

The Judiciary  
Fiscal Year 2011  
Congressional Budget Summary

PREPARED BY  
THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS  
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# FOREWORD

## *Overview*

The Judicial Conference thanks Congress for its continuing support of the Judiciary and remains grateful for the level of funding provided for fiscal year 2010. The Judiciary's fiscal year 2011 budget request represents a modest increase that the Judicial Conference believes is the minimum necessary to keep up with increasing case filings across all areas and other legislative changes which significantly impact workload throughout the Judiciary. In recent years, immigration and drug offenses along the Southwest Border have dominated prosecutions. Child pornography and other sex offenses, however, represent a fast-growing portion of the Judiciary's caseload. Additionally, fraud cases are expected to increase, exposing high profile Ponzi schemes and securities fraud. The availability of adequate resources continues to be critical to the Judiciary's ability to respond to its workload demands.

The fiscal year 2011 request includes an additional \$6 million to provide certain reentry services for persons released from federal custody as provided for in the Second Chance Act of 2007. The post-conviction supervision population continues to grow with increasing numbers of inmates being released by the Bureau of Prisons to begin supervision terms. The Judiciary is committed to the goal of reducing recidivism by employing practices that have been validated through empirical evidence

and are cost effective. To maximize the use of limited resources, we want to ensure that what we are doing actually produces the outcomes we are seeking. To that end, the Judicial Conference Committee on Criminal Law commissioned a study by the Federal Judicial Center to assess the operational aspects, outcomes, and cost-effectiveness of the various federal reentry court programs that have sprung up across the nation. The hope is that such a study will reveal effective approaches that can be shared with other courts and will identify the current and future resource implications of such programs.

Bankruptcy filings continue to increase, nearing levels that preceded implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). In addition, many courts are experiencing significant increases in the number of pro se debtors. Bankruptcy courts have employed innovative procedures to manage the growing pace of case filings and to communicate effectively with debtors attempting to navigate through this highly specialized area of the law without the assistance of counsel. To accommodate this workload, some courts have adjusted staff hours, converted administrative staff to case administrators, and worked with bar associations to sponsor pro se help desks. Courts have also leveraged technology to increase their efficiency in handling the burgeoning workload. Court-developed software is being used to automate court calendars, collect and account for filing fees,

pay trustees, and streamline processing of court orders. Bankruptcy filings are not limited to individuals. An increased number of businesses filed bankruptcy proceedings during 2009. The most notable among the recent corporate bankruptcies are General Motors and Chrysler. These auto industry filings created job losses and benefit cuts for the company's retirees and particularly affected automobile dealerships, parts suppliers, and investors. The continued struggling economy and the likelihood of further increases in bankruptcy filings indicate a need for additional resources for the Judiciary.

In addition to resources for workload increases, the Judiciary's request includes an additional \$25 million investment in a multi-year effort to replace older, less efficient telecommunications systems in the courts and to make accompanying upgrades to the data communication network with a focus on converged services (combining voice, video, and data traffic over a single, secure network). In light of the efforts to define and consolidate applications and the implementation of a new managed network, the Judiciary plans to develop viable alternatives for more cost-effective service models applicable to the Case Management/Electronic Case Files system. Additionally, modernization efforts continue for the Judiciary's Financial Accounting System for Tomorrow (FAS4T) with an integration of the courts' and the Administrative Office accounting systems, reconfiguration of FAS4T, and implementation of an internal controls reporting tool.

A total of \$71 million is requested to fund security systems and equipment in fiscal year 2011, a net increase of \$10 million over fiscal year 2010 levels. The Judiciary must keep pace with the changing nature of the threat to federal courthouses while maintaining a proper balance between ensuring an open-court system and having secure court facilities. This is a challenging task given the increasing number of threats against the courts. There has been a recent surge in threats to court staff and probation officers along the Southwest Border, plus the courts are having to deal with a number of high-threat trials.

Finally, the Judiciary continues to emphasize the importance of attracting qualified counsel for its defender services program. The Judiciary is appreciative of the \$125 per hour non-capital panel attorney rate provided in fiscal year 2010 and believes we are moving in the right direction to ensure continued quality representations. The Judiciary is hopeful that Congress will build on that rate in fiscal year 2011 and provide the statutorily authorized hourly rate of \$141. The \$141 rate keeps pace with inflation and is necessary to effect a meaningful change in the willingness of qualified attorneys to accept more non-capital Criminal Justice Act appointments.

The Judicial Conference continues its commitment to cost containment, and will attempt to identify new avenues for savings and cost avoidance. This effort is a high priority – the Judiciary wants to do its part to help reduce the federal budget deficit by developing new initiatives that are essential to continue to slow the growth in budgetary requirements. The Judicial Conference believes that sustained efforts will continue





# Overview of The Judiciary

## The Federal Judiciary

### United States Supreme Court

### U.S. Courts of Appeals

12 Regional Circuit Courts of Appeals  
1 U.S. Court of Appeals for the Federal  
Circuit

### Trial Courts

U.S. District Courts  
U.S. Bankruptcy Courts  
U.S. Court of International Trade  
U.S. Court of Federal Claims

### Other Judiciary Entities/Programs

Probation and Pretrial Services  
Defender Services  
Court Security  
Fees of Jurors and Commissioners  
Administrative Office of the U.S. Courts  
Federal Judicial Center  
Judiciary Trust Funds  
United States Sentencing Commission

The organization of the judiciary, the district and circuit boundaries, the places of holding court, and the number of federal judges are established by laws passed by Congress and signed by the President. The number of federal judges in each district and in the courts of appeals is authorized by Congress on the basis of workload.

In addition to the adjudication of cases, other related functions, such as the provision of criminal defense services and the supervision of offenders, are prescribed by statute. The following sections provide a brief overview of the work of the courts and other related activities of the Judicial Branch.

### **United States Supreme Court**

The United States Supreme Court consists of nine justices, one of whom is appointed as Chief Justice of the United States. The Supreme Court is the final arbiter in the federal court system.

### **United States Courts of Appeals**

There are 13 courts of appeals and 179 authorized appellate court judgeships nationwide. Twelve of the courts of appeals have jurisdiction over cases within a regional area or "circuit." The twelve regional courts of appeals review cases from the United States district courts and the United States Tax Court, and orders and decisions from a number of federal administrative agencies.

**The United States Court of Appeals for the Federal Circuit** has exclusive national jurisdiction over a large number of diverse subject areas, including international trade, government contracts, patents, trademarks, certain money claims against the

United States government, federal personnel, and veterans' benefits. Appeals to the court come from all 94 federal district courts, as well as the United States Court of Federal Claims, the United States Court of International Trade, and the United States Court of Appeals for Veterans' Claims.

### **United States District Courts**

There are 94 district judicial courts in the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the territories of Guam, the U.S. Virgin Islands and the Northern Mariana Islands. The U.S. District Courts are the courts of general jurisdiction in the federal court system, and most federal cases are initially tried and decided in these courts. There are 678 authorized district court judgeships nationwide.

The Federal Magistrates Act of 1968 created the office of magistrate judge to assist the district court judges. Magistrate judges are non-Article III judges appointed by the district judges, and they serve for a term of years rather than a lifetime appointment. Full-time magistrate judges serve a term of eight years and may be reappointed.

### **United States Bankruptcy Courts**

The bankruptcy courts are separate units of the district courts. Federal courts have exclusive jurisdiction over bankruptcy cases. This means that a bankruptcy case cannot be filed in a state court. United States bankruptcy judges are non-Article III judges appointed by the courts of appeals for a term of years rather than a lifetime appointment. They serve for a term of 14 years and may be reappointed.

### **United States Court of International Trade**

The Court of International Trade, with nine Article III judges, has exclusive nationwide jurisdiction of civil actions against the United States, its agencies and officers, and certain civil actions brought by the United States, arising out of import transactions and the administration and enforcement of the federal customs and international trade laws.

### **United States Court of Federal Claims**

The Court of Federal Claims has nationwide jurisdiction over certain types of claims against the federal government. Its 16 judges are appointed for a term of 15 years by the President with the advice and consent of the Senate. Judges appointed to the Court of Federal Claims are authorized under Article I of the constitution and do not have the tenure and salary protections of Article III judges.

### **Probation and Pretrial Services**

Federal probation and pretrial services officers protect the public through the investigation and supervision of defendants and offenders within the federal criminal justice system. A pretrial services officer supervises defendants awaiting trial who are released into our communities and provides a source of information upon which the court can determine conditions of release or detentions while criminal cases are pending adjudication. In support of sentencing determinations, which require both uniformity of practice and attention to individual circumstances, probation officers provide the court with reliable information concerning the offender, the victim, and the offense committed, as well as an impartial application of the sentencing

guidelines. Probation officers supervise offenders sentenced to probation as well as offenders coming out of federal prison who are required to serve a term of supervised release.

### **Defender Services**

The federal judiciary oversees and administers the federal defender and appointed counsel program, which provides legal representation and other services to persons financially unable to obtain counsel in criminal and related matters in federal court. The Sixth Amendment to the Constitution guarantees that “[i]n all criminal prosecutions the accused shall enjoy the right...to have the assistance of counsel for his defense.” The Criminal Justice Act provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private attorneys (“panel attorneys”) established by the court.

### **Court Security**

The judiciary’s Court Security appropriation funds protective guard services and security systems and equipment for United States courthouses and other facilities housing federal court operations. These services are contracted for and managed by the United States Marshals Service, with additional guard services provided by the Federal Protective Service.

### **Fees of Jurors and Commissioners**

The judiciary receives funding to provide for the statutory fees and allowances of federal grand and petit jurors and for the compensation of land commissioners.

### **Administrative Office of the U.S. Courts**

The Administrative Office of the U.S. Courts is the central support entity for the judicial branch. It has management oversight of the court security program, the probation and pretrial services program, and the defender services program. It supports the Judicial Conference of the United States in determining judiciary policies; develops new methods, systems, and programs for conducting the business of the federal courts efficiently and economically; develops and supports application of technology; collects and analyzes statistics on the business of the federal courts for accurate planning and decisions about resource needs; provides financial management services and personnel and payroll support; and conducts audits and reviews to ensure the continued quality and integrity of federal court operations.

### **Federal Judicial Center**

The Federal Judicial Center is the judiciary’s research and education agency. The Center undertakes research and evaluation of judicial operations and procedures for both the committees of the Judicial Conference and the courts themselves. It provides judges, court personnel, and others orientation and continuing education and training through seminars; curriculum units for in-court use; monographs and manuals; and audio, video, and interactive media programs.

### **Payment to Judiciary Trust Funds**

This appropriation finances annuity payments to retired bankruptcy judges and magistrate judges, U.S. Court of Federal Claims judges, and spouses and dependent children of deceased judicial officers.

### **U.S. Sentencing Commission**

The U.S. Sentencing Commission promulgates sentencing policies, practices, and guidelines for the federal criminal justice system. The Chair, three Vice Chairs, and three other voting commissioners are appointed by the President with the advice and consent of the Senate.



## Budget Summary - Details of Request

The judiciary's appropriation request for fiscal year 2011 totals \$7,329,485,000 an increase of \$468,740,000, or 6.8 percent over the fiscal year 2010 enacted appropriations. The fiscal year 2011 request provides for an additional 1,137 FTE to meet critical workload requirements, an increase of 3.3 percent over the 34,663 FTE funded in 2010.

### *Adjustments to Base*

\$385.3 million, or 82.2 percent of the \$468.7 million total increase requested, will provide for pay adjustments, inflation and other adjustments to base necessary to maintain current services.

Of these \$385.3 million in base adjustments:

1. An increase of \$172.3 million (44.7 percent of the base adjustments) will provide for inflationary pay and benefit rate increases, including the annualization of fiscal year 2010 pay adjustments, expected January 2011 pay adjustments, changes in health benefit premiums, changes in benefit costs for both judges and supporting personnel, cost-of-living rate increases for panel attorneys, and a wage rate adjustment for court security officers.
2. An increase of \$41.5 million (10.8 percent of base adjustments) will provide for the annualization of new staff and court security officers expected to be hired in fiscal year 2010 and new court security officers in fiscal year 2011.
3. An increase of \$39.0 million (10.1 percent of base adjustments) is requested for the annualization of new space delivered in fiscal year 2010 the cost of new space expected to be delivered in fiscal year 2011, and space related inflation.
4. An increase of \$28.6 million (7.4 percent of base adjustments) will provide for the cost of uncontrollable workload changes expected in the Defender Services account.
5. An increase of \$26.8 million (7.0 percent of base adjustments) will provide for inflationary increases in non-pay categories using the government wide inflation factor of 1.1 percent.
6. An increase of \$22.1 million (5.7 percent of base adjustments) will provide for additional requirements for high-threat trials anticipated in fiscal year 2011.
7. An increase of \$19.7 million (5.1 percent of base adjustments) is necessary to replace non-appropriated sources of funds used to support base requirements in fiscal year 2010 with direct appropriations. In fiscal year 2011, the judiciary expects fewer non-appropriated funds (current year fee collections and prior year unencumbered carryforward balances) will be available than were available in fiscal year 2010. If the judiciary's base appropriation is not adjusted to offset the loss in non-appropriated funds, reductions would have to be made in court operations, and court security systems and equipment. The judiciary will keep the Appropriations Subcommittees informed of any changes in these estimates.

8. An increase of \$13.0 million (3.4 percent of base adjustments) is associated with increases in the number of senior judges.
9. An increase of \$9.8 million (2.5 percent of base adjustments) is requested for adjustments above the fiscal year 2010 funded base for court security systems and equipment.
10. An increase of \$8.0 million (2.1 percent of base adjustments) is requested for payments to the Judiciary Retirement Trust Funds.
11. An increase of \$5.4 million (1.4 percent of base adjustments) will provide for estimated increases in Federal Protective Service security charges.
12. An increase of \$4.0 million (1.0 percent of base adjustment) is associated with an increase in the number of filled Article III judgeships.
13. An increase of \$3.8 million (1.0 percent of base adjustments) will provide for base increases necessary to support, maintain, and continue investments in the judiciary's information technology program.
14. An increase of \$0.2 million (0.1 percent of base adjustments) is associated with a projected net change in available jurors.

15. A net decrease of \$8.9 million (-2.3 percent of base adjustments) is associated with non-recurring costs for expenses related to the Supreme Court's building maintenance and modernization projects, filled fiscal year 2011 judgeships, a decrease to the reimbursement from the Vaccine Injury Trust Fund, and one-time costs in the Defender Services and Court Security accounts.

### ***Program Increases***

The remaining \$83.4 million, or 17.8 percent, of the total increase is requested for program enhancements and workload-related needs.

Of these \$83.4 million in program increases:

16. An increase of \$40.7 million (48.8 percent of program enhancements) will provide for additional support staff and associated costs. This increase is for staffing adjustments due to the most critical workload (483 FTE).
17. An increase of \$26.1 million (31.3 percent of program enhancements) will provide for telecommunications infrastructure and information technology enhancements.
18. An increase of \$6.3 million (7.5 percent of program enhancements) will provide for the Supreme Court's roof system repairs.

19. An increase of \$4.8 million (5.7 percent of program enhancements) will provide for an increase in the non-capital panel attorney rate to the statutorily authorized rate of \$141 per hour.
20. An increase of \$3.0 million (5.7 percent of program enhancements) will provide for 6 additional magistrate judges and associated staff (27 FTE) in districts with growing caseload.
21. An increase of \$0.9 million (1.1 percent of program enhancements) will provide for necessary investments in court security, such as a national contract for vehicle barrier maintenance, and a facial recognition pilot program.
22. An increase of \$0.9 million (1.1 percent of program enhancements) will provide for twelve new police officers (9 FTE) and support expenses at the Supreme Court.
23. An increase of \$0.4 million (0.5 percent of program enhancements) will provide for education and training program enhancements at the Federal Judicial Center.
24. An increase of \$0.3 million (0.4 percent of program enhancements) will provide for the start-up costs associated with one new defender organization.

The tables on pages 9 through 12, and the individual account summaries, provide detailed information on the judiciary's fiscal year 2011 request.

### **Appropriation Language Changes**

The judiciary proposes the following changes to the appropriation language for fiscal year 2011:

*Court of Appeals, District Courts, and Other Judicial Services*  
Defender Services

There are no changes in appropriations language, however, updates are made to specific citation references to be most accurate and uniform.

### **General Provision Changes**

**The judiciary proposed new language in the following general provisions:**

New Section 307: The proposed language would allow federal judges to receive the same automatic annual cost-of-living adjustments, currently authorized by section 461 of title 28 of the United States Code, that members of Congress are authorized to receive.

**The judiciary proposes re-authorization or extension of the following general provisions:**

Section 305: The proposed language would continue to give the Judicial Branch the same authority as the Executive Branch to contract directly for space alteration projects not exceeding \$100,000 without having to go through GSA.

Old Section 306: The proposed language re-authorizes the pilot program for the U.S. Marshals Service to provide perimeter security at a select number of primary courthouses for fiscal year 2011.

**The judiciary proposes to delete the following general provisions:**

Old Section 307: The language was enacted on December 16, 2009 (P.L 111-117, the Consolidated Appropriations Act, 2010), because Congress did not enact a Judgeship bill in 2009 that would have extended these temporary judgeships. It is proposed for deletion because the Judiciary is hopeful a Judgeship bill will be enacted during fiscal year 2010.



## Judiciary Appropriation Funding (\$000)

Appropriation Account	FY 2009 Actual			FY 2010 Available			FY 2011 Request		
	Mandatory <sup>1</sup>	Discretionary <sup>2</sup>	Total	Mandatory <sup>3</sup>	Discretionary	Total	Mandatory	Discretionary <sup>4</sup>	Total
<b>U.S. Supreme Court</b>									
Salaries & Expenses	\$2,119	\$67,658	\$69,777	\$2,166	\$71,868	\$74,034	\$2,197	\$75,561	\$77,758
Care of the Building and Grounds	\$0	\$18,447	\$18,447	\$0	\$14,525	\$14,525	\$0	\$14,788	\$14,788
<b>U. S. Court of Appeals for the Federal Circuit</b>	\$2,356	\$28,028	\$30,384	\$2,491	\$30,069	\$32,560	\$2,502	\$33,357	\$35,859
<b>U.S. Court of International Trade</b>	\$1,696	\$17,909	\$19,605	\$1,715	\$19,635	\$21,350	\$1,851	\$20,417	\$22,268
<b>Courts of Appeals, District Courts &amp; Other Judicial Services</b>									
Salaries & Expenses Direct	\$323,911	\$4,487,458	\$4,811,369	\$340,000	\$4,671,018	\$5,011,018	\$332,565	\$4,977,216	\$5,309,781
<i>Vaccine Injury Trust Fund</i>	\$0	\$4,253	\$4,253	\$0	\$5,428	\$5,428	\$0	\$4,785	\$4,785
<i>Salaries and Expenses Total</i>	\$323,911	\$4,491,711	\$4,815,622	\$340,000	\$4,676,446	\$5,016,446	\$332,565	\$4,982,113	\$5,314,566
Defender Services	\$0	\$849,400	\$849,400	\$0	\$977,748	\$977,748	\$0	\$1,081,195	\$1,081,195
Fees of Jurors & Commissioners	\$0	\$62,206	\$62,206	\$0	\$61,861	\$61,861	\$0	\$64,108	\$64,108
Court Security	\$0	\$428,858	\$428,858	\$0	\$452,607	\$452,607	\$0	\$495,038	\$495,038
<b>Subtotal, CADCOJS</b>	\$323,911	\$5,832,175	\$6,156,086	\$340,000	\$6,168,662	\$6,508,662	\$332,565	\$6,622,454	\$6,954,907
Administrative Office of the U.S. Courts	\$0	\$79,049	\$79,049	\$0	\$83,075	\$83,075	\$0	\$87,255	\$87,255
Federal Judicial Center	\$0	\$25,725	\$25,725	\$0	\$27,328	\$27,328	\$0	\$28,694	\$28,694
Judiciary Retirement Funds	\$76,140	\$0	\$76,140	\$82,374	\$0	\$82,374	\$90,361	\$0	\$90,361
U.S. Sentencing Commission	\$0	\$16,225	\$16,225	\$0	\$16,837	\$16,837	\$0	\$17,595	\$17,595
<i>Direct</i>	\$406,222	\$6,080,963	\$6,487,185	\$428,746	\$6,426,571	\$6,855,317	\$429,476	\$6,895,224	\$7,324,700
<i>Vaccine Injury Trust Fund</i>	\$0	\$4,253	\$4,253	\$0	\$5,428	\$5,428	\$0	\$4,785	\$4,785
<b>Total</b>	\$406,222	\$6,085,216	\$6,491,438	\$428,746	\$6,431,999	\$6,860,745	\$429,476	\$6,900,009	\$7,329,485

<sup>1</sup> For FY 2009, the enacted mandatory level is \$406,222 and the actual mandatory level is \$402,103.

<sup>2</sup> FY 2009 discretionary appropriations includes \$10.0 million in the Salaries and Expenses total in emergency appropriations from the War Supplemental.

<sup>3</sup> FY 2010 mandatory amounts reflect the enacted appropriation level.

<sup>4</sup> FY 2011 discretionary amounts include a fiscal year 2011 cost-of-living adjustment for judges.

**The Judiciary**  
**Summary of FTE**

Appropriation	FY 2009 Actual	FY 2010 Available	FY 2011 Request	Increase over FY 2010
<b>Supreme Court</b>	523	533	543	10
<i>Salaries and Expenses</i>	480	485	494	9
<i>Building and Grounds</i>	43	48	49	1
<b>Court of Appeals for the Federal Circuit</b>	142	154	163	9
<b>Court of International Trade</b>	76	80	80	0
<b>Courts of Appeals, District Courts, and other Judicial Services</b>	32,185	33,009	34,123	1,114
<i>Salaries and Expenses</i>	29,569	30,203	31,201	998
<i>Defender Services</i>	2,568	2,736	2,849	113
<i>Fees of Jurors &amp; Commissioners</i>	0	0	0	0
<i>Court Security</i>	48	70	73	3
<b>Administrative Office of the United States Courts</b>	631	639	641	2
<b>Federal Judicial Center</b>	141	138	140	2
<b>Judicial Retirement Funds</b>	0	0	0	0
<b>United States Sentencing Commission</b>	103	110	110	0
<b>Total, Judiciary<sup>1</sup></b>	33,801	34,663	35,800	1,137

<sup>1</sup> The Judiciary totals do not reflect reimbursable positions (277 in FY 2009; 283 in FY 2010; and 286 in FY 2011).

FY 2011 Summary of Requested Changes	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES																										
	Supreme Court		Federal Circuit		International Trade		Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners		Court Security		Subtotal		Administrative Office		Fed. Judicial Center		Judiciary Trust Funds		Sentencing Commission		Total Judiciary <sup>1</sup>		
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTEs	(\$000)	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2010 Enacted Appropriation	533	88,559	154	32,560	80	21,350	30,203	5,011,018	2,736	977,748		61,861	70	452,607	33,009	6,503,234	639	83,075	138	27,328	82,374	110	16,837	34,663	6,855,317		
FY 2010 Vaccine Injury Trust Fund	-	-	-	-	-	-	-	5,428	-	-	-	-	-	-	-	5,428	-	-	-	-	-	-	-	-	-	5,428	
<b>FY 2010 Available Appropriation</b>	<b>533</b>	<b>88,559</b>	<b>154</b>	<b>32,560</b>	<b>80</b>	<b>21,350</b>	<b>30,203</b>	<b>5,016,446</b>	<b>2,736</b>	<b>977,748</b>		<b>61,861</b>	<b>70</b>	<b>452,607</b>	<b>33,009</b>	<b>6,508,662</b>	<b>639</b>	<b>83,075</b>	<b>138</b>	<b>27,328</b>	<b>82,374</b>	<b>110</b>	<b>16,837</b>	<b>34,663</b>	<b>6,860,745</b>		
<b>FY 2011 Adjustments to Base</b>																											
Judges:																											
- Pay and benefit cost adjustments	-	23	-	35	-	23	-	6,883	-	-	-	-	-	-	-	6,883	-	-	-	-	-	-	-	-	-	6,964	
- Additional senior judges	-	-	-	-	-	-	108	13,029	-	-	-	-	-	-	108	13,029	-	-	-	-	-	-	-	-	108	13,029	
- Increase in average number of filled Article III judgeships	-	-	-	-	-	-	32	4,024	-	-	-	-	-	-	32	4,024	-	-	-	-	-	-	-	-	32	4,024	
- Non-recurring costs of new 2010 judges	-	-	-	-	-	-	-	(874)	-	-	-	-	-	-	-	(874)	-	-	-	-	-	-	-	-	-	(874)	
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7,987	-	-	-	-	7,987	
Court Personnel																											
- Pay and benefit cost adjustments	-	2,611	-	458	-	-	-	96,997	-	13,182	-	-	-	278	-	110,457	-	3,717	-	667	-	-	621	-	-	118,531	
- Pay adjustments for panel attorneys (to \$126/hour and \$179/hour)	-	-	-	-	-	329	-	-	-	33,151	-	-	-	-	-	33,151	-	-	-	-	-	-	-	-	-	33,480	
Other Changes																											
- Reduction for non-recurring costs	-	(6,200)	-	-	-	-	-	-	(300)	-	-	-	(885)	-	(1,185)	-	-	-	-	-	-	-	-	-	-	(7,385)	
- Financing adj. necessary to maintain current services	-	-	-	-	-	-	-	18,099	(3,633)	451	5,000	-	19,917	-	(219)	-	-	-	-	-	-	-	-	-	-	19,698	
- Inflation (non-space-related)	-	282	-	80	-	284	-	23,697	1,689	442	64	-	25,892	-	65	-	94	-	-	-	-	-	137	-	-	26,834	
- Vaccine Injury Trust Fund adjustment	-	-	-	-	-	-	-	(643)	-	-	-	-	-	-	-	(643)	-	-	-	-	-	-	-	-	-	(643)	
- Space related costs (includes inflation for space rental rates)	-	-	-	787	-	228	-	36,698	1,174	-	-	-	140	-	38,012	-	-	-	-	-	-	-	-	-	-	39,027	
- Information technology adjustments for ongoing operations	-	-	-	-	-	-	-	3,473	-	-	-	-	-	-	3,473	-	330	-	-	-	-	-	-	-	-	3,803	
- Annualization of new FY 2010 positions	-	-	3	377	-	-	360	29,097	54	8,910	-	-	-	-	414	38,007	-	2	195	-	-	-	-	419	38,579		
- Defender Services workload increase	-	-	-	-	-	-	-	59	28,598	-	-	-	-	-	59	28,598	-	-	-	-	-	-	-	-	-	28,598	
- Change in available jurors	-	-	-	-	-	-	-	-	-	-	174	-	-	-	-	174	-	-	-	-	-	-	-	-	-	174	
- FPS security service charges	-	-	-	-	-	54	-	-	-	-	-	-	5,385	-	5,385	-	-	-	-	-	-	-	-	-	-	5,439	
- FY 2011 court security officer wage adjustments	-	-	-	-	-	-	-	-	-	-	-	-	13,295	-	13,295	-	-	-	-	-	-	-	-	-	-	13,295	
- Annualization of new FY 2010 court security officers	-	-	-	-	-	-	-	-	-	-	-	-	832	-	832	-	-	-	-	-	-	-	-	-	-	832	
- Additional court security officers in FY 2011	-	-	-	-	-	-	-	-	-	-	-	-	2,071	-	2,071	-	-	-	-	-	-	-	-	-	-	2,071	
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	-	-	-	-	-	9,774	-	9,774	-	-	-	-	-	-	-	-	-	-	9,774	
- Additional requirements for high-threat trials	-	-	-	-	-	-	-	-	15,600	-	1,180	-	5,285	-	22,065	-	-	-	-	-	-	-	-	-	-	22,065	
Subtotal, FY 2011 Adjustments to Base		<b>(3,284)</b>	<b>3</b>	<b>1,737</b>		<b>918</b>	<b>500</b>	<b>230,480</b>	<b>113</b>	<b>98,371</b>		<b>2,247</b>		<b>41,239</b>	<b>613</b>	<b>372,337</b>		<b>3,893</b>	<b>2</b>	<b>956</b>	<b>7,987</b>		<b>758</b>	<b>618</b>	<b>385,302</b>		
<b>FY 2011 Adjusted Base</b>	<b>533</b>	<b>85,275</b>	<b>157</b>	<b>34,297</b>	<b>80</b>	<b>22,268</b>	<b>30,703</b>	<b>5,246,926</b>	<b>2,849</b>	<b>1,076,119</b>		<b>64,108</b>	<b>70</b>	<b>493,846</b>	<b>33,622</b>	<b>6,880,999</b>	<b>639</b>	<b>86,968</b>	<b>140</b>	<b>28,284</b>	<b>90,361</b>	<b>110</b>	<b>17,595</b>	<b>35,281</b>	<b>7,246,047</b>		
<b>FY 2010 Program Increases</b>																											
Judges:																											
- Magistrate judges and staff	-	-	-	-	-	-	27	2,961	-	-	-	-	-	-	27	2,961	-	-	-	-	-	-	-	-	-	27	2,961
Court Personnel and Programs:																											
- New court support staff for workload increases	-	-	-	-	-	-	471	39,679	-	-	-	-	-	-	471	39,679	-	-	-	-	-	-	-	-	-	471	39,679
- Telecommunications infrastructure enhancements	-	-	-	-	-	-	-	25,000	-	-	-	-	-	-	-	25,000	-	-	-	-	-	-	-	-	-	25,000	
- Information technology enhancements	-	-	-	1,106	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,106	
- Increase in non-capital rate from \$126 to \$141 per hour	-	-	-	-	-	-	-	-	4,776	-	-	-	-	-	4,776	-	-	-	-	-	-	-	-	-	-	4,776	
- New federal defender organization	-	-	-	-	-	-	-	-	300	-	-	-	-	-	300	-	-	-	-	-	-	-	-	-	-	300	
- Five new judiciary-funded USMS positions	-	-	-	-	-	-	-	-	-	-	3	309	-	3	309	-	-	-	-	-	-	-	-	-	-	3	309
- National contract for vehicle barrier maintenance	-	-	-	-	-	-	-	-	-	-	-	-	683	-	683	-	-	-	-	-	-	-	-	-	-	683	
- Facial recognition system (pilot)	-	-	-	-	-	-	-	-	-	-	-	200	-	-	200	-	-	-	-	-	-	-	-	-	-	200	
- Twelve new police officers	9	646	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9	646	
- Support expenses for new police officers	-	240	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	240	
- Additional personnel	1	85	3	340	-	-	-	-	-	-	-	-	-	-	-	-	2	287	-	-	-	-	-	-	-	6	712
- Roof system repairs	-	6,300	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6,300	
- Education and training program enhancements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	410	
- Internship program	-	-	3	116	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	116
Subtotal, FY 2011 Program Increases	<b>10</b>	<b>7,271</b>	<b>6</b>	<b>1,562</b>			<b>498</b>	<b>67,640</b>		<b>5,076</b>		<b>3</b>	<b>1,192</b>	<b>501</b>	<b>73,908</b>	<b>2</b>	<b>287</b>		<b>410</b>					<b>519</b>	<b>83,438</b>		
<b>Total Increases Requested, FY 2011</b>	<b>10</b>	<b>3,987</b>	<b>9</b>	<b>3,299</b>		<b>918</b>	<b>998</b>	<b>298,120</b>	<b>113</b>	<b>103,447</b>		<b>2,247</b>	<b>3</b>	<b>42,431</b>	<b>1,114</b>	<b>446,245</b>	<b>2</b>	<b>4,180</b>	<b>2</b>	<b>1,366</b>	<b>7,987</b>		<b>758</b>	<b>1,137</b>	<b>468,740</b>		
<b>FY 2011 Appropriation Request</b>	<b>543</b>	<b>92,546</b>	<b>163</b>	<b>35,859</b>	<b>80</b>	<b>22,268</b>	<b>31,201</b>	<b>5,314,566</b>	<b>2,849</b>	<b>1,081,195</b>		<b>64,108</b>	<b>73</b>	<b>495,038</b>	<b>34,123</b>	<b>6,954,907</b>	<b>641</b>	<b>87,255</b>	<b>140</b>	<b>28,694</b>	<b>90,361</b>	<b>110</b>	<b>17,595</b>	<b>35,800</b>	<b>7,329,485</b>		

<sup>1</sup> The Judiciary FTE totals do not reflect reimbursable positions (283 in FY 2010; and 286 in FY 2011).

**THE JUDICIARY**

**Outlays - FY 2009 to FY 2011**

(Dollars in Thousands)

Appropriation	FY 2009	FY 2010 1/	FY 2011 1/	Outlay Spendout Rates		
				YR 1	YR 2	YR 3
<b>Supreme Court</b>						
Discretionary	63,612	69,404	74,865	80%	20%	0%
Mandatory	2,119	2,174	2,197	100%	0%	0%
<b>Total, Salaries and Expenses</b>	<b>65,731</b>	<b>71,578</b>	<b>77,062</b>			
<b>Buildings and Grounds</b>	<b>24,631</b>	<b>24,679</b>	<b>24,588</b>	68%	12%	20%
<b>Court of Appeals for the Federal Circuit</b>						
Discretionary	25,324	31,689	32,614	80%	20%	0%
Mandatory	2,458	2,491	2,502	100%	0%	0%
<b>Total, Court of Appeals for the Federal Circuit</b>	<b>27,782</b>	<b>34,180</b>	<b>35,116</b>			
<b>Court of International Trade</b>						
Discretionary	17,652	20,124	20,596	95%	5%	0%
Mandatory	1,696	1,845	1,851	100%	0%	0%
<b>Total, Court of International Trade</b>	<b>19,348</b>	<b>21,969</b>	<b>22,447</b>			
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>						
Salaries and Expenses - Discretionary	4,459,497	4,831,328	4,961,168	93%	7%	0%
Salaries and Expenses - Mandatory	319,689	325,284	332,565	100%	0%	0%
<b>Total, Salaries and Expenses</b>	<b>4,779,186</b>	<b>5,156,612</b>	<b>5,293,733</b>			
<b>Defender Services</b>	<b>888,525</b>	<b>988,146</b>	<b>1,078,207</b>	97%	3%	0%
<b>Fees of Jurors &amp; Commissioners</b>	<b>62,374</b>	<b>63,652</b>	<b>66,276</b>	99.5%	0.5%	0%
<b>Court Security</b>	<b>410,197</b>	<b>453,510</b>	<b>479,390</b>	63.3%	36.7%	0%
<b>Total, Courts of Appeals, District Courts, and Other Judicial Services</b>	<b>6,140,282</b>	<b>6,661,920</b>	<b>6,917,606</b>			
<b>Administrative Office of the United States Courts</b>	<b>81,625</b>	<b>82,686</b>	<b>86,780</b>	94%	6%	0%
<b>Federal Judicial Center</b>	<b>25,123</b>	<b>26,857</b>	<b>27,394</b>	95%	5%	0%
<b>Judicial Retirement Funds (MANDATORY)</b>	<b>76,140</b>	<b>82,374</b>	<b>90,361</b>	100%	0%	0%
<b>United States Sentencing Commission</b>	<b>15,329</b>	<b>16,214</b>	<b>17,939</b>	85%	15%	0%
Subtotal, Discretionary	6,073,889	6,608,289	6,869,817			
Subtotal, Mandatory	402,103	414,168	429,476			
<b>Total, Judiciary</b>	<b>6,475,992</b>	<b>7,022,457</b>	<b>7,299,293</b>			

1/ Mandatory amounts for fiscal years 2010 and 2011 reflect planned outlay levels.

**Fiscal Year 2011 Request  
Summary by Appropriation**



**U.S. Supreme Court  
Salaries and Expenses**

**Program Increases**

<b>FY 2011 Request - U. S. Supreme Court, Salaries and Expenses</b>		
	<u><b>FTE</b></u>	<u><b>\$(000)</b></u>
<b>FY 2010 Enacted Appropriation</b>	485	74,034
<b>Adjustments to Base</b>		2,838
<b>Program Increases:</b>		
Twelve New Police Officer Positions	9	646
Support Expenses for New Police Officers		240
<b>FY 2011 Appropriation</b>	<b>494</b>	<b>\$77,758</b>

**1. Police Officers Positions: \$646,000 FTE 9**

The Court is requesting \$646,000 for twelve new police officer positions (9 FTE) funded for nine months. These additional police officers will be required to fully staff the six new posts that will be established when the entrances and driveways are opened due to the completion of the Court's modernization project, and to staff the new command center which is operational 24 hours a day, 7 days a week.

**2. Support Expenses for New Police Officers: \$240,000**

The Court is requesting \$240,000 to cover training, supplies, and equipment costs related to the 12 additional police officer positions.

**Budget Summary**

The Supreme Court requests \$77.8 million for its Salaries and Expenses account in fiscal year 2011, a 5.0 percent increase over the fiscal year 2010 enacted appropriation.

**Adjustments to Base**

This request includes \$2.8 million comprised of pay and benefits increases to maintain the fiscal year 2010 current services level and costs for communications, service agreements, and supplies.

**U.S. Supreme Court - Salaries and Expenses**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	51,831	58,246	61,494	3,248
Rent, Communications and Utilities	855	930	915	(15)
Travel	429	485	491	6
Other	14,460	14,373	14,858	485
<b>Total Obligations</b>	<b>67,575</b>	<b>74,034</b>	<b>77,758</b>	<b>3,724</b>
Financing Adjustment	2,202	0	0	0
<b>Available Appropriation</b>	<b>69,777</b>	<b>74,034</b>	<b>77,758</b>	<b>3,724</b>



**U.S. Supreme Court**  
***Care of the Building and Grounds***

<b>FY 2011 Request - U.S. Supreme Court, Care of the Building and Grounds</b>		
	<u>FTE</u>	<u>\$(000)</u>
<b>FY 2010 Enacted Appropriation</b>	48	14,525
<b>Adjustments to Base</b>		(6,122)
<b>Program Increases:</b>		
Maintenance mechanic supervisor	0.5	48
Building services coordinator	0.5	37
Roof system repairs		6,300
<b>FY 2011 Appropriation</b>	<b>49</b>	<b>\$14,788</b>

**Budget Summary**

The Supreme Court requests \$14.8 million for its Care of the Building and Grounds account in fiscal year 2011, a 1.8 percent increase over the fiscal year 2010 enacted appropriation. The fiscal year 2011 request includes an increase of 1 FTE above the fiscal year 2010 level. It also includes funding for the final phase to repair the roof of the Supreme Court building.

**Adjustments to Base**

The Supreme Court, Care of Building and Grounds, fiscal year 2011 budget request includes a net decrease of \$6.1 million in adjustments to base, which includes an increase of \$0.1 million for standard pay and other inflationary adjustments, and a decrease of \$6.2 million for projects funded in fiscal year 2010.

**Program Increases**

1. ***Maintenance Mechanic Supervisor Position:***  
**\$48,000** **FTE 0.5**

The Court requests \$48,000 for a maintenance mechanic supervisor position. This position is needed to provide supervision of a newly established evening shift in support of additional and significant preventative maintenance services for all dynamic equipment in the pipefitting, HVAC, and electrical trade disciplines.

2. ***Building Service Coordinator Position:***  
**\$37,000** **FTE 0.5**

The Court requests \$37,000 for a building services coordinator position. This position is needed to support the Facilities Service Center.

**3. *Roof System Repairs: \$6.3 million***

The requested increase of \$6,300,000 provides funding for the final phase required to repair deteriorated roof components of the Supreme Court building. The estimated project cost of the roof system repairs totals \$13,800,000.

**U.S. Supreme Court - Care of the Building and Grounds  
Comparative Summary of Obligations by Category  
(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	3,500	3,841	3,948	107
Rent, Communications and Utilities	3,127	3,032	3,032	0
Other	8,610	11,317	12,360	1,043
<b>Total Obligations</b>	<b>15,237</b>	<b>18,190</b>	<b>19,340</b>	<b>1,150</b>
Financing Adjustment	3,210	(3,665)	(4,552)	(887)
<b>Available Appropriation</b>	<b>18,447</b>	<b>14,525</b>	<b>14,788</b>	<b>263</b>



## United States Court of Appeals for the Federal Circuit

<b>FY 2011 Request - Court of Appeals for the Federal Circuit</b>		
	<u>FTE</u>	<u>\$(000)</u>
<b>FY 2010 Enacted Appropriation</b>	154	\$32,560
<b>Adjustments to Base</b>	3	1,737
<b>Program Increases:</b>		
Five new positions	3	340
Information technology enhancements		1,106
Internship program	3	116
<b>FY 2011 Appropriation</b>	<b>163</b>	<b>\$35,859</b>

### Budget Summary

The Court of Appeals for the Federal Circuit requests \$35.9 million in fiscal year 2011, a 10.1 percent increase over the fiscal year 2010 enacted appropriation. This request continues the Court's efforts to keep up with its varied and growing subject-matter jurisdiction.

### Adjustments to Base

The Court's adjustments to base for fiscal year 2011 total \$1.7 million to provide for standard pay and other inflationary adjustments, rental costs associated with GSA space, and to annualize 6 staff positions for senior judges (3 FTE) expected to be hired in fiscal year 2010.

### Program Increases

**1. Five new positions: \$340,000 FTE 3**

The court requests \$340,000 to fund five support staff positions in fiscal year 2011. These include a technical assistant, a staff attorney, a library technician, an information technology help desk assistant, and a mail room clerk/courtroom deputy. The requested amount will cover salaries and benefits for each position for six months in fiscal year 2011.

**2. Information Technology Enhancements: \$1.1 million**

IT infrastructure equipment, maintenance and service for off-site leased space: This request includes \$130,000 to provide the necessary funding to support the information technology infrastructure requirements at the court's new off-site space for senior judges. New information technology infrastructure will be required to provide the same level of service and access to those existing services which are still located in the main building.

Switch upgrade: This request includes \$626,000 to upgrade and replace the court's existing HP ProCurve switches with Cisco switches. The proposed Cisco network equipment is similar to that used by other courts and by the Administrative Office of the United States Courts. Aside from the opportunity to standardize the court's equipment with the rest of the judiciary, the Cisco equipment incorporates technologies and industry standards that have been developed in the three years since the existing HP switches were designed. The requested funds will enable the court to purchase and install new switches in fiscal year 2011.

Contractual facilitator for conversion to CM/ECF: This request includes \$100,000 to hire a contractor to facilitate the court's transition to the case management/electronic case filing (CM/ECF) system already in use by the majority of courts throughout the judiciary. The court estimates that these contractor services will be critical to the successful implementation of the new software that would enable the court to automate its operations.

Virtualization software: This request includes \$250,00 to purchase Virtualization Software (also known as VMware). VMware is the leading industry standard software for server virtualization and management. Virtualization would dramatically improve the efficiency and availability of resources and applications for the court.

**3. Internship program: \$116,000**

**FTE 3**

The court requests \$116,000 to fund six positions (3 FTE) and salaries to implement a formal internship program. The internship program's mission is to introduce local college and university students and recent graduates to the administrative functions of the Clerk's Office, the Office of the Senior Staff Attorney, the Circuit Library, the Administrative Services Office, and the Information Technology Office, as well as to provide these students and recent graduates with practical job experience for potential administrative careers in the judiciary.

**U.S. Court of Appeals for the Federal Circuit  
Comparative Summary of Obligations by Category  
(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	17,289	19,924	21,250	1,326
Rent, Communications and Utilities	5,294	5,438	7,145	1,707
Travel	119	120	122	2
Other	7,525	7,230	7,388	158
<b>Total Obligations</b>	<b>30,227</b>	<b>32,712</b>	<b>35,905</b>	<b>3,193</b>
Financing Adjustment	157	(152)	(46)	106
<b>Available Appropriation</b>	<b>30,384</b>	<b>32,560</b>	<b>35,859</b>	<b>3,299</b>





## United States Court of International Trade

<b>FY 2011 Request U.S. Court of International Trade</b>		
	<b><u>FTE</u></b>	<b><u>\$(000)</u></b>
<b>FY 2010 Enacted Appropriation</b>	<b>80</b>	<b>\$21,350</b>
<b>Adjustments to Base</b>		<b>918</b>
<b>FY 2011 Appropriation</b>	<b>80</b>	<b>\$22,268</b>

### **Budget Summary**

The Court of International Trade requests \$22.3 million in fiscal year 2011, a 4.3 percent increase over the fiscal year 2010 enacted appropriation.

### **Adjustments to Base**

The Court's adjustments to base for fiscal year 2011 total \$0.9 million for standard pay and other inflationary adjustments. The Court requests no program increases.

**U.S. Court of International Trade**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2009 Actual	FY 2010 Plan	FY 2011 Request	Requested Increase/Decrease
Compensation and Benefits	8,877	9,790	10,142	352
Rent, Communications and Utilities	7,661	9,313	9,544	231
Travel	109	144	145	1
Other	2,704	2,743	2,721	(22)
<b>Total Obligations</b>	<b>19,351</b>	<b>21,990</b>	<b>22,552</b>	<b>562</b>
Financing Adjustment	254	(640)	(284)	356
<b>Available Appropriation</b>	<b>19,605</b>	<b>21,350</b>	<b>22,268</b>	<b>918</b>

## COURTS OF APPEALS, DISTRICT COURTS AND OTHER JUDICIAL SERVICES

### Summary of the Fiscal Year 2011 Budget Request

The *Courts of Appeals, District Courts, and Other Judicial Services* accounts fund most of the day-to-day operations and activities of the federal courts. The four accounts under this heading include:

- ◆ **Salaries and Expenses**, which funds the operating costs of appellate, district and bankruptcy courts, and probation and pretrial services offices;
- ◆ **Defender Services**, which funds the necessary expenses to provide defense representation under the Criminal Justice Act (CJA) for persons financially unable to obtain defense counsel;
- ◆ **Fees of Jurors and Commissioners**, which funds the fees and allowances of grand and petit jurors, and the compensation of jury and land commissioners; and
- ◆ **Court Security**, which provides for the necessary expenses to provide protective guard services and security equipment for judiciary facilities.

#### The Fiscal Year 2011 Budget Request

The Judicial Conference requests \$6,954.9 million in appropriations in fiscal year 2011 for these four accounts, an increase of \$446.2 (6.9 percent) over fiscal year 2010 enacted appropriations of \$6,508.7 million. The following table details the fiscal year 2010 enacted appropriations and fiscal year 2011 requested appropriations levels for the four accounts.

The \$446.2 million increase in appropriations includes funding for 1,114 additional FTE, and is comprised of standard adjustments to base totaling \$372.3 million and 613 FTE, and program increases totaling \$73.9 million and 501 FTE. The table on page 28 summarizes the requested changes for each account.

#### Appropriations for the *Courts of Appeals, District Courts, and Other Judicial Services*

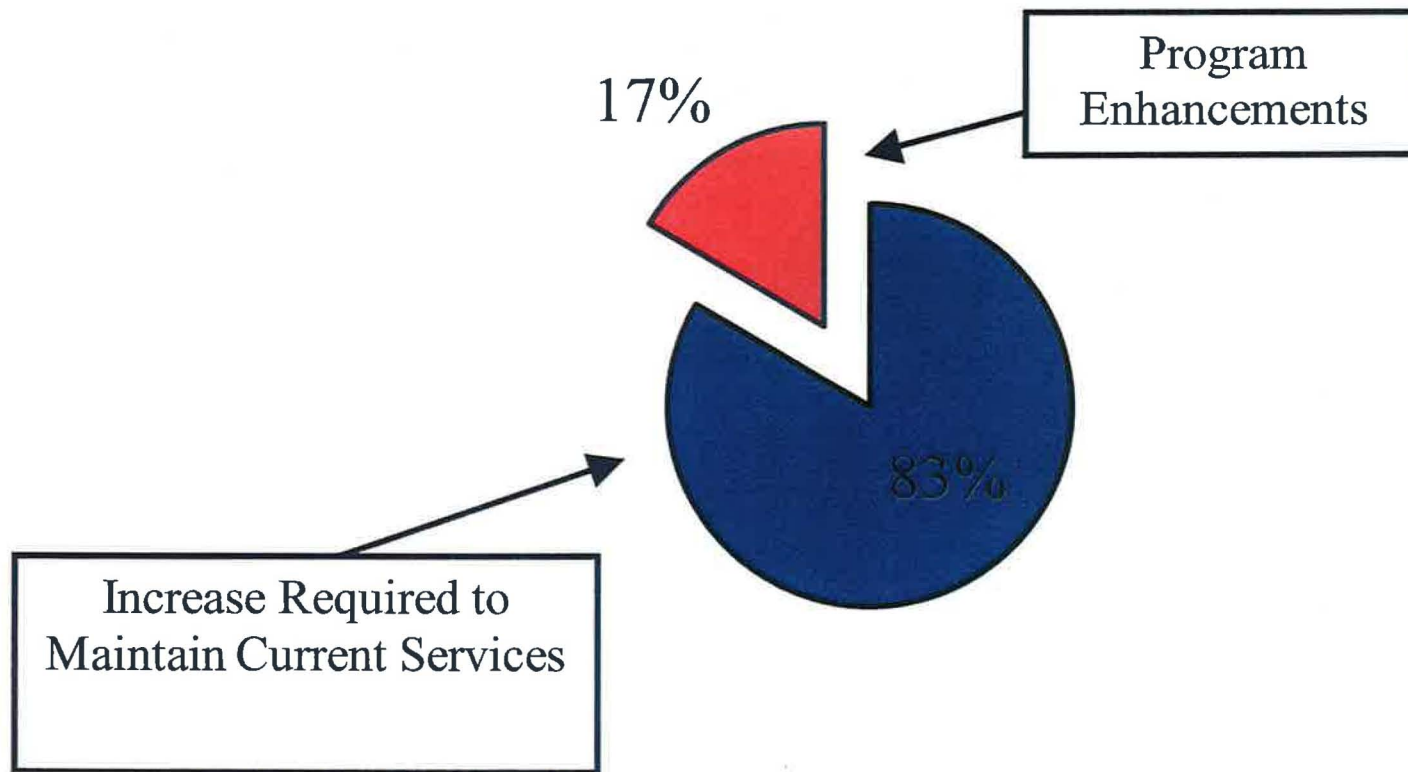
(\$000)	FY 2010 Available Appropriation	FY 2011 Request	Increase over FY 2010	% Change
Salaries and Expenses 1/	\$5,016,446	\$5,314,566	\$ 298,120	5.9%
Defender Services	\$977,748	\$1,081,195	\$ 103,447	10.6%
Fees of Jurors	\$61,861	\$64,108	\$ 2,247	3.6%
Court Security	\$452,607	\$495,038	\$ 42,431	9.4%
<b>Total</b>	<b>\$6,508,662</b>	<b>\$6,954,907</b>	<b>\$ 446,245</b>	<b>6.9%</b>

1/ Salaries and Expenses includes funds from the Vaccine Injury Trust Fund.

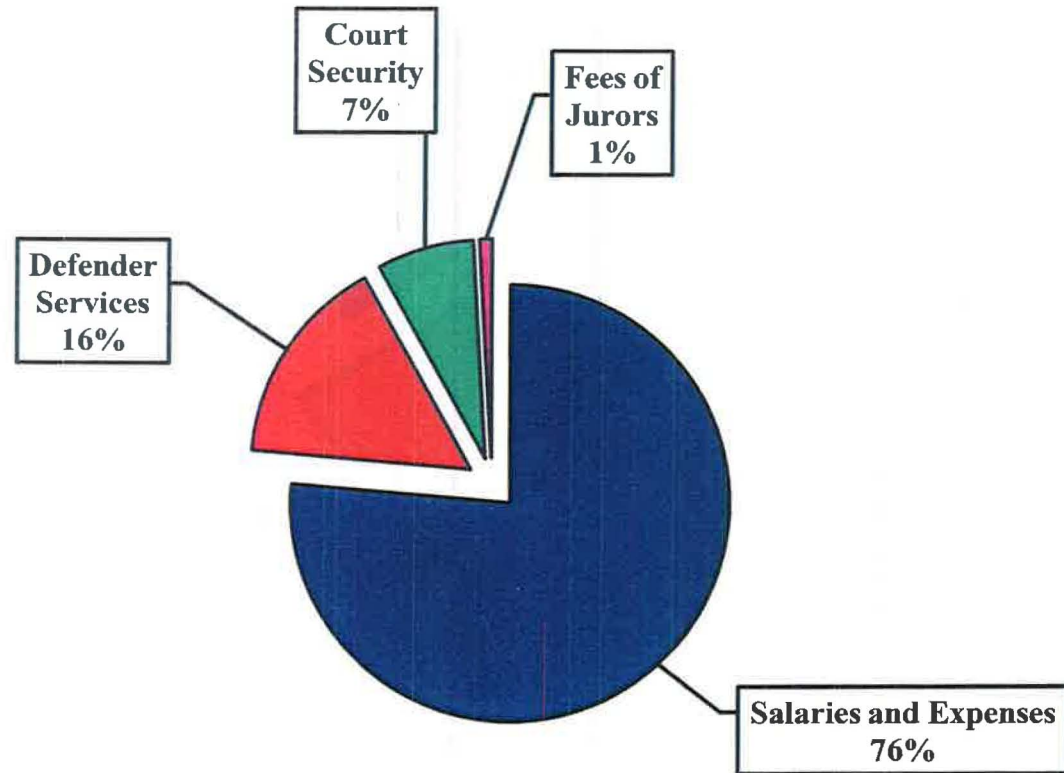
FY 2011 Summary of Requested Changes	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES								
	Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners	Court Security		Total Court of Appeals, District Courts, and Other Judicial Services <sup>1</sup>	
	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2010 Enacted Appropriation	30,203	5,011,018	2,736	977,748	61,861	70	452,607	33,009	6,503,234
FY 2010 Vaccine Injury Trust Fund	-	5,428	-	-	-	-	-	-	5,428
<b>FY 2010 Available Appropriation</b>	<b>30,203</b>	<b>5,016,446</b>	<b>2,736</b>	<b>977,748</b>	<b>61,861</b>	<b>70</b>	<b>452,607</b>	<b>33,009</b>	<b>6,508,662</b>
<b>FY 2011 Adjustments to Base</b>									
Judges:									
- Pay and benefit cost adjustments	-	6,883	-	-	-	-	-	-	6,883
- Additional senior judges	108	13,029	-	-	-	-	-	108	13,029
- Increase in average number of filled Article III judgeships	32	4,024	-	-	-	-	-	32	4,024
- Non-recurring costs of new 2010 judges	-	(874)	-	-	-	-	-	-	(874)
Court Personnel									
- Pay and benefit cost adjustments	-	96,997	-	13,182	-	-	278	-	110,457
- Pay adjustments for panel attorneys (to \$126/hour and \$179/hour)	-	-	-	33,151	-	-	-	-	33,151
Other Changes									
- Reduction for non-recurring costs	-	-	-	(300)	-	-	(885)	-	(1,185)
- Financing adj. necessary to maintain current services	-	18,099	-	(3,633)	451	-	5,000	-	19,917
- Inflation (non-space-related)	-	23,697	-	1,689	442	-	64	-	25,892
- Vaccine Injury Trust Fund adjustment	-	(643)	-	-	-	-	-	-	(643)
- Space related costs (includes inflation for space rental rates)	-	36,698	-	1,174	-	-	140	-	38,012
- Information technology adjustments for ongoing operations	-	3,473	-	-	-	-	-	-	3,473
- Annualization of new FY 2010 positions	360	29,097	54	8,910	-	-	-	414	38,007
- Defender Services workload increase	-	-	59	28,598	-	-	-	59	28,598
- Change in available jurors	-	-	-	-	174	-	-	-	174
- FPS security service charges	-	-	-	-	-	-	5,385	-	5,385
- FY 2011 court security officer wage adjustments	-	-	-	-	-	-	13,295	-	13,295
- Annualization of new FY 2010 court security officers	-	-	-	-	-	-	832	-	832
- Additional court security officers in FY 2011	-	-	-	-	-	-	2,071	-	2,071
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	9,774	-	9,774
- Additional requirements for high-threat trials	-	-	-	15,600	1,180	-	5,285	-	22,065
<b>Subtotal, FY 2011 Adjustments to Base</b>	<b>500</b>	<b>230,480</b>	<b>113</b>	<b>98,371</b>	<b>2,247</b>	<b>-</b>	<b>41,239</b>	<b>613</b>	<b>372,337</b>
<b>FY 2011 Adjusted Base</b>	<b>30,703</b>	<b>5,246,926</b>	<b>2,849</b>	<b>1,076,119</b>	<b>64,108</b>	<b>70</b>	<b>493,846</b>	<b>33,622</b>	<b>6,880,999</b>
<b>FY 2011 Program Increases</b>									
Judges:									
- Magistrate judges and staff	27	2,961	-	-	-	-	-	27	2,961
Court Personnel and Programs:									
- New court support staff for workload increases	471	39,679	-	-	-	-	-	471	39,679
- Telecommunications infrastructure enhancements	-	25,000	-	-	-	-	-	-	25,000
- Increase in non-capital rate from \$126 to \$141 per hour	-	-	-	4,776	-	-	-	-	4,776
- New federal defender organization	-	-	-	300	-	-	-	-	300
- Five new judiciary-funded USMS positions	-	-	-	-	-	3	309	3	309
- National contract for vehicle barrier maintenance	-	-	-	-	-	-	683	-	683
- Facial recognition system (pilot)	-	-	-	-	-	-	200	-	200
<b>Subtotal, FY 2011 Program Increases</b>	<b>498</b>	<b>67,640</b>	<b>-</b>	<b>5,076</b>	<b>-</b>	<b>3</b>	<b>1,192</b>	<b>501</b>	<b>73,908</b>
Total increases requested, FY 2011	998	298,120	113	103,447	2,247	3	42,431	1,114	446,245
<b>FY 2011 Appropriation Request</b>	<b>31,201</b>	<b>5,314,566</b>	<b>2,849</b>	<b>1,081,195</b>	<b>64,108</b>	<b>73</b>	<b>495,038</b>	<b>34,123</b>	<b>6,954,907</b>

<sup>1</sup> The Judiciary FTE totals do not reflect reimbursable positions (282 in FY 2010; and 285 in FY 2011).

## FY 2011 Requested Appropriation Increases Courts of Appeals, District Courts, and Other Judicial Services



**FY 2011 Budget Request by Account**  
**Courts of Appeals, District Courts, and Other Judicial Services**  
**(Appropriations)**



**Courts of Appeals, District Courts and Other Judicial Services**  
***Salaries and Expenses***

<b>FY 2011 Request</b>		
<b>Courts of Appeals, District Courts and other Judicial Services, Salaries and Expenses</b>		
	<b><u>FTE</u></b>	<b><u>\$(000)</u></b>
<b>FY 2010 Enacted Appropriation</b>	30,203	\$5,011,018
Vaccine Injury Trust Fund		5,428
<b>FY 2010 Available Appropriation</b>	30,203	5,016,446
<b>Adjustments to Base</b>	500	230,480
<b>Program Increases:</b>		
New Magistrate Judges and staff	27	2,961
Court Support Staffing		
FY 2011 workload requirements	471	39,679
Information technology infrastructure enhancements		25,000
<b>FY 2011 Appropriation</b>	<b>31,201</b>	<b>\$5,314,566</b>
Vaccine Injury Trust Fund		(\$4,785)
<b>FY 2011 Direct Appropriation</b>	<b>31,201</b>	<b>\$5,309,781</b>

**Budget Summary**

The Judicial Conference requests \$5,314,566,000 for the Salaries and Expenses account in fiscal year 2011, including \$4,785,000 from the Vaccine Injury Trust Fund. This is a 5.9 percent increase over the fiscal year 2010 enacted appropriation of \$5,016,466,000. The Salaries and Expenses appropriation makes up 73 percent of the judiciary's total appropriations request, and 76 percent of the *Courts of Appeals, District Courts and Other Judicial Services* request. This account provides for the operating expenses of the 12 regional circuit courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. This account utilizes other funding sources, including current year fee collections and prior year carryforward balances, to offset the need for appropriated funds. The judiciary projects that these sources of non-appropriated funds will total \$432.2 million in fiscal year 2011, \$18.1 million below the fiscal year 2010 financial plan level of \$450.3 million.

**Adjustments to Base**

The requested increase for the Salaries and Expenses appropriation includes \$230.5 million for standard pay and other inflationary increases, and other adjustments that will allow the courts to maintain a fiscal year 2010 service level in fiscal year 2011. In broad categories, these increases include:

**1. Pay and benefit increases for judges: \$6.9 million**

An increase of \$6.9 million will provide for an estimated 1.4 percent ECI adjustment in 2011 for judges, and expected changes in benefit rates.

**2. Increase in average number of filled Article III judgeships:  
\$4.0 million FTE 32**

An increase of \$4.0 million will provide for an additional 5 Article III judgeships during fiscal year 2011. This request will also fund 11 law clerks, 6 courtroom deputies, and 6 secretaries and 4 court reporters associated with the Article III judgeships filled.

**3. Increase in the number of senior judges:  
\$13.0 million FTE 108**

An increase of \$13.0 million will provide for an additional 25 senior judges and 83 associated staff anticipated in fiscal year 2011.

**4. Non-recurring costs associated with new fiscal year 2010 judges (Article III and magistrate judges): (\$0.9 million)**

A decrease of \$0.9 million is requested for non-recurring, one-time costs associated with new judges in fiscal year 2010.

**5. Pay and benefit adjustments for court personnel:  
\$97.0 million**

An increase of \$97.0 million will provide for annualization of the 2010 ECI and locality pay adjustment for court personnel, an estimated 1.4 percent pay adjustment in 2011, within-grade increases, and changes in benefit rates.

**6. Annualization of new fiscal year 2010 staff:  
\$29.1 million FTE 360**

The requested increase annualizes the cost of additional staff expected to be hired in fiscal year 2010. The judiciary estimates that 720 additional positions will be filled for an average of six months in fiscal year 2010. This line item requests the remaining six months funding in fiscal year 2011 to annualize those 720 positions (360 FTE).

**7. GSA space rental and related expenses: \$36.7 million**

The judiciary requests a net increase of \$36.7 million in fiscal year 2011 for General Services Administration (GSA) rent and related services associated with (a) annualizing new space expected to be occupied during fiscal year 2010 (+\$7.2 million), (b) new space projected to be delivered by GSA in fiscal year 2011 (+\$30.5 million), (c) inflationary increase for GSA rent costs (+5.6 million) and (d) a decrease associated with other space-related adjustments (-\$6.6 million).

**8. Information technology program: \$3.5 million**

The Judiciary Information Technology Fund will require an additional \$3.5 million in deposits in fiscal year 2011 to operate and maintain its information technology infrastructure, products, projects, and services which are essential to the judicial process and the operations of the courts.

**9. Non-pay inflationary and contractual increases:  
\$23.7 million**

An increase of \$23.8 million is requested for a 1.1 percent general inflationary increase and other contractual increases.



**10. Funds necessary to maintain fiscal year 2010 service levels due to an anticipated decline in non-appropriated funds: \$18.1 million**

The fiscal year 2010 financial plan assumes that current year fee collections and prior-year carryforward balances from fiscal year 2010 will total \$450.3 million. The fiscal year 2011 request estimates that these non-appropriated sources of funds used to help finance court operations will total \$432.2 million, a net decrease of \$18.1 million from fiscal year 2010 assumed levels. The judiciary requests direct appropriated funds for fiscal year 2011 to replace these non-appropriated funds in order to maintain the same level of service as provided in fiscal year 2010.

**11. Vaccine Injury Compensation Trust Fund: (\$0.6) million**

The fiscal year 2011 level reflects a net decrease of \$0.6 million for standard pay and non-pay inflationary adjustments, including costs associated with rent. The net reduction is the result of the one-time cost for tenant alterations in fiscal year 2010.

**Program Increases**

The request includes \$67.6 million for program enhancements. These increases include:

**12. New magistrate judges: \$3.0 million FTE 27**

An increase of \$3.0 million will fund 6 new magistrate judges (6 FTE) in fiscal year 2011 to assist in districts with heavy caseloads.

This request funds the costs of 6 new judges and their associated staff (21 FTE) in New Jersey, South Carolina, Illinois, and California (Fresno, Sacramento, and San Diego).

**13. Fiscal Year 2011 workload requirements: \$39.6 million FTE 471**

Based on projected changes in projected caseload, the judiciary will require \$39.6 million for an additional 942 court support staff positions (471 FTEs) in fiscal year 2011 for appellate, bankruptcy, district clerks' and probation and pretrial services offices.

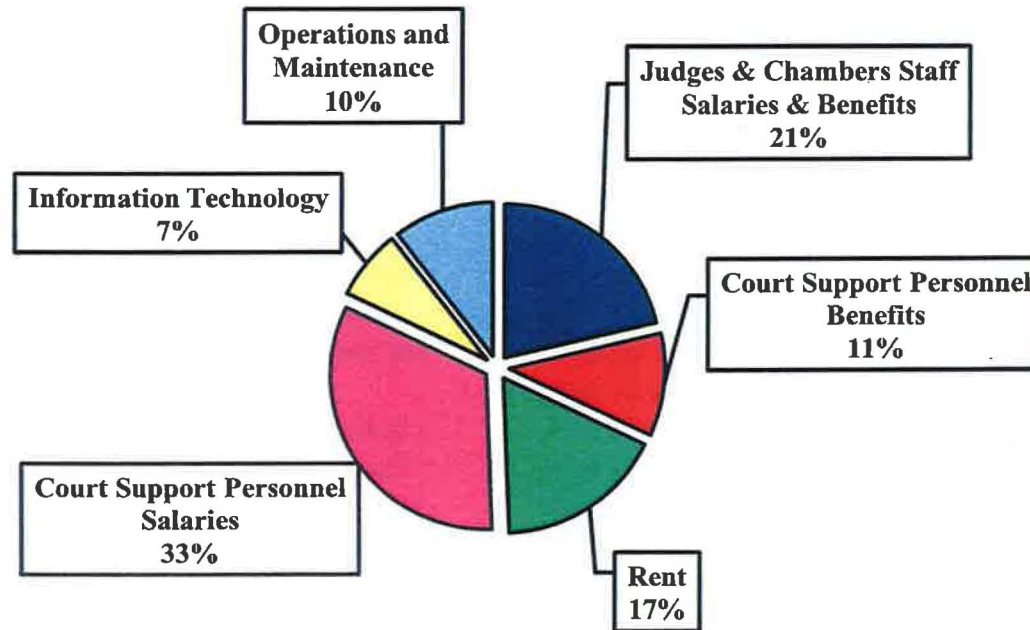
**14. Telecommunications infrastructure: \$25.0 million**

An increase of \$25.0 million is requested to enhance the judiciary's telecommunications infrastructure. This request represents an investment on a multi-year effort to replace the judiciary's data and voice communications infrastructure with a single, managed network infrastructure. The funding is necessary due to the advanced age of many of the courts' public exchange units that support voice communications, the exponential growth of data communications, and industry trends to converge voice and data network technologies. It is anticipated that this investment in new technology will result in significant cost avoidance once fully implemented in 3 to 4 years.

**U.S. Courts of Appeals, District Courts and Other Judicial Services, Salaries and Expenses  
Comparative Summary of Obligations by Category  
(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Estimate</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	3,282,429	3,559,314	3,709,280	149,966
Rent, Communications and Utilities	1,070,214	1,123,733	1,164,326	40,593
Travel	61,839	65,957	68,728	2,771
Other	629,357	761,438	804,397	42,959
<b>Total Obligations</b>	<b>5,043,839</b>	<b>5,510,442</b>	<b>5,746,731</b>	<b>236,289</b>
Financing Adjustment	(232,470)	(499,424)	(436,950)	62,474
<b>Available Appropriation (Direct)</b>	<b>4,811,369</b>	<b>5,011,018</b>	<b>5,309,781</b>	<b>298,763</b>
Vaccine Injury Trust Fund	4,253	5,428	4,785	(643)
<b>Total Available Appropriation</b>	<b>4,815,622</b>	<b>5,016,446</b>	<b>5,314,566</b>	<b>298,120</b>

**FY 2011 Budget Request**  
**Salaries and Expenses Account by Category**  
**(Obligations)**



## **Explanation of Other Funding Sources**

In addition to appropriated funds, each year the judiciary uses other non-appropriated funds to offset its appropriation requirement. Fee collections, primarily from court filing fees, comprise the majority of these sources of funds. These fees are used to offset expenses within the Salaries and Expenses account.

### ***“Unencumbered” Funds***

In addition to fee collections, in certain instances, the judiciary may carry forward funds from one year to the next. These carryforward funds are considered “unencumbered” when they are generated by savings in the financial plan in base areas or where budgeted costs did not materialize. These savings are usually unforeseen and uncontrollable by the judiciary. For example, the judiciary does not control the confirmation rate of Article III judges. The judiciary makes its best estimate, based on historical confirmation rates, as to how many judges will be confirmed in the upcoming year. When confirmations fall below historical estimates, the funds budgeted for these judgeships are not obligated. New space delivery is another area that can produce savings. The judiciary budgets for rent costs based on projected delivery dates provided by the General Services Administration. If delivery of the space by GSA is delayed, the previously budgeted rent costs become unencumbered.

A similar situation exists within the Judiciary Information Technology Fund. The Salaries and Expenses account must, by statute, procure its information technology needs, including hardware and software as well as system development requirements, from this fund. The fund is financed by deposits from the Salaries and Expenses account and, once deposited, the funds remain available without fiscal year limitation. It is common for savings in the Judiciary Information Technology Fund financial plan to occur. Information technology costs often are difficult to predict with

precision, and when costs come in below projections, savings materialize. Savings in the plan are carried forward in the fund and offset the required deposit in the following year. The judiciary uses these carryforward funds to offset the following year’s appropriation requirements.

Recognizing that savings in the financial plan tend to occur each year, but at unpredictable levels, the judiciary has tried to estimate the level of unencumbered funds that will be available to offset fiscal year 2011 requirements. As the table on page 37 indicates, the judiciary has estimated that unencumbered funds will be \$432.2 million in fiscal year 2011, a net decrease of \$18.1 million from the \$450.3 million in the fiscal year 2010 financial plan to help finance court operations. The judiciary requests appropriated funds for fiscal year 2011 to replace these non-appropriated funds in order to maintain the same level of services provided in fiscal year 2010. Because these funds are used as a general offset to judiciary requirements, the difference in their availability from one fiscal year to the next affects the judiciary’s appropriation requirement. If this loss in non-appropriated funds is not offset by a like amount of appropriated funds, it will result in a reduction in resources needed to fund base requirements. Due to the unpredictable nature of these funds, the judiciary will keep Congress informed throughout the appropriations cycle as to the current level of anticipated unencumbered non-appropriated funds and adjust its request for appropriated funds accordingly.

### ***“Encumbered” Funds***

Carry forward funds are considered “encumbered” when both the funds and the associated need for the funds shift to the next year. The judiciary has no-year authority for specific purposes. In some cases, as was described above, this authority is used to carry forward savings where planned expenses did not materialize. This authority is also used when planned expenses are delayed, or

slipped, from one year to the next. These “slippages” occur primarily in two areas: information technology investments and costs associated with new space delivery. In the Judiciary Information Technology Fund, one of the principle purposes for the creation of this fund was the recognition that the development of major information technology systems occurs over a period of years and is not efficiently driven by fiscal year limitations. Even so, the judiciary only budgets for information technology costs that it reasonably expects to complete in a given year. Because funds assigned to information technology investments can carry forward to the following year, this ensures that, for individual investments, funds to complete a phase will be available if not obligated by the end of the fiscal year. This flexibility allows projects to stay on or under budget by avoiding having to make costly contractual or other obligations based on the calendar rather than project readiness.

Similarly, the judiciary also receives a limited amount of no-year authority in its regular appropriation for space alterations and furniture associated with new space delivery. Because space alteration and building projects are also subject to unpredictable delays, the ability of the judiciary to carry forward funds associated with these specific projects allows the judiciary to budget for major space renovation costs and other non-rental costs associated with the delivery of a new courthouse and then carry forward these project specific funds if the project is delayed.

These “encumbered” funds, while adding to the judiciary’s projected obligations in a given fiscal year, do not impact the judiciary’s appropriations requirement. Even if the total amount fluctuates from year to year, the funds associated with the specific project are brought forward from the prior year to fund the project, resulting in no additional appropriation requirements.

#### Sources of Non-Appropriated Funds in Salaries and Expenses

(\$000)	FY 2010 Plan	FY 2011 Request	Difference
Salaries and Expenses			
<i>Fee Collections</i>	287,682	312,165	24,483
<i>Other S&amp;E and JITF Carryforward</i>	162,582	120,000	(42,582)
<b>Total</b>	<b>450,264</b>	<b>432,165</b>	<b>(18,099)</b>

**Salaries and Expenses Obligations - Judiciary Information Technology Fund Program Requirements**  
(\$000)

	FY 2010					FY 2011	Change: FY 2010 Adj. Base Requirements to FY 2011 Requirements (Excl. Prog. Increases)	Change: FY 2010 Adj. Base Requirements to FY 2011 Requirements (Program Increases only)
	A	B	C	D	E	FY 2011 Total Requirements		
IT Program Component	FY 2010 Projected Obligations	FY 2009 Slipped Requirements	FY 2010 Base Requirements (col a + col b)	FY 2010 Requirements Funded in FY 2009	FY 2010 Adjusted Base (col c + col d)	FY 2011 Total Requirements		
Court Administration Systems	2,677	0	2,677	0	2,677	2,752	75	0
Judicial Statistics and Reporting Systems	5,377	(799)	4,578	0	4,578	3,980	(598)	0
Courtroom Technology Program	10,666	0	10,666	0	10,666	12,796	2,130	0
Court Allotments	108,800	(678)	108,122	0	108,122	110,029	1,907	0
Probation and Pretrial Services	18,512	(801)	17,711	0	17,711	19,938	1,740	487
Financial Systems	30,857	(3,255)	27,602	0	27,602	28,579	977	0
Human Resources Systems	22,088	(869)	21,219	0	21,219	21,687	468	0
Management Information Systems	16,095	(1,051)	15,044	0	15,044	15,167	123	0
Infrastructure and Collaboration Tools	70,965	(381)	70,584	0	70,584	63,942	(6,642)	0
Telecommunications Program	65,866	(606)	65,260	5,615	70,875	97,446	1,571	25,000
Court Support Reimbursable Program	30,426	0	30,426	0	30,426	31,752	1,326	0
<b>TOTAL, SALARIES AND EXPENSES</b>	<b>\$382,329</b>	<b>(\$8,440)</b>	<b>\$373,889</b>	<b>\$5,615</b>	<b>\$379,504</b>	<b>\$408,068</b>	<b>\$3,077</b>	<b>\$25,487</b>

**Courts of Appeals, District Courts and Other Judicial Services**  
***Defender Services***

<b>FY 2011 Request</b> <b>Courts of Appeals, District Courts and Other Judicial Services, Defender Services</b>		
	<u><b>FTE</b></u>	<u><b>\$(000)</b></u>
<b>FY 2010 Enacted Appropriation</b>	2,736	\$977,748
<b>Adjustments to Base</b>	113	98,371
<b>Program Increases:</b>		
Increase in panel attorney non-capital rate (to \$141 per hour)		4,776
Start-up costs for one new federal defender organization		300
<b>FY 2011 Appropriation</b>	<b>2,849</b>	<b>\$1,081,195</b>

**Budget Summary**

The Judicial Conference requests \$1,081.2 million for Defender Services in fiscal year 2011, a 10.6 percent increase over the fiscal year 2010 enacted appropriation. This appropriation is approximately 15.0 percent of the judiciary's total fiscal year 2011 budget request. This funding supports the provision of constitutionally-mandated legal representation and other services to persons financially unable to obtain counsel in criminal and related matters in federal court. The Criminal Justice Act (CJA) provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private

attorneys established by the court. Costs associated with this account are driven by the number and type of prosecutions brought by United States Attorneys.

**Adjustments to Base**

An increase of \$98.4 million is requested for pay and inflationary adjustments that will allow the judiciary to meet its constitutional obligation to provide defense counsel to all eligible persons in fiscal year 2011. In broad categories, these increases include:

***1. Pay and benefit adjustments, Federal Defender Organizations, and Program Administration: \$13.2 million***

An increase of \$13.2 million will provide for an estimated 1.4 percent 2011 pay adjustment, promotions and within-grade increases, and changes in benefit rates.

***2. Pay adjustments, panel attorneys: \$33.2 million***

An increase of \$33.2 million will provide for the annualization of the fiscal year 2010 cost-of-living adjustments and increases in the hourly rates paid to panel attorneys for capital (to \$178 per hour) and non-capital (to \$125 per hour) representations, and for cost-of-living adjustment in the hourly rates effective on January 1, 2011. The capital rate would increase to an estimated \$179 per hour, and the non-capital rate would increase to an estimated \$126 per hour in fiscal year 2011.



**3. Annualization of new fiscal year 2010 staff:  
\$8.7 million FTE 52**

An increase of \$8.7 million (52 FTE) provides the remaining six months funding in fiscal year 2011 to annualize 104 positions expected to be hired in fiscal year 2010.

**4. Annualization of new fiscal year 2010 reimbursable staff:  
\$0.2 million FTE 2**

An increase of \$214,000 (2 FTE) provides the remaining six months funding in fiscal year 2011 to annualize 3 AO positions expected to be hired in fiscal year 2010.

**5. Increases in caseload, case complexity and change in caseload mix: \$44.2 million FTE 59**

An increase of \$44.2 million (59 FTE) is requested for additional and more costly representations in fiscal year 2011. The additional Federal Defender Organization staff will provide for the net increase in representations and increased complexity associated with the 210,900 non-capital representations projected in fiscal year 2011, including high-threat trials, and estimated costs for capital representations.

**6. Decrease in appropriation to fund base requirements due to an increase in non-appropriated sources of funds: (\$3.6 million)**

In fiscal year 2010, \$6.4 million in unobligated balances from fiscal year 2009 was available to finance fiscal year 2010 requirements. In fiscal year 2011, absent unforeseen expenses that might arise, the judiciary expects \$10.0 million in non-appropriated funds to be available, an increase of \$3.6 million from fiscal year 2010. Therefore, the increase in these non-appropriated funds will be used to offset fiscal year 2011 requirements.

**7. Other inflationary increases: \$2.9 million**

An increase of \$2.9 million is required for inflationary adjustments for all non-pay categories, as well as for space rental costs.

**8. Non-recurring costs: (\$0.3 million)**

A decrease of \$0.3 million is for non-recurring costs associated with start-up costs of one new defender organization expected to open in fiscal year 2010.

**Program Increases**

**9. Increase the panel attorney non-capital rate to \$141 per hour: \$4.8 million**

The request of \$4.8 million would fund the fiscal year 2011 costs associated with increasing the panel attorney non-capital rate to \$141 per hour, effective January 1, 2011.

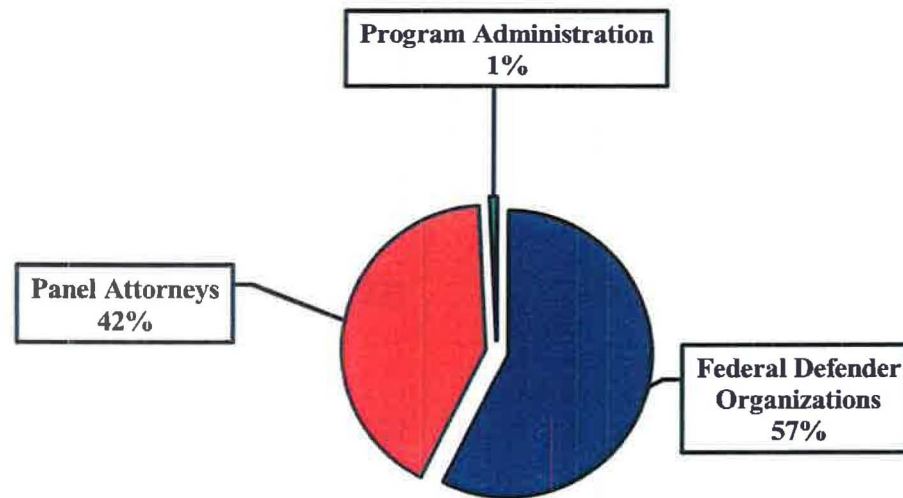
**10. New Federal Defender Organization: \$0.3 million**

An increase of \$300,000 will provide for the start-up costs of one new defender organization expected to be opened in fiscal year 2011.



<b>Courts of Appeals, District Courts and Other Judicial Services  Defender Services  Comparative Summary of Obligations by Category  (\$000)</b>				
<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	332,828	366,860	392,608	25,748
Rent, Communications and Utilities	40,362	44,052	46,414	2,362
Travel	10,225	11,603	11,893	290
Contractual Services (includes current year panel attorney payments)	383,351	419,048	488,514	69,466
Other (includes grants to Community Defender Organizations)	129,797	142,550	151,766	9,216
<b>Total Obligations</b>	<b>896,563</b>	<b>984,113</b>	<b>1,091,195</b>	<b>107,082</b>
Financing Adjustment	(47,163)	(6,365)	(10,000)	(3,635)
<b>Available Appropriation</b>	<b>849,400</b>	<b>977,748</b>	<b>1,081,195</b>	<b>103,447</b>

**FY 2011 Budget Request  
Defender Services Account by Category  
(Obligations)**



**Courts of Appeals, District Courts and Other Judicial Services**  
***Fees of Jurors and Commissioners***

<b>FY 2011 Request</b>	
<b>Courts of Appeals, District Courts and Other Judicial Services</b>	
<b>Fees of Jurors and Commissioners</b>	
	<u><b>\$(000)</b></u>
<b>FY 2010 Enacted Appropriation</b>	<b>\$61,861</b>
<b>Adjustments to Base</b>	<b>2,247</b>
<b>FY 2011 Appropriation</b>	<b>\$64,108</b>

**Budget Summary**

The Judicial Conference requests \$64.1 million for Fees of Jurors and Commissioners in fiscal year 2011, a 3.6 percent increase over the fiscal year 2010 enacted appropriation. This appropriation is less than one percent of the judiciary's total budget. Costs associated with this account may be unpredictable and are driven by the number of jury trials, the length of those trials, and statutory rates for reimbursement paid to jurors.

**Adjustments to Base**

All of the adjustments in this account are base adjustments that will allow the account to continue to pay for the statutory fees and expenses to grand and petit jurors and compensation of land commissioners in fiscal year 2011. These adjustments include:

**1. Inflationary adjustments: \$442,000**

In addition to the fees paid, jurors also are reimbursed for certain expenses including meals and lodging for sequestered jurors and transportation of juries to view evidence or crime scenes. Inflationary increases associated with these expenses are expected to total \$191,000 for grand jurors and \$251,000 for petit jurors in fiscal year 2011.

**2. Projected change in juror days: \$1.4 million**

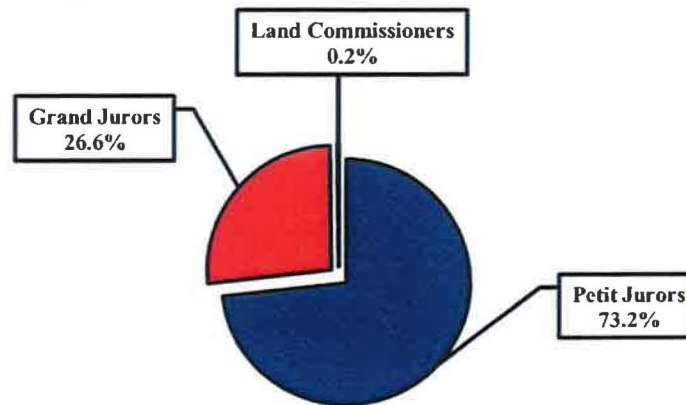
Based on projected changes in the number of available grand and petit jurors, overall requirements are projected to increase by \$1.4 million in fiscal year 2011, primarily associated with high-threat trials. Requirements for grand jurors related to these expenses are expected to decrease by \$150,000 and requirements for petit jurors are projected to increase by \$1.5 million.

**3. Funding needed to maintain fiscal year 2010 service level: \$451,000**

The fiscal year 2010 financial plan was financed in part by \$2,887,000 in carryforward balances from fiscal year 2009. The judiciary anticipates carryforward funding of \$2,436,000 in fiscal year 2011. Thus, the judiciary requests \$451,000 in fiscal year 2011 to replace direct appropriations in order to maintain fiscal year 2010 service levels.

<b>Courts of Appeals, District Courts and Other Judicial Services</b> <b>Fees of Jurors and Commissioners</b> <b>Comparative Summary of Obligations by Category</b> <b>(\$000)</b>				
<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	29,624	30,349	31,191	842
Rent, Communications and Utilities	1,469	1,518	1,561	43
Travel	30,148	30,800	31,653	853
Other	2,021	2,081	2,139	58
<b>Total Obligations</b>	<b>63,262</b>	<b>64,748</b>	<b>66,544</b>	<b>1,796</b>
Financing Adjustment	(1,056)	(2,887)	(2,436)	451
<b>Available Appropriation</b>	<b>62,206</b>	<b>61,861</b>	<b>64,108</b>	<b>2,247</b>

**FY 2011 Budget Request  
Fees of Jurors and Commissioners Account by Category  
(Obligations)**





**Courts of Appeals, District Courts and Other Judicial Services**  
***Court Security***

<b>FY 2011 Request</b>		
<b>Courts of Appeals, District Courts and Other Judicial Services</b>		
<b>Court Security</b>		
	<u><b>FTE</b></u>	<u><b>\$(000)</b></u>
<b>FY 2010 Enacted Appropriation</b>	70	452,607
<b>Adjustments to Base</b>		41,239
<b>Program Increases:</b>		
Five new judiciary-funded USMS positions	3	309
National contract for vehicle barrier maintenance		683
Facial recognition system (pilot)		200
<b>FY 2011 Appropriation</b>	<b>73</b>	<b>\$495,038</b>

**Budget Summary**

The Judicial Conference requests \$495.0 million for Court Security in fiscal year 2011, a 9.4 percent increase over the fiscal year 2010 enacted appropriation. The majority of the funding is transferred to the U.S. Marshals Service (USMS) which is responsible for administering the Judicial Facility Security Program. The Court Security appropriation is approximately seven percent of the judiciary's total budget.

**Adjustments to Base**

The Court Security request for adjustments to base is for pay, inflationary increases, and other adjustments that will maintain fiscal year 2010 current services. In broad categories, these adjustments include:

**1. *Pay and benefit increase: \$0.3 million***

For federal employees, this increase accounts for the annualization of the 2010 pay adjustment, an estimated 1.4 percent 2011 pay adjustment, within-grade increases, and changes in benefit rates.

**2. *Annualization of fiscal year 2010 court security officer positions (20): 0.8 million***

Funding is required to annualize costs for 20 additional Court Security Officers (CSO) consistent with the CSO staffing formula expected to be brought on-board in fiscal year 2010, based on projected occupancy dates for new and existing space.

**3. *Department of Labor and Collective Bargaining Agreements wage rate adjustment: \$13.3 million***

This increase provides for an average 4.0 percent wage adjustment for contract court security officers as established by the Department of Labor and based on collective bargaining agreements.

**4. *Non-pay inflationary increases: \$0.2 million***

The funding requested will provide for a general inflationary increase of 1.1 percent for travel, supplies, equipment, GSA space rental costs, and other contractual services (exclusive of Court Security Officers contracts).

**5. *Additional court security officers (30) associated with fiscal year 2011 new and existing space: \$7.2 million***

The increase provides for 30 additional CSOs for new and renovated existing space expected to be delivered in fiscal year 2011, as well as staffing for high-threat trials.

**6. *Changes in Federal Protective Service security charges: \$5.4 million***

The requested increase of \$5.4 million will fund basic security (\$1.7 million) and building-specific (\$3.7 million) operating expenses based on anticipated billings from the Federal Protective Service. This brings the total request to \$72.6 million in fiscal year 2011, compared to \$67.3 million projected in fiscal year 2010.

**7. *Adjustments to base for security systems and equipment: \$9.9 million***

The requested net increase of \$9.9 million will fund adjustments above the fiscal year 2010 funded base for court security systems and equipment. This includes \$17.0 million in increases for security equipment for new and renovated court facilities; cyclical replacement of screening equipment; perimeter security improvements; cyclical replacement of explosive trace detection (ETD) systems; cyclical replacement of hardware and software for

access control systems; and security for high-threat trials. An offsetting decrease of \$7.1 million is for the maintenance of x-ray machines and metal detectors; courthouse radio systems; security screening equipment for new court facilities; additional and replacement equipment; equipment for probation and pretrial services offices and federal public defender organizations; and expansion of ETD systems and itemiser consumables, spare parts and repair services for ETD systems.

**8. *Non-recurring requirements: (\$0.9 million)***

Non-recurring costs include reductions to one-time administrative expenses to bring the base in line with lower funding requirements.

**9. *Funding necessary to maintain fiscal year 2010 service levels due to an anticipated decline in non-appropriated sources of funds: \$5.0 million***

In fiscal year 2010, the court security account will utilize \$5.0 million in carryforward balances from fiscal year 2009. The judiciary currently does not anticipate having carryforward balances available at the end of fiscal year 2010 for use in fiscal year 2011. Thus, the judiciary requests that these carryforward funds be replaced with direct appropriations in order to maintain the fiscal year 2010 service level in fiscal year 2011.



## **Program Increases**

### ***10. Five New judiciary-funded USMS positions: \$0.3 million***

The judiciary presently funds 70 full-time USMS positions in fiscal year 2010. For fiscal year 2011, the USMS requests 5 additional positions (3 FTE) in fiscal year 2011, including a physical security specialist, a criminal investigator, two program analysts, and a budget analyst.

### ***11. Nationwide contract for vehicle barrier maintenance: \$0.7 million***

Funding is requested to establish a nationwide preventative maintenance contract and repair program for vehicle barriers installed by the USMS. This approach will increase the reliability of the vehicle barriers and reduce frequency of breakdowns.

### ***12. Pilot of Facial Recognition Systems: \$0.2 million***

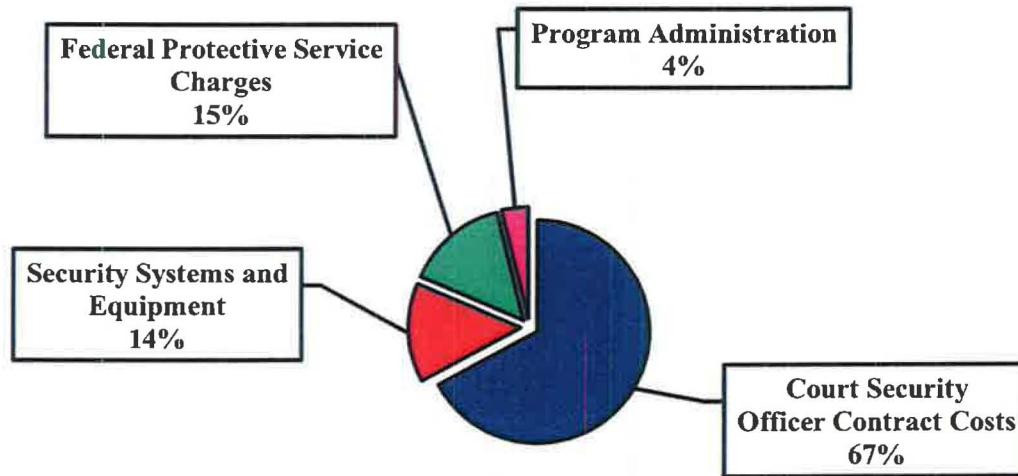
The USMS recommends an initiative to pilot facial recognition systems in court facilities. This initiative will provide effective technology to identify and prevent individuals who are “persons of interest” from entering courthouse facilities.

**Courts of Appeals, District Courts and Other Judicial Services  
Court Security  
Comparative Summary of Obligations by Category  
(\$000)**

Category	FY2009 Actual	FY 2010 Estimate	FY 2011 Request	Requested Increase/Decrease
Compensation and Benefits	6,795	8,113	8,374	261
Rent, Communications and Utilities	5,850	5,956	6,107	151
Travel	349	432	504	72
Court Security Officers Contract	299,704	310,748	331,961	21,213
Federal Protective Service Charges	64,307	67,254	72,639	5,385
Other	55,750	65,104	75,453	10,349
<b>Total Obligations</b>	<b>432,755</b>	<b>457,607</b>	<b>495,038</b>	<b>37,431</b>
Financing Adjustment	(3,897)	(5,000)	0	5,000
<b>Available Appropriation</b>	<b>428,858</b>	<b>452,607</b>	<b>495,038</b>	<b>42,431</b>

Court Security - Summary of Requirements and Financing								
	Court Security Officers (CSOs)		Systems/Equip	Program Administration		FPS Provided Security	Total	
	CSOs	\$000		\$000	FTE		\$000	FTE
Financing:								
FY 2010 Financial Plan	4,194	\$310,748	\$65,500	70	\$19,105	\$67,254	70	\$462,607
Less: Carryforward from FY 2009	0	\$0	(\$5,000)	0	\$0	\$0	0	(\$5,000)
<b>Total FY 2010 Enacted Appropriation</b>	<b>4,194</b>	<b>\$310,748</b>	<b>\$60,500</b>	<b>70</b>	<b>\$19,105</b>	<b>\$67,254</b>	<b>70</b>	<b>\$457,607</b>
FY 2011 Appropriation Increases	67	\$21,213	\$10,785	3	\$48	\$5,385	3	\$37,431
<b>Total FY 2011 Request</b>	<b>4,261</b>	<b>\$331,961</b>	<b>\$71,285</b>	<b>73</b>	<b>\$19,153</b>	<b>\$72,639</b>	<b>73</b>	<b>\$495,038</b>

**FY 2011  
Budget Request  
Court Security Account by Category  
(Obligations)**



## Administrative Office of the U.S. Courts

<b>FY 2011 Request Administrative Office of the U.S. Courts</b>		
	<b><u>FTE</u></b>	<b><u>\$(000)</u></b>
<b>FY 2010 Enacted Appropriation</b>	639	\$83,075
<b>Adjustments to Base</b>		3,893
<b>Program Increases:</b>		
Four new court support positions	2	287
<b>FY 2011 Appropriation</b>	<b>641</b>	<b>\$87,255</b>

### Budget Summary

The Administrative Office (AO) requests \$87.3 million in fiscal year 2011, a 5.0 percent increase over the fiscal year 2010 enacted appropriation. In addition to the appropriation provided by Congress, the AO receives non-appropriated funds from sources such as fee collections and carryover balances to offset its appropriation requirements. The AO also receives reimbursements from other judiciary accounts for information technology development and support services that are in direct support of the courts, the court security program, and defender services.

The AO provides administrative, legal, financial management, program, security, and information technology services to the federal courts. It provides support and staff counsel to the Judicial Conference of the United States and its committees, and implements Judicial Conference policies as well as applicable federal statutes and regulations. The AO is the focal point for communication and coordination within the judiciary and with Congress, the executive branch, and the public on behalf of the judiciary. As such, the court staffing levels are a primary workload driver for the AO.

### Adjustments to Base

The AO requests a \$3.9 million increase for base adjustments to the fiscal year 2010 current services level. This includes increased costs for recurring requirements, such as travel, communications, service agreements, and supplies.

### Program Increases

***1. Four new positions:      \$287,000                      FTE 2***

An increase of \$287,000 will fund 4 new positions (2 FTE) for six months to address high priority court support functions of the AO. It is the first request for additional AO-funded staff in six years.

Two operating accountant positions are requested to support a comprehensive modernization and consolidation effort of the judiciary's nationwide accounting system (FAS<sub>4</sub>T). These positions will develop and implement a new disbursing capability, which will strengthen internal control and financial accountability.

A database manager position is requested to oversee the replacement effort of the Probation Automated Case Tracking System (PACTS). PACTS is the primary information technology system used by the probation and pretrial services offices, which is reaching its capacity with 8,000 users and more than one million records.

One position is requested to coordinate between program offices throughout the AO, several executive branch agencies, Congress, and two Judicial Conference committees on high-profile and complex facilities and security functions of the judiciary.

**Administrative Office of the U.S. Courts  
Comparative Summary of Obligations by Category  
(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Compensation and Benefits	131,867	139,946	145,481	5,535
Rent, Communications and Utilities	695	889	912	23
Travel	1,497	1,769	1,815	46
Other	9,197	8,626	8,375	(251)
<b>Total Obligations</b>	<b>143,256</b>	<b>151,230</b>	<b>156,583</b>	<b>5,353</b>
Financing Adjustment	(22,287)	(23,050)	(22,222)	828
Reimbursable Program	(41,920)	(45,105)	(47,106)	(2,001)
<b>Available Appropriation</b>	<b>79,049</b>	<b>83,075</b>	<b>87,255</b>	<b>4,180</b>





## Federal Judicial Center

### Adjustments to Base

The Federal Judicial Center requests \$1.0 million and 2 FTE in adjustments to base increases, which are comprised of standard pay and other inflationary adjustments, and the annualization of four new staff expected to be hired in fiscal year 2010.

### Program Increases

***1. Enhance education and training programs: \$115,000***

The Federal Judicial Center request \$115,000 in fiscal year 2011 to continue the initiative to enhance education and training programming for judges, court staff attorneys, and court executives and managers.

***2. Enhance education, training and research technology resources: \$295,000***

The Federal Judicial Center requests \$295,000 to enhance education and research technology resources, including information technology licenses and contractor support for e-learning tools and for content management to enable users to have more effective access to Center online programs and services and to stay current with continuously evolving automation and video equipment necessary to expand distance learning and its delivery.

<b>FY 2011 Request Federal Judicial Center</b>		
	<u>FTE</u>	<u>\$(000)</u>
<b>FY 2010 Enacted Appropriation</b>	138	\$27,328
<b>Adjustments to Base</b>	2	956
<b>Program Increases:</b>		
Enhance education and training programs		115
Enhance education, training and research technology resources		295
<b>FY 2011 Appropriation</b>	<b>140</b>	<b>\$28,694</b>

### Budget Summary

The Federal Judicial Center (FJC) requests \$28.7 million in fiscal year 2011, a 5.0 percent increase over the fiscal year 2010 enacted appropriation. The FJC, which is the research and education arm of the Third Branch, provides judges and other judiciary personnel with education and training on legal developments and efficient litigation management and court administration. As such, its workload is derived in large part by the population of the courts.

**Federal Judicial Center**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

Category	FY 2009 Actual	FY 2010 Plan	FY 2011 Request	Requested Increase/Decrease
Compensation and Benefits	17,660	18,952	19,764	812
Rent, Communications and Utilities	512	542	522	(20)
Travel	5,126	5,546	5,436	(110)
Other	3,025	2,996	3,172	176
<b>Total Obligations</b>	<b>26,323</b>	<b>28,036</b>	<b>28,894</b>	<b>858</b>
Financing Adjustment	(598)	(708)	(200)	508
<b>Available Appropriation</b>	<b>25,725</b>	<b>27,328</b>	<b>28,694</b>	<b>1,366</b>

## Payment to Judiciary Trust Funds

### Adjustments to Base

<b>FY 2011 Request Payment to Judiciary Trust Funds</b>	
	<u><b>\$(000)</b></u>
<b>FY 2010 Enacted Appropriation</b>	\$82,374
<b>Adjustments to Base</b>	7,987
<b>FY 2011 Appropriation</b>	<b>\$90,361</b>

Based on independent actuarial calculations, an increase of \$8.0 million is required for this account for fiscal year 2011 detailed as follows:

Judicial Officers' Retirement Fund	\$7,187,400
Judicial Survivors' Annuities Fund	<u>\$800,000</u>
<b>Total</b>	<b>\$7,987,400</b>

### Budget Summary

The Judicial Conference requests \$90.4 million for the Judiciary Trust Fund in fiscal year 2011, a 9.7 percent increase over the fiscal year 2010 enacted appropriation. The Judiciary Trust Fund is a congressionally-scored mandatory account and is divided among three trust funds that finance payments to (1) retired bankruptcy and magistrate judges, (2) retired Court of Federal Claims judges, and (3) spouses and dependent children of deceased judicial officers. The appropriation requirements are calculated annually by an enrolled actuary pursuant to 31 U.S.C. 9503.

**Payment to Judiciary Trust Funds  
Comparative Summary of Obligations by Category  
(\$000)**

<b>Category</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2011 Request</b>	<b>Requested Increase/Decrease</b>
Other	76,140	82,374	90,361	7,987
<b>Total Obligations</b>	<b>76,140</b>	<b>82,374</b>	<b>90,361</b>	<b>7,987</b>
Financing Adjustment	0	0	0	0
<b>Available Appropriation</b>	<b>76,140</b>	<b>82,374</b>	<b>90,361</b>	<b>7,987</b>

## United States Sentencing Commission

<b>FY 2011 Request U.S. Sentencing Commission</b>		
	<u>FTE</u>	<u>\$(000)</u>
<b>FY 2010 Enacted Appropriation</b>	110	\$16,837
<b>Adjustments to Base</b>		758
<b>FY 2011 Appropriation</b>	<b>110</b>	<b>\$17,595</b>

### Budget Summary

The U.S. Sentencing Commission requests \$17.6 million in fiscal year 2011, a 4.5 percent increase over the fiscal year 2010 enacted appropriation.

The fulfillment of the Commission's duties to review and revise the guidelines regularly, collect data from federal sentencing courts, analyze these data to provide meaningful information on federal sentencing practices, and provide extensive training to guideline users can be satisfied only with full funding of its fiscal year 2011 request. Full funding will allow the Commission to continue its efforts to review and revise the guidelines; provide specialized training on federal sentencing issues, including application of the guidelines; modernize its data collection, analysis, and reporting systems; and continue its review of alternatives to incarceration.

The Commission has begun a comprehensive assessment of federal sentencing. As part of the assessment, the Commission held regional hearings across the country and the input received will help to shape the Commission's policy priorities for the year.

### Adjustments to Base

The Commission requests \$758,000 in adjustments to base increases, which are comprised of pay and other inflationary adjustments. The Commission requests no program increases.

**U.S. Sentencing Commission**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2009 Actual	FY 2010 Plan	FY 2011 Request	Requested Increase/Decrease
Compensation and Benefits	11,419	12,941	13,596	655
Rent, Communications and Utilities	88	88	125	37
Travel	889	859	880	21
Other	3,756	3,449	5,230	1,781
<b>Total Obligations</b>	<b>16,152</b>	<b>17,337</b>	<b>19,831</b>	<b>2,494</b>
Financing Adjustment	73	(500)	(2,236)	(1,736)
<b>Available Appropriation</b>	<b>16,225</b>	<b>16,837</b>	<b>17,595</b>	<b>758</b>