

**REPORT OF THE  
FEDERAL JUDICIARY WORKPLACE CONDUCT WORKING GROUP  
ON THE  
JUDICIARY’S 2023 NATIONAL WORKPLACE SURVEY  
March 31, 2025**

**EXECUTIVE SUMMARY**

The Federal Judicial Center (FJC) conducted the first national workplace survey of Judiciary employees in 2023 at the request of the Federal Judiciary Workplace Conduct Working Group (Working Group). The results provide a trove of data invaluable to understanding Judiciary employees’ experiences and in guiding the Judiciary’s continued efforts to foster an exemplary workplace for all.

The aim of the survey was to assess the effectiveness of the measures the Judiciary has taken toward its goal of an exemplary workplace, to identify areas for possible improvement, and to provide a benchmark for future surveys.

The survey was sent to 27,904 judiciary employees<sup>1</sup> and 13,895 completed the survey, for a 50% response rate. The Working Group is grateful to the respondents for their time and thoughtful input.

*Overall Results*

Overall, the results of the survey, contained in the FJC Condensed Report,<sup>2</sup> indicate that Judiciary employees have a high degree of pride and satisfaction in their jobs. More than 90% of respondents reported that they had not experienced wrongful conduct, such as discrimination, harassment, or abusive conduct. Nearly two-thirds of respondents indicated that they had not experienced any of the listed inappropriate behaviors or actions, such as incivility or disrespect. The reported rates of various forms of wrongful workplace conduct appear to be lower in the Judiciary than in the other two branches of government.

The results also highlight areas where the Judiciary can do more toward its goal of an exemplary workplace, particularly with respect to addressing employees’ reluctance to report misconduct, bolstering confidence in the reporting and complaint systems, and addressing instances of inappropriate behaviors.

The Working Group makes a series of recommendations to further strengthen and clarify substantive standards and policies, improve complaint procedures, and expand training and available resources to support efforts by local courts and offices to promptly and effectively address instances of wrongful conduct. The Working Group’s recommendations include: taking

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<sup>1</sup> The survey was sent in January 2023 to nearly all then-current Judiciary employees except judges. Employees of the Supreme Court, Administrative Office of the United States, United State Sentencing Commission, Joint Panel on Multidistrict Litigation, and Federal Judicial Center were not included in the survey.

<sup>2</sup> <https://fjc.gov/content/392606/condensed-report-2023-federal-judiciary-workplace-survey>

steps to clarify certain policies, such as those related to the Judiciary's protection against abusive conduct; expanding procedural rights within the Employment Dispute Resolution (EDR) complaint process to provide greater confidence in the efficacy of workplace investigations and independence of decision making; expanding training opportunities and resources; providing greater transparency through augmented data collection and standardized redaction and publication procedures; and providing more direct follow-up and feedback to employees who report misconduct.

### Job Satisfaction

Of the 13,895 employees who responded to the survey, 84% said they are satisfied or very satisfied with their jobs; 80% agreed or strongly agreed that they would recommend their court or employing office as a place to work; and 93% said they take pride in working for their court or employing office.

### Wrongful Conduct

Judiciary policy identifies four primary types of wrongful conduct in the workplace: employment discrimination; discriminatory harassment; abusive conduct; and retaliation. Protections against discrimination, harassment, and retaliation are substantively similar to workplace protections in other federal branches and in the private sector. Abusive conduct is an additional area in which the Judiciary provides its employees protection; it exceeds protections provided under federal statutes, and seeks to avoid or remediate egregious and hostile workplace conduct even when such conduct does not involve a discriminatory motive.

Most respondents (91%) indicated that they had not experienced wrongful conduct of any kind. Of the 13,895 respondents, 1,157 (8.3%) indicated experiencing discriminatory harassment, employment discrimination, or abusive conduct. The greatest number of these (922, 6.6% of all respondents) indicated experiencing abusive conduct. A total of 277 respondents (2% of all respondents) indicated experiencing some form of discriminatory harassment; of these 67 (0.5% of all respondents) indicated experiencing sexual harassment. A total of 291 (2.1% of all respondents) indicated experiencing employment discrimination. Retaliation is also wrongful conduct under Judiciary policies. A total of 292 respondents (2.1% of all respondents) indicated experiencing some form of retaliation.

The number and percentages of respondents who indicated experiencing wrongful conduct varied between different court units and offices. Percentages ranged from chambers staff, 4.6% (106 out of 2,325 respondents), to clerks' offices, 8.1% (330 out of 4,070 respondents), to probation and pretrial services offices, 8.9% (322 out of 3,625 respondents), to federal defender offices, 10.4% (139 out of 1,338 respondents). Respondents indicated that wrongful conduct was committed most often by managers or supervisors (other than a judge), followed by unit executives or non-supervisory co-workers.

### *Inappropriate Behavior*

The Working Group was also interested in the incidence of inappropriate behaviors that, while not rising to the level of wrongful conduct, can render a workplace less than exemplary. About one-third (4,823) of the survey respondents indicated experiencing at least one instance of inappropriate behavior or action.

### *Avenues for Addressing Wrongful Conduct and Inappropriate Behaviors*

The results of the survey show that the Judiciary still has much work to do to address the reluctance of employees to seek help or report wrongful conduct. According to EEOC data, reluctance to report is an issue in virtually every workplace. The Judiciary is no different. Only 42% of respondents agreed that employees are willing or very willing to report wrongful conduct. Only 65% of respondents said their court or employing office encourages employees to report wrongful conduct.

Most respondents who indicated experiencing wrongful conduct did not use EDR procedures. Of the respondents who reported using one of the three EDR options, more respondents were dissatisfied than satisfied with the outcome.

### *Training*

Survey data confirmed that nearly all respondents are at least aware of the key standards and procedures for addressing possible wrongful conduct: 97% said they are aware of the Code of Conduct for Judiciary Employees, and 96% said they are aware of their court's Employment Dispute Resolution Plan. A substantial majority (9,821, or 71%) of all respondents said they received EDR training in the previous year. Of those who received training, 8,983 (93%) found it at least moderately effective.

### *The Workplace Conduct Working Group's Recommendations*

Following extensive review and analysis of the survey results the Working Group makes recommendations across three core areas: (1) substantive standards; (2) procedures for seeking advice, assistance, or redress; and (3) educational efforts. These recommendations build on the substantial steps the Judiciary has taken over the past seven years. They are designed to improve and refine the extensive system that is already in place, and to provide greater transparency to both Judiciary employees and the public on how workplace conduct concerns are addressed. This report also makes recommendations in response to issues raised in two independent reports issued in July 2024, one by Federal Judicial Center and the National Academy of Public Administration, and the other by the U.S. Government Accountability Office.