

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES
Fees of Jurors and Commissioners
SUMMARY STATEMENT OF ACCOUNT REQUIREMENTS

Fiscal Year 2026 Appropriation	\$19,108,000
Fiscal Year 2027 Appropriation Request	\$37,145,000
Requested Increase from Fiscal Year 2026 Appropriation	\$18,037,000

APPROPRIATION LANGUAGE

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

FEEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1 (h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1 (h)), [\$19,108,000]\$37,145,000 , to remain available until expended: *Provided* , That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

(Division E, Consolidated Appropriations Act, 2026 – P.L. 119-75)

**SUMMARY OF REQUEST
FEES OF JURORS AND COMMISSIONERS
FISCAL YEAR 2027
(Dollar amounts in thousands)**

Fiscal Year 2027 Resource Requirements:

	<u>FTEs</u>	<u>Amount</u>
Fiscal Year 2026 Obligations.....	-	46,362
Estimated FY 2026 Obligations from Prior Year Carryforward.....	-	(27,254)
Fiscal Year 2026 Appropriation.....	-	19,108

Page

No. Adjustments to Base to Maintain Current Services:

6.9	1. Inflationary Adjustments		
	a. Grand Jurors.....	-	154
	b. Petit Jurors.....	-	291
6.9	2. Projected Change in Available Jurors.....	-	(3,601)
6.9	3. Change in Appropriation to Maintain Current Services.....	-	21,193
	Subtotal, Adjustments to Base to Maintain Current Services.....	-	18,037
	 Total Appropriation Change, Fiscal Year 2026 to Fiscal Year 2027.....	-	18,037

Financing the Fiscal Year 2027 Request:

	Total Appropriation Required.....	-	37,145
6.10	4. Anticipated Carryforward from FY 2026 into FY 2027.....	-	6,061
	Estimated Obligations, Fiscal Year 2027.....	-	43,206

COURTS OF APPEALS, DISTRICT COURTS AND OTHER JUDICIAL SERVICES
FEES OF JURORS AND COMMISSIONERS
Obligations by Activity (\$000)

Activity	FY 2025 Actual	FY 2026 Enacted	FY 2027 Request
Comparison by Activities:			
Land Commissioners	-	100	100
Grand Jurors	13,843	14,811	14,623
Petit Jurors	31,117	31,451	28,483
Total Direct Obligations	44,960	46,362	43,206
Unobligated Balance, Start of Year	(20,011)	(32,315)	(5,061)
Transfer to Defender Services	2,900		-
Prior Year Recoveries	(1,925)	-	(1,000)
Unobligated Balance, End of Year	32,315	5,061	
Appropriation	58,239	19,108	37,145

Obligations by Budget Object Class (\$000)

Description	FY 2025 Actual	FY 2026 Enacted	FY 2027 Request
11.8 Special Personal Services Payment	19,794	20,439	18,803
21.0 Travel and Transportation of Persons (Jurors)	19,871	20,517	18,883
23.3 Communications, Utilities, and Misc. Charges	3,107	3,172	3,239
25.2 Other Services	1,342	1,370	1,399
26.0 Supplies and Materials	846	864	882
Total Obligations	44,960	46,362	43,206

**COURTS OF APPEALS, DISTRICT COURTS AND OTHER JUDICIAL SERVICE
FEES OF JURORS AND COMMISSIONERS
Relation of Obligations to Outlays (\$000)**

	FY 2025 Actual	FY 2026 Enacted	FY 2027 Request
Direct Obligations	44,960	46,362	43,206
Obligated Balance, Start of Year	3,928	2,492	2,570
Adjustment to Prior Year Activity	(914)	(943)	(878)
Obligated Balance, End of Year	(2,492)	(2,570)	(2,395)
Total Outlays	45,482	45,342	42,502
Less Offsets	(1,010)	(1,041)	(971)
Net Outlays	44,472	44,300	41,532

GENERAL STATEMENT AND INFORMATION

This appropriation provides for the statutory fees and allowances of grand and petit jurors, and for the compensation of jury and land commissioners. In addition to reimbursement for daily travel to and from court, expenses allowed include meals and lodging furnished to sequestered jurors, and transportation to view evidence or crime scenes offsite. Budgetary requirements depend largely on the volume and the length of jury trials demanded by parties to both civil and criminal actions and the number of grand juries convened by the courts at the request of United States Attorneys. All these factors are outside the control of the judiciary.

The fiscal year (FY) 2027 request of \$37.1 million for the Fees of Jurors and Commissioners appropriation will support all projected requirements for petit and grand jurors and land commissioners.

Petit Jurors

A petit jury may be called to hear a trial in a criminal or civil action. A criminal trial normally has a 12-person jury, and a civil trial typically has a seven- to nine-person jury. Criminal juries decide whether the defendant is guilty of the crime as charged. In a civil trial, the jury's responsibility is to decide whether the defendant injured or otherwise failed to fulfill a legal obligation to the plaintiff and determine the appropriate compensation. Petit jurors are entitled to a daily attendance fee of \$50 for each day of jury service.

The number of jurors called on any given day to serve in a petit jury pool is related to the number and type of cases in which a jury trial is requested. Moreover, under rules of criminal procedure, criminal trials are allowed additional peremptory challenges (i.e., exclusions of jurors from the pool without a stated reason) compared to civil trials because of the jury size. This means that the court must take these challenges into account when determining the number of potential jurors in a criminal jury pool. However, a correspondingly larger number of prospective jurors in the criminal pool will not be selected to serve on the trial due in part to the additional peremptory challenges. Thus, when compared to civil jury selections, the total number of prospective jurors completing jury service during jury selection is greater in criminal trials.

The number of petit jurors decreased in FY 2025 and is projected to continue declining in both FY 2026 and FY 2027. The total number of available petit jurors¹ in FY 2025 decreased by 11.1 percent from 297,689 to 264,660. Available petit jurors are projected to decrease

¹An available petit juror is one that is present for selection or serving following selection.

to 257,400 in FY 2026 and then to 246,700 in FY 2027. Table 6.1 provides historical data on the number of juror days, number of jurors called, and the related costs of those jurors' expenses.

Table 6.1 Petit Juror Activity

		Petit Jury Trial Days				Available Jurors		Cost	
	<u>FY</u>	<u>Criminal</u>	<u>Civil</u>	<u>Total</u>	<u>Percent Change</u>	<u>Jurors</u>	<u>Percent Change</u>	<u>Fees and Expenses</u>	<u>Percent Change</u>
Actual	2017	8,892	8,628	17,520	-5.3%	348,259	-5.5%	\$32,209,000	-5.0%
	2018	9,401	7,911	17,312	-1.2%	357,004	2.5%	\$35,287,000	9.6%
	2019	9,373	7,150	16,523	-4.6%	349,852	-2.0%	\$36,516,000	3.5%
	2020	4,889	3,574	8,463	-48.8%	182,691	-47.8%	\$21,027,000	-42.4%
	2021	5,402	3,422	8,824	4.3%	185,565	1.6%	\$21,507,000	2.3%
	2022	9,569	7,019	16,588	88.0%	339,615	83.0%	\$38,340,000	78.3%
	2023	9,075	6,526	15,601	-6.0%	322,430	-5.1%	\$36,514,000	-4.8%
	2024	8,626	5,853	14,479	-7.2%	297,689	-7.7%	\$36,071,000	-1.2%
	2025	7,364	4,943	12,307	-15.0%	264,660	-11.1%	\$31,117,000	-13.7%
Estimated	2026	7,700	4,800	12,500	-1.6%	257,000	-2.9%	\$31,452,000	1.1%
	2027	7,600	4,600	12,200	-2.4%	246,700	-4.0%	\$28,483,000	-9.5%

Grand Jurors

A grand jury is a jury of inquiry whose duty is to receive complaints and accusations in criminal cases, hear the evidence presented on the part of the government, and find bills of indictment in cases where the jurors are satisfied that the evidence presented is sufficient to warrant filing an indictment and bringing the case to trial. The number of grand juries convened by district courts varies depending on such factors as the number of criminal cases, the type of criminal activity, and the number of places in which court is held. Grand juror activity is measured by the number of sessions convened, jurors in session, and total jurors in attendance. Grand jurors are entitled to a daily attendance fee of \$50 for each day of their jury service.

In FY 2025, the total number of available grand jurors² decreased by 2.1 percent from 141,048 to 138,111. Going forward, available grand jurors are projected to decrease in FY 2026 to 136,000 and to 135,400 in FY 2027. Table 6.2 provides further detail on grand jury activity.

Table 6.2 Grand Jury Activity

	Total Number of Grand Jurors					Available Jurors			Cost	
	<u>FY</u>	<u>Sessions Convened</u>	<u>Percent Change</u>	<u>Jurors in Session</u>	<u>Percent Change</u>	<u>Hours in Session</u>	<u>Jurors</u>	<u>Percent Change</u>	<u>Fees and Expenses</u>	<u>Percent Change</u>
Actual	2017	8,124	-1.5%	161,759	-1.8%	35,823	177,027	-2.0%	\$13,888,000	-4.9%
	2018	8,258	1.6%	163,859	1.3%	36,458	179,740	1.5%	\$14,966,000	7.8%
	2019	8,374	1.4%	167,310	2.1%	36,706	183,196	1.9%	\$16,948,000	13.2%
	2020	5,449	-34.9%	107,489	-35.8%	24,940	117,549	-35.8%	\$11,483,000	-32.2%
	2021	5,686	4.3%	110,954	3.2%	27,086	124,187	5.6%	\$12,340,000	7.5%
	2022	6,348	11.6%	123,770	11.6%	26,932	134,637	8.4%	\$13,317,000	7.9%
	2023	6,650	4.8%	130,757	5.6%	27,244	144,477	7.3%	\$14,357,000	7.8%
	2024	6,388	-3.9%	126,048	-3.6%	26,177	141,048	-2.4%	\$14,356,000	0.1%
	2025	6,350	-0.6%	124,874	-0.9%	25,537	138,111	-2.1%	\$13,843,000	-3.6%
Estimated	2026	6,100	-3.9%	120,800	-3.3%	24,400	136,000	-1.5%	\$14,810,000	6.9%
	2027	6,100	0.0%	119,700	-0.9%	24,000	135,400	-0.4%	\$14,623,000	-1.3%

²An available grand juror is one that is either selected to serve or serving during a convened grand jury session.

FY	Average Number of			Total Number of Grand Juries		
	Jurors per Session	Hours per Session		In Existence at the Start of FY	Impaneled	Discharged
2015	15.9	3.60		439	312	255
2016	20.0	4.40		417	326	248
2017	19.9	4.40		433	322	240
2018	19.8	4.40		440	315	217
2019	20.0	4.40		434	315	213
2020	19.7	4.60		448	203	173
2022	19.5	4.20		373	276	155
2023	19.7	4.10		382	325	187
2024	19.7	4.10		391	345	200
2025	19.7	4.00		396	299	180

Land Commissioners

Land commissioners are responsible for determining the issue of just compensation arising from the deprivation of private property for public use. Under the Federal Rules of Civil Procedure, a district court may use its discretion to order that compensation for a condemned property be determined by a commission of three persons appointed by the court. The determination of compensation is based on evidence presented during the exercise of trial procedures and evidentiary rulings. This delegation of the judicial function requires close judicial supervision and requires that actions taken by the commission be fully documented to permit full review by the district or appellate courts. This system ensures due process of law to the litigants.

Land commissioners are compensated based on the daily equivalent of the highest rate payable under 5 U.S.C. § 5332 (plus any applicable locality pay). The annual adjusted pay rate (i.e., basic pay plus locality pay) for land commissioners is limited to the rate of pay for level III of the Executive Schedule, currently \$209,600 for 2026.

FISCAL YEAR 2026 APPROPRIATIONS

The judiciary's starting point for developing its FY 2027 budget request reflects bill language and appropriations levels enacted in the Consolidated Appropriations Act, 2026 (P.L. 119-75). The FY 2026 enacted level for the Fees of Jurors and Commissioners appropriation of \$19.1 million is equal to the FY 2026 Conference Appeal.

JUSTIFICATION OF CHANGES

The FY 2027 appropriation request for Fees of Jurors and Commissioners totals \$37.1 million, which represents an increase of \$18.0 million, or 94.4 percent, above the FY 2026 enacted appropriation of \$19.1 million. The amount requested is for adjustments to base to maintain current services.

A. ADJUSTMENTS TO BASE TO MAINTAIN CURRENT SERVICES

1. Inflationary adjustments

a. Grand Jurors

Requested Increase: \$154,000

An increase of \$154,000 is requested for inflationary adjustments associated with grand juror costs, including travel allowances (mileage, parking, tolls), meals, and lodging for sequestered jurors, and other miscellaneous juror expenses.

b. Petit Jurors

Requested Increase: \$291,000

An increase of \$291,000 is requested for inflationary increases associated with petit juror costs, including travel allowances (mileage, parking, tolls), meals, and lodging for sequestered jurors, and other miscellaneous juror expenses.

2. Projected change in available jurors

Requested Decrease: (\$3,601,000)

A decrease of \$3.6 million is the result of a projected decrease in the estimated number of jurors from FY 2026 to FY 2027.

3. Increase in appropriation needed to maintain current services

Requested Increase: \$21,193,000

In FY 2026, \$27.3 million in balances from FY 2025 and prior years is available to finance FY 2026 requirements. Because the judiciary anticipates having \$21.2 million less in carryforward funding available in FY 2027, it requests an equivalent amount of direct appropriations to support base expenses that were previously funded by carryforward balances. This adjustment is necessary to maintain current services within the account.

FINANCING THE FY 2027 REQUEST

4. Anticipated carryforward from FY 2026 into FY 2027

Estimated funds available: \$6,061,000

The judiciary projects \$6.1 million will be available through anticipated carryforward from FY 2026 to offset the FY 2027 appropriations request for the Fees of Jurors account. The judiciary will advise the appropriations subcommittee staff of any changes to this estimate.