

Effective Management and Program Support

The Administrative Office uses contemporary management practices, innovative ideas, highly skilled staff, and modernized equipment to provide program support and guidance to federal courts.

Disaster Response

Immediately following the terrorist attacks of September 11, agency staff helped federal courts by providing information on security of court facilities, such as extended hour security coverage, emergency preparedness, and continuity of operations. They helped court employees in the Southern District of New York acquire cell phones, reroute e-mail and computer networks, and work through procurement issues. They helped ensure that employees were paid accurately and on time. And, they posted information on operations of the New York courts to the Judiciary's Internet site.

After the anthrax issue arose in October, staff set up procedures for mail handling, testing for anthrax, and responding to threats from anthrax and other biological and chemical agents.

As a result of the anthrax scare, the Administrative Office has reduced significantly paper mailings to courts. Instead, agency employees increasingly are relying as much as possible on e-mail messages, e-mail broadcasts, faxes, and postings to J-Net for communications with court staff. As the Administrative Office continues to review how to communicate as effectively as possible with the courts, it is anticipated that there will be an even greater reliance on electronic communications.

Director Mecham created the Judiciary Emergency Preparedness Office to place greater emphasis on the planning aspects of crisis response.

Long-Range Planning

The Administrative Office supported two long-range planning meetings of Judicial Conference committee chairs in 2001, as well as long-range planning and budgeting activities by individual committees. Planning meetings in March and September were led by Chief Judge Charles R. Butler, Jr., the Executive Committee's planning coordinator. The committee chairs focused on broad trends and issues that have possible strategic

implications for the Judiciary as an institution.

At the 2001 long-range planning meetings, discussions included consideration of the changing nature of case disposition, defining and measuring the quality of justice, long-range caseload and budget forecasts, and other issues that cut across committee lines. The long-range planning process has helped individual committees place greater emphasis on examining future program requirements, priorities, and resource needs.

Committees have identified strategic issues within their areas of responsibility and are pursuing strategic program goals and objectives. Also, a review of statistical data and other information required by Recommendation 73, *Long Range Plan for the Federal Courts*, currently is in the third phase, focusing on data needs of the district courts.

The agency's long-range planning efforts include conducting strategic studies of the Judiciary's major

“In light of the terrorist attacks of September 11 and the ensuing anthrax contamination, the Administrative Office played a pivotal role in ensuring that the federal courts around the country had effective security precautions and mail-screening procedures in place.”

Chief Justice William H. Rehnquist



Strategic Implications for the Judiciary

- Preserving the quality of justice and the excellence of judicial services.
- Coping with changing work and increasing workload.
- Managing resources effectively.
- Maintaining effective judicial governance and management mechanisms.
- Making effective use of technology and information.
- Preserving judicial independence, obtaining adequate resources, and maintaining effective external communications and relationships.
- Attracting and retaining a highly skilled workforce.

functions and programs. Several studies were underway or completed with follow-up implementation efforts in progress this year. Studies of court security needs, lawbooks and libraries, and privacy implications of electronic case files were completed. Implementation of recommendations from prior studies of space and facilities, training needs, and information technology

The Judiciary Emergency Preparedness Office now coordinates all aspects of emergency preparedness and crisis response for the Judiciary. The staff have helped numerous courts develop their own occupant emergency plans, which will help safeguard lives and property. Staff also are working with court staff to develop Continuity of Operations Plans to ensure that core activities can continue during emergencies, and that normal operations can resume as quickly as possible.

progressed, and a strategic study of the probation and pretrial services programs is continuing. More information on these efforts is provided in the relevant sections of this report.

Management Oversight And Stewardship Enhancement

Over the past 15 years, Director Mechem has delegated key administrative management responsibility to the courts. The Administrative Office has issued a great deal of technical guidance for carrying out those functions. As requested by the Judicial Conference Committee on Court Administration and Case Management and the Committee on the Administrative Office, the Administrative

Office launched an effort this year to improve the management oversight and stewardship training and guidance it provides to chief judges and court unit executives, and to strengthen internal control activities.

A group of judges and court unit executives were instrumental in guiding the development of education programs and a *Handbook on Management Oversight and Stewardship*, in particular: Chief Judges R. Lanier Anderson III, Paul Barbadoro, R. Allen Edgar, D. Brock Hornby, David S. Kennedy, Marcia S. Kreiger, and Rodney S. Webb; Judges David W. Houston and Dennis G. Jacobs; and Court Unit Executives Brenda K. Argoe, Michael E. Gans, Kenneth Laborde, Samuel W. Phillips, Gregory B. Walters, Ronald C. Weston, and Norman E. Zoller.

The primary goal is to provide chief judges, members of court management committees, and court unit executives with guidance and tools for exercising leadership over court administrative matters. Another key goal is to build strong partnerships between chief judges and their court unit executives in the management of the court. Educational seminars were held for chief district judges and chief bankruptcy judges in April and November, respectively.

Audits, Reviews, and Assistance

In fiscal year 2001, 145 audits were completed, and Administrative Office staff conducted 63 on-site reviews and visited 313 courts and related offices to provide technical assistance. Technical assistance provided by the agency increased over the past year primarily related to coordination of construction projects and implementation of CM/ECF, e-mail, and FAS₄T systems.

Space and Facilities

Administrative Office staff manage services provided to courts related to court security and space and facilities, and serve as the primary contacts on real property administration matters with the General Services Administration. To house the courts in 2001, the Judiciary made \$800 million in rental payments to GSA for 34.3 million square feet of space.

Space and Facilities Study

Ernst & Young, an independent consulting company, conducted a comprehensive study of the Judiciary's space and facilities program and submitted a final report with recommendations in May 2000. In fiscal year 2001, the Judicial Conference Committee on Security and Facilities and Administrative Office staff

Internal Control Enhancements

- The Judiciary continued its emphasis on reviewing and strengthening internal controls, especially for travel, procurement, accountable property, Citibank Visa card programs, and information security.
- The agency's audit program was expanded to cover additional areas.
- Program offices reviewed the guidance and training they provide.
- A task force on internal controls was established so that Administrative Office and court managers can develop model internal controls plans that will be useful for the courts.

took the following actions on recommendations in the report:

- Supported retention of the Judicial Conference policy of providing one courtroom for each active district judge.
- Reaffirmed that circuit judicial councils should use the number of active district judges to be housed as a planning factor when determining the number of courtrooms for a new building.
- Supported the consolidation of all facilities functions, including courtroom technology installation and technology wiring, within the Administrative Office.
- Upheld the current Judicial Conference policy that provides senior judges with dedicated courtrooms for 10 years after taking senior status.
- Updated the long-range facilities planning process by reinstating facilitated group planning and site visits in the courts; improving the process for estimating new judgeships; projecting space needs for 10 years of growth from the date of occu-

pancy when planning a new facility; and modifying scoring criteria to prioritize projects on the Five-Year Courthouse Construction Plan.

Court Security

An independent contractor conducted a study of the current court security program from February 2000 to November 2001. The final report includes options for improving the management and coordination of the court security program, enhancing the physical security of courthouses, providing after-hours security, improving the Court Security Officer program, addressing security needs during court proceedings, protecting judges in and outside the courthouse, and conducting background checks for court employees. Generally, the report concluded that improvements in the protection of the Judiciary have been substantial over the last two decades, despite competing requirements for resources and various sensitive organizational challenges. The Committee on Security and Facilities and the Administrative Office currently are reviewing the recommendations of the report.

International Judicial Relations

Increased interest in international judicial reform from other countries, international organizations, and the U.S. government in 2001 led to more involvement of federal judges and more requests for support and coordination of activities from the Judicial Conference Committee on International Judicial Relations.

As a result, Administrative Office staff

- Held briefings for 64 international delegations, including 387 judges and court administrators.
- Helped the International Judicial Relations Committee and the Library of Congress establish a rule-of-law component for the Library of Congress' Russian Leadership Program.
- Oversaw the production of a second edition and a Russian translation of *The Federal Court System in the United States: An Introduction for Judges and Judicial Administrators in Other Countries*.
- Participated in a workshop on the role of court administrators for judges and court administrators in the Volga Region of the Russian Federation.



The Library of Congress is expanding its Russian Leadership Program to include the nation's judges among visitors to the United States. The pilot groups of Russian judges paid week-long visits to Baltimore, Maryland, Oklahoma City, Oklahoma, and Peoria, Illinois, after a two-day orientation in the nation's capital. Planned activities included sitting in on state and federal court proceedings, attending a mock trial and law school lecture on the teaching of trial practice, and a session on alternative dispute resolution. Librarian of Congress James H. Billington attended a meeting of the Judicial Conference Committee on International Judicial Relations to discuss the expansion of the Library's Program.

- Attended a global conference in St. Petersburg, Russia, on empowerment, security, and opportunity through law and justice.
- Participated in a program for public defenders from Venezuela.
- Assisted with an American Bar Association Center for East European Legal Initiative project on court administration in Albania.
- Assisted with a World Bank study of court reporting options in the Russian Federation.

Federal Rules of Practice and Procedure

The Judicial Conference Committee on Rules of Practice and Procedure and its advisory commit-

tees draft and recommend amendments to the rules that govern all federal court proceedings and affect the entire legal system. The rules committees continued in 2001 to reach out and involve members of the Judiciary, bar, and public in the rulemaking process. Working closely with the committees, Administrative Office staff placed proposed amendments to the Federal Rules of Practice and Procedure on the Internet, received comments electronically, and prepared and circulated brochures summarizing proposed amendments. During 2001, agency staff worked to update and expand the Federal Rulemaking page on the Judiciary's Internet site.

Administrative Office staff also helped the rules committees monitor congressional activity in the rulemaking process. They advised the pertinent rules committees on 22 separate pieces of legislation that were introduced in or passed by Congress during the year and that could affect the rules of practice and procedure. Staff also prepared position papers and correspondence addressed to Congress expressing the views of the Judiciary regarding rules-related issues in various pieces of legislation.

Intercircuit and Intracircuit Assignments

In support of the Judicial Conference Committee on Intercircuit Assignments, Administrative Office staff help process assignments for Article III judges to serve outside their home circuits or, in the case of the judges of the Court of International Trade, to serve on other Article III courts. During the first six months of 2001, a total of 90 intercircuit assignments undertaken by 58 Article III judges were processed.

In 2001, bankruptcy courts made use of 385 intracircuit or intercircuit assignments to help manage a surging caseload.

Lawbooks and Libraries Study

The first comprehensive review of the Judiciary's use of libraries, lawbooks, and legal research materials was finished in 2001. More than six thousand judges, law clerks, staff attorneys and pro se law clerks were surveyed as part of the study.

The study found that substantial savings (\$38 million) have been achieved over the past six years, and concluded that there continues to be a need for lawbooks and other legal research

materials in hard copy format. It recommended that the Judiciary continue to fund both library and chambers collections. At the same time, the report recommended that the Judiciary promote the use of on-line legal research materials and provide on-line training to judges, law clerks, librarians, and others. The report also made various recommendations to improve library management and suggested some modest cost-control changes to chambers' core collections, space, and other program guidelines. The report provides a basis for further improvements over the next several years, with emphasis on broader circuit management and continued cost-reduction efforts.

Bankruptcy Noticing Center

In fiscal year 2001, the Bankruptcy Noticing Center produced and mailed 84 million notices, which made it a record-setting year. The contract, managed by Administrative Office staff, has saved the Judiciary almost \$23 million since its inception in 1993.

Also, use of electronic bankruptcy noticing more than doubled in fiscal year 2001 over the previous year. It was the first full year of implementation for new Internet and fax services, and more than 2.9 million notices were sent electronically. By the end of 2001, electronic notices comprised approximately 4.5 percent of the notices sent through the center.

Court Interpreting

In fiscal year 2001, there was a 4.7 percent decrease in the number of events requiring the use of interpreters in the courts. District courts reported that they used interpreters in 181,303 events, compared to the 190,127 events reported in fiscal year 2000. The number of languages requiring interpretation fell from 106 in 2000 to 88 in 2001. Spanish remains the most used language for interpreters in the courts, accounting for 94.5 percent of all reported events (171,331), followed by Mandarin (1,140). Other frequently used languages in fiscal year 2001 were Arabic (1,058 events), Russian (836 events), Cantonese (727 events), Vietnamese (696 event), French (487 events), Haitian Creole (475 events), and Korean (450 events).

Interpreter Certification

As of the end of fiscal year 2001, there were 810 Spanish, 12 Haitian Creole, and 9 Navajo federally certified interpreters. The Administrative Office awarded a new contract for the development and administration of a certification examination for Spanish interpreters. The new written examination

follows the Administrative Office test model used for the past 20 years and maintains the high standards for federal Judiciary-certified interpreters.

National Court Interpreter Database

The Administrative Office is required by the Court Interpreters Act to maintain a current master list of all “otherwise qualified” court interpreters. The National Court Interpreter Database was posted on J-Net in July 1999 for collecting local rosters of qualified court interpreters in a multitude of languages and making them available to courts. In fiscal year 2001, Administrative Office staff updated the names and other information on the database.

Telephone Interpreting

Telephone interpreting, which is used in remote locations, is very cost-effective. It is used for short proceedings, such as pretrial hearings, initial appearances, arraignments, motion hearings, and probation and pretrial services interviews.

A pilot program, which offers telephone interpreting services from the Central District of California, District of Columbia, Southern District of Florida, and the District of New Mexico provided telephone interpreting services for over 1,350 court events in 18 districts nationwide in fiscal year 2001.

Probation and Pretrial Services

As of June 30, 2001, the number of persons under supervision totaled 103,677, 13 percent more than the number on that date in 1997. Also, an increasing proportion of offenders supervised (now 65 percent) are serving terms of supervised release following terms in prison. The size of the program and the growing volume and complexity of probation and pretrial services work were the driving factors behind the establishment in 2001 of the Office of Probation and Pretrial Services at the Administrative Office. John Hughes, formerly chief of the Federal Corrections and Supervision Division, was named assistant director, and all staff and responsibilities that fell previously under the division have been transferred to the new office.

The office continued to focus in 2001 on the supervision of offenders, officer safety, and workforce integrity issues.

- The agency hired new staff and established procedures to implement the Judicial Conference policy that requires officers and officer assistants to undergo background reinvestigations every five years.

- The Administrative Office instituted a workplace drug-testing program for officers and officer assistants.
- The Judicial Conference Committee on Criminal Law endorsed—and Director Mecham approved—a transition from the revolver to the semi-automatic pistol as the authorized firearm for officers. Transition training for firearms instructors began, and instructors from 32 districts completed training in fiscal year 2001.
- Groups of Administrative Office and subject-matter experts from probation and pretrial services offices around the country continued to develop improved procedures for the supervision of offenders, including sex offenders, and a comprehensive officer safety program.

<p>Probation and Pretrial Services System Study</p>	<p>Work on a strategic assessment of the federal probation and pretrial services system, begun at the end of fiscal year 2000 to review the mission and future needs of the system, continued through fiscal year 2001. The consultants will make recommendations to ensure the future quality and success of the system.</p>
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PACTS-ECM

Administrative Office staff began delivering to courts the Probation and Pretrial Services Automated Case Tracking System-Electronic Case Management (PACTS-ECM) system, a new case management tool designed to help probation and pretrial services officers by making information more easily accessible. The system electronically generates, stores, and retrieves all investigation and supervision case information; provides electronic imaging of defendants and offenders; and provides interfaces to other databases.

Supervised Release Violation Hearings

In response to concerns expressed by the Committee on Criminal Law and district judge representatives to the Judicial Conference about the lack of information available on hearings on violations of

supervised release, the Subcommittee on Judicial Statistics asked the Administrative Office to provide information on probation and supervised release hearings in the district court caseload data it collects. Effective January 2001, agency staff began, as an interim measure, to use the JS-10 form to collect data, by district judge, on the number of probation and supervised release proceedings held and the number of hours devoted to those proceedings.

Data on the supervised release violation hearings will be maintained as a separate category of court caseload activity. The data will be incorporated into the overall caseload information for districts, including that related to weighted caseloads.

Training

The Administrative Office continued to provide distance-learning programming and traditional instructor-led programs to Judiciary employees in fiscal year 2001.

The courses offered were directly linked to the timely implementation of Judiciary policies and programs, such as orientation for chief judges and judicial nominees, financial management, statistical reporting, facilities management, office automation for judges, administrative and operational training for judicial secretaries/judicial assistants, orientation for probation and pretrial services officers, firearms instruction, benefits, electronic monitoring, procurement procedures, and information technology.

National Training Needs

A National Training Needs Assessment was finished in fiscal year 2000. The study analyzed, prioritized, and documented training needs throughout the Judiciary and produced a training plan that serves as a road map for the development of future training. The Administrative Office began implementing recommendations from the study and redesigned several existing training programs.

FJTN

Use of the Federal Judicial Television Network (FJTN) continued in 2001 to allow the Administrative Office to expand its program offerings as new training needs developed; eliminated the need to coordinate schedules and travel for some on-site training; provided more opportu-



nities for judges and staff to obtain training and education; and provided a more consistent quality of training. The Administrative Office provides programs to 325 viewing sites around the country, making the Judiciary broadcasting network one of the largest in the federal government.

The AO Distance Learning Program also makes use of a variety of computer-based and on-line learning opportunities, including self-paced training via CD-ROM and the Web; facilitating on-line conferencing via the Web; and providing performance support/online assistance enabling courts to more effectively use software for business processes.

Law Clerk Recruitment and Retention

In July 2001, the Administrative Office surveyed judges and their law clerks to evaluate the degree of difficulty judges experience recruiting and retaining highly qualified law clerks. Survey results and an assessment of the current employment environment were presented to the Committee on Judicial Resources in December 2001.

Work Measurement

After implementation of new staffing formulas this year, Administrative Office staff began the first update cycle of the work measurement program in district clerks' offices, bankruptcy clerks' offices, and probation and pretrial services' offices. Each year, 15-20 additional court offices will be studied so that staffing formulas can be revised quickly to reflect new work or operational changes.

The data collected in these offices are analyzed for any significant differences from previous measurements. There were no significant differences in the

Director's Awards

Each year, the Director solicits nominations for two awards to honor court employees. The Director's Award for Administrative Excellence honors employees of the federal courts for outstanding achievements in improving the administration of the federal Judiciary. The Director's Award for Outstanding Leadership recognizes managerial employees who have made long term contributions to increase managerial effectiveness and who have developed improvements in the administration of the federal Judiciary.



Barry G. Wells

2001 recipient of the Director's Award for Excellence in Court Operations:

- Barry G. Wells, Automation Division Manager
U. S. Bankruptcy Court, Virginia-Eastern



Michael E. Gans

2001 recipients of the Director's Award for Outstanding Leadership:

- Michael E. Gans, Clerk of Court
U.S. Court of Appeals, Eighth Circuit
- Joseph A. Giacobbe, Chief Probation Officer
U.S. District Court, New York-Western



Joseph A. Giacobbe

The Director also awarded Special Judiciary Leadership Awards to

- Luther D. Thomas, Clerk of Court
U.S. District Court, Georgia-Northern
- Norman E. Zoller, Circuit Executive
U.S. Court of Appeals, Eleventh Circuit

bankruptcy clerks' offices and the probation and pretrial services' offices. Significant differences were found in the district clerks' offices measurements for work requirements connected with automation. A new automation factor and a new administrative factor were developed and recommended.

Also, the Committee on Judicial Resources requested that the Administrative Office develop a staffing formula for death penalty law clerks. The Death Penalty Law Clerk Working Group endorsed a staffing option that subsequently was presented to the Committee on Judicial Resources.

Communications

The Administrative Office is the Judiciary's central point of contact for public information. Staff provide a wide range of communications services for judges, court staff, and the Administrative Office, and serve as liaisons between the Judiciary and the news media. They promote public awareness and understanding of the Judiciary, facilitate and enhance communications within the Judiciary, and provide public affairs support to the Judicial Conference and its committees and to courts.

Highlights of communications activities in 2001:

Consultation with Court Officials

Advisory groups play a critical role in providing user and customer input to the Administrative Office that is essential to the development of policy recommendations and to the deployment of useful programs, systems, and services.

In 2001, efforts to improve communication and collaboration between the Administrative Office and federal courts on information technology were begun, such as designating a liaison to participate in circuit information technology conferences and advisory council meetings, monthly FJTN broadcasts focusing on information technology, and increased dissemination of information through published articles and reports.

Internet

The Administrative Office maintains an Internet site, www.uscourts.gov. This web site