

Report Shows Fiscal Year Funding Measure Needed Or Disruption of Federal Judiciary System Services Likely

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The Judicial Conference of the United States today received a report on the potentially dire consequences the federal Judiciary may face if a Fiscal Year 2011 funding measure is not soon adopted.

In her report to the Judicial Conference, Judge Julia Smith Gibbons, chair of the Budget Committee, addressed four specific areas of immediate concern:

- The possibility of a lapse in appropriations and its impact on the courts;
- The uncertainty over the final funding level for the courts and the possibility of sudden and severe disruptions of service;
- That the Judicial Branch's views will not be represented when the other two branches discuss and negotiate the budget;
- And the potential for having to defer payments to lawyers appointed to represent indigent defendants under the Criminal Justice Act.

The budgetary uncertainty comes at a time when nearly all facets of court workload are growing, particularly bankruptcy and probation and pretrial services. Judge Gibbons credited the court system's on-going commitment to cost containment for slowing the growth in the Judiciary budget requirements. Nevertheless, she expressed concern that the Judiciary could face several years of difficult budgets that may result in reductions in services.

In other matters, the Conference:

- Encouraged all circuit judicial councils to consider establishing “judicial wellness” committees to create programs, policies and practices that provide a supportive environment for the maintenance and restoration of health. Such committees also would provide information to judges on judicial retirement issues, including disability retirement. Similar initiatives have been undertaken by other private, not-for-profit, and public sector organizations.
- Adopted a new policy governing the management of sex offenders, calling for, among other things, specialized training for probation and pretrial services officers who work with sex offenders and sex offense victims, and for reduced caseloads for such officers.

The 27-member Judicial Conference is the policy-making body for the federal court system. The Chief Justice serves as its presiding officer. Its other members are the chief judges of the 13 courts of appeals, a district judge from each of the 12 geographic circuits, and the chief judge of the Court of International Trade. The Conference meets twice a year to consider administrative and policy issues affecting the court system, and to make recommendations to Congress concerning legislation involving the Judicial Branch.