AO.

Pictured from the left are AO Director **Jim Duff**, **Tim Dole**, **Ross Eisenman**, and **Judge Donald C. Pogue**, Chair, Conference Committee on Audits and AO Accountability.



Federal court employees who serve citizens in communities across the country each day are the public face of the federal Judiciary. The Administrative Office collaborates with the courts to help them recruit, manage, compensate, develop, and retain the best workforce possible.



Human Resources

The Judicial Conference recognized in 2004 that staffing requirements would have to be rethought and restructured. Otherwise, annual increases in salaries and expenses would far outpace projected federal funding. As a result, new salary progressions have been put in place.

Judicial Survivors' Annuities System Open Season

In August 2009, the President signed into law the Judicial Survivors Protection Act of 2009 (Pub. L. No. 111-49), authorizing a six-month open season for all active, senior, and full-time recalled judges who previously opted not to enroll in the Judicial Survivors' Annuities System (JSAS). The JSAS provides annuity payments to spouses of deceased judges and also to their dependents until age 18, or age 22 if a full-time student. During the open season—from Sept. 11, 2009, to March 10, 2010—279 judges enrolled in JSAS, and 151 judges each made an 18-month deposit, to immediately vest their spouses and/or dependent children in JSAS. Judges who enrolled during the open season must contribute

2.75 percent of their salary through payroll deductions. The new legislation made no change to the contribution rate of 2.2 percent of salary for judges who were already participating in JSAS and for newly appointed judges who subsequently enroll in JSAS. The amount required for vesting reverted back to 3.5 percent of salary when the open season ended.

Performance Management and Contribution Based Pay

Beginning in October 2010, the number of automatic, or default, step increases that Court Personnel System (CPS) employees are eligible to receive has been reduced under a new step progression policy. The decision to limit automatic step increases was part of the Judiciary's cost-containment efforts; the Judicial Conference approved national performance guidelines to assist courts in awarding discretionary steps. Depending on a court's locally-developed performance management plan, employees may be eligible to receive additional discretionary step increases based on their performance. The AO continues to support implementation of this new policy by developing tools and resources for the courts, including an automated performance management application, ePerformance.

Employment Dispute Resolution

The Committee on Judicial Resources conducted an extensive review of the Judiciary's 1997 Model Employment Dispute Resolution Plan (Model EDR Plan) and recommended modifications based on 12 years of court experience with the plan. The Judicial Conference passed the amended Model EDR Plan on March 16, 2010.

The amended Plan:

- ▶ Specifies procedures for handling claims involving judges and mixed EDR/judicial misconduct cases;
- ▶ Extends the definition of harassment beyond sexual harassment to include all types of discrimination;
- ▶ Creates a special reporting process for wrongful conduct to bring these matters quickly to management's attention, even outside of the EDR process;
- ▶ Allows for summary dismissals throughout the process; and
- ▶ Clarifies the provisions dealing with remedies, notice, and confidentiality.



Director's Leadership Program Residents Jason Kadzban, left, and Olga Serrano, right, chat with Administrative Office Deputy Director Jill Sayenga and Director Jim Duff. Court staff selected as Residents work for a year at the AO on programs in their area of professional expertise.

Court/AO Exchange Programs

The AO Director has instituted four court/AO exchange programs to promote effective working relationships among the AO, the courts, and defender organizations. The court/AO exchange programs have enabled court staff to come to the AO, and AO staff to spend time in the courts, resulting in greater collaboration and mutual understanding.

Director's Leadership Program. This program fosters awareness and understanding of AO and court operations through temporary staff relocation, and allows the AO to access the skills and knowledge of court employees for critical projects. Senior and mid-level court staff, including federal defender organization staff, come to the AO for up to one year to work on national initiatives and high-priority projects. Two outstanding court candidates were selected as residents for the 2010 Director's Leadership Program. Jason L. Kadzban, Assistant Systems Manager, U.S. Bankruptcy Court for the Western District of Michigan, works in the AO's Office of Information Technology; and Olga L. Serrano, Electronic Monitoring Specialist, U.S. Pretrial Services Office for the Northern District of Illinois, is assigned to the AO's Office of Probation and Pretrial Services (OPPS).

AO Orientation and Knowledge Exchange Programs. These two programs enable AO staff to enhance their understanding of court operations and programs by experiencing them firsthand. In

2010, as part of the comprehensive orientation program, two groups of AO employees visited the First and Third Circuit Courts of Appeals and the Massachusetts and Eastern Pennsylvania district courts and defender organization units for week-long immersion in court and defender operations. In addition, other AO employees have benefitted from numerous individual visits to courts under the knowledge exchange program.

Temporary Duty Assignments Program. This program offers opportunities for court and AO staff to apply their specialized skills to projects outside their regular work responsibilities. The program aims to improve understanding of, and services to, the courts, and to enable court and defender organization staff to work at the AO, and AO staff to work in the courts and defender organizations. Temporary duty assignments range from a few weeks to a year, depending on project needs and staff availability, and may be based on-site or allow for a combination of teleworking and travel to and from the temporary duty site. In 2010, 52 court and defender organization staff worked with AO staff on temporary assignments.

Court Staffing in Response to Long-Term Budget Projections

In long-term budget projections several years ago, the Judiciary identified staffing as one area where inflationary increases would outpace available resources unless costs were contained.

Therefore, the Committee on Judicial Resources adopted three staffing cost-containment recommendations from an Ad Hoc Joint Advisory Group on Staffing designed to help hold staffing requirement to limits established by the Conference Committee on the Budget. Members of the advisory group were court executives and AO staff, along with judges who serve as liaisons to AO human resources and budget advisory groups. Their recommendations were:

Formula Adjustments. This option recalculates the staffing formulas using only the fastest 90 percent (or 80 percent, or 70 percent, etc.) of the court units' work measurement data at the category level of work. A category level of work covers multiple tasks in a single process, such as a Chapter 7 bankruptcy case, civil case, or criminal case. The recalculations rely on Judicial Conference-approved staffing formulas and court-approved data.

Caseload growth. This option is flexible for use in either a growth or reduction scenario and would calculate a change in requested staffing based on the marginal difference of the work measurement formulas results from year to year.

Attrition rate reduction. This option reflects the reality of staff turnover in courts. Under this scenario, the Judiciary would reduce its request by the number of separations experienced in the previous fiscal year.



To meet Judicial Conference cost-containment goals, the Judiciary considered as many points of view as possible before adopting changes in future staffing formulas.

In June 2010, the Committee on Judicial Resources formulated its budget request for fiscal year 2012 using the category-level formula adjustments. The Committee also announced its intent to use this same process for the foreseeable future when requests for full staffing exceed anticipated appropriations. ▼

As business processes and information technology have become inseparable, the Judiciary has come to recognize that information technology presents opportunities to rethink many ways the courts conduct business.



Technology

Case Management/ Electronic Case Filing

The Case Management/Electronic Case Files (CM/ECF) system is now used in all district, bankruptcy, and regional courts of appeal, and in the Court of Federal Claims, the Court of International Trade, and the Judicial Panel on Multidistrict Litigation. The volume of electronic filings continues to grow, with over six million documents filed each month and over 500,000 attorneys using the electronic filing feature. Attorney electronic filings now account for 40 percent of the docket entries in many district courts. In many bankruptcy courts, attorneys electronically enter 70 percent of all docket entries and 98 percent of all case openings. Working together, the AO and the courts have made continuous enhancements to CM/ECF since the first prototype versions were introduced in 1995. Some of the enhancements delivered in 2010 included a streamlined process for appellate judges to access district court records, improved capabilities for handling judges' notes, and a new full-text search capability for searching through case records. In addition, the multi-year effort to install new servers in all the courts was completed and should yield greater reliability and performance.

The project's requirements phase is scheduled to

be completed by February 2012, with the design, coding, testing, and implementation phase to follow. A study also was completed that recommended a new software architecture for the Next Generation of CM/ECF.

Staff are working with the NextGen CM/ECF Project to identify requirements for inclusion in the future version of CM/ECF, including the ability to store information in data form, and retrieve the data in userspecified reports. Requirements also include the capacity to control users' access to data, in keeping with Judicial Conference privacy and access policies.

Communications Infrastructure Improvements

In collaboration with the courts, the AO continues to implement the Judiciary's next-generation telecommunications network, with converged services that transmit and prioritize data, voice, and video over a single wide-area network. With the national gateway operational in September 2010, implementation of the new network across several hundred DCN, PACERNet, and Defender Services network locations is expected by mid-2011.

The new network supports a Judiciary-wide Internet Protocol (IP) telecommunications service

that digitizes calls and makes voice services accessible over the Internet or a private network instead of an analog or digital phone line. Participating courts will gain a robust replacement for their aging telephone switch equipment. The Judiciary-wide service will enhance performance, reliability, and redundancy, and could significantly reduce local telephone-related expenditures and the number of vendor solutions that courts require. Preliminary cost models suggest that the initial capital investment to build, implement, and operate the IP telecommunications system, while significant, could be recovered within five to six years, with significant cost avoidances each year thereafter. The national IP telecommunications service is a foundation for integrating electronic collaboration tools and desktop video and audioconferencing.

To help courts' local-area networks meet higher standards of performance and reliability, the AO has offered a local-area network assessment service. Conducted on-site or remotely, these assessments summarize the "health" of the LAN, including a listing of any upgrades/improvements that need to be completed prior to implementing IP telephony and/or converged services. This service is popular, with courts signed up for this service through mid-2011.



Locally-developed information technology solutions often are shared with courts across the country and then designated for national support. The result is more consistent and less costly use of resources.

LAN Assessments have been performed each month and are scheduled well into 2011. Commonly found weaknesses involving physical, security, and network configurations were identified and shared with the courts via the J-Net. Additional training in the use of network assessment tools was widely used by the courts and is enhancing the performance and security of local networks.

In May 2010, the AO awarded a contract to provide courts with a wireless telecommunications expense management service to reduce the costs of various cell phone, smart phones, and handheld device calling plans, and the amount of staff time to process and pay separate vendor invoices. Analysis of calling plans at nine volunteer courts projects savings of approximately \$170,000 annually as a single vendor takes over the management of more than 5,000 devices for these courts. The AO is funding this service in FY2011 to encourage courts to participate.

Strengthening IT Security

The Judiciary Information Technology Security Program promotes the confidentiality, integrity, and availability of information associated with all forms of technology used by the Judiciary. During fiscal year 2010, the AO partnered with the courts to create several new security options within the program. These services are designed to promote security practices that are commensurate with identified risks, and include the following four services.

The Judiciary's information technology program includes public-facing technologies, internal systems, and technical infrastructure that have improved services to external users, and helped the courts work more efficiently with fewer staff.

Court Unit IT Security Assessments. This service is designed to enhance the security posture of individual courts and the Judiciary as a whole. A team of security experts is deployed to a court to interview key personnel, conduct a technical review, and assess IT security operation through direct observation. After the assessment, the team analyzes the data, documents its observations and recommendations, and provides ongoing remediation support. Results are confidential to the court, the assessment team, and AO management.

Information System Security Assistants (ISSA) Pilot Program. This pilot will place a full-time IT security expert in the circuit executive's office as a resource to help individual court units in a circuit manage their IT security needs. To date, ISSAs have been placed in six circuits. Through weekly teleconferences facilitated by the AO, and via an online work space, the ISSAs collaborate to improve security at the circuit level and across the Judiciary. ISSAs have hosted security sessions

at the circuit IT conferences in 2010, conducted circuit-wide security surveys, created and deployed a security mini-assessment service, and made numerous security awareness presentations.

IT Security Services Contract. The AO has awarded a contract that will assist the courts in their procurement of IT security services. This contract provides courts with a streamlined process for acquiring a broad range of security services, such as conducting infiltration testing, deploying laptop encryption, and designing local IT security awareness and training programs. Court units can easily acquire this specialized expertise to enhance their local security programs.

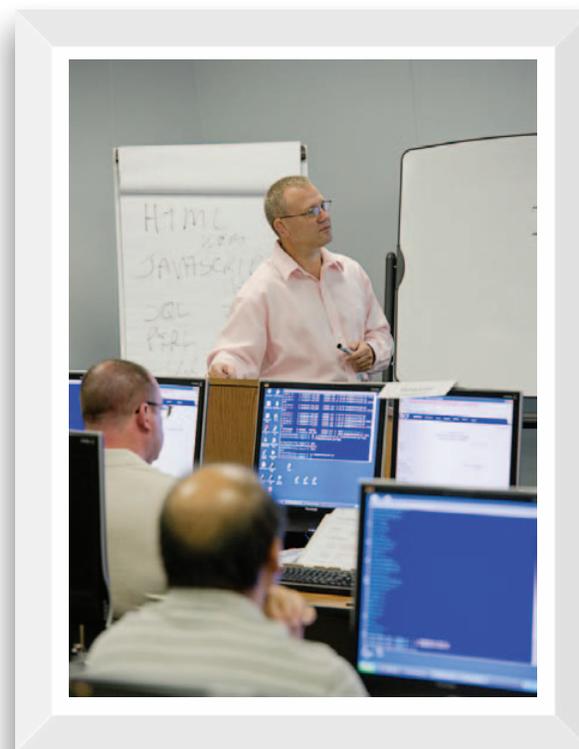
Judiciary Information Security Framework. The AO will introduce a new Judiciary Information Security Framework during 2011 to help all court units manage security threats to Judiciary information systems. Decision makers will gain a reliable and stable process for managing risk across information system life cycles.

Re-Engineering a Key Business Application

In 2010, the AO successfully strengthened and upgraded its InfoWeb system, the secure, browser-based application that supports critical business functions for the Judiciary. Used by each court in the Judiciary and all offices at the AO, InfoWeb includes approximately 50 applications that support financial, budgetary, human resource, and various other program activities. It also is used for emergency notification purposes to ensure staff safety, and provide emergency updates or directives. During FY 2010, the AO re-engineered 15 of the most critical InfoWeb applications.

Judiciary Events System

The AO Judiciary Events System is a web-based calendar that provides the courts and AO with a single, convenient location to obtain current information about Judiciary-related events sponsored by the AO, the Federal Judicial Center, the United States Sentencing Commission, and the courts, including circuit conferences and clerk meetings. Users can search and view events within specific categories and organizations. JES is widely used, averaging over 100,000 searches per month. ▼



A technology management service is available to courts to help them decide when and how to do network upgrades. Another menu of services offers IT security assessments to protect Judiciary data.

The Administrative Office collaborates with judges and court staff to update and innovate business practices. The goal is to best serve the public and create positive interaction with the courts.



Business Improvements

Jury Management System Web Page

Prospective jurors now have the option of providing and obtaining jury service information online via a district court's web page. With the eJuror enhancement to the Jury Management System (JMS), jurors have 24-hour online access to complete information about how to report to jury duty, as well as qualification questionnaires and other forms. Jurors can request to be excused, seek deferrals, and stay informed about other jury-related functions. The eJuror application reduces work requirements for court staff and decreases postage costs. Clerk's office staff from 10 district courts worked with the AO over two years to develop and test the application. Eighty courts installed eJuror during the 2009-2010 national deployment, and, as of September 2010, 42 of those courts were "live," with the remaining courts expected to go live in FY 2011. Jurors report that they find the system easy and convenient to use.

Juror Utilization

In June 2009, 40.1 percent of petit jurors reporting for jury service were not selected, serving, or challenged (NSSC), an all-time high. The increase was primarily due to a significant NSSC rate increase in several large district courts. Reducing these rates will

help citizens avoid unnecessary appearances for jury duty.

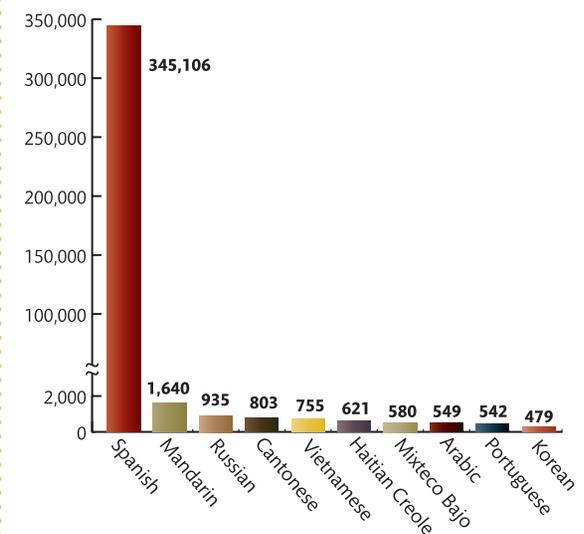
Several measures will address this issue with the court community. The AO is working with the Conference Committee on Court Administration and Case Management (CACM) and the Federal Judicial Center to hold a juror utilization and management workshop, to research the impact of case types on juror utilization, and to add a topic for upcoming judges' seminars on best practices for effective jury selection in high-profile cases. At the request of the Committee, the AO, as it did in 2003, prepared for judges a statistical analysis of juror usage rates for their district courts. The analysis showed how the rates have changed over the preceding 10 years and provided other general information to assist courts in improving their utilization of jurors.

Court Interpreting

Usage. In fiscal year 2010, there was a 13.8 percent increase in the number of events requiring the use of interpreters in the courts. District courts reported that they used interpreters in 357,171 events, compared to 313,969 events reported in fiscal year 2009. Spanish remains the most-used language for interpreters in the courts and accounted for 96.6

percent of all reported events in 2010, with 120 different languages reportedly requested across all events. The number of Spanish events increased from 302,959 events in 2009 to 345,106 in 2010. This increase is due, in part, to the increase in apprehensions under Operation Streamline, a multi-agency border control initiative. Other frequently-used languages in fiscal year 2010, in order by number

Court Interpreting in FY 2010



of events, were: Mandarin (1,640); Russian (935); Cantonese (803); Vietnamese (755); Haitian Creole (621); Mixteco Bajo (580); Arabic (549); Portuguese (543); and Korean (479). Overall, 120 different languages were used in court events during 2010.

Interpreter Certification. Federal court interpreters must meet the highest standards to be certified, including passing the challenging Spanish/English Federal Court Interpreter Certification Examination. In fiscal year 2010, the written examination component of the Spanish/English Federal Court Interpreter Certification Examination was administered to 1,331 examinees in 34 locations nationwide. Those who passed the written examination are eligible to take the oral examination which will be offered in fiscal year 2011 in approximately 12 metropolitan areas nationwide. Those who pass the oral examination will be deemed Federally Certified Court Interpreters. The written examination will be offered again in fiscal year 2012.

National Court Interpreter Database. The web-based National Court Interpreter Database (NCID) contains the names of 3,033 active interpreters, of whom 877 are AO-certified in Spanish, Haitian Creole or Navajo. The NCID also contains 2,156 otherwise qualified interpreters in 132 languages. In an effort to keep court interpreter listings current, all interpreters in the database were requested to update their records.

Telephone Interpreting. The Judiciary's Telephone Interpreting Program (TIP) provides remote interpretation in short proceedings where certified or otherwise qualified court interpreters are not locally available. TIP saved an estimated \$1.1 million in interpreter travel and contract costs in fiscal year 2010, and \$9.1 million over the life of the program. More importantly, TIP ensured that qualified interpreters were available for defendants in court proceedings. In fiscal year 2010, the Judiciary's TIP services were used in more than 3,613 events in 39 languages, with Spanish used for 92 percent of TIP events. All Spanish TIP events were interpreted by AO-certified interpreters. In total, 47 district courts used TIP services.

The eight provider courts this year were: the Central District of California, District of New Mexico, Northern District of Illinois, Southern District of Florida, District of Columbia, Southern District of California, District of Nebraska, and the District of Rhode Island. Staff interpreters handled 74 percent of TIP proceedings, and contract interpreters handled the remaining 26 percent. A recent survey revealed that a majority of court interpreters surveyed felt that TIP provides interpretation services at levels comparable to face-to-face interpretation in the court.

Training for Interpreter Coordinators. AO and court staff and other experts provided two-and-a-half days of training to 205 court staff responsible for procurement and management of interpreting



Stringent requirements for federal court interpreters have set a high standard for the services provided to speakers of various languages in court events.

services in 87 district courts. The July 2010 training focused on the importance of using highly-qualified or certified interpreters to ensure the effective administration of justice. Topics also included policies and procedures related to procurement, management, and administration of interpreting services, as well as advances in technology and other changes that affect court interpreting.

Integrated Financial Management

By applying improved technology to financial operations, the Judiciary will continue to gain efficiencies and better integrated workflows. Therefore, the AO has initiated a project to upgrade its financial management system, FAS₄T, to the new Judiciary Integrated Financial Management System, JIFMS. The goal is to streamline financial processes, eliminate costly interfaces, improve data security and controls, and help take advantage of better financial practices, such as using electronic fund transfers instead of paper checks. A May 2010 study recommended upgrading the version of FAS₄T used by the courts to the latest version used by the AO. This upgrade will improve the Judiciary's financial system and integrate the financial, budget, procurement, and accounting functions into a single solution.

Civil Criminal Accounting Module (CCAM) and Cash Receipting

Eighty-four district courts now use CCAM to perform civil and criminal accounting and cash

receipting functions. Implementation incorporates lessons learned and places greater emphasis on data reconciliation and checkpoints for monitoring a court's readiness before moving to the operational stage. This strategy has been instrumental in successful deployment and use of CCAM in larger district courts, and will be used to have all courts fully operational in FY 2011.

Streamlining Panel Attorney Payments

The AO completed an upgrade of the web-based Criminal Justice Act (CJA) payment system in August 2010. The new platform streamlines payments to CJA attorneys and makes reporting more reliable.

Methods Analysis Programs

The Methods Analysis Programs (MAP) provide the appellate, district, and bankruptcy courts with reliable sources of information for improving operational efficiency and effectiveness, and reducing or eliminating tasks. The MAP working groups' recommendations facilitate cost control efforts and help to preserve limited resources.

Staff from the appellate and bankruptcy appellate panel clerks' offices participated in a records management MAP, hosted by the AO, to review and suggest improvements for records management practices and policies, in light of the implementation of CM/ECF and the move to electronic records. Information collected was distributed to all circuits and subsequent training for records staff is planned.

AO staff worked with the Judicial Panel on Multi-District Litigation to establish a working group to address best practices for managing multi-district litigation cases in transferee and transferor courts. The agreed upon best practices were posted on the Judiciary's intranet site. The district MAP working group now is reviewing the processing of criminal fines and restitution.

AO bankruptcy court administration staff hosted a September 2010 meeting of the bankruptcy MAP covering a broad range of issues, including procedures related to repeat filers and requests to pay fees in installments; quality assurance procedures for claims; and the use of court-developed tools to promote efficiency, such as a court-developed dictionary resource tool. In light of the advances made to the bankruptcy version of CM/ECF in release 4.0, the bankruptcy MAP working group will revamp its posted recommendations in the near future.

Study of Libraries and Library Services

During 2010, Administrative Office staff, at the direction of the Committee on Court Administration and Case Management and working with librarians and others, conducted a Study of Libraries and Library Services. The study revealed how a significant reduction in law book funding in fiscal year 2012 and beyond would impact court libraries and library services, and suggested clear options for change. Recommendations addressed the new role of libraries in the digital age and included an investigation and report on the

potential savings to be gained by eliminating unnecessary duplication; national collection development planning; reducing the size and/or number of libraries; reconsidering services to the public; and considering other cost containment ideas.

AO staff gathered data and input through a survey of all Judiciary legal researchers and discussions with ad hoc subject matter expert groups composed of more than 50 court librarians. Then, they vetted findings and proposed recommendations through a steering group comprised of judges, a circuit executive, and circuit librarians. The *Study* resulted in nine recommendations for consolidating and sharing collections where possible, for consolidating services, and for using technology to avoid more paper collections than necessary.

The Committee endorsed the *Study*, along with its recommendations, in June 2010 and forwarded four of the recommendations to the Judicial Conference, all of which were approved in September 2010. Two recommendations related to assessments of library space and collections require a report back to the Committee. The AO will continue working with the circuit librarians to assist with the implementation of the recommendations and report back to the Committee on ongoing efforts.

Streamlined Statistical Reporting

The AO continued a project in which the legacy system used to collect, process, and report caseload

data is being replaced by the New Streamline Timely Access to Statistics (NewSTATS) system. The functionalities for the bankruptcy caseload and for the Civil Justice Reform Act (CJRA) reports have already migrated to NewSTATS. The migration for the civil caseload data is currently underway.

Bankruptcy and District Operational Practices Forums and Appellate Symposium

In FY 2010, CM/ECF Operational Practices Forums again were a valuable and popular way for court staff to discuss experiences, issues, and best practices. AO Court Administration staff, with faculty assistance from the Federal Judicial Center, have held forums for both bankruptcy and district court staff for the past several years. Nearly 1,300 judges and court personnel attended both the Bankruptcy and District Operational Practices Forums.

Audio and video files and notes from the forum sessions were posted on the Judiciary's intranet site. Additionally, both forums included plenary sessions on the Next Generation of CM/ECF efforts in the district and bankruptcy courts.

The appellate court community attends an annual Appellate CM/ECF Symposium each fall, with as many as 150 judges and court personnel participating. The program focused only on CM/ECF offers court staff an opportunity to share best practices, better understand the application, and interact with CM/ECF developers.

Electronic Public Access Program

The Electronic Public Access program provides online public access to court information in accordance with legislation and with Judiciary policies and user needs. The Internet-based PACER (Public Access to Court Electronic Records) service provides the courts, litigants, and public with access to court dockets, case reports, and over 500 million documents filed with the courts through the Case Management and Electronic Case Files (CM/ECF).

As mandated by Congress, the program is funded entirely through user fees set by the Judicial Conference at eight cents per page; there is a \$2.40 maximum charge for any single document, no matter its length, and the fee does not apply to opinions, which are available through PACER free of charge. Certain categories of users may be exempted by the court from paying the fees. In March 2010, the Judicial Conference adjusted the Electronic Public Access fee schedule so that users are not billed unless they accrue charges of more than \$10 for PACER usage in a quarterly billing cycle, in effect, quadrupling the amount of data available without charge. Previously, users were billed as soon as their accounts totaled \$10 in a one-year period. This change increased the proportion of PACER users who did not pay fees as a result of fee waivers and exemptions from nearly 50 percent in 2009 to almost 75 percent in 2010. The fees are published in the *Electronic Public Access Fee Schedule* available on uscourts.gov. The EPA fee

revenue is used exclusively to fund program expenses and enhancements that increase public access to the courts, including websites and courtroom technology.

The Judiciary completed a year-long assessment of the program's services in 2010. The assessment provides a clearer picture of who uses PACER

services and shows that the vast majority of users are satisfied with the value they receive for the fees they pay. Information was gathered through focus groups, interviews, and surveys conducted with the courts, attorneys, litigants, librarians, and other users. The findings point to areas that could have a significant impact on user satisfaction.

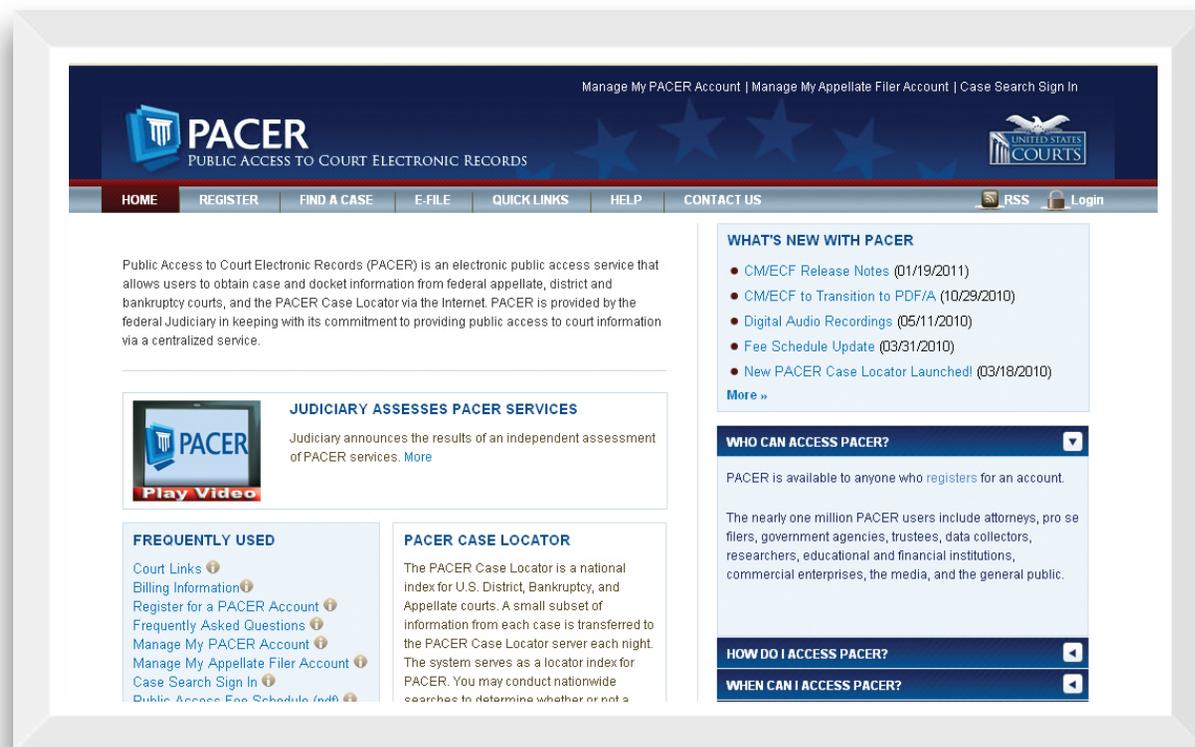
Based on findings from the assessment, in March 2010, a new search tool, the Case Locator, was released, replacing the U.S. Party/Case Index with added search capabilities and a fresh user interface. More improvements are planned, including a communications campaign to inform users about current and new features and services, a redesign of the PACER invoice, and a new training initiative, in partnership with the Government Printing Office (GPO) and the American Association of Law Libraries.

In March 2010, based on the results of a pilot program, the Judicial Conference endorsed a digital audio initiative developed by a local court that enables district and bankruptcy judges to make digital audio files of court hearings publicly available through PACER for a fee of \$2.40 per file. To be included, digital audio must be the original method used to take the record. The determination as to which audio files are made available rests with the presiding judge. Seventeen courts are currently implementing the initiative, joining the original seven pilot courts.

In March 2010, the Judicial Conference also approved a one-year, 12-court, joint pilot project with the GPO to provide public access to court opinions through the GPO's Federal Digital System (FDsys).

Bankruptcy Noticing

Since 1994, the Bankruptcy Noticing Center (BNC) contract has saved the Judiciary more than \$100 million in postage, personnel, and equip-



In May 2010, the PACER website, pacer.gov, was redesigned to make information about PACER more accessible.

ment costs. All bankruptcy courts use the BNC for notice production and distribution services, and the participation rate in this voluntary program speaks highly of its effectiveness. More than 170 million notices were transmitted by the BNC in FY 2010. An operational change instituted in this fiscal year significantly reduced the volume of returned mail handled by courts, debtors' attorneys, and debtors. Mailing addresses were cross-referenced with the United States Postal Service National Change of Address database, avoiding print and mailing costs for up to 1.7 million notices.

In FY 2010, the Electronic Bankruptcy Noticing (EBN) program saved the Judiciary more than \$7 million in print and postage costs, while expediting notices by delivering them electronically. Electronic noticing grew steadily, constituting about a quarter of BNC notices sent monthly. In an effort to increase EBN usage, the AO used national focus groups and an awareness campaign to promote registrations and update the EBN public website for a streamlined sign-up process. Bankruptcy notices also contain language encouraging EBN registration, and many courts have updated EBN program information on their public websites. As a result, the BNC is registering approximately 1,000 new EBN partners a month, almost three times the rate experienced at the start of FY 2010.

Central Violations Bureau

The Central Violations Bureau (CVB) provides participating U.S. district courts and federal law

enforcement agencies with an efficient processing system for handling petty offenses and some misdemeanor cases initiated by a violation notice.

During fiscal year 2010, the CVB processed more than 350,000 citations and collected approximately \$22 million in fines and forfeitures, which are deposited in the Crime Victims Fund.

In addition, approximately \$5.5 million was collected through a \$25 processing fee, and those funds were used to support Judiciary operations. The CVB also fielded approximately a half-million telephone calls and e-mails from the public, courts, and law enforcement agencies that otherwise would have been handled by the courts. ▼

CVB
Central Violations Bureau

CVB Home Pay On-line Mail Payment FAQ Instructions Court Links Contact CVB

United States District Court
Violation Notice

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION(S):

The Central Violations Bureau (CVB) is a national center charged with processing violation notices (tickets) issued and payments received for petty offenses committed on federal property. This site is designed to allow on-line payments of **FEDERAL TICKETS ONLY!** Click [here](#) to see an image of a federal ticket.

- [Instructions](#)
- [Pay On-Line](#)
- [Mail Payment](#)

GENERAL INFORMATION

- [When is my payment due?](#)
- [When is my court date?](#)
- [Did I receive a federal ticket?](#)
- [Where is the courthouse?](#)

Hours of Operation: Monday - Friday 8:00am to 6:00pm Central Time
Phone: (800) 827-2982 or (210) 301-6400 Fax: (210) 301-6401
Email: info@cvb.uscourts.gov

This site is maintained by the Administrative Office of the U.S. Courts on behalf of the Federal Judiciary. The purpose of this site is to provide information about the U.S. District Court Violation Notice process.

Many district courts and federal law enforcement agencies are able to process petty offenses and simpler misdemeanor cases more efficiently through the Central Violations Bureau.

Key Studies And Activities

Government Accountability Office Studies

The AO reviews and comments on GAO draft reports in coordination with Judicial Conference committees and the courts. In fiscal year 2010, the GAO conducted six studies involving the Judiciary, three of which were completed. Final reports were issued on the following topics:

- ▶ Federal Courthouse Planning and Use (discussed in the Legislative section of this report)
- ▶ Deferred Prosecution and Non-Prosecution Agreements
- ▶ National Guard and Reservist Debt Relief Act of 2008

At the end of fiscal year 2010, there were two active studies: Federal Protection Issues at Federal Courthouses and National Drug Control Budget. Three additional GAO studies were initiated in October 2010: Bankruptcy of Financial Companies, Health Care Fraud and Abuse Control Program, and Asbestos Bankruptcy Trust Claims and Payments.

Guide to Judiciary Policy Updated and Redesigned

In spring 2010, the Administrative Office completed a year-long effort to update and redesign the Judiciary's primary policy document for federal court administration, the Guide to Judiciary Policy. New measures have been instituted to improve the new, 23-volume, 225-chapter publication's long-term maintenance, including appointment of both court and AO staff to a new Guide Editorial Board.

Audits and Program Reviews

The Administrative Office conducts financial audits, reviews, assessments, and evaluations to promote effectiveness, efficiency, and economy in both AO and court operations. The AO's Office of Audit carries out a comprehensive program of financial audits covering all court units, Judiciary funds, and financial systems. Court audits are conducted on a four-year cycle for most courts, and on a 30-month cycle for larger courts. In 2010, the Administrative Office issued final reports for 62 cyclical financial audits of the courts. It completed 68 other financial audits, including audits of Chapter 7 trustees, Criminal Justice Act grantees, and audits in response to a change of clerk and to follow up on prior reviews.

As a result of Section 603 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, required audits of randomly selected debtors began in 2007 to determine the accuracy, veracity, and completeness of the information contained in the petitions, schedules, and statements filed by individual Chapter 7 and 13 debtors; 273 debtor audits were conducted in 2010. In fiscal year 2010, the Judiciary received positive unqualified opinions on its fiscal year 2009 financial statements for its four principal appropriation accounts, as well as on the four Judiciary Retirement Trust Funds.

Each year, on-site management assistance and program reviews of various kinds are conducted in court units and federal defender organizations. Reviews may address administrative functions such as budget management, jury administration, court reporting, program operations, human resources administration, property management, procurement, information technology operations, security, succession planning, and continuity of operations plans and disaster preparedness. Review procedures generally include observations of office operations, interviews with key staff, and the evaluation of records and files. During fiscal year 2010, on-site reviews were conducted in two appellate courts, nine district courts, three bankruptcy courts, 14 federal defender organizations, and 20 probation/pretrial services offices.

During FY 2010, the AO started a collaborative and comprehensive assessment of its review programs. The study will evaluate the scope, objectives, and benefits of each review program and will identify opportunities for improvement. This assessment supports the AO's strategic goal of providing increased support for management reviews, and making them more proactive and service-oriented. ▼

The Criminal Justice Act governs the provision of federal criminal defense services to those unable to afford representation. The Administrative Office supports federal defender organization attorneys and staff and CJA panel attorneys through training and professional resources.



Defender Services

Improving Criminal Justice Act Voucher Processing

A project is underway to streamline and improve the submission and processing of CJA vouchers electronically. In FY 2010, the Electronic CJA Voucher Processing System (eCJA VPS) project team, assisted by its working group of 22 court managers and staff from across the country, defined the requirements of the future application. Liaison judges from the Conference Committees on Defender Services, Information Technology, Budget, and Court Administration and Case Management were involved. Pilot testing with multiple courts is projected to begin in early FY 2012.

In addition, a national CJA voucher training program was developed with assistance from a working group of 15 court managers and staff. Five regional sessions were held to solicit training requirements from court, federal defender, and panel attorney representatives involved in the voucher payment process. Training includes an instructor-led module, online reference tools, and quick reference sheets. For the instructor-led training, eight one-day, train-the-trainer sessions took place during fall 2010 and winter 2011.

Federal Defender Case Weight Study

A study to assess the feasibility of developing a system of case weights for federal defender organizations was completed in December 2010. The study recommendations were submitted to the Committee on Defender Services at its meeting that month. The Committee will consider changes to budgeting practices that may enhance the accuracy of the defender services program's assessment of staffing requirements.

Litigation Support for Federal Defenders and CJA Panel Attorneys

The use of technology to assist in analyzing electronic data is critical to effective representation. The Committee on Defender Services has approved five strategies to meet the defender services program's growing litigation support needs more effectively and efficiently. A key component is the purchase of an "evidence review platform" consisting of one or more software applications that will permit the capture, organization, analysis, and review of case-related electronic data. The platform is expected to include both a network application to be used within federal defender organizations and a web-based version for large cases involving federal defender organizations and CJA panel

attorneys. A national software license will reduce the costs associated with multiple purchases in individual cases, simplify training for defense teams on the use of software, and increase overall productivity and efficiency. The procurement process for such an evidence review platform began during fiscal year 2010 and is expected to be rolled out nationally by the end of 2011.

Case Budgeting Pilot Study

In 2010, The Federal Judicial Center completed an evaluation of the Judicial Conference-approved pilot project approved in September 2005, to provide judges with objective case-budgeting advice. The project goal is to improve the accountability and management of high-cost CJA panel attorney representations. For more than three years, the pilot has funded attorney positions in the Second, Sixth, and Ninth Circuits through the Defender Services account, to support the case-budgeting process. The Federal Judicial Center evaluated the pilot, found that the case budgeting attorneys help to contain costs while improving the quality of representations, and prepared a report for December 2010 review by the Committee on Defender Services. ▼

The Judicial Conference Committee on Criminal Law supports increased use of research-based practices in probation and pretrial services. As a result, a nationwide outreach and training program is helping officers understand and apply evidence-based practices in the supervision of offenders.



Probation And Pretrial Services

The Administrative Office supports officers by providing training, technology tools, and research that helps them supervise federal offenders.

Study on Reentry Court Programs

The Judicial Conference has endorsed the Committee on Criminal Law's recommendation that the FJC assess the efficacy and cost-effectiveness of federal offender reentry court programs. The two-part study involves tracking offender behavior over multiple years. First, relying on data from the Probation and Pretrial Services Automated Case Tracking System (PACTS), the Center will examine the supervision outcomes of defendants and offenders who have graduated from already-established federal reentry programs and compare those to the outcomes of similarly situated defendants and offenders who did not participate.

The second part of this study will be a controlled experiment involving several districts that do not yet have an established reentry court program. Five districts have expressed interest in participating in the experimental study: The Southern District of Iowa, Eastern District of Wisconsin, Southern District of New York, Middle District of Florida, and Central District of California. One of the primary measurements will be re-arrest for a new criminal

offense within six, 12, 24, and 36 months of release from prison, and the number of days arrest-free after release. Interim outcomes will include adjustment to supervision; compliance with reentry program elements; change in educational, employment and financial status; and substance abuse and/or mental health treatment outcomes. The study will include a process evaluation to assess the extent to which the reentry program elements were implemented in each of the study locations.

Search and Seizure Regulations

More than 15 years after model search and seizure guidelines were first released, and with the benefit of feedback from probation officers nationwide, the Committee on Criminal Law asked the AO staff to review the guidelines and recommend any needed revisions. A working group of probation and pretrial services staff assisted in drafting changes to the guidelines, which were posted in August 2009 on the Judiciary intranet for review and comment. Input was also solicited from the U.S. Department of Justice. After unanimous recommendation by the Committee, the Judicial Conference in September 2010 adopted the new Search and Seizure Guidelines for United States Probation Officers in the Supervision of

Offenders on Supervised Release or Probation.

The new guidelines reflect recent case law and current administrative policies and procedures. New data collection procedures will allow the Committee and the AO to monitor trends involving searches and seizures, review safety incidents and concerns, and monitor the effects on supervision outcomes. While the original guidelines required officers who engaged in searches to be trained by local or other federal law-enforcement agencies, the new guidelines would require such officers to complete a Judiciary training program developed by the AO. Officers will be trained at the Probation and Pretrial Services National Training Academy about use of the guidelines.

Evidence-Based Practices in Probation and Pretrial Services

An AO working group has developed a strategy for implementing research-based practices in probation and pretrial services, and nationwide training is underway. The AO has developed two risk-assessment instruments—the first to help officers make better pretrial release and detention recommendations, and the second to assist in post-conviction supervision planning. Combining practical knowledge with statistical data and methods, these



Probation and pretrial services officers spend substantial time working out in the community. Customized technology tools make information available to them in locations away from the office.

empirical tools identify factors that increase the risk of failure while under supervision and assist officers in mitigating those risks. Key to an evidence-based philosophy is an ongoing assessment to ensure that the program is correctly implemented, effective, and fiscally sound. The Conference Committee on Criminal Law supports increased use of research-based practices in probation and pretrial services.

Study on Recidivism

Working with a leading research firm, the AO established an objective benchmark for measuring recidivism of persons under post-conviction supervision, both during the period of supervision and three years following. This is the first time that recidivism of the federal population has been measured on a large scale, with academic rigor that permits statistically valid comparisons over time. This baseline data will allow the AO to study the relationship between offender success and various supervision practices. These analyses can in turn inform policy and resourcing decisions.

Custom Technology Solutions

The AO continued to work with the courts to provide technology innovations that allow probation and pretrial services staff to be more effective and efficient. The Offender Payment Enhanced Report Access (OPERA) system was launched to help officers monitor fines and restitution payments made by persons under supervision. To reduce the paperwork burden on probation and

pretrial services officers, 71 self-help kiosks were implemented and nearly 30,000 administrative data reports from defendants and offenders were collected, allowing officers to focus their personal interactions on more critical issues. Similarly, an Internet reporting version was developed during the year that will allow defendants and offenders to provide the same information using a web browser. A Spanish version of this reporting system also is being tested.

During fiscal year 2010, an assessment tool for calculating risk based on a research question-set was developed and tested in several courts. The Access to Law Enforcement System (ATLAS) continued to be enhanced over the past year, adding a 90-day automated criminal history background check feature. As a law enforcement resource, ATLAS experienced rising usage over the past year, with more than 900,000 transactions processed. The Electronic Probation and Pretrial Services System continued to collect case-related electronic documents with success, and now securely houses more than 8 million. During the year, a new feature was added that allows documents, including the Presentence Report, the Judgment and Commitment order, Statement of Reasons, Indictment, and Plea Agreement, to be electronically transmitted to the U.S. Sentencing Commission, resulting in significant administrative savings. ▼



Research increasingly guides supervision practices in the federal probation and pretrial services system. A national training program is preparing officers to apply evidence-based practices.

Rigorous research on recidivism in the federal offender population will help establish baseline data to guide supervision practices.

In communicating with the courts and the public, the Administrative Office increasingly relies on the web to convey the Judiciary's message. In doing so, it offers multimedia tools to educate, inform, and engage web visitors.



Communications

Public Website Redesign

In May 2010, the Judiciary launched a redesigned version of its external website, uscourts.gov. The website overhaul makes uscourts.gov more attractive, accessible, and useful to its diverse audience of users. The improvements further the website's mission of increasing public interest, awareness, and understanding of the federal court system and its functions, and serve as a source for disseminating federal Judiciary information to the public.

[Uscourts.gov](http://uscourts.gov) is a primary source of information on the structure, function, and operations of the federal courts. It plays an important role in how the Judiciary communicates to the public, with useful and timely information for students, news media, attorneys, academics, government officials, associations, and others—both in the United States and worldwide. Redesign of the site included a new look and feel for the Judiciary's official newsletter, *The Third Branch* and for the public newsroom, *Inside the Judiciary*.

Federal Judiciary YouTube Channel

An official YouTube channel, the Federal Judiciary Channel (youtube.com/uscourts), was launched with the redesigned uscourts.gov. The channel, a joint initiative of the Administrative



Incorporating many user suggestions and preferences, the new uscourts.gov was rebranded and restructured to inform and engage visitors. A Judiciary YouTube channel helps share information about the federal courts with a wider audience.

Office and the Federal Judicial Center, helps reach new audiences with educational, instructional, and recruitment videos produced by the Judiciary. Videos made available during FY 2010 included the "Court Shorts" series explaining to high school students what the courts do, Bankruptcy Basics, an overview of bankruptcy filing procedures, and career videos that feature court employees explaining what it is like to work in various jobs for the Federal Judiciary.

Videos

Staff completed more than 90 videos in FY2010 that covered a variety of news and educational topics for Judiciary employees, the public, and Congress. Most of these products were released as "streaming" programs for desktop viewing via the Judiciary's public website, uscourts.gov, its new YouTube channel, or the Judiciary's intranet. Others were broadcast on the Judiciary's closed-circuit satellite network, the Federal Judicial Television Network (FJTN), distributed in DVD packages, or produced as live webcasts for targeted Judiciary audiences. Several AO videos won prestigious Telly Awards this past year.

Community and Educational Outreach

The Judiciary's civic education programs, connecting local federal courts to their communities, enhanced their online presence this year when the Educational Resources web page was redesigned as part of the new uscourts.gov. Lively podcasts and multimedia resources are immediately ready for courtrooms and classrooms.

Internal Communication

J-Net is the intranet site the Administrative Office maintains and operates for use by the courts. The site is a resource for reference materials, such as Judiciary policies and guidance. It also informs court staff about key developments through the redesigned news area, and offers a forum for users to comment on draft policies and procedures. This past year the AO began a pilot to allow users to perform a search at one central location on the J-Net and obtain results from more than 60 court internal websites. This feature will be expanded to all internal Judiciary sites in 2011. During FY 2010, the AO began offering J-Net users the option to receive email alerts about postings of new legislative information of interest to them. ▼



Volunteer attorneys who participate in the educational outreach program prepare teachers to argue before a federal judge presiding over a realistic trial in a courtroom. Teachers take these innovative programs back to their classrooms so that they have new, engaging tools for teaching about the courts.

In Profile

The Administrative Office of the U.S. Courts

Statutory Authority. 28 U.S.C. §§ 601-612. Congress established the Administrative Office of the U.S. Courts in 1939 to provide administrative support to federal courts.

Supervision. The Director of the Administrative Office carries out statutory responsibilities and other duties under the supervision and direction of the principal policy-making body of the Judiciary, the Judicial Conference of the United States.

Responsibilities. All responsibility for the Administrative Office of the U.S. Courts is vested in the Director, who is the chief administrative officer for the federal courts. Under his direction, the agency carries out the following functions:

- ▶ Implements the policies of the Judicial Conference of the United States and supports its network of 24 committees (including advisory and special committees) by providing staff to plan meetings, develop agendas, prepare reports, and provide substantive analytical support to the development of issues, projects, and recommendations.
- ▶ Supports about 2,000 judicial officers, including active and senior appellate and district court judges, bankruptcy judges, and magistrate judges.
- ▶ Defines resource requirements through forecasts of caseloads, work-measurement analyses, assessment of program changes, and reviews of individual court requirements.
- ▶ Develops new ways for handling court business, and provides assistance to court employees to help them implement programs and improve operations.
- ▶ Advises court administrators regarding procedural and administrative matters.
- ▶ Provides legislative counsel and services to the Judiciary; acts as liaison with the legislative and executive branches.
- ▶ Develops and supports automated systems and technologies used throughout the courts.
- ▶ Provides program leadership and support for circuit executives, clerks of court, staff attorneys, probation and pretrial services officers, federal defenders, panel attorneys, circuit librarians, conference attorneys/circuit mediators, bankruptcy administrators, and other court employees.
- ▶ Prepares manuals and a variety of other publications.
- ▶ Coordinates with the General Services Administration the construction and management of the Judiciary's space and facilities.
- ▶ Provides centralized core administrative functions such as payroll, personnel, and accounting services.
- ▶ Collects and analyzes detailed statistics on the workload of the courts.
- ▶ Monitors the U.S. Marshals Service's implementation of the Judicial Facilities Security Program, including court security officers, and executes security policy for the Judiciary. ▼
- ▶ Administers the Judiciary's unique personnel systems and monitors its fair employment practices program.
- ▶ Monitors and reviews the performance of programs and use of resources.
- ▶ Conducts education and training programs on administrative responsibilities.
- ▶ Develops and executes the budget and provides guidance to courts for local budget execution.
- ▶ Audits court financial operations and provides guidance on management oversight and stewardship issues.
- ▶ Handles public affairs for the Judiciary, responding to numerous inquiries from Congress, the media, and the public.

Under the supervision and direction of the Judicial Conference of the United States, the Administrative Office supports the constitutional and statutory mission of the Judicial Branch of government to provide equal justice under law. The AO Executive Management Group leads that staff effort.



In Profile

Organization

Director

▶ James C. Duff

Serves as the chief executive of the Administrative Office, Secretary to the Judicial Conference and ex officio member of the Executive Committee of the Judicial Conference, and the Board of Directors of the Federal Judicial Center.

Deputy Director

▶ Jill C. Sayenga

Chief advisor to the Director on day-to-day management, strategic, and tactical planning, and operational matters; ensures that activities of all agency elements are functioning in support of stated management goals.

Associate Director and General Counsel

▶ William R. Burchill, Jr. ▶ Robert K. Loesche, Deputy

Provides legal counsel and services to the Director and staff of the Administrative Office and to the Judicial Conference; responds to legal inquiries from judges and other court officials regarding court operations; represents agency in bid protests and other administrative litigation.

Judicial Conference Executive Secretariat

▶ Laura C. Minor, Assistant Director ▶ Wendy Jennis, Deputy ▶ Jeffrey A. Hennemuth, Deputy

Coordinates the agency's performance of the staff functions required by the Judicial Conference and its committees; maintains the official records of the Judicial Conference; and responds to judges and other court personnel regarding Conference activities; and coordinates the advisory group process.

Legislative Affairs

▶ Cordia A. Strom, Assistant Director ▶ Daniel Cunningham, Deputy

Provides legislative counsel and services to the Judiciary; maintains liaison with the legislative branch; manages the coordination of matters affecting the Judiciary with the states, legal entities, and other organizations; develops and produces judicial impact statements.

Public Affairs

▶ David A. Sellers, Assistant Director

Carries out public information, community outreach, and communications programs for the federal Judiciary; manages print and web publishing efforts for the Administrative Office.

Court Administration

▶ Noel J. Augustyn, Assistant Director ▶ Glen K. Palman, Deputy

Provides support to the courts for circuit executives, clerks of court, court librarians, staff attorneys, conference attorneys, court reporters, and interpreters, including the development of budgets, allocation of resources, public access, records management, and management of national programs.

Defender Services

▶ Theodore J. Lidz, Assistant Director ▶ Steven G. Asin, Deputy

Provides policy guidance and administrative, analytical, training, and evaluative services relating to the Criminal Justice Act and support to federal public and community defender organizations.

Facilities and Security

- ▶ Ross Eisenman, Assistant Director
- ▶ William J. Lehman, Deputy

Manages services provided to the courts in the areas of court security and space and facilities, and serves as the primary contact on real property administration matters with the General Services Administration and on court security matters with the U.S. Marshals Service.

Finance and Budget

- ▶ George H. Schafer, Assistant Director
- ▶ Michael N. Milby, Deputy

Manages the budget, accounting, and financial systems of the Judiciary; prepares financial analyses of Judiciary programs; manages the Judiciary's procurement function; manages relocation and travel services for the courts; and serves as the Judiciary's point of contact for Congress on budget matters.

Human Resources

- ▶ Patricia J. Fitzgibbons, Assistant Director

Manages services provided to the courts in the areas of personnel, payroll, health and retirement benefits, workforce development, and employee dispute resolution.

Information Technology

- ▶ Howard Grandier, Assistant Director
- ▶ Joseph R. Peters, Jr., Deputy

Administers the information resources management program of the Judiciary; oversees the development, delivery/deployment, security, and management of all national IT systems.

Internal Services

- ▶ Doreen G.B. Bydume, Assistant Director

Provides administrative support and services to the Administrative Office in areas such as budget, facilities, personnel, information technology and information management; and administers the Administrative Office's fair employment practices program.

Judges Programs

- ▶ Peter G. McCabe, Assistant Director
- ▶ R. Townsend Robinson, Deputy

Provides support and services for judges and chambers staff in program management and policy development, coordinates and supports federal rules of practice and procedure; gathers, analyzes, and reports statistical data.

Probation and Pretrial Services

- ▶ John M. Hughes, Assistant Director
- ▶ Matthew Rowland, Deputy

Determines the resource and program requirements of the probation and pretrial services system, and provides policy guidance, program evaluation services, management and technical assistance, and training to probation and pretrial services officers. ▼



staff, AZ



D. C. Circuit, Washington



Guam



Boston, MA



Portland, ME



Billings, MT



St. Louis, MO



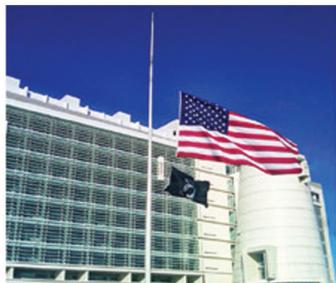
Honolulu, HI



New Orleans, LA



Central Islip, NY



Reno, NV



Tallahassee, FL



Alexandria, VA



Chicago, IL



Montgomery, AL





Administrative Office of the United States Courts

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